

HC ✓
 Mr. Hamilton
 m
 P. J. King
 RV 10/3

CABLEGRAM FROM: PRIME MINISTER, CAPE TOWN.

DATED 9th March 1948 (recd. 10.3.48)

(The text of this telegram may not be communicated OUTSIDE ANY UNITED KINGDOM DEPARTMENT without first being paraphrased.)

IMMEDIATE

153. Addressed London 153 repeated Canberra 16, Wellington 18, Ottawa 10, Washington 58 (please pass to British Embassy).
 ANTARCTIC. SECRO circular D117 refers.

Union Government are of opinion that a clear distinction should be drawn between the Antarctic Continent itself and the islands within the Antarctic Circle which lie at some distance from it. The latter already largely occupied like the Falklands South Georgia Gough Island and many others which are already partly occupied fall within the purview of settled International law and in case of dispute should be adjudicated upon by the International Court of Justice.

The Continent itself is unoccupied res nullius and as such can be made the subject of special ad hoc International arrangements which could be altered from time to time. This immense continent probably holds vast mineral treasures of great value to the civilised world which new scientific discoveries may make available in future. It should incidentally be neutralised for all war purposes so as not to become a new menace to the rest of the world. With new weapons of ever increasing range it might become a base from which distant continents may be threatened. An International arrangement may therefore be difficult but a necessary protection for a peaceful world. British claims should be distinguished from this continental aspect.

/EC

Ref: 19/88/2.

12th March, 1948.

Sir,

157. Address
Ottawa 10, Wa
ANTARCTIC.

I have the honour to inform you that the Union Government have now formulated their views in regard to the proposals on a future regime for the Antarctic outlined in the Secretary of State's circular telegram D. 117.

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the Antarctic
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They are of opinion that a clear distinction should be drawn between the Antarctic continent itself and the islands within the Antarctic circle which lie at some distance from it. The latter include areas already largely occupied like the Falklands, South Georgia, Gough Island, and many others which are already partly occupied. These fall within the purview of settled international law, and in case of dispute should be adjudicated upon by the International Court of Justice.

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in future.

The continent itself, on the other hand, is unoccupied res nullius and as such could be made the subject of special ad hoc international arrangements which could be altered from time to time. It is considered that this immense continent probably holds vast mineral treasures of great value to the civilised world which new scientific discoveries might make available in the future. The area should be neutralised for all war purposes so as not to become a menace to the rest of the world. Otherwise, with new weapons of ever-increasing range, it might become a base from which distant continents might be threatened. An international arrangement might be difficult to achieve, but it would nevertheless be a necessary protection for a peaceful world. British claims should be distinguished from this continental aspect.

I am, Sir,
Your obedient Servant,

A. M. HAMILTON

Political Secretary.

The Under-Secretary of State,
Commonwealth Relations Office,
Downing Street,
Whitehall,
S. W. 1.

delimitation of which would require further consideration. We reiterate our support for reference to the Court for the solution of disputes in the former area.

6178 For Totara only. Please make available to the United Kingdom Ambassador Washington this telegram and our previous No.96 to you.

This is an unparaphrased version of a Secret cypher (typex) message and the text must first be paraphrased if it is essential to communicate it to persons outside British and United States Government Services.

Inward Telegram to Commonwealth Relations Office

ALLOTTED TO F.A. & U.N. DEPT.

CYPHER (TYPEX)

D.II

FROM: NEW ZEALAND (GOVT.)
RPTD: AUSTRALIA (GOVT.)
CANADA "
SOUTH AFRICA "
WASHINGTON (N.Z. LEGATION)

19/88/2
F 2

D. 10th Mar., 1948. 8.15 p.m.
R. 10th " " 10.37 p.m.

IMMEDIATE

No. 41 TOP SECRET

Addressed Commonwealth Relations Office No. 41 repeated External Canberra No. 35 External Ottawa No. 5, Primus Pretoria No. 15 Totara Washington No. 102.

Your telegram D. No. 117.

ANTARCTIC

We consider the United States proposal for a condominium of the whole area is a most unsatisfactory halfway house, and would not wish to support a solution along these lines which ignores the United Nations.

2. As a development of our views previously expressed, we think there is much to be said for the creation as a subsidiary organ of United Nations of an Antarctic licensing authority which should approve expeditions for whaling, exploration and scientific research within the area to be determined as the Antarctic Continent.

3. As a prerequisite to the establishment of this licensing authority, we envisage an agreement by all claimants to territory to suspend further acts tending to assert national claims, and especially the establishment of military bases.

4. We would emphasize that our views imply a distinction between the two areas involved, namely the Falkland Island Dependencies and the Antarctic Continent itself, the exact delimitation/

POLAR COMMITTEE

Confidential

P(48)12

Previous Ref. P(48)3

RUSSIAN ACTIVITIES IN THE ANTARCTIC.

His Majesty's United Kingdom Ambassador, Moscow, reported on the 2nd February, 1948, that no reference had appeared in the Soviet press in recent years to the possibility of Soviet Territorial claims in the Antarctic.

A certain amount of publicity had been given to the activities of the "Slava II" and of the whaling fleet now operating in Antarctic waters for the second year in succession. In the Ambassador's view, however, there is no reason to suspect that the expedition has interests in anything but whaling.

(Signed) JOHN CHADWICK.

Secretary,

Polar Committee.

Commonwealth Relations Office,
9th March, 1948.

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at Bogota, it should be sufficient for United States Government to be able to say that dispute in which Argentine and Chilean Governments are concerned is to form subject of direct discussion between interested parties. We should therefore be ready to invite United States, Argentine and Chilean Governments to round-table discussion to consider manner in which conflicting claims to sovereignty in Falkland Islands Dependencies shall be dealt with and settled. Should United States Government agree and be willing to attend such a discussion, we would be ready to invite other two Governments at once and to make public announcement before Bogota Conference opens. Date and place of discussions would be matter for subsequent arrangement.

(4) Ambassador is also being authorised to explain informally and confidentially to State Department that on strategic grounds we attach importance to retaining control at least of Deception Island and Admiralty Bay in South Shetlands and of Signy Island in South Orkneys. At all these places our title is especially good, and we consider that we have right to benefit of legal decision from International Court. These requirements do not (repeat not), however, appear to us to be incompatible with an eventual arrangement with United States, Argentina, or Chile establishing their rights at other places in the area. In other words, our object and expectation is not to try to secure an exclusive position ourselves over whole sector, but to ensure that we retain control of places where our title is best and our strategic and commercial interest greatest.

