

the Russians were in fact established in Antarctica and would be unlikely to leave after the end of the International Geophysical Year, or to agree to any regime for the area in which they did not participate. It was the tentative view of the Foreign Office that it would be impossible to exclude the Russians from any agreement, within or outside the United Nations, for the settlement of the Antarctica problem. It was therefore necessary to find some form of international agreement in which the Russians would be willing to participate and by which their presence in Antarctica could be rendered harmless. This was not a satisfactory conclusion to have reached and they would welcome any suggestion for a way out of the dilemma.

The Colonial Office now bore the main burden of asserting British sovereignty at a time when all their past efforts and experience were being eclipsed by the spectacular new activities of other nations. Unless a rational solution could be found the United Kingdom might be compelled to cut its losses and withdraw from Antarctica altogether. The only solution seemed to be a form of regime - perhaps an extension of the co-operation set in motion for the International Geophysical Year - in which a true internationalism could be put into effect, with advantages and safeguards for all.

The Ministry of Defence had not yet formulated its views, but it could be said at the outset that the only form of international regime which would justify the Navy in giving up its bases would be one in which the neutralisation of the whole area was made complete and effective. On the other hand, in view of Defence reductions, the United Kingdom's limited forces could be more effectively deployed if the dispositions now necessary in respect of Antarctica could be abandoned.

New Zealand would probably wish to observe the status quo at least until the end of the Geophysical Year. Scientific research and development in the New Zealand sector was being carried out in close co-operation with the United States as New Zealand could not develop the area by itself and could not therefore contemplate any plan which did not have the support of the United States. The views of the United States should be sought and taken into account as early as possible.

Australia, like any large landowner, was conservative in its approach to any scheme which would lessen its proprietary rights; Canberra would therefore not easily accept the idea of an international regime. Their objective was to persuade the United States to lodge a claim to the large unclaimed Pacific sector of Antarctica, thereby committing the Americans to the support of sovereignty over individual segments of the area and making it impossible for Russia to assert claims without risk of conflict with all the countries established in Antarctica. In essence, Australia was likely to be opposed to the surrender of Australian sovereignty; to admitting the Russians permanently into the strategic zone; and to any form of agreement

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AIRMAIL

SECRET

16th August, 1957.

THE SECRETARY FOR EXTERNAL AFFAIRS.

Antarctica

With reference to my evenly numbered minute of 8th August, 1957, I have to inform you that the first of the "old Commonwealth" official level discussions of the United Kingdom proposals for an international regime for Antarctica took place at the Commonwealth Relations Office yesterday afternoon, August 15th. The meeting was attended by Mr. I.F.A. de Villiers, accompanied by Mr. A. Drake.

A copy of the C.R.O. paper which served as a basis for discussion is attached. It was emphasised that this paper is entirely exploratory and does not represent the co-ordinated views of all the United Kingdom Ministries concerned; the Ministry of Defence, for example, has not yet formulated its views; the Foreign Office does not accept the paper entirely as it stands; and Ministers have not yet been consulted. The United Kingdom would not therefore wish to be bound by anything stated in the paper and reserve the right to alter their views and proposals. The reasons for its present submission in a "half-baked" form were, firstly, the urgency of reaching advance agreement on what is to happen in Antarctica after the International Geophysical Year and, secondly, the feeling that the views of Australia, New Zealand and South Africa were essential to the problem and should be taken into early account in shaping the United Kingdom's own policy.

A record of the discussion at yesterday's meeting will be circulated shortly, when a copy will be forwarded to you. The following is a brief summary of the views expressed on the C.R.O. paper:-

The Foreign Office considered the paper a good one but felt that the internal problems of the United Kingdom should be emphasised less when the proposals were put to foreign Governments. It was true that the United Kingdom proposals were partly dictated by the fact that the economic concentration of effort which had become necessary for the United Kingdom was jeopardising their claims in the face of the far greater and increasingly widely dispersed expenditure in Antarctica of Russia, the United States, and even Argentina and Chile. But a major reason for reaching early agreement on Antarctica was that

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It was agreed that a further meeting should be held on Thursday, 29th August, at the same time and place. It was hoped that previous notice would be given on any special points it was wished to discuss at the next meeting. Meanwhile it was understood that in the event of the Representatives of Australia and New Zealand receiving any indication of United States thinking this information would be passed to the others concerned.

Distribution

Copies to all present at meeting.

SECRET & GUARD

and most effective solution would be for the various countries concerned to abandon sovereignty in the area completely to the international authority. If, however, this proved unacceptable, the possibility might be explored of establishing a non-sovereign body with control over certain aspects of Antarctica: he referred to Panama where sovereignty resided with the Panamanians while the attributes of sovereignty were with the U.S. In such a case, however, it would be necessary, because of the participation of e.g. the Russian and South American Governments, to define the functions of such a body very carefully. MR. WILLIS said that the Colonial Office attached considerable importance to the authority embracing sovereignty owing to the current United Kingdom difficulties with the Argentine and Chileans.

