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THE DEVELOPMENT, PURSUIT AND MAINTENANCE
OF A SOUTH AFRICAN ANTARCTIC POLICY:
1926-1988

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by

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To my Mother, who, more than anyone else,
made this possible

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ABSTRACT

Connections between South Africa and Antarctica can be traced as far back as the 1700s when European expeditions in search of the southern continent used Cape Town (and later Simonstown) as a base of operation. This link expanded considerably after formal British acquisition of the Cape of Good Hope in 1815, yet it was not until 1926 that an actual South African policy towards the Antarctic began to materialize. Once this policy was established it continued to be characterized by procrastination as well as resistance both from within and without South Africa.

The history of South Africa's Antarctic policy can be divided into five periods: first, the commencement of the policy (focusing primarily on economic interests), 1926-1939; second, the pursuit of interests through the policy (focusing on political interests), 1944-1958; third, the entrenchment of South Africa's interests in the Antarctic (by securing South Africa's position within the Antarctic Treaty System), 1958-1960; fourth, the expansion of and foreign assault on the policy (under the auspices of the Antarctic Treaty System), 1960-1988; and fifth, the defence of and future prospects for the policy (from United Nation's calls for South Africa's exclusion from the Antarctic Treaty System), since 1982.

While resistance from inside and outside the government during the first two periods resulted from inadequacies in the South African Antarctic policy itself, resistance in the final two periods has centred upon non-Antarctic issues. As South Africa has faced ever-

increasing exclusion from international governmental organizations over opposition to its apartheid policies, organizations such as the Antarctic Treaty Organization have inevitably been drawn into the debate. As a result, the Consultative Parties of the Antarctic Treaty (of which South Africa is one of the original twelve) have been forced to deal with the following question: to what extent will political issues outside the scope of the management policies of the Antarctic Treaty Organization be allowed to affect the functioning of the Antarctic Treaty System? While the Consultative Parties continue to ponder this and the fact that South Africa's Consultative Status has become the most divisive factor within the Antarctic Treaty System, no final solutions to these issues appear likely before 1991.

PREFACE

When one chooses to write on some aspect of South African foreign affairs, it immediately becomes apparent that most topics are, for obvious reasons, sensitive issues in government circles. As South Africa's foreign and domestic policies have uniquely been intertwined, owing to circumstance, selecting some aspect of foreign affairs to study where enough information is openly available begins to limit one's options. For this reason, after some preliminary research, I chose a subject which would allow me to examine a significant foreign policy issue which would yield the least number of obstacles but which at the same time was relevant to current international developments.

The topic, South Africa's Antarctic Policy, was one which could pose fewer security concerns than others and for that reason afforded me access to a wide range of governmental and non-governmental sources of information. However, international interest in South Africa's domestic policies has inevitably resulted, as in nearly all facets of South Africa's foreign affairs, in international pressure being placed on its Antarctic policy. In particular, although South Africa has been excluded from participating in most international organizations, international pressure has remained ineffective in obtaining South Africa's exclusion from the Antarctic Treaty Organization, the body which currently administers Antarctica. The history of South Africa's Antarctic policy goes back long before South Africa's domestic policies brought it into the situation it now faces. While historic links to Antarctica can be traced as far back as the 1770s, policy formulation did not begin until the mid-1920s. Since then, South

Africa's Antarctic policy formulation has gone through several identifiable phases with changing interests over time directing its developments.

While the topic has not been extensively written upon, large amounts of primary government source material do exist, documenting in extensive detail the history of the policy, particularly from 1926 onward. However, it should be noted that because of South African government policy on restricting access to most government archival sources for thirty years, a number of files are closed. As a result of archival rules I was unable to examine any files later than 1959 although access might be obtained by contacting the South African Central Archives in Pretoria. What does exist after 1959 in terms of secondary sources is quite extensive and provided much for examining the latest developments. Some sources such as the prominent journal Polar Record are not publicly available in South Africa although much on the current situation relating to South Africa and the Antarctic is discussed in these. But this is not to say that what does exist in South Africa is limited; for it is not. The sources available from Jan Smuts House at the University of the Witwatersrand, Johannesburg, were extremely useful and the staff was especially co-operative in assisting where they could. Again, the archival sources and staff in Pretoria were also most useful and helpful.

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INTRODUCTION

The story of the development of a South African Antarctic policy could be characterized in two ways. First, that although the Cape had been used often for exploratory and other types of expeditions to the Antarctic since the 1700s, it was not until the 1920s that actual policy formulation began. In relation to the other countries in close proximity to Antarctica¹ South Africa actually came in late in pursuing interests in that region and is in fact the only one which did not lay claim to any part of Antarctica.² It was not until the mid- and late 1950s that South Africa could actually be said to have caught up with those states also pursuing interests in the Antarctic. The second characterization, in many ways causing South Africa's slowness in pursuing its Antarctic policy, was that throughout the 20th century, the establishment, expansion and maintenance of its Antarctic policy could be best described as an uphill battle.

