

20/495
File No. F.

7555-1/11/33-5,000.

F. 100.

X A
TREASURY.

File No. F. 20/495

MISCELLANEOUS.

THE UNION AND THE ANTARCTIC :

REFERENCES :

DEPARTMENT OF EXTERNAL AFFAIRS,

PRETORIA,

30th January, 1935.

MR. WEBSTER.RE - THE UNION AND THE ANTARCTIC.A. Public Opinion:

The attention of the South African public has from time to time been drawn to matters concerning the Antarctic Region by notices and articles in the Press. So there appeared in "The Star" of the 3rd February last, an article (attached) suggesting that steps should be taken by the Union Government to gain control over the part of the Antarctic "geographically known as the South African Sector", situated as indicated in the map printed with the article. It was pointed out that the Norwegian Government, with its extensive whaling interests, has, as a result of the reported gradual migration of whales to these parts, been focussing its attention on this Sector for some years. In order to avoid the exclusion of the Union from this Sector, with its alleged riches in minerals, guano, phosphates, etc., its possibilities of revenue from whaling and sealing industries, and the opportunities for scientific research, prompt action would be necessary.

The Sector in question is officially described as the Sector between Enderby Land and the Falkland Islands Dependencies, i.e. roughly between 45° E. longitude and 20° W. longitude.

B. British Policy in the Antarctic:

In a telegram of the 30th November, 1929, (P.M. 103/2) the British Government, after a reference to the Annexation of Bouvet Island (situated in the "South African Sector") by the S.S. Norvegia in 1927 and the renunciation by Great Britain (February 1928) of her prior claims to that island in favour of Norway, explained the British Policy in the Antarctic, viz. - to consolidate the British title to the Falkland Islands Dependencies (1917) the Ross Dependency (New Zealand, 1924) and the Australian Sector (subsequently placed under the administration of the Commonwealth by an Order in Council of 1933).

As the Norwegian Government had issued a general authorisation to the S.S. Norvegia to take possession in the name of the King of Norway of any new land it might discover and which had not been occupied in due form by any other Government, the British Government, in accordance with their adopted policy, secured a declaration from the Norwegian Government to the effect that such activities would not extend to land mentioned in the summary of the Proceedings of the 1926 Conference - which
declaration/...

declaration in turn was interpreted in conversations with the Norwegian Government to leave only the two Sectors, indicated on the abovementioned map, free for the activities of the "Norvegia". This attitude of the British Government had the effect of focussing the attention of the Norwegian expedition on the "South African Sector". The Union Government was accordingly invited to state whether they would have any objections if the Norwegian Government proceeded to annex land in that sector.

C. The Attitude of the Union Government.

In their reply (telegram of 5th December, 1929, P.M. 103/2) the Union Government stated that there would be no grounds for raising objections to such a course by the Norwegian Government.

D. Subsequent Developments.

Three laws were enacted by the Norwegian Government declaring Jan Mayen Island (1930), Bouvet Island (1930) /in the "South Africa Sector"/ and Peter I's Island (1933) under Norwegian sovereignty, and the Norwegian laws applicable to them. In Norway it was felt that although Norwegian whaling would be more and more independent of foreign concessions, the moral and political importance of a permanent footing in the Antarctic should not be underestimated.

From the Memorandum (with Annex) prepared for the Imperial Conference (1930) by the British Government (P.M. 50/26 Y, flagged) it appears that, although the three Sectors, in which the Empire has special interest, were on the whole respected by other countries, the British title was not as secure as might have been wished.

Although public assertion of title to that portion of Coats Land (in the "S.A. Sector") which lies outside the Falkland Island Dependencies was made at the Imperial Conference, 1926, it was not found possible to organise an expedition to take formal possession; it was stated, however, that precautions had been taken to avoid encroachments by foreign Powers.

The most recent developments in the Antarctic were communicated to the Union Government in Dominions Office circular Despatch D. No. 77 of the 15th November last, (P.M. 50/26 Y), from which it is clear that the United Kingdom Government are continuing on the line of policy taken in 1929, viz. resisting all attempted encroachments in the 3 British Sectors, attached to the Falkland Islands, New Zealand, and Australia, respectively, while trying to divert foreign interest to the other two Sectors (one of these being the "S.A. Sector").