In discussion it was suggested that some form of progressive internationalisation of various aspects might be possible as a compromise which would not require the immediate abandonment of national sovereignty in the area. Alternatively an agreement could be sought through the United Nations for demilitarisation of the whole area. This would enable the other questions involved - e.g. meteorology, civil aviation and scientific research - to be dealt with by existing international bodies. The area might thus be progressively internationalised without the need for bringing the Russians more directly into the area than at present. It was pointed out, however, that this would not in itself solve questions arising from present national claims to sovereignty in the area where these were the subject of dispute, and it would, in any event, be difficult to secure effective neutralisation of a disputed area without some form of international control.

THE CHAIRMAN suggested that the Committee might resume its discussion of the United Kingdom proposals in the light of further views on the strategic implications of the area and the comments of the Commonwealth Governments in about two weeks' time.

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further part to play, except possibly to receive periodical reports. The U.N. might try to amend the scheme, but in the final resort the countries concerned could reassert their claims to sovereignty over their areas. It was, however, important to agree any scheme of international control beforehand, and to do everything possible to arrange a favourable majority, in order to avoid embarrassment.

On the aspect of bringing the Indian Government into these discussions, reference was made to the interest in Antarctica which had been expressed by India in 1956. It might be important to secure Indian support when the proposals reached the United Nations and for this purpose it would be desirable to bring her into the discussions in some way at the appropriate stage. All present, however, were unanimous in thinking that it would be best for the "old" Commonwealth countries first to clear their minds among themselves and to have at least some preliminary discussion with the U.S. before any proposals were broached to India.

THE CHAIRMAN pointed out that it was essential India should not get the impression that the question was being arranged without her being given any opportunity to express her views, and that for this reason the existence of the present series of discussions and those to be held with High Commissioners in September should be treated as entirely confidential and no public statements should be made about them. It would, however, be permissible to refer to them in discussion with the Americans who had already been informed of our intention to discuss this question with Commonwealth Governments and had been given an indication of the general lines of our proposed approach to the problem. It would, however, be advisable to exercise caution in any such references until the United Kingdom defence views had been secured.

On the question of sovereignty MR. HILDYARD said that the Foreign Office had reached the conclusion that much the simplest /and

of the Falkland Island Dependencies Survey, the results achieved by the latter had been of considerable value and it would be a pity if, as a result of abandonment of the United Kingdom claims, we were to lose them altogether. An international solution on the lines set out in the paper would, by removing the present dispute with the Argentine and Chile, enable money spent on maintaining our bases in the Antarctic to be more effectively spent from the purely scientific point of view and would also enable us to keep in touch with future developments in the area.

MR. HOSIE said that although the Ministry of Defence had not yet formulated its views it seemed likely that arrangements which would effectively ensure complete neutralisation of the area might prove acceptable in the light of our strategic requirements. It should also be noted that some expenditure in connection with maintaining our presence in the Antarctic already fell on our hardpressed defence budget.

MR. CORNER said that although he could not offer any formal comment on behalf of the New Zealand Government their general position so far had been that they would wish to preserve the status quo in the Antarctic at least until the end of the International Geophysical Year. They would nevertheless in all probability be willing to consider a scheme for an international organisation of limited scope on the lines suggested in the United Kingdom memorandum but he felt certain that the support of the United States for such proposals would be a precondition of their acceptance by the New Zealand Government. For this reason his Government would wish the United States to be brought into the discussions at an early stage.

MR. ROWLAND said that in view of the time available since the circulation of the United Kingdom memorandum it would not be possible to offer any official comment on behalf of his Government but he felt that they would be likely to adopt a conservative approach to the proposals put forward in view of the long standing Australian claim to substantial territories in Antarctica.

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defence and would therefore be liable to amendment by the United Kingdom side as well as in the light of any points which might be raised in discussion. It had been thought necessary to bring up the question informally in this way because of the increasing urgency of reaching some agreement in time for any necessary action to be initiated before the end of the International Geophysical Year (I.G.Y.).

MR. HILDYARD said that the reasons which had led the United Kingdom to reappraise the situation in Antarctica were primarily threefold: firstly there was the increasing cost of keeping up sufficient bases to maintain our claims from the legal point of view against the intrusion of the Argentine and Chile and the serious effect on useful scientific work; secondly, although there was a tacit agreement among many of the participants that the international activities connected with the I.G.Y. should not affect the existing claims to the area, it was not possible to predict what would happen when the I.G.Y. finished, and the situation might be seriously complicated by any continuance of foreign expeditions within the area; thirdly there was the fact that the physical presence of the Russians in the area made it desirable to counter-balance their activities by securing some more permanent American participation in Antarctica than existed at the moment. He appreciated that the proposal in the paper that the Russians would have to be brought into any international arrangements for the future of Antarctica was liable to raise serious doubts and the Foreign Office had only reluctantly reached the conclusion that it would be impossible in practice to internationalise or neutralise the area effectively without such participation. He outlined his reasons which had led to this conclusion and said that H.M.G. would be very interested to hear the views of Commonwealth Governments on this particular point.

MR. WILLIS said that although the scientific activities connected with the I.G.Y. were on a much greater scale than those

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Minutes of a meeting held in the Conference Room at the Commonwealth Relations Office at 3 p.m. on Thursday, 15th August, 1957.

