

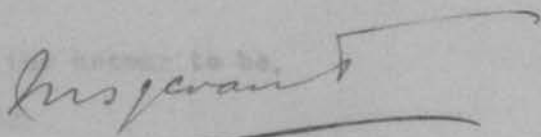
P.M. 107/5.

HvT/AC.

and is printed as under I do the enclosed Procla
ration. It will be sent from the offices of the
Secretary for External Affairs, CAPE TOWN. That
the Committee were of opinion that 16th March, 1928.

The Secretary for Mines and Industries,
Cape Town.

With reference to my Minute, No.P.M.
46/35 of the 7th February last, regarding the formation
of a new Norwegian pelagic Whaling Company, I forward
herewith, for your information, copy of a confidential
Despatch from the Secretary of State for Dominion Affairs,
Dominions No. 83, dated the 17th idem, together with copies
of the enclosures mentioned therein, as also copy of
Despatch from the Secretary of State for Dominion Affairs,
Union of South Africa, No. 31, dated the 4th idem.



SECRETARY FOR EXTERNAL AFFAIRS.

7

and is printed as Annex I to the enclosed Procès Verbal. It will be seen from the minutes of the meeting held on the afternoon of the 8th April that the Committee were of opinion that it was not within their terms of reference to consider proposals of this character, and that their examination of the draft Convention was therefore confined to matters of a scientific character. When the subject was considered by International Council for the Exploration of the Sea it was decided that the Procès Verbal of the meetings of the Whaling Committee should be circulated to the Governments concerned without comment.

5. Having regard, however, to the terms of the Note from the French Chargé d'Affaires of the 4th April, 1927, it has been thought desirable to furnish the French Government with some expression of the views of His Majesty's Government in Great Britain on the question and I enclose a copy of a Note which was accordingly addressed to the French Ambassador on the 19th Dec. 19th of December last.

I have the honour to be,

Sir,

Your most obedient,

humble servant,

J. Amery

CONFIDENTIAL

P.M. 107/5



UNION OF SOUTH AFRICA

Dominions No. 83

Confidential

Downing Street,
17 February, 1928.

Sir,

Procès Verbal

I have the honour to transmit, for the information of His Majesty's Government in the Union of South Africa, the accompanying copy of the Procès Verbal of meetings of the Whaling Committee of the International Council for the Exploration of the Sea, which were held in Paris in April last.

2. It will be seen from pages 12 to 15 of the enclosed Procès Verbal that at the first meeting of the Committee a statement was made by the representative of Great Britain regarding the work of the "Discovery" Expedition, and in this connection I would invite reference to my despatch to the Governor General Dominions No. 370 of the 27th June, 1927.

3. I enclose also a copy of a note from the French Chargé d'Affaires in London, which was received immediately prior to the meetings of the Whaling Committee forwarding the draft of a Convention for the international control of whaling outside territorial waters.

4. This draft Convention, which was prepared by a French Interdepartmental Commission, was brought before the Whaling Committee at their meetings in April,

and

THE MINISTER OF EXTERNAL AFFAIRS,

UNION OF SOUTH AFRICA.

*File attached
4th Apl.*


*Mr. Towner
15th May 1928
JMS*

14. 2. 28

*Handy
May 9 speak pl?*

M. J. G.

Handwritten: 9/1/28


UNION OF SOUTH AFRICA
No. 31



Handwritten: P.M. 46/35

Downing Street,
4 February, 1928.

Sir,

With reference to my despatch No.17 of the 17th of January, relative to the reported formation of a new Norwegian pelagic whaling company, I have the honour to state that the Governor of the Falkland Islands has reported by telegraph that he was informed on the 8th January by the Manager of the Ornen Whaling Company that the S.S."Lancing", which has been conducting pelagic whaling operations in Southern and Antarctic waters, already had a full ship load of 47,000 barrels of oil and was on the point of leaving for Europe and that three more floating factories were under construction in Norway for use in pelagic whaling in the waters of the Falkland Islands Dependencies and in the Ross Sea.