From the beginning of policy formulation in the 1920s, problems appeared through the lack of serious government consideration, shortage of funds, unclear policy directives and bureaucratic apathy. Subsequent complications have included problems over the international recognition of South African interests in Antarctica and, most recently, international unwillingness to accept South African interests there. This became linked with moves to isolate South Africa internationally. This is not to say that Antarctic policy formulation has been wholly problematic, for in many ways it has been quite constructive and much co-operation and support has been given from people and agencies within and, in some cases, outside South Africa.

Still, the pace at which policy formulation has occurred demonstrates that consistent support has not existed all the time.

Since the 1920s various government departments have assumed responsibility for the co-ordination of Antarctic policy according to particular interests at any given time. The first department to be responsible for developing an Antarctic policy was the Department of Commerce and Industries. From the 1920s to the 1950s most attention focussed on commercial activities in the oceans south of South Africa to the Antarctic coast. Whaling in particular featured quite highly until as late as the 1950s. With interest shifting in the late 1940s and into the 1950s away from commercial activities towards South African meteorological and scientific investigations, Antarctic policy co-ordination was passed on to the Department of Transport. This was considered the appropriate department to handle the logistical aspects of pursuing investigative activities, not only in Antarctica, but also in the various sub-Antarctic islands on which meteorological work was being conducted. Later on, as the logistical problems were overcome, Antarctic policy was again moved; this time to the Department of Environmental Affairs³ which currently co-ordinates Antarctic policy in the government. However, other departments such as Defence and Foreign Affairs and government bodies such as the Council for Scientific and Industrial Research (CSIR)⁴ have played ongoing roles handling their respective interests under their portfolios. Foreign Affairs in particular has continuously been involved since its creation in 1927 when the Balfour Declaration of 1926 was interpreted to allow Dominions to conduct their own external affairs. Before this

the Prime Minister's office became involved in the 1920s when the issue was first introduced in the British Imperial Conference of 1926.⁵ Foreign Affairs is currently the central department for Antarctic Policy as it is the one directly participating in the meetings of the Antarctic Treaty System (ATS) and dealing with the latest pressure from the United Nations calling for South Africa's exclusion from the ATS. This then leads to the focus of this work.

South Africa's Antarctic policy consists of various components including participation in the ATS and co-operation arising from such; a wide range of scientific activities in Antarctica and the surrounding oceans; participation in the Scientific Committee for Antarctic Research (SCAR); the International Whaling Commission and other international bodies and treaties dealing with the Antarctic region. Although South Africa is connected to the abovementioned areas as well as other activities relating to Antarctica, the focus of this work will be confined to the development of the South African government's policies towards the Antarctic. More specifically, the work will concentrate on the international aspects of the development of the policy, beginning with the Imperial Conferences of the 1920s and 1930s and moving on eventually to the present international debate over South Africa's presence in the Antarctic Treaty System. Certain issues, such as whaling and developments in the Antarctic Treaty System, have had significant bearing on South Africa's Antarctic policies; however, it is not the intention here to examine these larger issues in themselves. This is not to say that these issues are

not important, but each in itself is worthy of extensive study.⁶ Thus this work can be summarised as an investigation of South Africa's international involvement in the question of establishing interests in Antarctica and later establishing and participating in an organization for the international administration of Antarctica. The focus here then will remain on issues directly relating to South Africa and the Antarctic as opposed to general developments in which South Africa shared.

The history of South Africa's Antarctic policy can arguably be divided into five periods: the first period from 1926 (the year South Africa participated on the Committee on British Policy in the Antarctic of the 1926 Imperial Conference) to 1939 (when all Commonwealth Antarctic activities ceased effectively for the duration of World War II); the second period from 1947 until 1958 which is characterized by South Africa's moves to identify and establish interests in the Antarctic in order to gain international recognition of such; the third period from 1958 to 1961 where, following acceptance by other states interested in Antarctic, South Africa participated in the creation of the Antarctic Treaty which has since controlled the continent; the fourth period from 1961, when the Antarctic Treaty came into force, to the late 1980s. Although the latter period has more to do with general developments in Antarctica, the main concern here is the 1980s when pressure has arisen calling for South Africa's exclusion from the Antarctic Treaty System. Reactions towards calls for exclusion have been mixed and the future is not completely certain for South Africa. This effectively is the final period, particularly after 1991, when the Antarctic Treaty comes

up for review. But, the development of South Africa's policy cannot be seen in isolation, for it was connected with a long history of assisting expeditions, particularly British, since the first of Captain James Cook's voyages in the 1770s in search of the southern continent.

The first specific reference to South Africa, or more appropriately, the Cape of Good Hope in connection with Antarctic exploration appeared in the early 1770s. In 1771 Captain Cook passed through Cape Town during his first voyage on the "Endeavour" (1768-1771) in search of the "southern continent".⁷ Dutch possession of the Cape at this time limited its significance mainly to being a servicing stop for fresh provisions for passing ships and leave for the crews; there were no real direct connections to the expeditions being conducted by the British and French. On his second voyage (1772-1775) with the ships "Resolution" and "Adventure" Cook again put in at Cape Town on 30 October 1772. While there Cook learned of Kerguelen's discoveries⁸ as well as those of Marion-Dufresne.⁹ From this, Cape Town acted as the final staging point for what became Cook's second search for the southern continent.¹⁰