3. Ambassador's attention is being invited to replies from Australia, New Zealand and South Africa to my previous telegrams on this subject.

i.e. such matters as scientific expeditions and control of fisheries. In present case there would be additional difficulty of deciding whether it could apply (a) to all territory within Antarctic Circle or (b) to whole Antarctic Continent including the islands, or (c) to some slightly wider area which would include islands in Falkland Islands Dependencies over which dispute with Argentine and Chile has arisen. Neither (a) nor (b) would cover South Shetland and South Orkney groups, while under (c) it would be, of course, essential to maintain a definition which would exclude South Georgia and Falkland Islands as inhabited territories.

(2) Whilst we understand United States desire to merge limited Anglo-Argentine-Chilean dispute into wider plan for whole Antarctic Continent, we feel that this would make for unnecessary complications. Not only would it require willingness of Australian, New Zealand, French and Norwegian Governments to participate in discussions, but there would seem to be no (repeat no) certainty that other Governments, including U.S.S.R., could be prevented from claiming a share in any Condominium plan on this scale. Moreover, there would be some risk that such a scheme might be used as a precedent for Arctic areas, which would have serious implications for United States and Canada. For these reasons we feel that United States Government would be ill-advised to commit themselves publicly to principle of Condominium without considerable further thought.

(3) Ambassador is to go on to say that we none the less appreciate State Department's motive in trying to prevent discussion of Antarctic questions at Bogota Conference and that we are conscious of need for constructive suggestions on our part. Our view is that, in order to forestall discussion
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This is an unparaphrased version of a Secret cypher (typex) message and the text must first be paraphrased if it is essential to communicate it to persons outside British and United States Government Services.

Outward Telegram from Commonwealth Relations Office

F.A. & U.N. DEPT.

F.2876/-

CYPHER (TYPEX)

D.I.

TOP SECRET

TO: CANADA (GOVT.)
AUSTRALIA "
NEW ZEALAND "
SOUTH AFRICA "

(Sent 8.45 p.m., 17th Mar., 1948.)

IMMEDIATE

D.No. 123 TOP SECRET

My telegram 6th March D.No.117.

ANTARCTIC

United States State Department have expressed hope that our views on their idea of a Condominium would be available by mid March, since it might prove difficult for them, in view of forthcoming Bogota Conference, to delay discussions with other Governments after that time. United States Embassy here have also informed us that United States Government want to make some announcement before Bogota Conference in order to discourage discussion there of Antarctic questions. Embassy explain that Condominium has been suggested in deference to our objections to trusteeship.

2. His Majesty's United Kingdom Ambassador, Washington, has in consequence been instructed to approach State Department urgently on following lines -

(1) It is impossible for His Majesty's Government in United Kingdom to accept a Condominium scheme even in principle, without very much greater study of its implications than is possible in the time available. Any such plan involving a large number of powers must obviously create administrative problems even in territory which is relatively uninhabited,

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United Kingdom representatives emphasised advantages of His Majesty's Government in United Kingdom inviting United States, Argentine and Chile Governments to a round table discussion for purpose described in paragraph 2 (3) of my telegram under reference. If this course were to be followed, United Kingdom Government would be bearing main burden of initiating a Conference and would in no wise compromise United States Government if our approach were rejected. Also, an eventual settlement with other Governments concerned might best be achieved by tackling part rather than whole of area, and by dealing first with most difficult part. Subsequent discussion proved inconclusive.

4. We have since been informed that United States Government now believe that Antarctic claims may not (repeat not) be pressed unduly hard at Bogota Conference and, that, in order to provide opportunity for further discussion with His Majesty's Government in United Kingdom, they are ready to drop their proposal to issue invitations for eight power conversations until after Bogota Conference. They have requested in return that we shall not (repeat not) proceed with arrangements for four power conference.

5. We are considering position now reached and are not (repeat not) for the moment proceeding in sense of paragraph 2 (3) of my telegram under reference.

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Outward Telegram from Commonwealth Relations Office

F.A. & U.N. DEPT.

CYPHER (TYPEX)

D.I

TO: CANADA (GOVT.)
AUSTRALIA
NEW ZEALAND
SOUTH AFRICA

(Sent 9.45 a.m., 26th Mar., 1948.)

19/88/2

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D.No.126 TOP SECRET

My telegram 17th March D.No.123.

A N T A R C T I C

His Majesty's United Kingdom Ambassador Washington reports that matter has been discussed between United Kingdom and United States officials on lines indicated in my telegram under reference.

2. United States representatives said that

- (a) term "Condominium" was not (repeat not) essential and they would accept any other name for international control.
- (b) they would agree to exclusion of South Georgia and would oppose inclusion of Falkland Islands in any international discussion of Antarctic.

3. United Kingdom representatives stressed importance of excluding Deception Island from scope of discussions and emphasised advantage of excluding territory north of 70 degrees latitude since Bellingh^usen did not (repeat not) penetrate south of 69 degrees. United States representatives, who had originally proposed to include areas south of 60 degrees, agreed to consider this point. They discounted risk of creating precedent for Arctic since Arctic was almost entirely sea and not land. They indicated that they might wish to discuss this matter shortly with Canadian Government. United States representatives then said that their Government still favoured 8 power discussions. They expressed a fear lest continuation of United Kingdom-United States discussions would cause resentment in Argentine and Chile.

United/

Office

D.I

AMENDMENT SLIP

Please substitute "Bellinghausen" for "Bellinghasen" in fourth line of paragraph 3 of telegram D.No.126 dated 26th March. Error regretted.

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United/

8. In view of indirect interest in the above of United Government we should be glad to learn as soon as possible whether they for their part wish to offer any comments on United States proposals and the attitude which we propose to adopt.

(b) that United States Government now appear to appreciate our and other Commonwealth Governments' objections to trusteeship, which would almost inevitably result in Russian interference in Antarctic questions.

7. We have, therefore, decided if other Commonwealth Governments agree -

- (a) To negotiate with the other Governments concerned with a view to formulation of plan for pooling of Antarctic territory under joint eight-power administration; provided always that this did not repeat not take form of trusteeship or involve placing territory in any way under authority of United Nations. Fullest possible co-operation and association with appropriate United Nations bodies would on the other hand be recommended.
- (b) To endeavour to secure from other interested Governments recognition of United Kingdom sovereignty over a limited area in South Shetland Islands including Deception Island, if necessary allowing Argentina and Chile in return to retain some token island or islands.
- (c) If, however, it should prove necessary, in order to ensure success of eight-power discussions, we should be prepared in last resort to place whole of Falkland Islands Dependencies South of Latitude 60° within special regime, provided that all other powers acted similarly in regard to their own territories.

We are satisfied that if above proposals came into effect we should not repeat not lose any essential strategical requirement.