I have the honour to be,

Sir,

Your most obedient,
humble servant,

(for the Secretary of State)

THE MINISTER OF EXTERNAL AFFAIRS,
UNION OF SOUTH AFRICA.

Handwritten signature: Lloyd

Handwritten signature: W. van Dyke

— RLV —
SOUTH AFRICA
MADE IN WOODS

Secretary for External Affairs



Cape Town



TOWN.
7th February, 1928.

on the 26th November.
The Secretary for Mines & Industries,
Cape Town.

In the paragraph... With reference to my Minute of the
13th December, 1927, I forward herewith, for your
information, copy of a communication issued by the
British Department of Overseas Trade, relative to a
Norwegian Press report regarding the formation of a new
Norwegian pelagic whaling company.

His servant

SECRETARY FOR EXTERNAL AFFAIRS.

*Paid till a
receipt is received
from the High Com.
to our letter of
13 Dec.
(say another month)
17/2*

P.M. 46/35.

VT/AG.

CAPE TOWN.

7th February, 1928.

The Secretary for Mines & Industries,
Cape Town.

With reference to my Minute of the
13th December, 1927, I forward herewith, for your
information, copy of a communication issued by the
British Department of Overseas Trade, relative to a
Norwegian Press report regarding the formation of a new
Norwegian pelagic whaling company.

W. S. Geraint
SECRETARY FOR EXTERNAL AFFAIRS.

*Paid till a
receipt is received
from the High Com.
to our letter of
13 Dec.
(Say another month)
17/2*

D.O.T. 24327/1927.

NEW NORWEGIAN WHALING COMPANY.

According to "Aftenposten" of the 26th November, 1927, a new whaling company, to be known as The Antarctic Whaling Company, has been formed with a share capital of one million kroner. The first general meeting of shareholders was held on the 26th November.

The object of the new company is pelagic whaling in the Ross and Weddel Seas. The managers are said to be Bruun and von der Lippe of Tønsberg.

In the newspaper report in question it is stated that negotiations are in progress for the purchase of a new vessel of 14,000 tons to be fitted out as a floating cookery. The first expedition, which is to be sent out in August 1928, will consist of a floating cookery fitted up for pelagic whaling and four or five catchers burning oil fuel.

The share capital of the company is later to be increased to 3 million kroner.

It is not yet known whether the public will be invited to subscribe towards the share capital, and as both English and Spanish capital is said to be invested, the company will probably be registered outside Norway.

Interested in the formation of the new company are Mr. H.M. Wrangell, Mr. Rudolf Olsen, Mr. Sigurd Brunsgaard, all shipowners and Mr. Carl F. Herlofson, a whaling expert.

From - Department of Overseas Trade,
(Shipping & Transport Section),
73, Basinghall Street,
London, E.C.2.

9th December, 1927.

DUPLICATE

UNION OF SOUTH AFRICA

No. 17

DOWNING STREET,

17 January, 1928.

Sir,

With reference to Mr. Amory's despatch to the Governor General No. 3 of the 10th January, 1927, I have the honour to transmit, for the information of His Majesty's Government in the Union of South Africa, the accompanying copy of a communication issued by the Department of Overseas Trade relative to a Norwegian Press report regarding the formation of a new Norwegian pelagic whaling company.

9th December.

I have the honour to be,

Sir,

Your most obedient,

humble servant,

(for the Secretary of State)
(Signed) LOVAT.

THE MINISTER OF EXTERNAL AFFAIRS,

UNION OF SOUTH AFRICA.

5/10/28
UNION OF SOUTH AFRICA

No. 17



Am 46/35

DOWNING STREET,
17 January, 1928.

Sir,

9th December.