- Mr. J.M.C. James (In the Chair)
- Mr. P.A. Beaulieu (Canada House)
- Mr. J.R. Rowland (Australia House)
- Mr. M.G.M. Bouchier (Australia House)
- Mr. F.H. Corner (New Zealand House)
- Mr. I.F.A. de Villiers (South Africa House)
- Mr. A. Drake (South Africa House)
- Mr. A.R. Swinnerton (Commonwealth Relations Office)
- Mr. D.H.T. Hildyard (Foreign Office)
- Dr. B. Roberts (Research Department, Foreign Office)
- Mr. M.A. Willis (Colonial Office)
- Mr. J.F. Hosie (Ministry of Defence)
- Mr. G. Airey (Cabinet Office)

THE CHAIRMAN explained that the purpose of the meeting was to focus discussion on certain issues concerning the future of Antarctica set out in a paper by the Commonwealth Relations Office. This matter was to be discussed at a meeting of High Commissioners on 12th/13th September: meanwhile it would no doubt be useful to hold further meetings to clear away various preliminary work. The Canadian and South African Governments had not yet replied to the invitation to attend the meeting in September. The South African representative thought it unlikely that his Government would be unable to take part. MR. BEAULIEU explained that the invitation was being given careful consideration by the Canadian Government and instructions were expected in the near future. THE CHAIRMAN went on to emphasise that the paper which had already been circulated should be regarded only as a preliminary study and in no way committing the United Kingdom Government. In particular it had not yet been considered from the standpoint of

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measure of international support was likely to be obtained.

The question of sovereignty was discussed at length, and both MR. DAVIS and MR. CORNER said that they would like further particulars of the legal implications of the United Kingdom proposals as they affected the exercise of sovereignty in the area. Although no problems at present arose in practice, as soon as any resident population became established e.g. on any permanent airfield set up in Antarctica, questions of jurisdiction would arise which would require precise agreement as to the scope and functions of the international authority. MR. HILDYARD agreed that the Foreign Office would prepare a paper on this question.

It was agreed that the next meeting (at which Mr. Tange, Secretary for External Affairs in the Australian Government, would be present) should be held on Tuesday, 10th September, commencing at 11 a.m. and continuing if necessary during the afternoon. Questions concerning neutralization and sovereignty arising out of the United Kingdom proposals would be discussed in preparation for the High Commissioners' meeting on 12th and 13th September together with the conduct of that meeting. Questions concerning the future timetable, particularly of the next approach to the United States, should be left for that meeting.

Distribution:

Mr. Smith	3 copies
Mr. Davis	5 copies
Mr. Corner	5 copies
Mr. de Villiers	3 copies
All others present	1 copy.

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connection MR. CORNER suggested that the United Kingdom proposals might appear too negative to secure international approval in the United Nations in that they could be represented simply as a device to secure international authority for the existing activities of the few states involved. Unlike, for example, the International Atomic Energy Agency, it would make no provision for the general representation of other countries. He suggested that a more defensible alternative might be to propose membership of the authority for all countries which had, by participation in the I.G.Y., shown a practical interest in the problems of the area; in practice this would mean only extending membership to Belgium, Japan and perhaps Western Germany. He was, however, doubtful whether Russia would be willing to accept any arrangements which would leave her in a permanent minority of one on the international authority. Against this it was argued that provided the neutralization agreement was effective and the main interests in membership was for scientific research and reasons of prestige, it might not be difficult to secure proper Russian co-operation as in the I.G.Y. activities. It was agreed however that consideration should be given to what possible concessions, as regards membership, it might be necessary to make to secure Russian agreement and the approval of the United Nations. In this connection MR. SMITH pointed out that the attitude of the United Nations would be influenced by the provision made for the activities of non-members and the extent to which the economic exploitation of the area would be for the benefit of the administering countries. If it could be shown that economic benefits would be devoted to the further development of the area rather than the profit of the members of the authority, and that private enterprise development (on payment of licence) would be permitted regardless of nationality, a wider

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which they had put forward in 1948 for the merger of sovereignty in individual areas, starting with the Australian and New Zealand sectors, and gradually extending to a comprehensive merger of all national claims. A solution on these lines would involve the United States claiming sovereignty of the present unclaimed areas and this carried the obvious danger of a counter-claim by the Russians. In general the Americans appeared to be thinking more in terms of gradual progress on these lines, while blocking other possible initiatives rather than seeking international approval for a solution as radical and comprehensive as that put forward by the United Kingdom. An obvious defect in the American scheme from the United Kingdom's point of view - apart from the question of the Russian reaction - was the possibility that the Argentine and Chile would, in practice, refuse to merge their claims to sovereignty in this way and that only the first stage might therefore be completed. We had not however, as yet, had any full details of the American proposals.

In discussion MR. SMITH suggested that the United States' proposals, which did not cater at all for the presence of the Russians in the area, might simply have the effect of extending the area of conflicting interests between the major powers and to that extent would be less acceptable than a scheme which provided for the inclusion of both. Moreover, the proposal of such a scheme might enable the Russians to score a propaganda victory in the United Nations by securing support for an alternative solution.

MR. de VILLIERS said that from the point of view of the South African Government the United Kingdom proposals would be preferable to those put forward by the Americans. The mere pooling of existing claims would not adequately safeguard South Africa's interests in this area.

