31st July, 1958.

AIRBAG.

S E C R E T.

The Secretary for External Affairs,

PRETORIA.

ANTARCTICA.

The second meeting of the group this week which took place today was largely a repeat of what I have already reported on the last meeting in our minute 43/44 of 30th July.

No member of the group had anything new to offer on the question of place of the Conference, but a major portion of the discussion revolved around the question of time and the Russian refusal to discuss any questions of substance. The United Kingdom, strongly supported by Australia, was of the opinion that it would be preferable to postpone any decision regarding the date of the Conference as general agreement should first be reached on such matters as participation of other countries, rights and claims and administrative measures. The representative of Chile made reference to the suggestion at the previous meeting by the representative of the U.S.S.R. to the effect that a decision on the date of the Conference should be postponed until after a decision had been reached by the General Assembly regarding the inscription of the Indian item on Antarctica. He could not agree with this proposal and in this connection made reference to the fact that Chilean Antarctic territory was regarded as part of the national territory of Chile and that consequently the United Nations could not discuss any matters which would in any way affect Chilean rights of sovereignty in Antarctica. Any such discussion would be contrary to Article 2 paragraph 7 of the Charter. He, therefore, felt that there would be no point in relating the date of the Conference to any discussions which might take place in the United Nations.

The Soviet representative refused to agree with the Chilean remarks on its Antarctic territory and reserved his right to speak in this connection at a later stage. He also repeated his proposal that the final settlement of the date of the Conference should be postponed until a decision had been reached by the United Nations on the inscription of the Indian item on the Agenda of the Thirteenth General Assembly. The Chilean remarks raised serious questions which the group had of course hoped to avoid going into in detail. The United States told the group that it was precisely to avoid discussing the legal and political status of territory in Antarctica that he had circulated his draft on rights and claims. He, therefore, saw some merit in the United Kingdom suggestion that this question of rights and claims and also

43/44

SECRET. 31st July, 1958.

With the

Compliments of the

Embassy

of the

Union of South Africa

Washington, D.C.

LONDON.

43/44

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General Assembly they thought it should be possible to counter United Nations taking matter too far.

4. Position of Australians and British up to now has been that date of Conference should not be fixed until progress made on substance, but they have agreed to refer to their Governments in light of the situation that has arisen.

5. It is possible that matter will be raised at meeting of Twelve on August 7th. Please telegraph whether you have any objections to either the September or October date?

6. Our impression is that the Soviet position on extension of participation in the Conference is very firm, and they may try to sabotage attempts at Conference limited to Twelve. United States, New Zealand and some others incline to view that provision for observers at Conference (i.e. from United Nations, SCAR and possibly certain States) would be absolute minimum which might satisfy Russians.

Assembly taking up matter. (For practical reasons too Conference in Washington might be more convenient for United States authorities to arrange in late October.) Provided October date is agreed and publicly announced before the

TOP SECRET.

OUTGOING TELEGRAM.

SECRET

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FROM: South African Embassy, WASHINGTON D.C.

TO: Secretary for External Affairs, PRETORIA.

DESPATCHED: 5th August, 1958 (6.00 p.m.)

No. 119.

ANTARCTICA.

Yesterday Chilean Embassy called an informal meeting of all of the Twelve except Soviet Union, Belgium and Japan. They suggested that in view of apparent determination of Russians not to consider matters of substance in preparatory talks, only course open was to fix an early date for Conference. At Conference itself Russians would not be able to put off disclosing their hand on substance. In the interim before the Conference the eleven could consult informally on substance. Chile would wish Conference to commence in September before opening of General Assembly. Failing this Russians would be in strong position to force debate in General Assembly by pointing out that after months of deliberation the Twelve had not even been able to agree on holding a Conference. (It appears now that the Indians are not taking any final decision on withdrawal of their item until matter comes before the General Committee).

2. Other representatives thought it unlikely that Russians would agree to Conference before General Assembly in view of their earlier proposal that date-fixing be held over until decision in General Assembly on Indian item. Furthermore, even if Russians agreed, a dangerous situation might arise if Conference were to break down in early stages of General Assembly, as strong case might then be made for consideration of matter by Assembly.

3. United States thought that it might be better to fix date of Conference in latter part of October so that if Conference should fail there would be less chance of General Assembly taking up matter. (For practical reasons too Conference in Washington might be more convenient for United States authorities to arrange in late October.) Provided October date is agreed and publicly announced before the

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43/44

TOP SECRET. 5th August, 1958.

With the Compliments of the Embassy of the Union of South Africa Washington, D.C.

LONDON.

TELEGRAM.

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mbassy, WASHINGTON D.C.

xternal Affairs, PRETORIA.

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which would be signed by all and that therefore a unanimity provision would be desirable in regard to the signing of the treaty. Furthermore if the Conference were restricted to twelve the New Zealand Government might be prepared to favourably consider adopting the unanimity procedure, but on the other hand if the Conference were expanded to include any other countries which might decide to attend, as suggested by the Soviet representative, then adopting a unanimity rule would virtually give a country having no particular interest in Antarctica the veto and he could not support this. The United States representative stated that while he hoped for unanimous approval of the treaty it would not be possible to get a satisfactory treaty if there had to be unanimity on everything beforehand. We expressed similar views.