With reference to Mr. Amery's despatch to the Governor General No. 3 of the 10th January, 1927, I have the honour to transmit, for the information of His Majesty's Government in the Union of South Africa, the accompanying copy of a communication issued by the Department of Overseas Trade relative to a Norwegian Press report regarding the formation of a new Norwegian pelagic whaling company.

I have the honour to be,

Sir,

Your most obedient,

humble Servant,

(for the Secretary of State)

Smuts

THE MINISTER OF EXTERNAL AFFAIRS,
UNION OF SOUTH AFRICA.

Mr. van Dyck

VT/AC.

PRETORIA.

CONFIDENTIAL.

13th December, 1927.

The Secretary for Mines & Industries,
Pretoria.

In continuation of my Minute of the 5th
February, 1927, I forward herewith a copy of the Minutes
of an Interdepartmental Conference on the question of
international control of Whaling, held in London on the
12th October, 1927.

I also enclose a copy of a letter addressed
by the Dominions Office to the Secretary, Office of the
High Commissioner for the Union of South Africa, dated
November, 1927.

H. S. G. Evans

SECRETARY FOR EXTERNAL AFFAIRS.

7.

Mr. van Sijen

I don't think we need write
his letter - It is part of the
an arrangement to keep the
H.C. informed, I think

Why were we not in-
formed, or communicated
with, by the Dominions Office?

That is the reason I ask
whether the docs were sent
for information of the High Cr
or for transmission to
Union Govt.

13/XII

whether these documents have been sent to you by the
Dominions Office, for your information or with the request
to transmit them to the Union Government. All corres-
pondence from the Dominions Office for the Union Govern-
ment has so far been addressed to the Minister of External
Affairs direct.

Read
2 months
25

W. G. H. Farrell
SECRETARY FOR EXTERNAL AFFAIRS.

ask

THE SECRETARY
OFFICE OF THE HIGH COMMISSIONER FOR THE
UNION OF SOUTH AFRICA,
TRAFALGAR SQUARE, LONDON, W.C.2.
P.M. 46/35.

VI/AC.

DEPARTMENT OF EXTERNAL AFFAIRS,
PRETORIA.

CONFIDENTIAL.

13th December, 1927.

The Acting Secretary,
Office of the High Commissioner
for the Union of South Africa,
Trafalgar Square,
London.

I have to acknowledge the receipt of your Confidential Minute, No. 12/361 of the 17th November, 1927, on the subject of the Control of Whaling operations outside territorial waters.

With exception of the Confidential Minute dated November, 1927, addressed to you and the Minutes of the Interdepartmental Conference on the question of international control of whaling, held on the 12th October, 1927, all the documents reached this office through the Governor-General's Office on the 5th February, 1927.

I shall be glad if you will let me know whether these documents have been sent to you by the Dominions Office, for your information or with the request to transmit them to the Union Government. All correspondence from the Dominions Office for the Union Government has so far been addressed to the Minister of External Affairs direct.

*Recd
2 months
15*

W. G. H. Farrell
SECRETARY FOR EXTERNAL AFFAIRS.

Telephones: REGENT 8760.
Telegraphic Address—
"OPPOSITE, LONDON."



*Mm. 27/85
46/85*

ALL COMMUNICATIONS SHOULD BE ADDRESSED TO—
THE SECRETARY.
OFFICE OF THE HIGH COMMISSIONER FOR THE
UNION OF SOUTH AFRICA,
TRAFALGAR SQUARE, LONDON, W.C. 2.

MINUTE.

CONFIDENTIAL.

SUBJECT:—

Whaling Operations.

REFERENCE { Your No. _____ dated _____
NUMBERS. { This Office No. *12/361* dated _____, which
 please quote when replying.

17 NOV 1927

The Secretary for External Affairs,
P R E T O R I A.

With reference to Minister's Minute No. 331 dated the 27th April, 1926, on the subject of the control of whaling operations outside territorial waters, I have the honour to enclose a copy of a letter received from the Dominions Office, and all the Minutes referred to therein.