In justification of this line of action the United Kingdom Government, in Secret Despatch No. 210, of the same date (P.M. 50/26 Y), invite reference to the communications exchanged with the Union Government in 1929, when their policy with regard to the Antarctic was defined.

E. Possibility of changing the attitude of the Union Government regarding the "South African Sector".

There is no indication on any of the relative files to show that the Union Government have ever made any independent or direct declaration of their attitude regarding the Antarctic. There is, however, the further circumstance to be taken in to consideration that other States have doubtless correctly inferred, from their attitude of indifference and from Imperial Conference reports, that the Union Government was consulted by the United Kingdom Government before the abovementioned policy was adopted by Great Britain; and that the Union had acquiesced in that attitude, in spite of the resulting possibility of its being eventually excluded from the "South African Sector".

Since the Union Government's decision of December, 1929, the attention of the Norwegians has, as indicated above, been more and more directed to the so-called South African Sector, but they do not yet appear to have annexed any part of the Sector (other than Bouvet Island).

Judicially the "South African Sector", as a whole, may therefore still be regarded as "res nullus", title to which can only be acquired by occupation. The latter has two elements -

- (a) Intimation to foreign Powers of intention to acquire title over an area, and
- (b) Exercise of control over the area.

Control need not be continuous; in Polar regions this would be impossible. It is usually established by the despatch of ships by a Government whose officers are commissioned to exercise authority on its behalf.

In these circumstances it would, therefore, still appear not to be impossible to review the Union's attitude. It is, however, purely a question of policy. If the national desire to extend the activities of the country to enterprises in the Antarctic (which may ultimately yield considerable profit or may, on the other hand, fail entirely) is considered strong enough, there would be no insuperable obstacle to a manifestation of particular interest in the "South African Sector" by the Government. The geographical contiguity of this Sector would undoubtedly be sufficient justification.

No serious difficulty would be encountered in finding suitable persons to conduct an expedition of discovery and scientific research in the South African area (cf. Offer of Capt. Joyce in 1933/34 - P.M. 103/20). The expedition could probably be financed partly by public subscription, but a subsidy from the Government would no doubt be necessary.

F.

Conclusion.

At present the Union's main interest in the Antarctic lies in the Whaling Industry, but the possibility of future developments with regard to the resources mentioned in section A above, and of future discoveries in that area should be borne in mind.

It is, therefore, suggested that it would not be inappropriate if the non-political aspects of the matter were discussed by the External Trade Relations Committee.

The/...

The Department of Commerce and Industries, which is fully informed about the existing Whaling Industry, might be asked to introduce the subject. Further, if it could conveniently be arranged, it might be helpful if Mr. Col-
lie were invited to join in the discussion, as he represented the Union on the Polar Committee during the Imperial Conference, 1930, and wrote a memorandum on the subject, dated 21st October, 1930, a copy of which is attached.

In the past the British Government always appear to have been able to reach friendly agreements with the Norwegians concerning Antarctic questions, and perhaps if the Union now desired to get a footing in that area the matter could be arranged. The position is, however, not likely to be so easy in the not distant future, as we have had advice that the Japanese have quite recently commenced whaling operations in the Antarctic, and it is conceivable that they may wish to establish themselves there.

It would, therefore, appear that the matter is of some urgency, if the Union is to alter its policy with regard to the Antarctic.

If it should be considered inadvisable for the Union Government to attempt to acquire control over the "South African Sector" as a whole, as for example, the Commonwealth of Australia has done, over the Australian Sector, a less ambitious step might be taken. It would not, it is suggested, be too audacious to advocate the desirability of establishing at least one base from which South African enterprise could operate and expand its activities in case future developments justify such a course on a purely economic basis.

This object could be achieved by the annexation of some island, or possibly of the part of Coats Land extending into the "South African Sector". Compliance with the not too onerous requirements for the acquisition of territory in the Antarctic, as set out above, could, it is suggested, be justified, if only to obviate the possibility of a loss of opportunity which may later prove to be a matter for regret.