(ix) Participation

The Soviet representative as before maintained that this question was one of most vital concern. Other countries could not be left out and he proposed that all countries be informed that a Conference on Antarctica is being prepared and that they be invited to take part in it if they so desire. The United States expressed doubts as to whether the question of participation was in fact a procedural one. In addition he made mention of the fact that as the United States was the inviting country he was not sure that this question was open to collective discussion. The Chairman suggested that while this question might contain procedural aspects it also raised points of principle, which could not be isolated from other matters of principle or substance. To this the Soviet representative replied that it was of no concern what we called this question but that the group should consider it as it was important from the point of view of the Conference. The stand taken by the Soviet representative on this issue, which does appear to invoke questions of substance, would seem to conflict with his stand that no question of substance should be discussed by the group and in fact this very question was posed by the United Kingdom representative. The Soviet representative, however, failed to see any such conflict, as the task of the group was to prepare for the Conference and in his view deciding on participation was part of such preparation and did not constitute discussions of the substance of the treaty.

There was obviously no possibility of solving this rather ticklish question at the current meeting of the group and it was accordingly agreed to refer further discussions to the next meeting.

The group adjourned before exchanging views on the question of the Agenda of the Conference, and will meet again on Thursday, August 7th, 1958.

Your comments on any of the points raised above will be appreciated.

Copies to London and Canberra.

J. G. STEWART

CHARGE D'AFFAIRES a.i.

be necessary to maintain some verbatim records, but that some limit should be placed on the production or distribution of these records. The United States suggested that although arrangements might be made for e.g. for verbatim records to be taken in certain limited cases at the request of specific delegations, it might otherwise perhaps be sufficient to have summary records only. The representative of Norway suggested that perhaps a verbatim record might be kept by the Secretary-General of the Conference which representatives might consult if they wished, but that for normal distribution summary records would suffice. The representative of New Zealand proposed that verbatim records should be maintained only in the English language.

There was a very brief discussion on the question of appointing rapporteurs but most members of the committee were not in a position to express any views on this subject. The United States seemed to think that rapporteurs would be required only for the committees which might be established by the Conference and that the committees through the rapporteurs would then report to the plenary. It would not then be necessary to appoint a rapporteur to the plenary.

(vi) Establishment of Committees

All the members of the group who spoke on this point expressed the hope that committees would be kept to a minimum.

Other points which might be considered under this head would be e.g. composition of Committees i.e. would all countries who attend the Conference or only a certain number be represented on particular committees. Consideration might also have to be given to the possibility of establishing working groups subordinate to the committees.

(vii) Seating Arrangements

This might be arranged according to the alphabet or else by drawing lots.

(viii) Voting Procedure

The Soviet representative was of the opinion that all decisions of the Conference should be unanimous. As an illustration of the desirability of following this procedure he referred to the Conference on Fur Sealing which had been held in Washington and which had very successfully adopted the unanimity rule. He felt that the Japanese representative who had attended the Conference would agree with him on the desirability of following this procedure. To this the representative of Japan replied that while it was true that the unanimity rule had been adopted successfully at this Conference it had only been possible to follow that procedure in that particular case as the Conference had been limited to four countries. He did not think that that procedure could be followed at a Conference which already envisaged the participation of more than ten countries. In fact he felt that it might even be difficult to obtain agreement on the adoption of a two-thirds majority. The representative of New Zealand tended to support the representative of Japan but not entirely. He stated that the object of the Conference was to adopt a treaty

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of the Conference, but one or two other members felt that although it often happens that the leader of the delegation of the host country also serves as the President for the duration of the Conference, nevertheless usual practice is for the President to be elected by the Conference. Several delegates stressed the desirability for the appointment of Vice-Presidents who would be able to act in the absence of the President.

As far as the appointment of a Secretariat was concerned the United Kingdom maintained that the Secretary-General of the Conference should be chosen from one of the nations attending and that when elected he would serve in the capacity of an international civil servant. The Secretary-General would have to make the necessary arrangements for the Conference and would have to be appointed before the Conference convenes. The secretarial staff would be drawn from the host country. From the discussion the general opinion seemed to be that while it might be left to the host government to find a Secretary-General, his appointment would need to be agreed among the Twelve, either tacitly or expressly.

(iii) Credentials Committee

Questions such as the form and composition of the credentials committee arise here. The United States representative suggested that each member of the group should look into details of this question and present their conclusions to a later meeting. This was agreed.

(iv) Languages

The representatives of the U.S.S.R. and Chile asked for the adoption of Russian and Spanish respectively as both official and working languages of the Conference. The United Kingdom representative, while stating that he had no instructions, suggested that English should also be an official and working language. The Japanese representative suggested that the procedure of the United Nations should be followed but that as China was not represented amongst the group it would only be necessary to have English, French, Spanish and Russian as official and working languages.

Other questions which were mentioned under this heading relate to whether there should be simultaneous or consecutive translation at the Conference. The more languages there are the more difficult it would be to have consecutive translation, and in this connection the Chairman asked the representative of the United States if the United States would be confronted with any difficulties regarding the provision of the necessary technical facilities. To this the representative of the United States replied that it might be difficult to provide simultaneous translation facilities at the end of September and early October but that normally there would be no difficulty. (As mentioned in my telegram No. 119 the United States would prefer a Conference in the latter part of October).