Captain Cook's own comments on his visits to Cape Town can be found in the journals of his three voyages.¹¹ Cook visited Cape Town four times and appears to have made close personal friendships with the people there,¹² so much so that when the "Resolution" put in at Simonstown on 12 April 1780, the people were quite affected by the news of his death.¹³ These visits, however, marked the beginnings of the use of

the port facilities at Cape Town and Simonstown by British expeditions to the Antarctic, a use which expanded significantly once the Cape of Good Hope fell under British control in 1815.¹⁴

Subsequent references to Cape Town, the Cape of Good Hope, or Simonstown, in connection with exploration of the Antarctic were recurrent. During the British Antarctic Expedition of 1839-1843 headed by Sir James Clark Ross,¹⁵ the naval facilities at Simonstown were used in 1840 and 1843.¹⁶ Captain R F Scott visited South Africa during his first voyage (1901-1902) on the "Discovery" and stayed from 3 October to 14 October 1901. It should be noted that Scott commented in his diary on the Anglo-Boer war which was still in progress.¹⁷ The "Scotia" expedition (1902-1904) which followed soon afterwards put into Cape Town during its return to Britain.¹⁸ The ship "Nimrod" used by the British Antarctic Expedition of 1907-1909 stopped at Cape Town in 1907 from Britain on its way to New Zealand.¹⁹ Captain R F Scott returned to Cape Town in 1910 on his fatal attempt to reach the South Pole with the 1910 British Antarctic Expedition. The ship used for the 1910 expedition was in Simonstown from 15 August²⁰ to 2 September 1910.²¹ A number of people involved in the 1910 British Antarctic Expedition wrote about South Africa's connections with it. Specific references included the Union's financial contributions to the expedition and other assistance, notably the support from the Governor-General.²² The Australian Antarctic Expedition of 1911-1914, under the command of Sir Douglas Mawson, made its only intermediate port of call, between Britain and Australia, at Cape Town on 24 September 1911, for loading fresh provisions and coal.²³ On the voyage

of the "Quest" (1921-1922) to circumnavigate Antarctica, it was intended to visit Cape Town twice. Cape Town was to have acted as the base of operation for activities in the ice and the depot of stores for that part of the journey.²⁴ Because of changes in the plans, however, the "Quest" only made one visit, from 18 June to 13 July 1922, first stopping at Cape Town and then being laid up for an overhaul at Simonstown.²⁵

The use of the facilities in Cape Town, and particularly those at the naval station in Simonstown, continued on into the 1920s and 1930s by not only British Antarctic expeditions²⁶ but also Norwegian expeditions such as that of the "Norwegia" in 1927 and later expeditions mounted by Lars Christensen. The development of formal Antarctic policies by the Commonwealth members in the 1920s resulted from the interest shown by an increasing number of other countries in the Antarctic (i.e. the United States, Norway, Argentina, Chile and Japan) which threatened the near monopoly of British-related research carried on up to that time. Of further interest to the British was the question of obtaining the maximum territorial claim over the continent through the transfer of claims to other Commonwealth members adjacent to the Antarctic or the establishment of further territorial claims. The latter option came to affect directly the development of a South African Antarctic policy when threats were perceived to economic interests in the region, particularly as Norwegian and Japanese whaling activities expanded in waters south of South Africa. Thus, concern over economic interests played a significant role in establishing South African government policy, as will be seen with South African participation in the Imperial Conferences of 1926, 1930

and 1937, and the internal debate over whether the South African government would advance a formal claim to a section of Antarctica.²⁷

CHAPTER I

The Commencement of an Antarctic Policy by the
Union of South Africa, 1926-1939

The inter-war period saw the establishment of a South African government policy to deal with increasing interest in, and access to, the Antarctic. As exploration of the continent, particularly by the British Commonwealth, continued to expand,¹ South Africa's geographic proximity to the region drew it into eventual direct contact. South African political activities were specifically tied to four issues: these were the development of government structures to deal with an Antarctic policy;² South African participation in the Imperial Conferences of 1926, 1930 and 1937 which directly dealt with British Commonwealth policy in the Antarctic; development of policy for South African exploration of Antarctica; and the debate over whether or not to claim the African quadrant as South African as had respectively occurred with other Commonwealth members.

In the realms of South African foreign policy on the Antarctic in the 1920s the Imperial Conference of 1926 played the first significant role. At the conference, South Africa³ participated on the Committee on British policy in the Antarctic. This committee's proceedings were directed at examining how best to further "British interests in the Antarctic in the hope that ultimately it may be found possible to assert and to maintain British control over the Antarctic region".⁴ The committee report looked at what lands remained in Antarctica which were as yet unclaimed⁵ and what would be the best plan of action to

bring the remainder under British control with the least possible opposition from other powers. In asserting each claim, the committee paid close attention to steps which could be taken to promote expansion of British claims.⁶ For example, they discussed an application from a Norwegian, Mr L Christensen,⁷ for a licence to conduct whaling activities in the area east of the Ross Dependency and west of the Falkland Islands Dependency.⁸ The idea of issuing a British licence particularly through the New Zealand authorities who controlled the Ross Dependency,⁹ would serve to use discoveries made by these whaling expeditions as justification for expanding the boundaries of the Ross Dependency eastward.¹⁰