(Sgd) S.H.
31/1.

Pm
50/267

COPY/BK.

No. C.I. 455.

DEPARTMENT OF COMMERCE AND INDUSTRIES,
PRETORIA,

18th October, 1935.

Confidential

Dr. H.D.J. Bodenstein,
Secretary for External Affairs,
PRETORIA.

TREASURY
PRETORIA
29-10-1935
Ref. No. F...../.....
20/495

Dear Dr. Bodenstein,

As requested in your letter No. P.M.
50/267 of the 14th instant, I enclose seven additional
copies of the memorandum on the subject of the South
African Sector of the Antarctic, for transmission to
the members of the External Relations Committee.

You are no doubt aware that the research
vessel "Discovery II" will reach Capetown on or about
the 30th November en route to the Antarctic for an ex-
tensive and prolonged study of whale migration. An
article on the subject appeared in the "Sunday Times"
of the 6th instant.

Yours sincerely,

(Sgd.) W.J. Lamont.

Th. Hollander

[Signature]
3/17

Die Sekretaris van... *Financie*
Deurgestuur aan u vir informasie
mandatting

Pm
Ref. *50/267* Datum... *28-10-35*

H. D. J. BODENSTEIN,
SEKRETARIS VAN BUITELANDESE SAKE.

*Afskrif is diink aan
Dorane gestuur.*

[Handwritten notes]

[Handwritten notes]
23/10/35

of the Sector in the name of the Union of South Africa.

This ship carries a large oil fuel supply and could be used to operate independently in the South African Sector without refuelling. She is the only vessel of which he knows which is suitable for work in those cold regions and ice. He expresses the view that the "William Scoresby" is unsuitable owing to her small radius of action and insufficient fuel capacity for this work.

Captain Shannon states that the period November to February is the most suitable time of the year for such a venture.

Recommendation.

Taking into consideration the various factors involved the Department recommends that, in the event of the Union Government deciding, as a matter of policy, to annex the land in the South African Sector in the name of the Union Government, Captain Shannon's suggestion be followed and the Discovery Committee approached for the loan of the vessel "Discovery II" and its personnel to make an expedition to the Antarctic for this purpose. The cost of the expedition is estimated at approximately £10,000.

The whole question is due for discussion by the External Relations Committee at their next meeting and in the meantime, the Secretary for External Affairs has no doubt taken the opportunity afforded by the recent visit to Pretoria by Vice-Admiral Evans, of discussing the matter with him.

Department of Commerce and Industries,
PRETORIA.

19th September, 1935.

pm
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2. That he had discussed the matter with Vice-Admiral Evans who expressed himself as willing to land a party in the Sector if he were staying on at Simonstown. If, therefore, it is proposed to utilise the services of the Naval Authorities it will be necessary to approach the new Naval-Commander-in-Chief.
3. That since the Fisheries Survey vessel R.S. "Africana" is not equipped for sailing so far South, he suggests that a vessel such as "Discovery II" or "William Scoresby" be used for the expedition.
4. That he considers it advisable to inform the Norwegian Minister through the High Commissioner for the Union in London that Japanese whaling activities in the Antarctic are causing the Union Government some concern and that, whilst not wishing to disturb any tentative agreement which the Norwegian Government may have with the British Government, South Africa is directly interested in the South African Sector and the Union Government does not feel inclined to allow the Japanese to operate in that area whilst withholding from establishing, say, a meteorological or a marine biological research station on the Antarctic Continent.
- In a further minute received from the Director of Fisheries Survey he submits the views of Captain R.L.V. Shannon, of the Survey Vessel R.S. "Africana", an officer with Antarctic experience, who is of the opinion that the vessel "Discovery II" belonging to the Discovery Committee should be chartered by the Union Government to land a party with the necessary authority to take possession

if Norwegian whalers regularly visited certain bays that would be effective occupation.

The Norwegian Government had always refused to recognise claims by Great Britain on the Sector basis and the Imperial Conference of 1926 decided that it would be preferable to base the claim on effective occupation or discovery.