The question of the composition of any international authority which might be set up was discussed, and in this

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bases would be ruled out, it would be very difficult to distinguish between the proper peacetime uses and the potential military value of e.g. an airstrip or an oil reserve for whalers. It was suggested that both the precise meaning of neutralization and the machinery by which it might be achieved would need further study before the proposals were presented in detail to the United States. Moreover, as the prospect of achieving neutralization was one of the main advantages which other Commonwealth Governments stood to gain, as against obvious difficulties for them which the United Kingdom proposals would involve, it was important to be sure at an early stage that this essential part of the proposals was technically feasible. If it were not it might be necessary, in the absence of any acceptable alternative scheme, simply to seek to maintain the existing status quo. MR. DAVIS and MR. CORNER voiced similar views, the former adding that Australia would not wish to give up sovereignty unless assured they derived equivalent benefits, preferably without Russia.

MR. HILDYARD pointed out that the present status quo was already irretrievably prejudiced by the Russian entry into the area in connection with the International Geophysical Year (I.G.Y.) and the probability that they intended to stay after the I.G.Y. ended. A system of international control even if not 100% effective offered a measure of security, whereas under the present arrangements there was no control at all of Russian activities. Nor would an attempt merely to preserve the existing position either get rid of the conflict of claims to sovereignty between the United Kingdom, Argentine and Chile or provide any legal basis for the presence of the United States. The United Kingdom scheme should therefore be considered as one of the possible ways of tackling the problems implicit in the

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COMMONWEALTH RELATIONS OFFICE
DOWNING STREET
LONDON, S.W.1

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m.

Whitehall 2323/Ext.

Your Reference:

Please quote in reply: WES.147/58/1

4 September, 1957.

Dear de Villiers

I enclose a draft of the minutes of the meeting held here on Thursday August 29th about Antarctica.

Would you be so good as to telephone your concurrence or comments in order that agreed minutes may be sent out speedily.

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Yours sincerely
A.R. Swinnerton
(A.R. Swinnerton)

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I.F.A. de VILLIERS, ESQ.,
SOUTH AFRICA HOUSE.

SECRET AND GUARD

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of Antarctica were subject to the views of the Chiefs of Staff on their strategic implications. The Chiefs of Staff had now considered the proposals and were satisfied that, provided effective neutralization of the area could be achieved, there were no military objections to international control.

MR. de VILLIERS, after explaining that no reply had been received from his Government regarding the invitation to take part in the September talks pointed out that "neutralization" was nowhere precisely defined in the paper and, although it was obvious that the construction of military airfields nuclear testing grounds, or submarine

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SECRET

DOWNING STREET

LONDON, S.W.1

Whitehall 2323/Ext.

Your Reference:

Please quote in reply: WES.147/58/1



5 September, 1957.

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Dear de Villiers,

We are trying to tie up the final arrangements for the meetings on Antarctica to be held here on Thursday and Friday next, the 12th and 13th September.

Would you be so good as to let me know the name and designation of each of those who will attend from your Office? Unless I hear to the contrary, it will be assumed that all will be in attendance at the three Sessions contemplated, i.e. the afternoon of 12th September and morning and afternoon of 13th September.

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*Your sincerely
A. R. Swinnerton*

(A. R. Swinnerton)

I. F. A. de Villiers, Esq.,
South Africa House.

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agreed that the Foreign Office would prepare a paper on this question.

It was agreed that the next meeting (at which Mr. Tange, Secretary of the Australian Department of External Affairs would be present) should be held on Tuesday, 10th September, commencing at 11 a.m. and continuing if necessary during the afternoon. Questions concerning neutralization and sovereignty arising out of the United Kingdom proposals would be discussed in preparation for the High Commissioners' meeting on 12th and 13th September together with the conduct of that meeting. Questions concerning the future timetable, particularly of the next approach to the United States, should be left for that meeting.

Distribution:

Mr. Arnold Smith	3 copies
Mr. Davis	5 copies
Mr. Corner	5 copies
Mr. de Villiers	3 copies
All others present	1 copy.

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Nations approval were to be sought it could probably be anticipated that the attitude of many delegations there would be influenced by the provisions made for the activities of non-members, and the extent to which there were a non-discriminatory approach toward applications for research or economic development (on licence and perhaps payment of fees or royalties) by organizations regardless of nationality. If there were a relatively open door and non-discrimination between nationals of members and non-members of the proposed international authority, there might be wider support in the United Nations. The extent of international control, without discrimination in favour of members, might also, if the Soviet Union were a member, be relevant in determining the effectiveness of neutralization. In any case, these were all questions on which more information from the countries directly concerned would, in due course, be welcome.

The question of sovereignty was discussed at length, and both MR. DAVIS and MR. CORNER said that they would like further particulars of the legal implications of the United Kingdom proposals as they affected the exercise of sovereignty in the area. Although no problems at present arose in practice, as soon as any resident population became established e.g. on any permanent airfield set up in Antarctica, questions of jurisdiction would arise which would require precise agreement as to the scope and functions of the international authority. MR. DAVIS asked whether it was certain that the proposed Authority could be invested with a satisfactory legal status. Whether for instance it would be possible for a State to divest itself of sovereignty over its Antarctic possessions in favour of a body consisting only of the nominated representatives of a number of sovereign nations, including itself. MR. HILDYARD

/agreed

SECRET AND GUARD

South African Government, the United Kingdom proposals would be preferable to those put forward by the Americans. The mere pooling of existing claims would not adequately safeguard South Africa's interests in this area.