(v) Records of Proceedings

There seemed to be some feeling among those members of the group who expressed their views that it would

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arose whether the group should perhaps leave aside these matters for the time being and pass on to consideration of questions of procedure which were still pending. The United States representative thereupon inquired whether the Soviet representative still maintained his previous attitude to these questions. If so, the group could pass on to questions of procedure. The Soviet representative thereupon re-hashed his already oft-repeated statement that the group should agree on time, place and procedure and nothing more and the group therefore decided to go ahead with the discussion of procedural questions without, however, taking any decision on the question of whether questions of substance should be discussed or not.

The United States proposed that the following questions of procedure, amongst others, would require attention:-

(i) Composition of delegations.
(ii) Officers of the Conference.
(iii) Credentials Committee.
(iv) Languages - both official and working.
(v) Records of the Proceedings.
(vi) Establishment of Committees.
(vii) Seating Arrangements.

The Soviet representative added:-

(viii) Voting Procedure and
(ix) the question of participants.

The representative from Australia suggested that consideration should also be given to the Agenda of the Conference.

At the suggestion of the Chairman the group proceeded to consider these points one by one in the order set out above.

(i) Composition of Delegations

It was decided that the group should give some thought both to the size of the delegations and to the appointment of alternates, advisers, etc. It would be convenient also to have an indication of views on the level of representation as it was not desirable that delegations should be too out of step in regard to the seniority of their Chief Delegates.

(ii) Officers of the Conference

With regard to the opening of the Conference it was suggested that it would be in accordance with international practice if the Chairman of the delegation of the host country performed this task. The representative of New Zealand expressed the view that it would be desirable thereafter for the Conference to elect a permanent President for the Conference. A rotating presidency would only be desirable for very informal working groups such as our present group. The representative of Japan felt that it would accord with diplomatic custom if the Chairman of the delegation of the host country not only opened the proceedings but also served as President for the whole term

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CONFIDENTIAL

August 5, 1958.

The Secretary for External Affairs,
PRETORIA.

ANTARCTICA

The meeting of the group of twelve took place to-day under the chairmanship of the South African representative. The following are the main points which emerged from the discussion:-

1) Place and Time

(a) Place - there were no new developments on this question.

(b) Time - the representative from Japan stated that it was high time that the group now agreed on a provisional time for the Conference. This would, of course, be subject to the proviso that the progress in the discussions of the group continued satisfactorily. The Chairman then reviewed briefly the stage the group had previously reached in the discussion of the date of the Conference, viz. that the majority had expressed themselves in favour of a date fairly early in September but that a body of opinion had since then developed that no decision should be taken on the provisional date of the Conference until considerably more progress had been achieved in the discussions of the group on matters of substance.

Following on the Chairman's statement the United States expressed the view that it might be desirable to dissociate the question of time from matters of substance and suggested that it might be advisable for the group to reach a decision on the question of time along the lines suggested by the representative of Japan. He, however, felt that it would be preferable to leave this matter aside for the time being and the group agreed that the question of time should be taken up again at the next meeting. In this connection you will have received my telegram No. 119.

Die Hoë Kommissaris
Mr de Villiers
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2) Future Work of the Group

The Chairman made mention of the fact that the group at one stage or another had given consideration to the delimitation of Antarctica, scientific research, peaceful uses, and rights and claims, but that the Soviet representative at the last meeting had objected to the discussion of these questions by the group because he was of the opinion that these were matters of substance for the Conference. The question now

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With the

Compliments of the

Embassy

of the

Union of South Africa

Washington, D.C.

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

August 5, 1958.

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Annexure G.

SESSIONS

Rule ___ - Plenary sessions of the Conference shall be held in public unless the Conference shall determine otherwise. Meetings of committees and working groups shall, in general, be private.

Rule ___ - At the close of any private committee meeting a statement may be issued to the Press through the Secretary General.

further complicated for them by the fact that it was possible that there might be elections in Australia towards the end of the year. The Australians have received instructions to maintain their attitude of keeping the talks going in an attempt to make some more progress on questions of substance before agreeing on a date and this probably also partly explains their holding out on the question of the date of the Conference.

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Annexure F.

RECORDS

Rule ___ - The Secretary General shall prepare summary records of all meetings of the Conference as well as any sub-bodies which it may establish. They shall be distributed to all representatives as soon as possible after the conclusion of a meeting and the representatives shall inform the Secretary General within 48 hours after distribution of any changes which they wish to have made. The summary records of plenary sessions will be submitted to the Conference for approval and will then be issued in final form.

Rule ___ - Documents and summary records will be made available only in the working languages.

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Annexure E.

COMMITTEES AND WORKING GROUPS

Rule ___ - The Conference, to facilitate its work, may establish such committees as it may deem necessary for the performance of its functions and defining their terms of reference.

Rule ___ - Any committee so established shall elect its own officers and shall operate, in so far as possible, under the same rules of procedure as the Conference.

Rule ___ - Working groups may be established by decision of the Conference or in the discretion of the Chairman who shall designate the members thereof.

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Annexure D.

SECRETARIAT

Rule ___ - The Secretary General of the Conference, who shall be appointed by the Government of _____, shall provide and direct such technical and administrative staff as may be required by the Conference. He shall be responsible for making all arrangements for the sessions of the Conference, its committees or working groups and generally to perform all other work which the Conference may require or direct. He may designate a deputy to sit for him at any meeting.

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Annexure C.

OFFICERS

Rule ___ - A Temporary Chairman of the Conference shall be designated by the government of _____ and shall preside until the Conference elects a Permanent Chairman.