/s. In view of

5. Briefly proposals in their latest form provide that -

- (a) territorial scope of special regime shall embrace Antarctic Continent and all Islands South of 60° South Latitude, except South Shetland and South Orkney groups. Eight Governments concerned would merge and join their claims and interests in this special regime;
- (b) an International Antarctic Commission shall be established, composed of one representative appointed by each participating state, to exercise the powers and carry out the responsibilities of the Agreement;
- (c) the Commission shall co-operate with the appropriate Specialised Agencies of the United Nations and with international scientific bodies on matters of mutual concern;
- (d) Agreement shall enter into force when all of the Governments concerned shall have become parties thereto.

6. We felt that it was essential to consider United States proposals as a matter of urgency, since we and other Commonwealth Governments will be faced, when formal approach is made to us by United States Government in next few days, with necessity of giving a considered opinion on their proposals. In arriving at conclusions referred to below we have, therefore, had particularly in mind (a) that some early settlement is essential to long standing and increasingly troublesome dispute with Argentina and Chile in Falkland Islands Dependencies both on general grounds and because situation would be made worse if Argentina and Chile send further expeditions in the next Antarctic summer as they may be planning to do;

/(b) that United

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Outward Telegram from Commonwealth Relations Office

F.A. & U.N. DEPT.

F.2870/-
CYPHER (TYPEX)

D.II

TO: CANADA (GOVT.)
AUSTRALIA "
NEW ZEALAND "
SOUTH AFRICA "

(Sent 3.0 p.m., 24th July, 1948.)

IMMEDIATE

D.No. 157 TOP SECRET

ANTARCTIC

f.a.? 1. United Kingdom High Commissioner will have informed you of discussions which have recently taken place between State Department and United Kingdom Embassy officials in Washington, in course of which United States authorities revealed that they intended shortly to put before other powers interested in the Antarctic i.e. United Kingdom, Australia, New Zealand, France, Norway, Argentina and Chile, a scheme for international trusteeship of the Antarctic.

2. We understand that this plan was communicated by United States authorities to the Chilean Government (whose initial reaction was unfavourable) in advance of communication to other Governments concerned.

3. We protested to United States Government against this procedure and indicated to them our objections to international trusteeship proposals generally. As a result United States Government have since prepared revised scheme for what they term a "special regime" for Antarctic.

4. Their present intention is that these revised proposals should be handed formally to other Governments concerned within next few days and that United States Government should at same time announce their own territorial claims in Antarctic.

/5. Briefly

Notes with reference to Circular Telegram No. D. 157.

1. The Prime Minister has already left for Cape Town and it is therefore not possible for the Department of External Affairs to obtain the considered views of the Government.

The views of the Department are, however, briefly as follows:-

2. They are in agreement with the United Kingdom attitude towards the American proposals as set out in paragraphs 6 and 7 and trust that the idea of a United Nations Trusteeship or any other form of United Nations control will now be dropped entirely.

3. They wish however to draw attention to specific South African interests in the control and administration of Antarctica. The Union has never advanced any claim to Antarctic territory, most of which in default of effective occupation can only be regarded as terra nullius. The Union is, moreover, the only considerable state in the southern hemisphere which in terms of the proposal for an international Antarctic Commission will have no say in the future control and administration of the Antarctic continent. Yet from the long term standpoint the manner in which such control is exercised will prove to be of vital concern to the Union. Its important whaling interests in the Antarctic are well known. On the meteorological side it may hope to benefit from the establishment of meteorological stations at Antarctic bases. Its future interest in trans-Antarctic air communications is apparent from the map. When the time comes for economic exploitation and development of the continent the Union will be one of the natural and appropriate bases from which such enterprises will operate. In the field of long range and long term strategy the control of Antarctica must always be a matter of primary concern to it.

4. This bare outline of the Union's interests may well be sufficient, it is felt, to indicate the extent of its interests and to justify consideration being given to the association of the Union with any organisation or machinery which may be advised for control and administration of the Antarctic continent. The Department has not had the time or the opportunity to examine in detail how the Union might to best advantage present a claim for some form of association with any international administration of Antarctica, but it would be useful to obtain informally an indication as of the extent to which the United Kingdom might be prepared to support a South African claim to participation in international discussions on this subject.

5. It should be emphasised that the present enquiry is only of a tentative and preliminary character pending consideration of the problem by the Union Government.

File
*This may be a commitment
to have a talk
with them? (12/31/7)*
HEAD
H.C.
M. H. G.
27/7

(The text of this telegram
communicated OUTSIDE
DEPARTMENT without first being
3205



CARLETON WISE: SECRETARY FOR EXTERNAL AFFAIRS, PRETORIA.

DATED: 27th July, 1948 (Recd 27.7.48).

Most Immediate.

No. 433. Top Secret. Antarctic. Ref Circular D 157.

1. The Prime Minister has already left for Capetown and it is therefore not possible for us to obtain the considered views of the Government.

The views of the Department are however briefly as follows -

2. We are in agreement with United Kingdom attitude towards American proposals as set out in paras 6 and 7 and trust that the idea of United Nations Trusteeship or any other form of United Nations Control will now be dropped entirely.

3. We wish however to draw attention to specific South African interests in the control and Administration of Antarctica. The Union has never advanced any claim to antarctic territory most of which in default of effective occupation can only be regarded as terra nullius. The Union is moreover the only major power in the Southern Hemisphere which in terms of the proposal for an international antarctic Commission will have no say in the future control and Administration of the antarctic continent. Yet from the long term standpoint the manner in which such control is exercised will prove to be of vital concern to the Union. Our important Whaling interests in the antarctic are well known. On the

5. is only of a tentative and preliminary character pending consideration of the problem by the Union Government.

AMH/PH.

the meteorological side we may hope to benefit from the establishment of meteorological stations at Antarctic bases. Our future interest in trans-Antarctic Air communications is apparant from the map. When the time comes for economic* exploitation and development of the continent the Union will be one of the natural and appropriate bases from which such enterprises will operate. In the field of long range and long term strategy the Control of Antarctica must always be a matter of primary concern to us.

4. This bare outline of our interests may well be sufficient we feel to indicate the extent of our interests and to justify consideration being given to the association of the Union with any organisation or machinery which may be advised for control and Admin/istration of the Antarctic continent. We have not had the time or the opportunity to examine in detail how the Union might to best advantage press a claim for some form of association with any international Admin/istration of Antarctica but we wish you as a matter of urgency to ascertain informally to what* extent the United Kingdom might be prepared to support a South African claim to participation in international discussions on this subject.

5. In discussing the matter with the United Kingdom Government please make it clear that your enquiries are of a tentative and preliminary character pending consideration of the problem by the Union Government.

MW.

*quilted word

is only of a tentative and preliminary character pending consideration of the problem by the Union Government.