The question of the composition of any international authority which might be set up was discussed, and in this connection it was suggested that the United Kingdom proposals might appear too negative to secure international approval in the United Nations in that they could be represented simply as a device to secure international authority for the existing activities of the few states involved. Unlike, for example, the International Atomic Energy Agency, it would make no provision for the general representation of other countries. There was some discussion as to whether a more defensible alternative might be to propose membership of the authority for all countries which had, by participation in the I.G.Y., shown a practical interest in the problems of the area; in practice this would mean only extending membership to Belgium, Japan and perhaps Western Germany. Mr. Corner enquired whether it was thought that Russia would be willing to accept any arrangements which would leave her in a permanent minority of one on the international authority. Against this it was suggested that provided the neutralization agreement was effective and the main interests in membership was for scientific research and reasons of prestige, it might not be difficult to secure proper Russian co-operation as in the I.G.Y. activities. It was agreed however that consideration should be given to what possible concessions, as regards membership, it might be necessary to make to secure Russian agreement and the approval of the United Nations. In this connection Mr. Smith suggested that if United

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SECRET AND GUARD

keeping informed thereby regarding the development of views and plans by our Commonwealth friends with direct interests in Antarctica.

It was agreed that a paper, setting out in more detail the United Kingdom's proposals for neutralization of the area, should be prepared for consideration at a meeting before the proposed meeting of High Commissioners on the 12th and 13th September.

On the question of the approach to the United States, Mr. Hildyard explained that discussions had already taken place at working level and the United States' first reactions were now known. The Americans had themselves been thinking on the basis of a more limited scheme on the lines of that which they had put forward in 1948 for the merger of sovereignty in individual areas, starting with the Australian and New Zealand sectors, and gradually extending to a comprehensive merger of all national claims. A solution on these lines would involve the United States claiming sovereignty of the present unclaimed areas and this carried the obvious danger of a counter-claim by the Russians. In general the Americans appeared to be thinking more in terms of gradual progress on these lines, while blocking other possible initiatives rather than seeking international approval for a solution as radical and comprehensive as that put forward by the United Kingdom. An obvious defect in the American scheme from the United Kingdom's point of view - apart from the question of the Russian reaction - was the possibility that the Argentine and Chile would, in practice, refuse to merge their claims to sovereignty in this way and that only the first stage might therefore be completed. We had not however, as yet, had any full details of the American proposals.

MR. de VILLIERS presumed that from the point of view of the
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SECRET AND GUARD

present situation and as against the background of other alternatives. He agreed that further details of how it was envisaged that the proposed international authority might work in practice would be useful before the proposed meeting of High Commissioners in September.

MR. ARNOLD SMITH explained that the Canadian Government had not as yet taken any decision about whether or not it would be represented at the meeting of High Commissioners later in September, nor had they approved any substantive comments regarding the proposals set out in the United Kingdom paper. He was therefore attending these meetings as an observer, and any views he expressed should be regarded as informal, and representing only the preliminary reactions of officials. Canada had no claims to territory in Antarctica and it was therefore unlikely that the Canadian Government would wish themselves to join in co-sponsoring any proposal for internationalization or international control of that continent. Since Canada had very extensive territory in the Arctic she was, however, inevitably interested in the general question of developments in Polar regions. Despite the obvious climatic and technical similarities, the situations in the Arctic and Antarctic were fundamentally different from the political, legal, and geographic points of view. The Antarctic was a continental land mass, whereas the Arctic was an ocean, surrounded by national territory of certain countries including the substantial Canadian territory made up of the islands of the Canadian Arctic Archipelago. Despite these differences, however, and the absence of direct Canadian concern in Antarctica, Canada did appreciate the opportunity given her of attending these meetings in the capacity of observer and of

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SECRET AND GUARD

bases would be ruled out, it would be very difficult to distinguish between the proper peacetime uses and the potential military value of e.g. an airstrip or an oil reserve for whalers. It was suggested that both the precise meaning of neutralization and the machinery by which it might be achieved would need further study before the proposals were presented in detail to the United States. Moreover, as the prospect of achieving neutralization was one of the main advantages which other Commonwealth Governments stood to gain, as against obvious difficulties for them which the United Kingdom proposals would involve, it was important to be sure at an early stage that this essential part of the proposals was technically feasible. If it were not it might be necessary, in the absence of any acceptable alternative scheme, simply to seek to maintain the existing status quo. MR. DAVIS and MR. CORNER voiced similar views, the former adding that Australia would not wish to give up sovereignty unless assured they derived equivalent benefits, preferably without Russia.

MR. HILDYARD pointed out that the present status quo was already irretrievably prejudiced by the Russian entry into the area in connection with the International Geophysical Year (I.G.Y.) and the probability that they intended to stay after the I.G.Y. ended. A system of international control even if not 100% effective offered a measure of security, whereas under the present arrangements there was no control at all of Russian activities. Nor would an attempt merely to preserve the existing position either get rid of the conflict of claims to sovereignty between the United Kingdom, Argentine and Chile or provide any legal basis for the presence of the United States. The United Kingdom scheme should therefore be considered as one of the possible ways of tackling the problems implicit in the

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Minutes of a Meeting held in the Conference Room
at the Commonwealth Relations Office at 3.30 p.m.
on Thursday 29th August, 1957

Mr. H.G.M. Bass (in the Chair in the absence of
Mr. J.M.C. James)