Rule ___ - At its inaugural session the Conference shall elect a permanent Chairman. The other eleven representatives shall serve as Vice Chairmen of the Conference in the order of precedence. The Chairman shall preside at all sessions of the Conference. If he is absent from a session or any part thereof, the Vice Chairman next in order of precedence shall preside in his stead.

Rule ___ - The Chairman, or a Vice Chairman acting as Chairman, shall not have the right to vote but shall designate another member of his delegation to vote in his stead.

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Annexure B.

DELEGATIONS

Rule ___ - Each participating State shall be represented by a delegation composed of a representative who shall be vested with full powers and who shall be the Chairman, and such alternate representatives, advisers and secretaries as each State may deem necessary.

Rule ___ - An alternate representative or an adviser may act as representative upon his designation by the Chairman of the delegation.

Rule ___ - The credentials of the representatives and alternate representatives issued by the Head of Government or Chief of State or by the Minister for Foreign Affairs, and the names of the advisers who will accompany them, shall be submitted to the Secretary General of the Conference not later than 24 hours prior to the opening session thereof.

Rule ___ - As its opening session the Chairman shall appoint a Credentials Committee consisting of three members who, together with the Secretary General, shall examine the credentials and report to the Conference without delay.

Rule ___ - Pending a decision of the Conference with respect to their credentials, representatives and alternate representatives shall be entitled to participate provisionally in the Conference.

Rule ___ - The order of precedence of the delegations shall be established by lot at the inaugural session.

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Annexure A.

LANGUAGES

Rule ___ - English, French, Russian, and Spanish shall be the official languages of the Conference. These also shall be the working languages.

Rule ___ - Speeches made in any of the official languages shall be interpreted into the other three official languages.

Rule ___ - Any representative may speak in a language other than the official languages. However, in such case, he shall provide for interpretation into one of the official languages.

Rule ___ - At the opening session the Chairman shall appoint a Credentials Committee consisting of three members who, together with the Secretary General, shall examine the credentials and report to the Conference without delay.

Rule ___ - Pending a decision of the Conference with respect to their credentials, representatives and alternate representatives shall be entitled to participate provisionally in the Conference.

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As far as the secretariat itself was concerned, it was agreed that the host country could probably provide this but that the secretariat need not necessarily be confined to nationals of that country.

A number of delegates felt that it was desirable that the Secretary-General should be appointed by the Conference itself. The objection to this of course is that the Secretary-General will be responsible for making all the arrangements for the Conference and it will, therefore, be essential for him to be appointed some time beforehand. To overcome this difficulty and to meet the point of principle that the Conference should do the appointing, it was suggested that the host country might nominate a provisional Secretary-General whose appointment could subsequently be confirmed by the Conference.

(5) Committees and Working Groups.

(United States draft attached as annexure E.)

The representative of Norway suggested that in paragraph 3 of the United States draft, a provision should also be made for the establishment of working groups by the committees of the Conference.

The United States representative said that his paper had specifically avoided the question of what committees should be established. The representative of Australia, however, felt that it was desirable for the group to decide what committees should be set up. His Government had in mind a legal and scientific committee but felt that the number of committees should be kept to a minimum and also that the committees should consist of all participants at the Conference and not of small groups of participants. This of course also raised the question of the composition of working groups, and the opinion was expressed that it would no doubt be desirable to limit the number of participants in such working groups.

As the United States papers had been circulated to the group at today's meeting and as it was thus not possible to devote any study to them, all points of view put forward in the committee were of a very tentative nature but the group will no doubt be able to get down to more detailed discussion of these papers at its meeting on the 12th August. If you wish us to raise any specific points in connection with these papers, we would, therefore, be glad to receive your comments as soon as possible.

I am enclosing two other papers (annexures F and G) also prepared by the United States regarding Records of the Conference and Sessions of the Conference. These papers were not discussed today, but will be discussed at the next meeting on Tuesday together with the question of participants.

Copies to London and Canberra.

J. G. STEWART

CHARGé D'AFFAIRES a.i.

The representative of the U.S.S.R. maintained his position that voting should be unanimous. The Japanese as before objected to this and referring again to the Fur Sealing Conference mentioned in our minute of 5th August, stated that because the four parties at that Conference were not able to reach unanimity, the Conference, which was originally expected to last a few weeks, had taken nearly 18 months. He, therefore, concluded that if the Conference of Twelve were to adopt the unanimity rule, it might take several years before agreement was reached. He felt that a two-thirds majority rule would be a fair and wise course to adopt. The Soviet representative replied that as far as the Conference was concerned time was not important and that the unanimity rule would guarantee the interests of all participants. Any other rule would be unfair. In reply to questions from ourselves and some of the other representatives, the Soviet representative was unable to say whether the unanimity rule should apply to all matters which might be raised in the Conference including discussions in the working groups and in the committees i.e. in the day-to-day working matters of the Conference. He indicated that he would, however, be able to elucidate further at a later meeting, and so the matter was left there.

Our impression is that most delegations will be agreeable that the Treaty itself should be adopted unanimously, but that other decisions of the Conference should be by two-thirds majority vote.

(3) Composition of Delegations and Credentials Committee.

(United States draft attached as annexure B.)

In reply to enquiries, the United States representative informed the group that the reference to full powers in the first paragraph of his draft envisaged that delegates would have power to sign any instruments which the Conference might agree on. Governments would of course still have to ratify any agreement.