James Eales
ACTING SECRETARY.

M. van Dyke

All these docs, with the exception of the Minutes, were received from the Gov. Gen's office on 5/11/27.

7/11/27

Copy.

(W 11636/6664/50).

No.313

British Legation,

Oslo,

11th December, 1926.

Sir,

I have the honour to report that I learn from Professor Hjort that a Norwegian whaler who has recently been in Hamburg stated that a company is being formed in that town with a capital of half a million Marks, in order to fit out an expedition for pelagic whaling in the Antarctic. It may be that this information is incorrect or premature, but, since the Germans have recently sent a scientific expedition to Antarctic waters, the report is inherently probable. Professor Hjort is seriously concerned as to the future of the whole whaling industry if measures are not taken to preserve the stock, and he thinks that the above information may be of interest to Mr. Darnley at the Colonial Office, with whom he has had some unofficial conversations. These have dealt mainly with the question of the renewal of licenses for Norwegian whalers in the British dependencies in the Antarctic, but the Professor is now inclined to think that the most important question in the immediate future is the protection of the whales, and he seems to attach considerable importance to measures being taken towards that end before other countries become interested in the industry.

I have etc.,

(Sgd) F.O. Lindley.

The Right Honourable

Sir Austen Chamberlain, K.G., M.P.,

etc., etc., etc.

being conducted and especially those of the 'Discovery' Expedition in the south and of Dr. Hjort in the north, and to organise such contributory work as seems practicable."

We were careful to insist upon the purely scientific character of the reference, pointing out that the question of an international convention to secure the rational exploitation of whales, to which reference was made in the discussion of the subject, was one to be dealt with by representatives directly appointed for the purpose by the Governments concerned, if and when the scientific information was acquired which alone could form an adequate basis for the discussion of a convention.

At the meeting of the Council of the International Council of Scientific Experts held in London on the 10th of July 1920, the subject of the reference was discussed and the Council decided to refer the matter to the International Council of Scientific Experts for their consideration and report.

It was decided to set up the International Council of Scientific Experts to deal with the problem of whaling in all parts of the world, but to limit its work to the scientific aspects of the subject. The Council of the International Council of Scientific Experts was accordingly set up and its first meeting was held in London on the 10th of July 1920. The Council was composed of representatives of Denmark, England, France, Norway, Portugal, Scotland and Spain, with the following terms of reference:-

"To consider to what extent and by what means the International Council can contribute to the biological investigations of whales of the world."

Extract from the Report of British Delegates to the
International Council for the Exploration of the Sea of
the Meeting of the Council at Copenhagen, September, 1926.

x

x

x

Whaling

The proposal advanced by the Spanish delegates last year that the Council should appoint a Committee to consider problems affecting the whaling industry was postponed at our request to this year's meeting. As we explained in our last report, we wished to have an opportunity of discussing the question with the Colonial Office before expressing any views on the subject in the Council. In the interval we have had the opportunity of an exchange of views with that Department, and we were accordingly prepared to deal with the question.

It was obvious to us that the International Council was not a body competent to deal with the problems of whaling in all parts of the world, but we felt that it might be able usefully to supplement the work of the "Discovery" based on the Falkland Islands and of Dr. Hjort in northern latitudes. Both the French and the Spanish Delegates were extremely anxious that a committee should be formed to study certain aspects of the question in connection particularly with whaling operations in the neighbourhood of Gibraltar and off the west coast of Africa. We accordingly supported the proposal, ultimately adopted by the Council, to appoint a committee containing representatives of Denmark, England, France, Norway, Portugal, Scotland and Spain, with the following terms of reference:-

"To consider to what extent and by what means the International Council can contribute to the biological investigations of whales at present being

UNION OF SOUTH AFRICA.

No. 3.

Downing Street,

10th January, 1927.