Mr. Arnold Smith	Canada House
Mr. V.G. Turner	
Mr. O.L. Davis	Australia House
Mr. M.G.M. Bouchier	
Mr. F.H. Corner	New Zealand House
Mr. I.F.A. de Villiers	South Africa House
Mr. A. Drake	
Mr. A.R. Swinnerton	Commonwealth Relations Office
Mr. D.H.T. Hildyard	Foreign Office
Mr. F. Kennedy	Colonial Office
Mr. M.A. Willis	
Mr. J.F. Hosie	Ministry of Defence
Mr. L. Airey	Cabinet Office

In opening the meeting, the CHAIRMAN referred to the statement which had been made at the previous meeting that the United Kingdom proposals for the international control of Antarctica were subject to the views of the Chiefs of Staff on their strategic implications. The Chiefs of Staff had now considered the proposals and were satisfied that, provided effective neutralization of the area could be achieved, there were no military objections to international control.

MR. de VILLIERS, after explaining that no reply had been received from his Government regarding the invitation to take part in the September talks pointed out that "neutralization" was nowhere precisely defined in the paper and, although it was obvious that the construction of military airfields nuclear testing grounds, or submarine

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COMMONWEALTH RELATIONS OFFICE,
DOWNING STREET, LONDON, S.W.1.

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Mr. H.G.M. Bas

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Mr. M.G.M. Bou

Mr. F.H. Corner

Mr. I.F.A. de V
Mr. A. Drake

Mr. A.R. Swinne

Mr. D.H.T. Hild

Mr. F. Kennedy
Mr. M.A. Willis

Mr. J.F. Hosie

Mr. L. Airey

Mr J.F.A. de Villiers
South Africa House

With the Compliments of the
Under-Secretary of State for
Commonwealth Relations

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for all war purposes so as not to become a new menace for the rest of the world; with new weapons of ever-increasing range it might become a base from which distant continents could be threatened; an international arrangement might be therefore a necessary protection for a peaceful world.

The New Zealand Government also expressed its views. They stated that they had for some time thought that a natural delimitation of the boundaries of the continent could be made which would exclude the major part of the Falkland Islands Dependencies and certain other islands with a history of occupation and use; they inclined to the view that the rest of this area might possibly be placed under the control of the U.N. as international territory. This would involve the surrender of all national claims in that area and the establishment of a subsidiary organ of the United Nations to control and administer it.

In the New Zealand view the concept of international trusteeship was clearly not appropriate to an area devoid of population. ~~On the whole however New Zealand thinking harmonized with the general nature of the American proposals for some form of control, but~~ they felt also that the revised American scheme for a condominium was equally unsatisfactory. They stated that they would not wish to support a solution which ignored the United Nations.

Both the north and south polar regions should be kept out of reach of the Security Council as at that time constituted, and their control postponed until the international situation had been stabilised on a more satisfactory foundation than the existing U.N. basis.

In March, 1948, at a meeting in Washington between State Department and British Embassy officials, the former stated that the U.S. Government desired to see the whole Antarctic problem settled without reference to questions of sovereignty. The U.S. had virtually discarded as a solution the possibility of creating an international trusteeship, and suggested instead a condominium of the whole area, composed of the 8 interested states, viz. United Kingdom, Australia, New Zealand, France, Norway, Argentina, Chile and the U.S.A.

In the British view the U.S. representatives who propounded this solution seemed to have little idea of the practical administrative problems involved; the scheme, in any case, only represented "departmental thinking"; in response to British objections that it would be difficult to exclude Russia, the U.S. representatives stated that the American War and Navy Departments did not consider the Antarctic to be of any strategic value.

An exchange of views again took place between the British and South African Governments, and the latter expressed the following opinion:

- (a) 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 were already largely occupied like the Falklands, South Georgia, Gough Island and ^{these and} many others which are already partly occupied fell within the purview of settled international law and in case of dispute should be adjudicated upon by the International Court of Justice.
- (b) The Continent itself was 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 should be neutralised

/for ...

In December, 1947, the U.S. Government informally informed the British Government, although they had not altered their position with regard to Antarctica and their refusal to admit any territorial claims there, they were, in view of the increasing British, Argentine and Chilean interests in the region, initiating a study of the situation which might lead them to adopt a new position. This might conceivably be along the lines of a "special U.N. trusteeship" which would remove the Antarctic problem from the area of international disputes, promote international scientific development, and at the same time safeguard the special interests of certain countries by giving them permanent control of the ~~Antarctic~~ trustee administration.¹⁰ The British Government had serious misgivings about this trend of thinking in the State Department. They foresaw the following disadvantages in an international trusteeship arrangement:

- (a) Any arrangement under U.N. auspices would bring into Antarctic matters a large number of powers at present not concerned with them, and some of those powers would probably be minded to make difficulties;
- (b) There were objections on strategic grounds;
- (c) A dangerous precedent might be created which would have implications for other parts of the empire which were sparsely inhabited;
- (d) International trusteeship might make it difficult to ensure effective executive control for the co-ordination of whaling and exploration;
- (e) It was unlikely that this solution would lead to the abandonment of Argentine and Chilean claims.