The last paragraph of the United States draft provides that the order of precedence for the seating of delegates shall be established by lot. Ambassador Daniels stated that it had seemed preferable to follow this procedure because if the alphabet was followed the question of what language should be used would arise. A number of representatives, however, expressed a preference for following the order of the alphabet and suggested that the English language should be used for this.

The United States felt that there should be a permanent seating arrangement although some delegates thought that a rotating arrangement would be preferable.

(4) Officers of the Conference and the Secretary-General.

(United States drafts attached as annexures C and D.)

The question was raised whether the Chairman would have the right to speak as a representative of his country. To this the United States replied that it was the intention that the Chairman would not be able to do so.

In view of the attitude of the Russians and the Australians, it was apparent that no agreement was yet possible on a date for the Conference and the Chairman suggested that the group should pass on to matters of procedure.

The United States representative had, for the benefit of the group, prepared a draft on some of the questions of procedure which were raised at the last meeting (see my minute 43/44 of 5th August, 1958) and these were circulated to the group. The group then proceeded to discuss the following questions of procedure.

(1) Languages.

(United States draft attached as annexure A.)

You will note that the United States draft proposes that English, French, Russian and Spanish should be the official working languages, that speeches made in any of the official languages should be interpreted into the other three languages and that any representative may speak in a language other than any of the official languages provided that he makes provision for interpretation into one of the official languages.

The representative of Norway expressed the view that there should be four official languages but that one working language would appear to be sufficient. As English was the language which was the most common to all members of the group he felt that the working language should be English. If documents had to be provided in all the working languages this would involve the Conference in considerable delay in its work. The representative of Australia endorsed what the representative of Norway had suggested but strong opposition to this was expressed by the representatives of Chile, the Argentine and the U.S.S.R. who maintained that Spanish and Russian should also be working languages. The representative of New Zealand wondered whether it would not be possible to provide simultaneous interpretation for all speeches but for summary records to be reproduced in one language only. The representative of Japan agreed that to print every document in four languages would be inconvenient. He had, however, noted at international conferences which he had attended that the working text which was reproduced first was the text which was in the language of the country in which the Conference was held and he suggested that to avoid delay it might be convenient for the text which was provided first (English in this case) to form the basis for discussions. If this procedure was adopted, the Conference would not be held up unnecessarily if the other texts were not yet available.

This matter of languages is to be considered further, but it seems doubtful whether the Russians and the South Americans will be agreeable to the use of the Russian and Spanish languages being subordinated to English.

(2) Voting Procedure.

(The United States did not provide a working paper on this, because of the divergent views which had been expressed on this at the last meeting.)

43/44

7th August, 1958.

AIRBAG.

S E C R E T.

The Secretary for External Affairs,

PRETORIA.

ANTARCTICA.

The meeting of the group of Twelve which took place today confined itself to discussing place, time and questions of procedure.

It was decided that the Conference should be held in Washington but that this decision would not be made public until a date for the Conference was agreed upon.

As to time, the representative of the U.S.S.R. maintained his position that if it was India's intention to ask for inscription of their Antarctic item on the Agenda of the General Assembly, then no decision on the date should be taken until the United Nations had reached a decision on the inscription. If India did not maintain her intention to have the item placed on the Agenda the group could proceed to agree on a date. As India's intention according to the latest information will not be known until the General Committee stage of the Assembly, the Russian stand may mean in effect postponing a decision on the date until the General Committee meets sometime after 16th September.

Most members of the group felt that there was no connection whatsoever between what the Indians decided to do at the United Nations and the decision of the group on the date of the Conference. The representative of New Zealand stated that his Government would prefer not to wait as long as the United Nations session to decide on a date and that his present preference would be for a date some time in October. Following on this a fairly strong body of support developed amongst the group for holding the Conference towards the middle of October, in particular as the United States representative had intimated that it might be difficult to service a Conference in Washington during the latter half of September and the first portion of October. The Australians on the other hand maintained that October would be too early for them. They would prefer a Conference in December or perhaps even later. Their difficulty was that in view of the importance of the Conference it was the intention that an Australian Cabinet Minister would attend and this would not be possible until at the earliest December. The matter was further complicated for them by the fact that it was possible that there might be elections in Australia towards the end of the year. The Australians have received instructions to maintain their attitude of keeping the talks going in an attempt to make some more progress on questions of substance before agreeing on a date and this probably also partly explains their holding out on the question of the date of the Conference.

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SECRET.

7th August, 1958.

With the

Compliments of the

Embassy

of the

Union of South Africa

Washington, D.C.

LONDON.

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"The Governments of .....
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have been consulting in regard to the time and place of a proposed Conference on Antarctica and have agreed that the Conference will convene on ....."

There seemed to be fairly general agreement amongst the members present that an announcement should be made and that it should be a joint one.

The only other point which was raised by the United States at the informal gathering, related to the question of observers. The United States wondered what other representatives thought about this question. There was very little comment on this but the representatives of France and Chile were opposed to the idea. We also stated that we were not happy about the possibility of having to admit observers. In view of this opposition, Ambassador Daniels did not pursue the matter, but felt that at the least there would have to be agreement to the admission of representatives of SCAR and the United Nations as observers.

Copies to London and Canberra.

D. S. Franklin

CHARGé D'AFFAIRES a.i.

Ambassador Daniels enquired whether it would not be desirable to make some announcement after the date has been agreed upon. He thought it would be desirable that there should be some joint announcement following on the agreement of a date. He envisaged the announcement as being very brief and along the following lines:

2/...