AMH/PH.

The text of this telegram may not be communicated outside the UNITED KINGDOM DEPARTMENT without first being paraphrased.

TOP
SECRET

TELEGRAM FROM: SECRETARY FOR EXTERNAL AFFAIRS, PRETORIA.

DATED: 27th July, 1948 (Recd 27.7.48).

URGENT
M. H. ...
27/7

Most Immediate.

No. 453. Top Secret. Antarctic. Ref Circular D 157.

1. The Prime Minister has already left for Capetown and it is therefore not possible for us to obtain the considered views of the Government.

Pol Sec.
10/8/48
S. ...
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The views of the Department are however briefly as follows -
2. We are in agreement with United Kingdom attitude towards American proposals as set out in paras 6 and 7 and trust that the idea of United Nations Trusteeship or any other form of United Nations Control will now be dropped entirely.

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3. We wish however to draw attention to specific South African interests in the control and Administration of Antarctica. The Union has never advanced any claim to antarctic territory most of which in default of effective occupation can only be regarded as terra nullius. The Union is moreover the only major power in the Southern Hemisphere which in terms of the proposal for an international antarctic Commission will have no say in the future control and Administration of the antarctic continent. Yet from the long term standpoint the manner in which such control is exercised will prove to be of vital concern to the Union. Our important Whaling interests in the antarctic are well known. On the

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is only of a tentative and preliminary character pending consideration of the problem by the Union Government.

AMH/PH.

MINISTÈRE DES AFFAIRES
ÉTRANGÈRES

Oslo.
July 10th, 1946.

Dear Mr. Crowe,

Mr. Lunde has handed me your letter of the 7th instant concerning the proposition for a law regarding Queen Maud Land.

I cannot say when the proposition is likely to be considered by the Storting, but it can in no case be done before the Storting reassembles after the summer holiday.

The international status of Queen Maud Land as a Norwegian territory has been established by Royal decree of the 14th January 1939, by which the territory was placed under Norwegian sovereignty. The contents of this decree was communicated to the British Government by a note from the Norwegian Legation in London dated the 14th January, 1939. It is not proposed to make any change in the international status of the territory.

When a territory is placed under Norwegian sovereignty - which may be done either simply by Royal decree as in the case of Queen Maud Land, or by a treaty as in the case of Svalbard - a law is afterwards adopted in order to define the status according to Norwegian (municipal) law of the territory in question, and in order to state to which extent Norwegian laws are applicable to the new territories. Such laws have been adopted for Svalbard and Jan Mayen, which have been made parts of the Kingdom of Norway, and for Bouvet Island and Peter I's Island, which have been made Norwegian dependencies ("biland"). The adoption of a similar law for Queen Maud Land is in fact a matter of mere routine. There is no question of any new political move. If it had not been for the war, the law concerning Queen Maud Land would probably have been in force since many years ago.

The new law on Queen Maud Land will take the form of an amendment to the law of the 27th February, 1930, concerning Bouvet Island and Peter I's Island. By this amendment the name of Queen Maud Land ("Dronning Maud Land") will be given to the Norwegian territory on the Antarctic continent, which extends from 45 East Longitude to 20 West Longitude. (Hitherto the name of Queen Maud Land has been applied to a part of the Antarctic continent which began slightly east of 45 East Longitude and did not extend quite as far west as 20 West Longitude).

When the status of Queen Maud Land has been defined by a law, it will be impossible to alter that status without making a new law. (Act of the Norwegian Parliament).

I enclose for your information a copy of the proposition to the Storting.

Yours sincerely,

E.A. COLBAN (signed).

For Mr. A. Hamilton,
South Africa House

POLAR COMMITTEE
QUEEN MAUD'S LAND

th, 1948.

P. (48)28

Previous reference P. (48)23

7th instant
Maud Land.

Annexed is a copy of a letter from the Norwegian Department of External Affairs to the United Kingdom Embassy in Oslo, dated July the 10th, explaining the purposes of the Norwegian law by which Queen Maud's Land is to become a dependent portion of the Norwegian state.

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(Signed) John Chadwick

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Commonwealth Relations Office.

15th August, 1948.

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Chris L. E.A. W.
A.H.
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When the status of Queen Maud Land has been defined by a law, it will be impossible to alter that status without making a new law. (Act of the Norwegian Parliament).

I enclose for your information a copy of the proposition to the Storting.

Yours sincerely,

E.A. COLBAN (signed).

therefore, the basis of the proposals was broadened to include powers not already owning or claiming territory in the Antarctic, the United States Government would undoubtedly be faced with claims from Russia to be associated with the International Antarctic Commission which, it is proposed, should be established under the "special regime".

7. For the above reasons the United Kingdom Government would see some difficulty at the present stage in lending their support to the suggestions put forward by the Union authorities. But as will be appreciated, the United States proposals are still tentative. Preliminary discussions between the Argentine and Chilean Governments and representatives of the State Department show that Argentina and Chile are at present definitely opposed to any pooling of Antarctic resources. Moreover, the reactions of the Norwegian and French Governments to the scheme as a whole are not yet known.

8. In the circumstances the United Kingdom Government would suggest that the Union Government should await the presentation of the United States proposals to the other seven Governments concerned, and their publication, before taking any steps to approach the United States Government in the matter.

9. The United Kingdom Government for their part will of course continue as in the past to keep the Union Government closely informed of all further developments in the Antarctic field.

Commonwealth Relations Office,

13th August, 1948.

concerned, namely - Australia, New Zealand, France, Norway, Argentina, Chile and the United Kingdom, all of whom already occupy or lay claim to territory in the Antarctic.

5. The United Kingdom Government would, therefore, find it difficult at this time to meet the suggestion contained in the aide memoire that they should support a South African claim to participate in discussions on the "special regime". In the first place they have not yet had the opportunity of studying the formal proposals of the United States Government. Secondly the intention of the State Department, as mentioned above, is that the powers to be associated with the "special regime" should be those already in possession of or laying claim to Antarctic territory. It is true that the United States Government are not themselves numbered as yet amongst such powers, but it is their intention, as soon as their proposals are presented, to announce their own claim to Antarctic territory. In the opinion of the United Kingdom Government such a claim would be fully justified by the activities already undertaken by numerous United States expeditions to the Antarctic, though the United Kingdom Government have no knowledge of the areas to which the United States Government intend to lay claim, nor whether they would overlap the claims of other powers.