The Union Government's views were sought by the British Government and they expressed the opinion that the idea of international trusteeship was inadvisable; it might bring undesirable parties on the scene and would in any case create confusion and put the whole area into the melting pot; it might open up the prospect of similar action in the north polar region and the north pole itself, and raise issues of far-reaching importance for the future security of the West.

Interpretation of Condominium

The Foreign Office Legal Department define "condominium" as a term applied to an arrangement under which two or more states share sovereignty.

Considering the applicability of this term in the context of the present proposals for "internationalising" Antarctica the Foreign Office Legal Department hold the view that there is no reason why a condominium should not be established. It would not necessarily be confined to states with claims to Antarctic territory; there would be no legal objection to the proposed international body inviting any state or states to participate and share in sovereignty over Antarctica.

The concept of condominium does not involve what the Foreign Office Legal Department refers to as a "pre-conceived institutional set up" i.e. no previously existing form of civil administration, system of justice etc., is necessary.

There is no analogy between the proposed international authority for Antarctica and international organisations in the normal sense; no international organisation has possessed sovereignty over territory. There is moreover a big difference between the concept of a condominium and an arrangement based on delegated authority; a condominium would solve all questions of sovereignty in that it would destroy all individual claims to sovereignty. The effect would be that vis-a-vis the international authority possessing sovereignty no state admitted to membership thereof could set up an adverse claim against other members - otherwise it would be claiming against itself.

"Allied with this concept is the necessity for a "freezing of claims and of the status quo".

approaches these ~~XXXXXXXXXX~~ were reported to be favourable, and the Union's claim to recognition of South African interests was stated to have been generally accepted.

At the same time the Department took steps in Pretoria to bring to the notice of the French, Norwegian, Argentine and Chilean Governments (through their Legations) the Union's interest in the Antarctic region.

By this time the reactions of the various Governments who had been approached by the United States were becoming known.

The Norwegian Government stated that it was confident that fully satisfactory international co-operation in the scientific field would be possible without establishing an international regime for the Antarctic, which they regarded as unnecessary; Norway moreover, could not subscribe to an arrangement whereby she would waive her exclusive sovereignty over her territories south of the 60° S.L.

The Chilean Government's reply to the U.S. proposals underlined the "incontrovertible title" of Chile to its Antarctic sector, and state that "neither the spirit nor the letter of the Rio de Janeiro Treaty of 1947, which outlined a zone of security for our continent in which the South American Antarctic is included, could be reconciled with the proposed system of internationalisation". The U.S. proposal was therefore unacceptable. The Chilean Government countered with somewhat vague proposals for a wider interchange of scientific information and the preparation of some formula aiming at a modus vivendi in the Antarctic to avoid international incidents.

The French reaction was categorically opposed to the U.S. proposal and to the principle of abandonment of national sovereignty; the French indicated however that they would be prepared to consider the internationalisation of scientific activities.

the Union Government therefore wished to receive particulars of the approaches made to the other seven Governments concerned, and expressed the hope that an opportunity would be provided for them to comment in detail on the proposals. As the State Department's approaches to the other Governments had apparently been only of a tentative and non-committal character, the Union Government did not wish, however, at that stage to press any claim for formal participation in international discussions on this subject; the U.S. Government was asked to bear in mind the desirability of the Union's association with such international discussions should progress be achieved in the informal bilateral exchanges which were then taking place.

The Charge d'Affaires in Washington reported that his statement had been received by the State Department in a very friendly manner and that he had been given to understand that the South African interest in Antarctica was looked upon with sympathy. The State Department was in agreement with the view that the Antarctic continent was still terra nullius; the original U.S. suggestion that some form of trusteeship should be created had been advanced by the State Department during the period when Russia refused to participate in the Trusteeship Council, but as Russia had since taken her seat on the Council, the proposal was no longer being favourably considered. The State Department spokesman added that the U.S. intention was however, to restrict negotiation to the original 8 states with the hope that this would exclude claims from other powers, in particular, the Soviet Government. If agreement could be reached by the 8 contracting states, the American proposal was to incorporate a clause in the constituent agreement allowing for the accession of any power which all the signatories felt had a definite interest in the Antarctic. The American hope was that South Africa by this means would participate in the restricted international control of the Antarctic.

Subsequently, in November, 1948, the Department decided that the time had arrived for the South African interest in the Antarctic to be made known to the other powers concerned; and during the session of the U.N. General Assembly in Paris Mr. Louw discussed the matter with representatives of Australia, New Zealand, Argentina and Chile, and the South African Ambassador in Paris broached the matter with Norwegian representatives. Reactions to

/these

the powers to be associated with the "special regime" should be those already in possession of, or laying claim to, Antarctic territory. Although it was true that the U.S. could not be numbered at that stage amongst such powers, it was the intention of the U.S. Government shortly to announce their own claim to Antarctic territory, and in the view of the U.K. Government such a claim would be fully justified by the activities already undertaken by numerous U.S. expeditions to the Antarctic. The U.K. Government also indicated that the U.S. proposals had been purposely framed in such a way as to exclude the possibility of certain other powers, notably Russia, being associated with the "special regime" through U.N. organs such as the Security Council. If therefore the basis of the proposals was broadened to include powers not already owning or claiming territory in the Antarctic, the U.S. Government would undoubtedly be faced with claims from Russia to be associated with the proposed international Antarctic commission. The U.K. Government suggested that the Union Government should await the presentation of the U.S. proposals to the other seven Governments concerned before taking any steps to approach the U.S. Government in the matter.