Mr. de Water in 1930 was very keen on the Union Government approving of an expedition to the South African Sector and informed Mr. Collie that he thought he could interest wealthy people in such an expedition who would finance the expedition if it were sent out under the auspices of the Union Government. Mr. Collie pointed out, further, that to-day it would be a comparatively inexpensive and easy matter for the Union to arrange for occupation of a large area, and that it would not involve an expedition as contemplated by Mr. de Water in 1930. The External Relations Committee expressed the opinion that the Union should take steps to establish itself in the Antarctic and it was suggested that the Department of Commerce and Industries, through the Director of Fisheries Survey, should explore the possibility of making use of any suitable vessel proceeding to the Antarctic.

Report of Dr. von Bonde, Director of Fisheries Survey.

Dr. von Bonde was communicated with and replied stating :—

1. That it would not be possible to utilise any of the whaling vessels of Messrs. Irvin and Johnson to claim possession since those vessels do not operate in the vicinity of the South African Sector.

that eager eyes in the East are also being cast on the South African Sector.

The South African Sector may still be regarded as "res nullus", title to which can only be acquired by :—

1. Intimation to foreign powers of intention to acquire title over the area, and
2. Exercise of control over the area.

Justification for annexing the Sector in the name of the Union Government.

1. Opportunities for scientific research and meteorological observations.
2. Possibilities of revenue from the whaling and sealing industries.
3. The land is stated to be rich in minerals, guano and phosphates.

The geographical contiguity of the Sector would undoubtedly be sufficient justification for annexation by the Union Government.

In view of the foregoing it would appear to be a matter of some urgency if the Union is to alter its policy with regard to the Antarctic.

Discussion by External Relations Committee.

The whole question was discussed at a meeting of the External Relations Committee. Mr. Collie who represented the Union Government at the 1930 Imperial Conference on the "Committee on Polar Regions" was asked to attend. He explained that, generally, land in the Antarctic was acquired by :—

1. Discovery and effective occupation.
2. Application of the Sector principle.

Two sectors, one of which is the South African Sector, are unassigned and he pointed out that he did not consider that the Sector principle could be maintained against a claim based on occupation. He thought that

if

CONFIDENTIAL.MEMORANDUM.The South African Sector in the Antarctic.

Officially described as the Sector between Enderby Land and the Falkland Islands Dependencies, i.e., roughly between 45°E longitude and 20°W longitude the South African Sector in the Antarctic lies as yet unclaimed by any country.

As a result of the reported gradual migration of whales to these parts the Norwegian Government, with its extensive whaling interests, has been focussing its attention on the Sector for some years past.

Bouvet Island, in the South African Sector, was annexed by the Norwegian Government in 1927, and Great Britain in renouncing its prior claims to the island in favour of Norway explained the British policy in the Antarctic, viz., to consolidate the British title to the Falkland Islands Dependencies, the Ross Dependency and the Australian Sector, subsequently placed under the administration of the Commonwealth by an Order-in-Council.

So far as the South African Sector is concerned the British Government left it free for the activities of the Norwegian Government, and upon being asked whether we had any objections if Norway proceeded to annex that land the Union Government replied that there would be no grounds for raising objections to such a course by the Norwegian Government.

Apart from the annexation of Bouvet Island by the Norwegians and their interest in the South African Sector immediately to the South, the Japanese Government is also seeking whaling grounds, and it is reported

that

GPJ/WK.

P.M. 55/136.

DEPARTMENT OF EXTERNAL AFFAIRS,
CAPETOWN,

25th March, 1935.

THE SECRETARY FOR FINANCE.

TREASURY
CAPETOWN
26-3-1935
R. No. S.F. _____

The attached memorandum regarding
THE UNION AND THE ANTARCTIC is enclosed for your
information.

The matter will be discussed by
the External Trade Relations Committee at its
next meeting.

TREASURY
PRETORIA
1--4-1935
Ref. No. F.....

W. B. ...

CHAIRMAN EXTERNAL TRADE
RELATIONS COMMITTEE.

Mr. Halliway

*Open file by you
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