This particular reference to the issuing of licences for the furthering of British claims in the region was directly applied to South Africa in 1928. On 4 October of that year, the South African government received an application for a whaling licence from the Kerguelen Seal and Whaling Company of Cape Town. The company specifically applied to conduct whaling activities in the area between Enderby Land and the western extremity of Queen Mary's Land.¹¹ In a telegram sent to the South African [Prime Minister and] Minister of External Affairs from the British Secretary of State for Dominion Affairs, L S Amery, specific reference was made to the 1926 Imperial Conference Committee proceedings outlining the procedures laid down for asserting title to Antarctic lands. It concluded that the (Australian) Commonwealth government¹² "while anxious that the licence should be issued, intimated that there would be difficulties in issuing it themselves before administration of areas in question had been vested in Commonwealth government".¹³ It was thus recommended

that the issuing of the licence might come from the British authorities. In a subsequent correspondence from Mr Amery to the South African Minister of External Affairs dated 22 October 1928, Mr Amery transmitted copies of the whaling licences issued directly by the British government to the South African company to operate in "that portion of the Antarctic Continent which lies between Longitude 45⁰ East and Longitude 90⁰ East and its adjacent islands and territorial waters".¹⁴ A final telegram from the British Secretary of State for Dominion Affairs to the South African [Prime Minister and] Minister of External Affairs, dated 10 November 1928 made further reference to the possibility of the establishment of a South African company to operate in the area of two sub-Antarctic islands (Heard and Macdonald, both now under Australian sovereignty). The proposal was mainly aimed at the transferring of such licencing to South Africa because the company which up to that time held the licence to conduct whaling, Messrs Irvin and Johnson Ltd was a South African company operating under a British licence.¹⁵

The next area of interest to South African Antarctic policy-makers in the inter-war period was the development of Norwegian claims to Antarctic and Sub-Antarctic lands in the late 1920s and 1930s. In brief, clear ownership over Bouvet Island, a fairly desolate and inaccessible island located some 1 800 miles south-west of Cape Town was never established. Discovered by a French naval explorer, after whom it is named, the island had rarely been seen. Concern arose when on 29 November 1927 the Norwegian ship "Norwegia" left via Cape Town to explore the Antarctic regions lying south of South Africa. The

expedition itself was financed by Mr Lars Christensen, the same man whose quest for a licence to conduct whaling activities in West Antarctica was discussed in the 1926 Imperial Conference. Contact was made with Bouvet Island and the Norwegian flag was hoisted. It was decided the following year that a meteorological station would be established on the island. This was announced in the Norwegian newspaper "Tidens Tegn" of 4 September 1928.¹⁶ A month later the British government responded with some concern as it noted that with "the British Dominions of South Africa, Australia and New Zealand projecting down towards the Antarctic continent, [this] gave the British Empire a very special interest in the political rights over those areas, particularly in view of the growing disposition of the Dominions to interest themselves in the disposal of Antarctic territories."¹⁷ However the British did state that "His Majesty's Government would have no hesitation in recognising the Norwegian sovereignty of the island ..."¹⁸ Concern over the claim did focus on the whaling rights gained by such an acquisition and discussion of future talks on the issue developed from this.¹⁹ Once a Norwegian claim to Bouvet Island was recognised, further developments occurred which more directly concerned the South African government.

The first of these developments was the statement of policy on Norwegian claims to Antarctic and Sub-Antarctic territory within proximity of South African shores. In response to the Norwegian claim to Bouvet Island the British government sought the position of the South African government. As it appeared likely to the British from this first step that the Norwegian government intended eventually to annex the sector between Enderby Land and Coats Land on Antarctica,

concern arose over whether South Africa would want to lay claim to that same area, then known as the South African sector. The response of the South African government was:

His Majesty's Government in the Union of South Africa had agreed in 1929, when the attention of Norway was first directed to this sector by His Majesty's Minister at Oslo, that, in the event of territory there being claimed for Norway, no grounds existed on which objection could be taken. (20)

But this view of sector claims was more clearly stated in 1935 when it was explained in a confidential memorandum to the Secretary of Finance that:

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. (21)

Thus the government's first position on rights to what was now identified as the South African Sector was set. By the mid-1930s, however, changing circumstances created conditions for a reconsideration of the policy.

Lars Christensen mounted further Antarctic scientific expeditions after 1928 in 1930-31 and again in 1933-34.²² During the latter expedition extensive scientific observations were taken, particularly along the coast off eastern Antarctica.²³ In addition to this, by the end of 1934 Japanese whaling activities in Antarctic waters had come to the direct attention of the South African authorities.²⁴ In the confidential memorandum of 26 March 1935 mentioned above, the existing

South African position was now being questioned. Specific references were made to the Norwegian activities in addition to the statement that "it is reported that eager eyes in the East [Japan] are also being cast on the South African Sector."²⁵ From this the memorandum went on to discuss in detail the possibilities available to South Africa for annexing the so-called South African Sector of Antarctica. Under the section entitled "Justification for annexing the Sector in the name of South Africa", the view of the External Trade Relations Committee was explained as:

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 continuity 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. (26)