The Department, after consideration of the U.K. views, was not inclined to attach much importance to the objections regarding the possibility of Russian intervention: the Soviet Union's polar interests (apart from participation in whaling) were all in the northern hemisphere and bore no comparison with the extent of South Africa's interests in Antarctica. Any Russian claim to participation could have no justification other than the Soviet position as a Great Power, and this fact alone should not be held to justify possible Soviet claims. Furthermore, even if they should attempt to interfere there was no reason why such attempts should not be successfully resisted.

Accordingly, in September 1948, the South African Legation in Washington was instructed to inform the U.S. Government informally of the Union Government's interest in the U.S. proposals and to draw to their attention the specific South African interests in the control and administration of Antarctica. The Legation was to point out that the Union was the only major power in the Southern hemisphere, which, in terms of the U.S. proposals for consultation, was to have no say in the future control and administration of Antarctica;

/the Union ...

trusteeship, or any other form of U.N. control, would be dropped entirely;

- (b) they drew attention, however, to specific South African interests in the control and administration of Antarctica. The Union had never advanced any claim to Antarctic territory, most of which in default of effective occupation, could only be regarded as terra nullius. The Union was moreover, the only major power in the southern hemisphere which, in terms of the proposal ^{for} an international Antarctic commission, would have no say in the future control and administration of that continent: from the long-term standpoint, however, the manner in which such control was exercised would prove to be of vital concern to the Union. Apart from its important whaling interests in the Antarctic, the Union could hope to benefit from the establishment of meteorological stations at Antarctic bases; the Union's future interest in trans-Antarctic air communication was apparent from the map; when the time came for the economic exploitation and development of the continent the Union would be one of the natural and appropriate bases from which such enterprises would operate; in the field of long-range and long-term strategy also, the control of Antarctica must always be a matter of primary concern.

The Department stated that these factors alone, which represented ~~merely~~ a merely a bare outline of the Union's interests, might well be sufficient to justify consideration being given to the association of the Union with any organisation or machinery which might be devised for the control and administration of the Antarctic continent. The High Commissioner was requested as a matter of urgency to ascertain informally to what extent the United Kingdom would be prepared to support a South African claim for participation in international discussions on the subject.

The U.K. attitude on this particular aspect proved to be that, although they fully recognised the special South African interest in Antarctic matters and would in principle be very willing to support the claim of another Commonwealth Government, they would find it difficult to support a South African claim to participate in discussions on the "special regime"; the intention of the U.S. State Department was that

trusteeship, which they felt would almost inevitably result in Russian interference in Antarctic questions.

Subject, therefore, to the concurrence of the other "old" Commonwealth Governments, the British Government decided:

- (a) to negotiate with the other Governments concerned with a view to the formulation of a plan for the pooling of Antarctic territory under a joint 8-Power administration provided that this did not take the form of trusteeship or involve placing the territory in any way under the authority of the United Nations. They would, on the other hand, recommend the fullest possible co-operation and association with the appropriate United Nations bodies;
- (b) to endeavour to secure from the other interested Governments recognition of United Kingdom sovereignty over a limited area in the 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 proved necessary, in order to ensure the success of the proposed 8-Power discussions, they would be prepared in ^{the} a last resort to place the whole of the Falkland Islands Dependencies south of latitude 60° within the special regime, provided that all other powers acted similarly in regard to their own territories.

The British Government felt satisfied that these proposals would not result in the loss of any essential strategic requirements.

The British Government enquired whether, in view of their "indirect interest", the Union Government wished to offer any comments on the proposals.

Although an opportunity did not present itself at the time for the Union Government to consider the question, the preliminary views of the Department of External Affairs, which were conveyed to the British authorities, were as follows:

- (a) they agreed with the U.K. counter-proposals, and expressed the hope that the idea of United Nations

/trusteeship

About the middle of 1948 discussions took place in Washington between U.S. State Department and British Embassy officials, in the course of which the United States authorities revealed that they intended shortly to put before other powers interested in the Antarctic i.e. the United Kingdom, Australia, New Zealand, France, Norway, Argentina and Chile a scheme for international trusteeship of the Antarctic.

As a result of British objections to this scheme and to international trusteeship proposals generally, the United States Government subsequently (July, 1948) prepared a revised plan for what they termed a "special regime" for the Antarctic; with this scheme would be coupled an announcement of U.S. territorial claims in Antarctica.

The U.S. proposals in their revised form provided that:

- (a) the territorial scope of the special regime would embrace the Antarctic continent and all islands south of 60° S.L., except the South Shetland and South Orkney groups; the eight governments concerned would merge and join their claims and interests in this special regime;
- (b) an international Antarctic commission would 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 would co-operate with the appropriate specialised agency of the United Nations and with international scientific bodies on matters of mutual concern;
- (d) the agreement would enter into force when all of the governments concerned had become parties thereto.

The British Government's reaction to these proposals was motivated by two factors: firstly, their view that it was essential to achieve an early settlement of the long-standing and increasingly troublesome dispute with Argentina and Chile in the Falkland Islands Dependencies; and secondly, the belief that the U.S. Government had come to appreciate their, and the other Commonwealth Governments', objections to

/trusteeship ...