6. There is a further difficulty which the Union Government will appreciate, namely that the United States proposals were purposely framed in such a way as to exclude the possibility of certain other powers, notably Russia, being associated with the "special regime" through United Nations organs such as the Security Council. If,

/therefore,

Aide-Memoire forwarded to us as promised by Secretary State
for Commonwealth Relations when I discussed this matter with him
on his previous visit No. 7

W. F. Rogers 14/8/48

ANTARCTIC

SECRET

The United Kingdom authorities were glad to receive the views set out in the note communicated to this Office on the 28th July and to be given the opportunity of commenting on them.

2. They note that whilst the opinions expressed in the aide memoire are tentative and preliminary, the Union Department of External Affairs are anxious to obtain the opinion of the United Kingdom Government on the suggestion that South Africa should in some way be associated with the proposed "special regime", and to learn the extent to which they might be prepared to support a South African claim to participation in international discussion of this subject.

3. The United Kingdom Government would in principle be very willing to support the claim of another Commonwealth Government to be associated with the "special regime". Moreover, they fully recognise the special South African interest in Antarctic matters and have always endeavoured to keep the Union Government closely informed of their attitude towards Antarctic problems generally.

4. In this case, however, as will be appreciated, the proposals for a "special regime" emanated from the United States Government and the United Kingdom authorities were given no more than advance information of what the State Department had in mind. There was at no time any question of formal prior consultation between the two Governments. It is further understood that the United States Government are now on the point of presenting their plans to the other seven powers

/concerned, ,

19/88/2.

SPRINGBOK:

18th August, 1948.

SECRET.

THE SECRETARY FOR EXTERNAL AFFAIRS:

Plans for Antarctic Regime.

In my telegram No. 427 of the 30th July I informed you that we had informally communicated to United Kingdom officials the views outlined in your telegram No. 433 on proposals for a new regime in the Antarctic. Since then the High Commissioner took a convenient opportunity of mentioning the subject to the Secretary of State and we have now received from an official source at the Commonwealth Relations Office a memorandum setting out the views of United Kingdom departments on the suggestion that the Union should in some way be associated with the proposed special regime. A copy of this memorandum is now enclosed.

From talks at the Commonwealth Relations Office it is clear that the United States proposal has been making very heavy weather. The illconsidered manner in which the subject was first raised by the State Department was the cause of some embarrassment to the United Kingdom Government and it is understood that the suggestion has as yet received no serious consideration in the Argentine or Chile, both of which countries seem entirely opposed to it. The Australians, moreover, appear to have reacted strongly against the proposal of a joint administration of the Antarctic regime.

It would seem that in the United Kingdom view the chief difficulty in the way of associating the Union with a special regime of this kind would be that it might open the door to a similar claim from the Soviet Union. We shall, of course, keep in close touch with the United Kingdom authorities on developments in this matter.

W. H. HAMILTON

AMH/JH.

Political Secretary.

7. M. 298.

PRESS CUTTING.

From

TIMES

Dated

28. 8. 48

U.S. ANTARCTIC PROPOSAL

ADMINISTRATION BY EIGHT POWERS

DOMINIONS CONSULTED

From Our Diplomatic Correspondent

New proposals for the future administration of the Antarctic continent have been put forward by the American State Department and are under consideration by the British Government, in consultation with the Dominions. Reports from South America indicate that the plan involves the United States, Great Britain, and all countries with territorial claims in the Antarctic. These are Australia, New Zealand, France, Norway, Argentina, and Chile.

According to reports from Washington, the plan is for an eight-Power joint administration of the Antarctic in association with the United Nations. A State Department official has described the communications as "very tentative."

It is early yet to say what will be the British reply to the American proposals since consultations with the Dominions are still going on, and two of them, Australia and New Zealand, are directly interested parties. The British Government have always deplored that valuable scientific work, particularly in the field of meteorology, is being interfered with by the intrusion of new political rivalries. Certainly, in any arrangement come to, notice would have to be taken of Great Britain's unquestionable claim in certain areas, and also of whaling rights.

When Chile and Argentina committed acts of trespass off Graham Land and in the South Shetlands Great Britain last December protested and invited them to submit their claims to the International Court at The Hague. This invitation they refused to accept. Both these areas, and the South Orkneys, lie between parallel 60 and the Antarctic Circle. The Falkland Islands, to which Argentina also lays claim, are not part of the Antarctic.

CHILEAN STATEMENT

FROM OUR OWN CORRESPONDENT
BUENOS AIRES, AUG. 27

The Argentine and Chilean Governments are reported to be studying the proposal about the Antarctic, but meanwhile the Chilean Foreign Ministry has stated that the proposal fundamentally resembled the earlier suggestion, already rejected by Chile, made by Mr. Gaspar Green, American State Department official, that the United Nations should exercise trusteeship over Antarctica.

File
in 291

PRESS CUTTING.

From *The Times* Dated *aug 31st 1968*

FUTURE OF ANTARCTICA

TWO VIEWS IN AUSTRALIA

FROM OUR OWN CORRESPONDENT

CANBERRA, AUG. 30

There are two views in the Cabinet about the United States proposals for international control of Antarctica as a solution of the conflicting claims to Antarctic territory.

Dr. Evatt opposes any surrender of Australian sovereignty in her sector because of its potential value for defensive and other purposes. A section of the Cabinet led by Mr. Dedman, the Minister of Defence, prefers control by a condominium, provided that the United States takes part as a major partner, because of the new strategic concepts created by the development of long-range weapons. This section is of the opinion that Antarctica should be controlled by friendly, powerful forces just because it is potentially important for defensive purposes and a possible site for rocket-borne attack on the southern fringe of Australia, subject to the provision that Australia is assured facilities for meteorological and other scientific research and is guaranteed her equitable share in any material resources which may be discovered and developed.

X

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Cypher/OTF

POLITICAL DISTRIBUTION

FROM WASHINGTON TO FOREIGN OFFICE

Sir O. Franks
No. 4101

D. 7.40 p.m. 27th August, 1948.

27th August, 1948.

R.12.52 a.m. 28th August, 1948.

Repeated to Santiago
Buenos Aires

IMMEDIATE

CONFIDENTIAL

Addressed to Foreign Office telegram No. 4101 of 27th August repeated for information to Santiago and Buenos Aires.

Press have published A.P. report from London that a Foreign Office spokesman had confirmed receipt of a United States Note proposing international administration of the Antarctic. In view of this report State Department have prepared following statement for release to Press 28th August.

[Begins]

The Department of State has approached the Governments of Argentina, Australia, Chile, France, New Zealand, Norway and the United Kingdom informally with a suggestion that a solution for the territorial problem of Antarctica be discussed. It is the view point of the Department of State that the solution should be such as to promote the scientific investigation and research in the area. The Department of State has suggested that this can perhaps be done most effectively and the problem of conflicting claims at the same time solved through agreement upon some form of internationalisation. The Department of State expects that the question is one which will require an extended exchange of views, consideration of suggestions and probably reconciliation of varying viewpoints. Until such exchange of views and necessary further study is completed, it is not believed that any useful purpose could be accomplished by a conference on the subject, and no such conference is contemplated at present. [Ends].