Thus a reconsideration of previous policy was in the works. It is important to note that at this point discussions were going on amongst the bureaucrats of several departments and very few references are found in the documents to the relevant Ministers of the departments involved. The abovementioned memorandum further goes into detail as to the means by which South Africa could gain support for its political claims: for example, sending expeditions under the auspices of the government;²⁷ conducting whaling activities in the vicinity of the South African Sector,²⁸ and direct notification to the Norwegian government of proceedings in the South African Sector of concern to South Africa, particularly the Norwegians' allowing of Japanese

whaling activities, which South Africa was not inclined to allow.²⁹ At the end of the memorandum the recommendation read as follows:

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. (30)

Following discussions of this issue in the External Trade Relations Committee of the Department of Commerce and Industries, the matter passed to the Department of External Affairs. Serious interest from then on appeared to be developing in the departments involved, as was a sense of urgency. For example, in light of the recommendation from the memorandum to the Secretary of Commerce, the Secretary for External Affairs, Dr H D J Bodenstein, was given seven copies of the Commerce memorandum as well as information that the research vessel 'Discovery II' would visit Cape Town en route to the Antarctic.³¹

Although by 1935 British policy continued to do all that was possible to resist an encroachment on the three sectors formally claimed by Commonwealth nations,³² Britain also continued to forestall other claims on the two remaining unclaimed sectors of Antarctica. This point was made in a memorandum circulated in the Department of External Affairs dated 30 January 1935.³³ In response, discussion

again occurred which recommended a possible review by the Union of its policy and that geographical contiguity would "undoubtedly be sufficient justification"³⁴ to annex the South African Sector. However, while it was argued that existing policy on annexing Antarctic territory should be reconsidered, the emphasis for such was targeted specifically on a "purely economic basis".³⁵

Further concerns over economic possibilities in the Antarctic appear to have been the main source of interest in the development of policy. Japanese and Norwegian whaling activities were continually being referred to the Department of External Affairs as well as directly to the Prime Minister and Minister of External Affairs,³⁶ though the responsibility of such fell under the portfolio of Commerce and Industries.³⁷ At the first committee discussion on reconsideration of the existing policy held by the External Trade Relations Committee on 20 June 1935, concern again rose over Norwegian, but particularly Japanese, whaling activities in the seas south of South Africa.

However, from this same meeting, the Secretary of External Affairs pointed out that, up to then, the government did not feel inclined to do anything about the existing policy but there was increased interest in the matter by the Prime Minister (who was also Minister of External Affairs). Consideration was also given to the progress of other Commonwealth claims in Antarctica. The minutes concluded:

The Chairman then stated that the Committee seemed to be of the opinion that the Union should take steps to establish itself in the Antarctic, someone should be asked to explore the possibility of making use of some whaling boat proceeding to the Antarctic.

Dr Rossouw undertook to do this and stated that he would get in touch with Dr C von Bonde, Director of Fisheries Survey, in regard to this matter. (38)

The Fisheries Survey Division responded on 14 August 1935 stating that a whaling vessel could not be obtained, that the Naval Commander-in-Chief at Simonstown was returning to Britain and that an answer would be needed from his successor.³⁹ This response does mention that the Admiral had discussed sending a ship to the Antarctic previously.⁴⁰ Furthermore, continued concern over Norwegian acceptance of Japanese whaling activities in the Antarctic was viewed as a growing potential problem. Most important, however, was the recommendation in the Fisheries Survey response:

It seems as if the time has arrived for South Africa to establish herself as the Falkland Islands, Australia and New Zealand have done. The Falkland Islands government derives a handsome revenue from whaling paid by Norwegians even although it may be argued that it is an "ex gratia" payment. (41)

However, the Fisheries Survey still had doubts on South African rights to the "South African Sector" in light of the extensive Norwegian activities in that area as well as economic repercussions from assertions of claims over the sector.

There is no doubt that something in the nature of placation may be necessary with the Norwegians who must not be antagonized owing to the advantageous commercial activities of their whalers in South African Ports. (42)

In the final recommendations, then, the Director of Fisheries Survey stated:

I am of the opinion that the government should make a strong effort to establish itself in the "South African Sector". (43)

By 3 September 1935 the sense of urgency had increased amongst the government departments, as the issue was to come up before the cabinet soon.⁴⁴ On 12 September the captain of the research ship R.S "Africana", although not well aware of the political developments on the South African Sector, sent recommendations on the feasibility of planting a South African flag in the sector.⁴⁵ The third recommendation looked at the possibilities of using the British research vessel "Discovery II" particularly in light of what was viewed as the inadequacies of South African vessels. The following month, the government took a serious interest in this option as it was notified that the "Discovery II" was scheduled to arrive in Cape Town around the 3 November en route to the Antarctic.⁴⁶ The other research ship, "William Scoresby", whose use was suggested in previous memoranda discussing South African expeditions to the Antarctic, left Britain on 22 October 1935 and was scheduled to reach Cape Town "on or about the 22nd November".⁴⁷ Both ships, it should be noted, were going specifically to conduct experiments in whale marking and counting and no mention of landing on Antarctica was made in any of the dispatches to the South African government. As correspondences in early 1936 within the government show, the South African government did not make any decision on using either ship to institute any claims.⁴⁸

In 1936 the government's position on the Antarctic Sector remained ambiguous⁴⁹ though it learned that the two research vessels would again be returning to the Antarctic towards the end of the year.⁵⁰ The only action documented for 1936 is the request for arrangements to be made to meet the ships on their arrival in Cape Town.