11th August, 1958.

SPECIAL AIRMAIL.

CONFIDENTIAL.

The Secretary for External Affairs,

PRETORIA.

ANTARCTICA.

This afternoon a brief informal discussion was held in the United Kingdom Embassy between all members of the group except for the Russians, Belgians and the Japanese. The purpose of the meeting was in the main to decide what procedure was to be followed at tomorrow's meeting in dealing with the Soviet attitude to the work of the group, in particular in regard to the question of the date of the Conference.

Most members attending felt that it would be desirable to press for an agreement on a Conference date. However, the Australians maintained their position that they could not agree to a date for the Conference until there was more progress on questions of substance. Other difficulties, which we have reported to you, related to their desire that a Cabinet Minister (who would not be available until December) attend the Conference and the possibility of Australian elections later on in the year. In this connection the Australian representative stated that it would help their position if other representatives could indicate whether it would be the intention of their governments to send someone of Cabinet rank to attend the Conference. No representatives were in a position to speak on this but the United Kingdom representative did say that it was not likely that they would be represented by a Cabinet Minister although a Junior Minister might attend. If the Department has given thought to this matter and has any views on the subject, we would be glad to receive them. I might add that the New Zealand representative made the suggestion that it might be possible to arrange a two-stage Conference to meet the Australian position i.e. the more important matters would be taken up in the second stage of the Conference which would possibly enable an Australian Cabinet Minister to attend that part of the Conference. The suggestion did not, however, evoke much enthusiasm from other members present and would probably give rise to all sorts of difficulties in practice.

One or two other matters were mentioned at the informal gathering which it is perhaps worth while repeating.

With regard to fixing the date of the Conference, Ambassador Daniels enquired whether it would not be desirable to make some announcement after the date has been agreed upon. He thought it would be desirable that there should be some joint announcement following on the agreement of a date. He envisaged the announcement as being very brief and along the following lines:

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12th August, 1958.

CONFIDENTIAL

With the

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Embassy

of the

Union of South Africa

Washington, D.C.

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11th August, 1958.

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In response to the views expressed by the eleven representatives, the Soviet representative rejected them all and continued to repeat what he had already said earlier on in the meeting. He concluded another long speech by pointing out to the Chilean representative that his remarks regarding territorial claims went beyond the present preliminary discussions and that the U.S.S.R. did not recognise any such claims.

The meeting adjourned at this stage after the Soviet representative had specifically requested that the question of participants be kept on the agenda for the next meeting. It seems, as anticipated, that the U.S.S.R. is going to make a stand on this issue, and that, as already indicated, it may be necessary at some stage to reach some compromise on this question, possibly by agreeing to the admission of some observers.

Copies to London and Canberra.

D. S. Franklin

CHARGE D'AFFAIRES a.i.

(2) Participation

The discussion of this subject was introduced by the United Kingdom representative. He thought the difficulties in negotiating a Treaty would be greatly increased if the number of countries participating in the Conference was increased to more than the twelve at present conducting preliminary discussions. While the number of countries participating in the Conference should be limited to twelve, the United Kingdom stressed that the interests of all countries in the scientific field in Antarctica should be guaranteed on a basis to be worked out.

The Soviet representative immediately opposed the views of the United Kingdom representative by saying that such a proposal was unjustifiable and that it created an inequitable attitude towards other countries. Instead of creating universal scientific understanding, it would, on the contrary, hamper scientific discussions at the Conference. The main purpose of the discussions was to establish a broad scientific research programme for peaceful purposes exclusively for the whole of humanity and not only for a few countries. Participation of many countries in research in Antarctica would facilitate the achievement of objectives in the scientific field. He found it hard to believe that there were some representatives who wished to deny other countries the privilege of contributing to scientific research. He, therefore, proposed that all countries be informed of the provisional discussions which were taking place and that they be invited to take part in the Conference.

The discussion which followed clearly showed that all the other eleven representatives wanted the Conference confined to the present twelve countries. It was argued that only countries having a direct interest in Antarctica (i.e. the twelve members of the group) should participate in the Conference. It was pointed out that other countries had an opporunity during the I.G.Y. to evince an interest in Antarctica but had not done so, and that it would unnecessarily complicate the work of the Conference to extend invitations to such countries. Furthermore, representatives repeatedly stressed that it was not the intention of the group to secure some sort of monopoly for themselves in Antarctica, but that it was envisaged that all countries would have freedom of access to Antarctica for scientific research and investigation. The French and Chilean representatives furthermore expressed the view that since representatives were attending the meetings as a result of the invitation of the United States the group was hardly in a position to extend invitations to other countries. The United States at a previous meeting had also expressed doubts as to the group's competence to do so. The Chilean representative said that the question of participation was an important and a fundamental matter to his Government, since Chilean Antarctica forms part of Chilean National territory. Chile had agreed to discuss a Treaty with the twelve countries who have shown a real interest in Antarctica. Invitations to more countries would change the whole basis of the United States invitation and would in fact amount to holding another Conference altogether.

3./...

August 12, 1958.

SPECIAL AIRMAIL

CONFIDENTIAL

The Secretary for External Affairs,
PRETORIA.