I understand that preparation of United States claims is taking longer than anticipated and that they may not now be announced for some weeks.

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31/8

COPY/JH.

Text of statement released by the
State Department in Washington to
the Press on 28th August.

The Department of State has approached the Governments of Argentina, Australia, Chile, France, New Zealand, Norway and the United Kingdom informally with a suggestion that a solution for the territorial problem of Antarctica be discussed. It is the view point of the Department of State that the solution should be such as to promote the scientific investigation and research in the area. The Department of State has suggested that this can perhaps be done most effectively and the problem of conflicting claims at the same time solved through agreement upon some form of internationalisation. The Department of State expects that the question is one which will require an extended exchange of views, consideration of suggestions and probably reconciliation of varying viewpoints. Until such exchange of views and necessary further study is completed, it is not believed that any useful purpose could be accomplished by a conference on the subject, and no such conference is contemplated at present.

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M
31/8

19/88/2.

SPRINGBOX:

1st September, 1948.

SECRET.

THE SECRETARY FOR EXTERNAL AFFAIRS:

Plans for Antarctic Regime.

.....
With reference to my minute of the 18th August, I now send you the text of a statement released by the State Department in Washington to the Press on the 28th August. We learn from the United Kingdom authorities that the preparation of the United States claims to territory in Antarctica is taking longer than had been expected and that they may not now be announced for some weeks. In the meanwhile the "Times" correspondent at Canberra reports that there are two views in the Cabinet about the United States proposals for international control of Antarctica as a solution of the conflicting claims to Antarctic territory.

It appears that Dr. Evatt opposes any surrender of Australian sovereignty in her sector because of its potential value for defensive and other purposes. A section of the Cabinet led by Mr. Dedman, the Minister of Defence, prefers control by a condominium, provided that the United States takes part as a major partner, because of the new strategic concepts created by the development of long-range weapons. This section is of the opinion that Antarctica should be controlled by friendly, powerful forces just because it is potentially important for defensive purposes and a possible site for rocket-borne attack on the southern fringe of Australia, subject to the provision that Australia is assured facilities for meteorological and other scientific research and is guaranteed her equitable share in any material resources which may be discovered and developed.

A. M. HAMILTON

AMH/JH.

Political Secretary.

6. The present Declaration will take effect from this date and will remain in effect for a period of five years. Six months before the expiration of this time limit, the signatory Governments will consult one another regarding the advantage of meeting in an Antarctic Polar Conference. If none of the signatory Governments should manifest to the others its wish to terminate this Declaration on the date referred to, it will continue in effect for another like period.

Done in the City of _____, on the _____ day of the month of _____ in the year 1948.

SECRET.

CHILEAN COUNTER-PROPOSALS

Assembled in the City of _____, Messrs. _____

_____, duly authorized representatives of the Governments of Argentina, Australia, Chile, the United States of America, France, Norway, New Zealand, and the United Kingdom of Great Britain and Northern Ireland have examined aspects referring to Antarctica and have decided to solemnly declare their agreement with respect to the following points:

Taking into consideration that in the Antarctic Continent there still exist vast regions not well explored or mapped.

That the scientific investigations and studies which may be obtained from the Antarctic regions on meteorology, terrestrial magnetism, cosmic rays, geology, marine biology etc., are or can be of great value for marine and air navigation, in the use of telecommunications, the development of agriculture, and many other human activities.

That it is the desire of their respective Governments to maintain close relations of friendship and avoid any motive for international disagreement, and that it is convenient, therefore, to prevent conflicts of sovereignty or of another kind from disturbing such friendly relations.

The representatives of the signatory Governments declare the following:

1. That their respective Governments will carry out a full exchange of scientific information regarding the Antarctic.
2. That their respective Governments will carry out, without reserve of any kind, and with proper regularity, the exchange of all kinds of books, pamphlets, magazines, maps, navigation charts, photographs, sketches, computations, and, in general, all data which they may possess or obtain regarding Antarctica.
3. That their respective Governments will encourage the sending to Antarctica of technical expeditions, and will furnish them the facilities for provisioning, and anything else in accordance with international usage.
4. That the establishment of new bases, the carrying out of expeditions, or the exercising of like activities, in the territorial expansion included in south or parallel 60 southern latitude, will not harm the sovereign rights which their respective countries may have within this region, and that none of the new bases, expeditions or activities alluded to before can be invoked as antecedents of domination in this region.
5. That while this Declaration is in force, the respective Governments will not subject the fishermen or the fishing fleets of the nationalities of each of the participating Governments to taxes, fishing rights, or like duties.

UNION OF SOUTH AFRICA.

Commonwealth Relations Office,

Downing Street.

Circular despatch D. No. 41

9 September, 1948.

19/22/2

*Induced by phone.
H.F.P.H.*

Sir,

With reference to my Telegram D. No. 157 regarding the proposals put forward by the United States Government for a special regime in the Antarctic, I have the honour to transmit the text of the counter proposals of the Chilean Government, which were handed to the United States representative in Santiago on the 19th July, 1948.

I have the honour to be,
Sir,
Your most obedient
humble servant,

(Sd.) P. J. NOEL-BAKER

Mr. Hamilton

*A. Courau
whether copies
might not be sent
to B.A. & Santiago
J. A. G. L. K. L.*

THE MINISTER OF EXTERNAL AFFAIRS
UNION OF SOUTH AFRICA.

3. That the respective Governments will encourage the sending to Antarctica of technical expeditions, and will furnish them the facilities for provisioning, and anything else in accordance with international usage.

4. That the establishment of new bases, the carrying out of expeditions, or the exercising of like activities, in the territorial expansion included in south or parallel 60 southern latitude, will not harm the sovereign rights which their respective countries may have within this region, and that none of the new bases, expeditions or activities alluded to before can be invoked as antecedents of domination in this region.

5. That while this Declaration is in force, the respective Governments will not subject the fisherman or the fishing fleets of the nationalities of each of the participating Governments to taxes, fishing rights, or like duties.

Reference No 19/88/2.

15th September, 1948.

Confidential.

The Secretary,
South African Legation,
Bartolome Mitre 430,
Buenos Aires,
Argentina.

Regime in the Antarctic.

With reference to the proposals put forward by the United States Government, in July last, for a special regime in the Antarctic, I forward herewith the text of the counter proposals of the Chilean Government which were handed to the United States Representative in Santiago on the 19th July, 1948.