In 1937 the Antarctic issue was brought up before the Committee on Polar Questions in the Imperial Conference held that year. South Africa, along with the delegations of four other Commonwealth members, discussed a series of issues concerning British Commonwealth claims to Antarctic territory, research activity conducted under the auspices of the Discovery Committee, and meteorological studies for weather forecasting developments.⁵¹ In respect of the Discovery Committee, two recommendations appeared:

- (1) in the meantime the Dominions concerned should be kept in as close touch as possible with the work of the Discovery Committee and should for that purpose be invited to appoint representatives from their permanent staffs in London to attend meetings of the Committee.
- (2) the United Kingdom government should explore the possibility of inviting the interested Dominion governments to select a few scientific or other workers to accompany the "Discovery II" during her next cruise. (52)

In response to the first recommendation, the Department of External Affairs decided that the Acting Political Secretary from South Africa's permanent staff in London would attend the Discovery Committee meeting as the representative for the Union government.⁵³ The government was informed by its High Commissioner in London on 7 September 1937 that, if it intended sending a man on the next voyage of "Discovery II", the ship would leave Cape Town to the Antarctic on or about 14 November 1937.⁵⁴ Furthermore, it was desired that the man should be a marine biologist, oceanologist, oceanographer or a meteorologist, although an observer could be sent instead to "assess probable value of the work for His Majesty's government in the Union

of South Africa".⁵⁵ The selection of a man eventually fell to the Department of Commerce and Industries, whose representative at the 1937 Imperial Conference, A J Stals, stressed the benefits which could be gained by sending a man on the "Discovery II".⁵⁶ Significantly, Stals made an interesting point in his concluding paragraph when he stated:

You will notice that I have not touched on the question raised some years ago in regard to territorial sovereignty. (57)

The issue of setting a formal claim then appeared to have been shelved for a while, in his view, in late 1937.

In September 1937 the search for a meteorologist by the Department of Commerce and Industries⁵⁸ came to a quick conclusion when in response to such inquiries the Director and Chief Meteorologist of the Department of Irrigation suggested that a marine biologist would be more useful.⁵⁹

The next person sought then was a marine biologist⁶⁰ but this too was dropped almost immediately when it was agreed that there were no qualified marine biologists suitable for the expedition.⁶¹ Thus, in early October the Department of Commerce and Industries, not having found suitable candidates to join the "Discovery II" expedition, asked the Department of External Affairs to thank the Discovery Committee for its invitation and inform them of the circumstances⁶² which was promptly done.⁶³

A year later the Department of Commerce and Industries decided to send

an observer on the following "Discovery II" expedition of 1938.⁶⁴ A junior technical officer in the division of fisheries, Mr R R Charter, was chosen to join the 28-day "Discovery II" expedition to the Antarctic scheduled to leave Cape Town on 18 October.⁶⁵ The purpose of this cruise was aimed at further collection of information on whales, which the Union government found to be potentially useful.⁶⁶ Approval from the Minister of Commerce and Industries was announced to the Discovery Committee on 30 September 1938 for Charter to go as an observer on 18 October.⁶⁷

On 11 October 1938 correspondence was sent to the Director of Irrigation from the office of the Secretary for Commerce and Industries which sought to look again for a qualified meteorologist to be sent in the future.⁶⁸ The view appears then that South African involvement in Antarctic research would continue beyond Charter's appointment. By 25 October the Director of Irrigation initiated his own inquiries to the Discovery Committee in London into the participation of a South African meteorologist in the 1939 expedition.⁶⁹

Charter returned to Cape Town in mid-November 1938, and a written report was submitted by him to the Division of Fisheries and forwarded to the Secretary for Commerce and Industries on 18 November.⁷⁰ Further South African Antarctic research through participation in Discovery Committee expeditions hit a snag at this point, however. The South African government was informed by its political secretary⁷¹ on 15 November 1938 that owing to financial problems further expeditions could not be carried on without outside funds, specifically from the

Dominion governments in the southern hemisphere.⁷² The response from the Department of Commerce and Industries after consideration of what had been gained by the Discovery Committee expeditions overall was:

From the whaling aspect I hardly feel that there is any call to render financial aid as desired. Furthermore, it is hardly appropriate that this department should have to decide upon the desirability of future expeditions to study hydrographical, meteorological and geological problems in Antarctica. I understand from External Affairs that they have not approached any other department; I consider that the Hydrological Survey Section of Defence and the Chief Meteorologist should have been approached direct. (73)

What became evident here, more than commercial interests, was that the Department of Commerce and Industries, although the main department concerned with developing Antarctic policy, felt that it should not be the sole department handling the issue. The Department of Commerce and Industries, however, pursued the matter further with the whaling companies which had received information from the Discovery Committee expeditions. Their responses, specifically to whaling activities, were reported by the Secretary for Commerce and Industries to the Secretary for External Affairs as:

The tenor of the replies I have received is to the effect that, while the reports of the Discovery Committee have always been perused with great interest, the companies can hardly make the statement that these reports have always been of any appreciable benefit to them in the conduct of their whaling operations in the Antarctic. (74)

From this information the Secretary for Commerce and Industries concluded:

... I am under the circumstances not able to recommend that financial aid should be rendered by the Union government to retain the "Discovery II" in commission, i.e., not from the pelagic whaling point of view. (75)

The Secretary for Commerce and Industries did however seriously qualify his recommendation earlier in the letter by stating:

I am in a position to furnish you with a recommendation only in regard to the whaling aspect, but I would suggest that the Hydrological Survey Section of the Department of Defence, and also the Chief Meteorologist, be approached by you with a view to obtaining their comments. (76)

Hence, from the interest point of view of the department coordinating Antarctic policy, Antarctic scientific research was seen as immaterial. From the viewpoint of the other two groups listed in the above letter, the situation was significantly different. In the statement by the Secretary for External Affairs to the South African High Commissioner in London regarding the funding of the Discovery Committee's future expeditions, the position of the Chief Meteorologist was put forward:

The Chief Meteorologist states, however, that the meteorological data received from the Discovery II during her voyages is of great value in drawing up the daily weather forecasts in the Union ... (77)

also,

Of greater and more permanent value, however, are the studies that the ship has made of drift ice and pack ice in the far south ... little doubt can exist as to the assistance these observations of the ice will provide in making long term weather forecasts, and it is felt that it would indeed be a great pity if the observation work in this sphere should now have to be discontinued. (78)

The Chief Meteorologist further went on to discuss the idea of the establishment of a meteorological station on the South Atlantic island of Tristan da Cunha. This is significant as it is one of the earliest references to the establishment of a research station in Sub-Antarctic

areas. South Africa itself would eventually establish not only such stations but claims to Sub-Antarctic islands on which extensive research in a wide range of areas of research would develop on into the present.

Along with other information on the ties to the Meteorological Department⁷⁹ and Antarctic activities, the Union government asked the High Commissioner in London to

ascertain from the appropriate authorities the amount of the contribution that would be expected from the Union of South Africa to ensure a continuation of the ordinary services rendered by the Discovery, together with an estimate of any additional sum that may be required to provide for a regular service to Tristan da Cunha of the nature indicated above. (80)

The opinions of the Defence Department's Hydrological Survey Section did not appear in this or other correspondence.⁸¹ In the end, a definite answer was not given in respect of what South Africa was expected to contribute. This was in part due to the Australian government's temporary withdrawal from the 1940/41 "Discovery" expedition in early 1939 and logistical delays in organizing the purpose of that expedition.⁸²

At the same time as the South African government was still discussing funding further "Discovery" expeditions, the opportunity of establishing an unchallenged claim to the South African sector of Antarctica disappeared. By Royal Decree, dated 14 January 1939, the Norwegian government placed the coastal areas between the British and Australian Antarctic territories under their control. In brief, the claim was based on the principle of discovery and occupation. Furthermore, concern was developing over German activities in that

part of the Antarctic. The South African government did not receive formal announcement of the Norwegian annexation until 30 March 1939.⁸³ Response to the claim was slow and questions over past notions of a possible South African annexation appeared unenthusiastic.⁸⁴ By 18 April, the chances of pressing any claim effectively ended with an internal memorandum to the Secretary for Commerce and Industries to be passed to the Minister which read:

In brief the position is that the Norwegian government has by Royal Decree acquired sovereignty over the South African Sector of the Antarctic. This claim is being formally recognised by the United Kingdom government. The opportunity offering to the Union government to acquire this territory therefore no longer exists. (85)

Furthermore, the British government interpreted the Union government's position earlier in the 1934 Imperial Conference as follows:

His Majesty's government in the Union of South Africa had agreed in 1929, when the attention of Norway was first directed to this sector by His Majesty's minister at Oslo, that, in the event of territory there being claimed for Norway, no grounds existed on which objection could be taken. (86)

It thus immediately recognized the Norwegian annexation of the South African Sector.⁸⁷ It should be noted, however, that this was not the end of South African interest in staking a claim to the South African Sector. A top secret 1958 South African government memorandum entitled The Union and Antarctic made the following note:

Union's desire to state claim. On 27 December 1946 the Union specifically raised with the United Kingdom the question of the possibility of our staking a claim in that portion of Antarctica lying immediately south of the Cape. As it happened, this lay within the territory claimed by Norway, whose annexation had been tacitly agreed to by the Union in 1928-29. There was no reaction to our query, and although the proposal was examined departmentally at irregular intervals (vide e.g. Minister Louw's

office note of 27th February 1955 - inspired apparently by Dr Schumann - in which he mooted a Norwegian surrender of part of that sector to the Union) the matter has been officially dormant to this day. (88)

From this point on the South African government concentrated on the development of policy focussing on South African involvement in research in the southern ocean and Antarctic. South African concern and interest in the Discovery Committee was met with appreciation⁸⁹ but the future of the RRS "Discovery II" remained uncertain into 1939. In a letter from the chairman of the Discovery Committee to the Political Secretary for the Union of South Africa in London, a detailed analysis of South Africa's interests in the Discovery Committee expeditions was discussed⁹⁰ but future expeditions were effectively put on indefinite hold.⁹¹

In communications from the Discovery Committee to the South African government in 1939, most discussion focussed on the different options available for study related to South African interests in Antarctic waters. On 14 October 1939 the South African government was informed that because of the circumstances facing the Discovery Committee, its activities were suspended for the time being. As things turned out, the Discovery Committee remained suspended for most of the duration of World War II.