Antarctica

The twelfth meeting of the group of Twelve took place to-day under the Chairmanship of the United Kingdom representative. The main points that emerged from the discussions are:-

(1) Time

The Chairman asked each representative for his views regarding the date of the Conference and it appeared that nine of the Twelve were in agreement that the date should be fixed during the latter half of October. Of the other three countries the Australians maintained their position, as already reported to you, that a date should not be fixed until more progress has been made by the group on questions of substance; the United Kingdom expressed similar views (although we have been told confidentially that a date during late October would be acceptable) and the Russians were not prepared to commit themselves although the Soviet representative indicated it as his personal opinion that a date during the latter half of October might prove acceptable. The more favourable reaction of the Russian representative would appear to indicate that they have abandoned their idea of tying the date of the Conference to the Indian proposal that the U.N. consider the question of Antarctica. In view of the fact that the majority of the group favoured a date in the latter half of October, the New Zealand representative suggested that it might be helpful to governments if their representatives could make a firm recommendation on a date. He suggested that either the 20th or 27th October would be acceptable and as a basis for discussion formally proposed the 27th. The United States representative welcomed this suggestion but thought that the determining factor would be an indication of the duration of the Conference, since the United States might run into difficulties should it last longer than December 8th when another Conference is scheduled to take place here. In view of this factor a number of representatives felt that the earlier date of 20th October might prove more suitable. It was eventually agreed that representatives should seek instructions from their governments by 19th August on a compromise date of 23rd October. In view of your telegram No.107 of 7 August, 1958, it is assumed that this date will be acceptable to you.

If the Russians agree to the date of 23rd October it will mean that the Australians will be alone in opposing agreement on a date. In the circumstances one wonders whether the Australians in spite of their strong feelings on the subject might not feel obliged to go along with the rest of the group on this issue. At present their position, however, remains firm.

With the

Compliments of the

Embassy

of the

Union of South Africa

Washington, D.C.

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

August 12, 1958.

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Irrespective of which of the above procedures is adopted consideration will also have to be given to the time lag to be allowed between the agreement of the group on the time and the relaying of the announcement to the press. Some representatives thought that there should be a time lag of a few days. If procedures (a) or (b) were followed this would allow sufficient time for governments to be informed when the announcement would be made, and if procedure (c) were followed this would allow sufficient time for governments to arrange to make their own announcements.

It seems to us and this also appeared to be the feeling of the majority of the group that alternative (c) above would involve too cumbersome a procedure and that either procedures (a) or (b) would be preferable. Furthermore, as pointed out by the United States representative, even if the announcement emanated from the Chairman of the group or host government on behalf of the group, individual governments would still be at liberty to make their own subsequent announcements. With regard to procedures (a) or (b) there would seem to be some merit in the Chairman of the day who as chairman would not be acting on behalf of any particular country, but as spokesman of the group, making the announcement. If he were to make the announcement direct to the press there would, however, have to be some agreement in advance on what points other than those referred to in the announcement he could speak if interrogated by the Press.

This question is to be debated further at the next meeting when members of the group are also to give their views on the suggested date for the Conference of 23 October. We, however, understand from the Australians that they have received as firm instructions as ever not to agree on a date until there has been more progress on matters of substance. Agreement on a date is, therefore, not likely for the present and so the question of an announcement will also fall away.

Any comments you may, however, wish to offer on the above will be appreciated.

2. Participation:

The discussion amounted to a repetition of previous debates on this question and revealed the same cleavage between the Russians on the one hand who desire that all countries expressing a wish to attend the Conference should be allowed to do so and the other, eleven members of the group on the other hand who consider that the participants should be confined to the Twelve members of the group.

There seems to be no way out of this impasse at the present moment, and this question remains on the agenda of our future meetings.

Copies to London and Canberra.

D. S. Franklin

CHARGé D'AFFAIRES a.i.

15th August, 1958.

AIRBAG.

S E C R E T.

The Secretary for External Affairs,

PRETORIA.

ANTARCTICA.

The following is a summary of the discussions among the group of Twelve which took place on 14th August under the chairmanship of the United States representative.

1. Announcement of time and place:

In anticipation of the group reaching some decision on time at its next meeting, the United States raised the question (already referred to in my minute 43/44 of 11th August, 1958) of the desirability of representatives considering in advance what public announcement, if any, should be made as soon as Governments have agreed on the time and proposed something on the following lines:

"Representatives of Argentina, Australia, Belgium, Chile, France, Japan, New Zealand, Norway, Union of South Africa, U.S.S.R., United Kingdom and the United States have consulted regarding the time and place of convening the conference on Antarctica to which the Government of the United States invited the other eleven Governments on May 2, 1958, and have agreed that the Conference shall convene at Washington on October 23, 1958".

After some discussion it was agreed that representatives consult their Governments with a view to ascertaining -

(A) whether the wording of the United States proposal would be acceptable to them;

(B) what procedure should be followed in making the announcement:

(a) whether the announcement should be made on behalf of the group by the Chairman of the day, either to (i) press representatives invited for the purpose or (ii) through the press section of the State Department;

(b) whether the host country should make the announcement on behalf of the group;

(c) whether there should be separate announcements made simultaneously by individual countries at a time agreed upon.

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SECRET 15th August, 1958.

With the

Compliments of the

Embassy

of the

Union of South Africa

Washington, D.C.

LONDON.

15th August, 1958.

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P.S. 16/2

VERTROULIK.

Die Hoë Kommissaris vir die Unie van Suid-Afrika,
LONDEN.
CANBERRA.