Copies of this document have just been received from the Commonwealth Relations Office and the enclosure is sent to you in case you have not already seen the complete text. An extra copy is enclosed for Santiago.

H. Hewitson

Political Secretary.
Political Secretary.

H/JFW

... will not harm the sovereign rights which their respective countries may have within this region, and that none of the new bases, expeditions or activities alluded to before can be invoked as antecedents of domination in this region.

5. That while this Declaration is in force, the respective Governments will not subject the fishermen or the fishing fleets of the nationalities of each of the participating Governments to taxes, fishing rights, or like duties.

/6.

As the State Departments' approaches to the other Governments concerned have apparently hitherto been of a tentative and non-committal character, the Union Government do not wish at this stage to press any claim for formal participation in international discussions on this subject, but they trust that the United States Government will bear in mind the desirability of their association with such international discussions should progress be achieved in the present informal bilateral exchanges with other Governments concerned.

Please report fully on the outcome of your discussions with the State Department on this subject.

It is not desired that at this stage you should inform your Commonwealth colleagues of your approach to the State Department but should you subsequently receive enquiries from them, they may be informed that on instructions from the Union Government you have informally approached the State Department for information regarding the proposals referred to in the press release of 28th August, and have drawn the attention of the United States Government to the extent of South Africa's interests in any projects for the internationalisation of Antarctica.

SECRETARY FOR EXTERNAL AFFAIRS.

DES/JT

view point of the Department of State that the solution should be such as to promote the scientific investigation and research in the area. The Department of State has suggested that this can perhaps be done most effectively and the problem of conflicting claims at the same time solved through agreement upon some form of internationalisation. The Department of State expects that the question is one which will require an extended exchange of views, consideration of suggestions and probably reconciliation of varying viewpoints. Until such exchange of views and necessary further study is completed, it is not believed that any useful purpose could be accomplished by a conference on the subject, and no such conference is contemplated at present."

You should explain that this statement has been noted with interest by the Union Government and proceed to draw attention to specifically South African interests in the control and administration of Antarctica. The Union has never advanced any claim to Antarctic territory, most of which, in default of effective occupation can only be regarded as terra nullius. The Union is moreover the only major power in the southern hemisphere which, in terms of the United States proposal for consultations, is apparently to have no say in the future control and administration of the Antarctic Continent. Yet, from the long term standpoint, the manner in which such control is exercised will prove to be of vital concern to the Union. Our important whaling interests in the Antarctic are wellknown. On the meteorological side we may hope to benefit from the establishment of meteorological stations at Antarctic bases. Our future interest in Trans-Antarctic air communications is apparent from the map. When the time comes for economic exploitation and development of the Continent the Union will be one of the natural and appropriate bases from which such enterprises will operate. In the field of long range and long term strategy the control of Antarctica must always be a matter of primary concern to us. This bare outline of our interests may well be sufficient, we feel, to indicate the extent of our interests and to justify consideration being given to the association of the Union with any organisation or machinery which may be devised for control and administration of the Antarctic Continent. In these circumstances the Union Government would be grateful to receive particulars of the approaches made to the Governments mentioned in the State Department press release. The Union Government trust that the United States Government will appreciate the extent of South Africa's concern with the proposals for some form of internationalisation of the Antarctic Continent and that an opportunity will accordingly be provided for the Union to comment in detail on these proposals.

(a) The United Kingdom Government would in principle be very willing to support the claim of another Commonwealth Government to be associated with any "special regime" in the Antarctic. Moreover they fully recognise the special South African interest in Antarctic matters and they always endeavour to keep the Union Government closely informed of their attitude towards Antarctic problems generally.

(b) The United Kingdom Government would however find it difficult at this stage to support a South African claim to participate in discussions on the "special regime" since

- (i) they have not yet had the opportunity of studying the formal proposals by the United States Government;
- (ii) the intention of the State Department is that the powers to be associated with the special regime should be those already in possession of or laying claim to Antarctic territory;
- (iii) association of the Union with the special regime would lead to claims from Russia to be associated with the International Antarctic Commission.

This Department is not inclined to attach much importance to the objection raised in (iii) above regarding the possibility of Russian intervention. The Soviet Union's polar interests are all in the northern hemisphere (apart from participation in whaling) and even should a claim be presented there is no reason why it should not be successfully resisted.

In these circumstances the Department considers that the time has now arrived when the United States Government should be informally apprised of the Union Government's interest in the United States proposals. You are accordingly requested to seek an early opportunity of discussing the matter with the appropriate authorities in the State Department on the following lines:

Reference might be made initially to the text of the statement released by the State Department in Washington on the 28th August reading as follows:

"The Department of State has approached the Governments of Argentina, Australia, Chile, France, New Zealand, Norway and the United Kingdom informally with a suggestion that a solution for the territorial problem of Antarctica be discussed. It is the

view/...

The United States Government would be pleased to have the Union Government to be acquainted with our proposal in the Antarctic. I am sure they will appreciate the United States African interest in Antarctica. CAFE TOWN.

SECRET

20 SEP 1918

The United States Government would be pleased to have the Union Government to be acquainted with our proposal in the Antarctic. I am sure they will appreciate the United States African interest in Antarctica. CAFE TOWN.

The Chargé d'Affaires a.i.,
Legation of the Union
of South Africa,
WASHINGTON.

United States Proposals for an International Antarctic Commission or Condominium.

You will be familiar, from Commonwealth Relations Office Circular D. 157 and connected telegrams, with the exchanges which have taken place between the United Kingdom and United States Governments in regard to the proposal for the establishment of an ^{international} territorial regime in the Antarctic. I attach, however, for your own information, a copy of a memorandum dealing with this problem prepared in this Department for the information of the Prime Minister. From paragraph 5 of this memorandum you will note the extent of the Union's interest in the proposals now being advanced for the administration and control of Antarctica.

Information received subsequent to the compilation of the memorandum indicates that the United States proposal has been making very heavy weather and it is understood that the suggestion has as yet received no serious consideration in the Argentine or Chile, both of which countries are reported to be entirely opposed to it. The Australians moreover are reported to have reacted strongly against the suggestion of a joint administration of the Antarctic regime, though there is apparently some division of opinion on the subject. According to the "Times" correspondent in Canberra a section of the Cabinet led by Mr. Deakin, the Minister of Defence, prefers control by a condominium, provided the United States participated as a major partner, whereas Dr. Evatt opposes any surrender of Australian sovereignty.

The United Kingdom reaction to the approach made by the Union Government (summarised in paragraph 5 of the memorandum) was briefly as follows:

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DEPARTMENT OF EXTERNAL AFFAIRS

DEPARTMENT VAN BUITENLANDSE ZAKEN

Having regard to all the circumstances, the Department has decided that the time has now arrived when the United States Government should be informally apprised of the Union Government's interest in the United States proposals and a copy of the instructions which have been sent to the Union Chargé d'Affaires, Washington, is enclosed for your own information.