My Lord,

I have the honour to transmit to Your Excellency for the information of your Ministers, the accompanying copy of an extract from the Report of the British Delegates to the Meeting of the International Council for the Exploration of the Sea, held at Copenhagen in September 1926 with regard to whaling.

11th December.

2. I enclose also a copy of a despatch from His Majesty's Representative at Oslo regarding the reported formation in Hamburg of a company to fit out an expedition for pelagic whaling in the Antarctic.

I have etc.,

(Sgd) L.S. Amery.

GOVERNOR GENERAL,

HIS EXCELLENCY,

THE RIGHT HONOURABLE,

THE EARL OF ATHLONE, G.C.B. G.C.M.G., G.C.V.O., D. S.O.

Copy.

(W 11636/6664/50.)

No.313.

British Legation,

Oslo.

11th December, 1926.

Sir,

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I have etc.,

(Sgd) F.O.Lindley.

The Right Honourable
Sir Austen Chamberlain, K.G., M.P.,
etc., etc., etc.

We were careful to insist upon the purely scientific character of the reference, pointing out that the question of an international convention to secure the rational exploitation of whales, to which reference was made in the discussion of the subject, was one to be dealt with by representatives directly appointed for the purpose by the Governments concerned, if and when the scientific information was acquired which alone could form an adequate basis for the discussion of a convention.

+ + +
The Commission on the Whaling Industry, established in 1946, was the first international body to deal with the whaling industry. It was set up by the International Whaling Commission (IWC) and was the first of its kind. It was the first international body to deal with the whaling industry. It was set up by the International Whaling Commission (IWC) and was the first of its kind.

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To provide a more detailed account of the work of the Commission, the Commission on the Whaling Industry, established in 1946, was the first international body to deal with the whaling industry. It was set up by the International Whaling Commission (IWC) and was the first of its kind.

Extract from the Report of British Delegates to the
International Council for the Exploration of the Sea of the
Meeting of the Council at Copenhagen, September 1926.

+ + +

Whaling.

The proposal advanced by the Spanish delegates last year that the Council should appoint a Committee to consider problems affecting the whaling industry was postponed at our request to this year's meeting. As we explained in our last report, we wished to have an opportunity of discussing the question with the Colonial Office before expressing any views on the subject in the Council. In the interval we have had the opportunity of an exchange of views with that Department, and we were accordingly prepared to deal with the question.

It was obvious to us that the International Council was not a body competent to deal with the problems of whaling in all parts of the world, but we felt that it might be able usefully to supplement the work of the "Discovery" based on the Falkland Islands and of Dr. Hjort in northern latitudes. Both the French and the Spanish Delegates were extremely anxious that a committee should be formed to study certain aspects of the question in connection particularly with whaling operations in the neighbourhood of Gibraltar and off the west coast of Africa. We accordingly supported the proposal, ultimately adopted by the Council, to appoint a committee containing representatives of Denmark, England, France, Norway, Portugal, Scotland and Spain, with the following terms of reference:-

"To consider to what extent and by what means the International Council can contribute to the biological investigations of whales at present being conducted, and especially those of the 'Discovery' Expedition in the south and of Dr. Hjort in the north, and to organise such contributory work as seems practicable."

We

Pen 46/35

DUPLICATE

UNION OF SOUTH AFRICA

No. 3

Downing Street,

10 January, 1927.

My Lord,

I have the honour to transmit to Your Excellency for the information of your Ministers, the accompanying copy of an extract from the Report of the British Delegates to the Meeting of the International Council for the Exploration of the Sea, held at Copenhagen in September, 1926, with regard to whaling.

2. I enclose also a copy of a despatch from His Majesty's Representative at Oslo regarding the reported formation in Hamburg of a company to fit out an expedition for pelagic whaling in the Antarctic.

I have the honour to be,

My Lord,

Your Lordship's most obedient,

humble servant,

(Signed) L. S. AMERY

11th Dec.