Die Tydelike Saakgelastigde,
Ambassade van die Unie van Suid-Afrika,
WASHINGTON.

Graag ontvang ek u kommentaar.
Antarktika.

SEKRETARIS VAN BUITELANDSE SAKE.

102/2/7
102/1

VERTROULIK.

PRETORIA.

29 AUG 1958

DIE SEKRETARIS VAN VERVOER.

Antarktika.

Ingeval dit nie reeds onder u aandag gekom het, haal ek hieronder aan die teks van n SAPA-AP persberig wat op 8 Augustus 1958 ontvang is:

"The Moscow announcement described plans for a big set-up in Antarctic explorations to compete Russia's programme for the International Geophysical Year.

One of the new research stations will be built in Queen Maud Land in Eastern Antarctica, and the other on the Bellinghausen Sea in the Western part of the continent.

The expedition, which aims at crossing Antarctica, will land in Queen Maud Land during January and February next year, the radio said.

Dr. Somov said Soviet ships and overland teams will carry out research work investigating 'the ice shield of the continent'.

'It is evident,' he added 'that the Soviet Polar explorers are ready as before to cooperate actively with scientists of all countries who are studying the Antarctic'".

Besef sal word dat Koningin Maud-land (die Noorse „sektor") in daardie deel van Antarktika geleë is wat die naaste aan die Unie is. Verwikkelinge in die gebied verg derhalwe ons noukeurigste aandag.

Dit wil my voorkom dat ons afvaardiging tot die onlangse konferensie te Moskou van CSAGI (Conseil Scientifique de l'Aunée Geophysique Internationale), aanvullende inligting oor toekomstige Russiese bedrywighede in die Suide mag bekom het. Indien dit wel die geval is, ontvang ek graag enige kommentaar wat u beskikbaar kan stel. In hierdie verband sien ook my diensbrief 102/2/7 oor 102/2 oor 102/1 van 23 Julie 1958, en aanhangsel.

M. I. BOTHA

SEKRETARIS VAN BUITELANDSE SAKE.

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(4) Agenda for a Conference.

Before the meeting concluded, the Australian representative said that he would like to suggest that the group should give some consideration to the preliminary agenda for the Conference. He had given some thought to this question and suggested an agenda along the following lines:

(i) Opening statement by the temporary Chairman.

(ii) Election of permanent Chairman.

(iii) Election of Vice-Chairmen.

(iv) Confirmation of the election of the Secretary-General.

(v) Establishment of Committees and designation of their functions.

(vi) Adoption of the rules of procedure.

(vii) Discussion of the draft Treaty.

Agenda item (vii) would have subheads (a), (b), etc. relating to the articles of the Treaty as set out in the Australian draft of the Treaty (copy of the Australian draft was forwarded to you under cover of our minute 43/44 of 11th July, 1958).

The agenda would conclude with certain procedural items which would wind up the work of the Conference.

At our suggestion Mr. Booker agreed to produce a draft agenda for consideration at the next meeting which will be on Wednesday, 27th August. We made this suggestion because it is thought that consideration of the agenda may enable the group again to get down to some discussion of the questions of substance to which all members of the group with the exception of the Russians wish to give further attention.

You will note that the United States draft rules of procedure make provision for the attendance at the Conference of observers from SCAR and the United Nations. Observers will not have the right to vote but may speak upon the invitation of the Chairman "on matters within their competence".

Copies to London and Canberra.

J. G. STEWART

CHARGé D'AFFAIRES a.i.

matters other than procedural matters should be by unanimous vote. This would also apply to the Committees for if the participants failed to agree at the Committee stage, he did not see how they could agree at the final stage. The Japanese representative as a compromise suggested that voting should be by two-thirds majority in the Committees and Plenary until the final stage was reached when the articles of the Treaty would be considered by the Plenary step by step. At that stage voting would have to be unanimous. The representative of France wondered whether the group should not get away altogether from the idea of voting. The purpose of the Conference was to negotiate a Treaty and the emphasis should, therefore, be on negotiation. It might not then be necessary to adopt the procedure of recording votes in particular as it was envisaged that the number of Conference participants would be limited.

While the members of the group still remain strongly divided on this question, there seems to be general agreement that the final Treaty will have to be adopted by unanimity and it might, therefore, be possible to work out some compromise with the Russians.

I should be grateful to receive your views on this question of voting at the Conference. If the final Treaty is to be adopted unanimously, the only purpose of majority or two-thirds voting in the preliminary stage would seem to be to permit of some progress being made in the elaboration of a draft Treaty. The result of such progress might be that as the form of the Treaty emerges, initial objections to particular provisions might disappear. Also the need for compromise might become more apparent. On the other hand even if such progress were made in the Committee stages, there would still be no certainty that delegations would accept the draft Treaty when it reached the final stage in the Plenary. This in turn might lead to re-opening of discussion on all disputed questions. That is, the solution of such deadlocks as might arise would only be delayed.

I should also appreciate your views on whether or not the rules of procedure should <u>specifically</u> provide that adoption of the Treaty by the Conference should be unanimous. I am not sure of the legal implications, but the possible distinction which comes to mind is:

(i) If unanimous adoption is specified, then there can be no Treaty if one of the participants does not approve it.

(ii) If unanimous adoption is not specifically provided for, then if any Government objects to its terms, it need not sign it, but the Treaty might nevertheless come into force amongst those signing and ratifying it.

4/...