It would be appreciated in this connection if you would informally advise the United Kingdom authorities concerned that Mr. Eustace has been instructed to approach the State Department for information regarding the proposals referred to in the State Department's press release of 28th August, and to draw the attention of the United States Government to the extent of South Africa's interests in any plans for the internationalisation of Antarctica.

At the same time you should intimate to the United Kingdom authorities, on the lines of our comments above, that we are doubtful as to the validity of the United Kingdom objection to South African participation on the grounds that this would give rise to Russian participation as well. It would perhaps be wise, at this stage, however, to convey the remarks that you make on this point orally rather than in writing.

Please report the outcome of any further discussions on this subject.

The United Kingdom reservations to their willingness to support a South African claim to participate in international discussions on this subject, appear to be based principally on the fear that South African participation would open the way to Russian participation. The Department does not feel that, as a result of the part of the United Kingdom Government's policy, the Soviet states to participate in such discussions, the extent of Soviet participation should be no greater than the extent of South African participation. The Department is not from some participation in dealing the wider interests of the U.S.S.R. are limited to the Northern Hemisphere. The Russian claim to participation, therefore, could have no justification other than the Soviet's position as a Great Power. Clearly this fact alone, (i.e. Great Power status), should not be held to justify possible Soviet claims. Furthermore, even should the Soviet Union attempt to interfere, there is no reason why such intervention should not be and successfully resisted. The Soviet Union has for instance successfully excluded the Western Powers from the control of the Dnieper. This precedent alone, apart from other considerations, would supply more than ample justification for excluding the U.S.S.R. from any international regime in Antarctica.

SECRETARY FOR EXTERNAL AFFAIRS.

AIR MAIL
LUGPOS.



P.M. 102/2.

UNION OF SOUTH AFRICA
UNIE VAN SUID-AFRIKA

DEPARTMENT OF EXTERNAL AFFAIRS.
DEPARTEMENT VAN BUITELANDSE SAKE.

Secret

CAPE TOWN,

20 SEP 1948

The High Commissioner for the
Union of South Africa,
LONDON.

M. H. H. H. H.
/

United States proposals for an International
Regime in the Antarctic.

The contents of your minutes of the 18th August
and 1st September with annexures (reference 19/88/2
have been studied with interest.

It is clear from the United Kingdom memorandum
which accompanied your minute of the 18th August that
the United Kingdom Government are not very happy about
the South African proposal for press for some form of
association with any international Regime which may be
sent up to administer and control the Antarctic.

The United Kingdom reservations to their
willingness to support a South African claim to partici-
pate in international discussions on this subject, appear
to be based principally on the fear that South African
participation would open the way to Soviet intervention.
The Department does not feel that this attitude on the
part of the United Kingdom is entirely reasonable.
Soviet claims to participation bear no comparison with
the extent of South Africa's interests in the development
of Antarctica. Apart from some participation in whaling
the polar interests of the U.S.S.R. are limited to the
Northern hemisphere. The Russian claim to participation,
therefore, could have no justification other than the
Soviet's position as a Great Power. Clearly this fact
alone, (i.e. Great Power status), should not be held to
justify possible Soviet claims. Furthermore, even
should the Soviet Union attempt to interfere, there is
no reason why such intervention should not firmly be
and successfully resisted. The Soviet Union has for
instance successfully excluded the Western Powers from the
control of the Danube. This precedent alone, apart
from other considerations, would supply more than ample
justification for excluding the U.S.S.R. from any inter-
national regime in Antarctica.

/....

conditions under which states, and privately supported expeditions, may conduct scientific investigations, develop resources and carry on other activities consistent with the purposes of this agreement.

2. The parties hereto agree, upon approval of plans by the Commission, to insure that undertakings in the area shall be consistent with these plans. They agree also to foster individually and jointly the establishment of facilities and the conduct of scientific investigations.

3. The parties hereto likewise agree to foster, under such rules as the Commission may prescribe, free access to, and freedom of transit through or over the area. The Commission may prescribe that expeditions and stations within the area display an emblem representing the international commission as well as any national emblem or flag which they may display.

ARTICLE VI

The signatory states, as authorized by the Commission, may take all necessary measures in the territory for the maintenance of international peace and security.

ARTICLE VII

The terms of the present agreement shall not be altered or amended without the consent of the aforementioned states.

ARTICLE VIII

This agreement shall enter into force when all of the aforesaid states shall have become parties thereto by due constitutional process.

2. The Commission shall meet at such place as it deems appropriate and at such times as it may deem necessary. It shall adopt its own rules of procedure. Decisions of the Commission on substantive matters shall be made by a two-thirds majority of the members present and voting.

3. The Commission shall appoint a Secretary and authorize the appointment by the Secretary of such staff as it shall deem necessary. The Commission shall prescribe the conditions of employment of the Secretary and staff.

4. The Secretary shall maintain offices at such place and perform such functions as the Commission shall direct.

5. The cost of administering the special regime, including the expenses of the Commission and Secretary, shall be borne in equal shares by the parties hereto.

ARTICLE IV

The Commission shall cooperate with appropriate organs and specialized agencies of the United Nations and with international scientific bodies on matters of mutual concern.

ARTICLE V

1. The Commission shall, through a scientific board or other appropriate agency, draw up plans for, exploration, investigation, and scientific and technical development which may be carried out jointly by some or all of the signatories of this agreement, and into which projects of individual member states may be fitted. The Commission shall prescribe appropriate procedures and

/conditions

WHEREAS these states have consulted as to the best means of facilitating and expediting scientific operations in the Antarctic regions, and recognize that the historic pattern of establishing mutually exclusive territorial claims manifested in other parts of the world is practically inapplicable in the Antarctic regions and that it would tend to impede scientific work in which they are all interested,

NOW, THEREFORE, these states have agreed to establish a special regime in the Antarctic regions under the following terms:

ARTICLE I

The territorial scope of the special regime established by this agreement shall be the following: the Antarctic continent and all islands south of 60 degrees south latitude, except the South Shetland and South Orkney groups.

ARTICLE II

By the conclusion of the present agreement, the parties hereto merge and join their claims to, and interests in, specific portions of the area covered by this agreement and vest such individual claims and interests in the special regime hereby established, each agreeing not to seek a division of the territory in the area, but to join with the others for the purposes embodied in this agreement.

ARTICLE III

1. There is hereby created an Antarctic Commission which shall constitute the actual government of the territories under its charge with full executive and administrative powers. The Commission shall be comprised of one representative of each participating state.