GOVERNOR GENERAL,

HIS EXCELLENCY,

THE RIGHT HONOURABLE,

THE EARL OF ATHLONE, G.C.B., G.C.M.G., G.C.V.O., D.S.O.

etc.,

etc.,

etc.

Pm 46/35



GOVERNOR-GENERAL'S OFFICE,

CAPE TOWN,

2nd February, 1927.

No. 5/153

Guth

MINUTE.

The GOVERNOR-GENERAL transmits herewith for the information of MINISTERS a copy of the undermentioned document on the subject of an extract from the Report of the British Delegates to the Meeting of the International Council for the Exploration of the Sea with regard to whaling and the reported formation in Hamburg of a company to fit out an expedition for pelagic whaling in the Antarctic.

GOVERNOR-GENERAL.

| DATE. | DESCRIPTION OF DOCUMENT. |
|---------------------|--|
| 10th January, 1927. | Despatch No. 3 from the Secretary of State for Dominion Affairs (with enclosures). |

| | |
|--------------------------------|--------|
| PRIME MINISTER'S OFFICE | |
| Minis & Industries information | |
| On | 5/2/27 |
| Resubmit | File |

a close season, the prohibition of capture of female whales accompanied by calf, a limitation of size especially in the case of sperm whales, and compulsory utilization of the whole carcass of whales captured, and the representations of Ministers on these points have been well received, and it is hoped that complete uniformity will shortly be attained so far as the South African coasts are concerned. These measures will, however, in the opinion of Ministers be insufficient unless some further protection is given to the whale species in the Antarctic.

J. B. M. HERTZOG.

examine to what extent it may be possible to constitute the Barrier the basis of the three mile territorial zone either by international understanding or otherwise.

If, however, it is considered impossible to attach any special importance to the Barrier as a basis for a three mile territorial limit Ministers would desire to record the hope that it may be possible by some form of international agreement to adopt a certain latitude representing perhaps the average limit of the Barrier in normal years, as an international limit within three miles of which whale fishing should not be countenanced.

Ministers fully recognise the impossibility of strictly enforcing such an agreement in high latitudes, but they think that an agreement of this kind, among the nations engaged in the fishery, would at least have a tendency towards protection of the fishery, and would have a moral value which would influence the general fishing habits of whale captains and crews, and tend to induce them to carry on the greater part of their operations at all events outside the limit, thereby giving the whales some measure of protection in the Southern Ocean. Ministers are of opinion that with the development of intensive whaling operations as foreshadowed in the correspondence some form of protection or sanctuary is essential if the total extinction of the whale species is to be averted.

Ministers have already approached the Governments of neighbouring territories on the coast of Africa regarding the need for taking combined action for the protection of the whaling industry along the coasts of the Southern portion of the Continent during the migration seasons on the lines of limitation of licenses to whaling steamers, the establishment of



Minute No. 331

CAPETOWN.

MINISTERS have the honour to inform His Excellency the Governor-General that they have given careful consideration to Despatch Confidential Dominions No. 54 with enclosures from the Secretary of State for Dominion Affairs dealing with the question of whaling in the Antarctic and in the Antarctic Regions, and particularly with the limits of territorial waters in those regions. Ministers recognise the disastrous effects which indiscriminate raiding of Antarctic waters by steam whalers accompanied by floating factories for dealing with whale carcasses, may have upon the supply of whales and the whale fishing industry in the future.

Ministers however recognise the difficulties which in the absence of precedents to the contrary exist in regard to maintaining that the limits of territorial jurisdiction can be measured from any other line than terra firma. Ministers recognise that it is out of the question that any form of pack ice could ever be taken as the limiting line of territorial jurisdiction, but they would suggest consideration of the possibility that the position in regard to the Ross Ice Barrier is somewhat different. The Barrier forms a prominent and always discernable physical feature of the region; it is on the whole permanent in character, and presumably a considerable portion of it rests on the sea-floor. It seems reasonable therefore to

examine.....