Here therefore ended the first phase of the establishment and hesitant development of South Africa's policy toward the Antarctic. While the period was dominated by questions over pursuing economic interests such as whaling, potentially laying claim to the "South African"

sector of Antarctica, and sending scientific personnel to the Antarctic, very few tangible results were evident in the end. This period of policy development was dominated by bureaucrats mainly in the departments of Commerce and Industries and External Affairs. Little ever reached the attention of the responsible ministers for decisions, which were left to the discretion of the department secretaries. At best, Antarctic policy was a minor issue during this period, with the protection of economic interests in the southern oceans dominating the policy.

CHAPTER II

The Pursuit of Interests in an Antarctic Policy by the
Union of South Africa, 1945-1958

For most of World War II, South Africa's Antarctic policy formulation activities were effectively suspended. It was not until the next Discovery Committee meeting held on 6 June 1944, that its members concluded that Antarctic research should continue. Funding then became the main concern, as it was noted that:

The sources from which funds were previously obtained no longer exist and the question of contributions by the United Kingdom and Dominion governments would now have to be considered. (1)

On 21 September 1944 the Discovery Committee was informed of the formation of the South African Antarctic Research Committee (SAARC) by the Geological Society of South Africa (GSSA) although it was not, at first, recognised nor assisted by the government.² Along with the objectives of sending a South African expedition to Antarctica after the war and establishing a base on the Antarctic continent, the SAARC also sought to establish weather stations on Bouvet Island and Gough Island.³

The response of the government was at first to encourage the SAARC's activities but no actual recognition came until after the war.⁴ As for the proposed South African expedition to Antarctica, the SAARC showed interest in sending it to the Weddell Sea.⁵ Interest for such an expedition came from the Discovery Committee on 6 December 1944 and further information was sought from the South African Geological Society.⁶ In terms of government interest in the expedition, most

government departments felt that the expedition could contribute little or nothing to their needs.⁷

At the meeting of 16 January 1945, the "Discovery" Committee agreed that it could make the ship "Discovery II" available for the proposed South African expedition. However, a recommendation was made that geology and meteorology would be the main areas of research under such an expedition. Other recommendations were proposed by the Discovery Committee but the idea of the establishment of a meteorological base at Bouvet Island was viewed pessimistically.⁸

By 23 February 1945 the GSSA stated that it would initiate the steps for actual sponsorship of the expedition and for it to take place some time in the years 1946 to 1948. In line with the recommendations of the Discovery Committee, the GSSA agreed that the focus of the expedition would be geological and meteorological studies but also include geographic studies.⁹ However, less than two months later, the South African government changed its attitude towards the idea of a South African Antarctic expedition. Following cost studies, the government stated on 16 April 1945 that

... the Union Government is unlikely to support this proposal unless it can be co-ordinated with expeditions from other countries with interests in the Antarctic. The cost to South Africa would be quite considerable and would not warrant an expedition for geological purposes only while to extend the expedition to cover meteorological information would necessitate international co-operation so that the meteorological information obtained is not restricted to a small portion of the Antarctic continent. (10)

Thus it appeared that the South African government found the financial

burdens too costly to justify mounting a national expedition for the time being. Joint expeditions, however, were seriously recommended to the "Discovery" Committee's scientific subcommittee at its meeting on 15 May 1945.¹¹ Furthermore, the South African government was informed by its High Commission in London that

the investigations of the Discovery Committee have hitherto been financed from the Falkland Islands Research and Development Fund but the funds available to the Committee from this source will be fully absorbed in the completion of the present programme of work. Dominion governments will, therefore, be expected to make a financial contribution commensurate with the importance to them of the Discovery's Research programme. (12)

Although the government appears to have made a definite statement on postponement of a South African expedition, the South African Antarctic Research Committee was apparently not informed of the situation. On 29 May 1945 the chairman of the SAARC, L C King, solicited the government to obtain a 1000-ton whaling ship so that an expedition could depart from South Africa around December 1946.¹³ This solicitation itself was made to the Prime Minister's adviser who also appeared unaware of the change of policy.¹⁴

Nevertheless, the decision to suspend the expedition remained. Talk of sending an expedition to the Antarctic persisted, however, and efforts continued to be made for joint ventures. By 1946 a number of proposals were being pursued by the GSSA as possible ventures for South Africa to organize or consider. Attention was first placed on conducting a feasibility study on the previously proposed South African expedition to the Weddell Sea (1944). At this stage, however, the direction of the proposed Weddell Sea expedition began to move away from the

concept of a "national" expedition. The SAARC completed its study into the proposed South African Antarctic expedition and put forward a series of recommendations. In particular, references were made to the geological connections to the area of the Weddell Sea and South Africa in relation to the Continental Drift theories. Because of these theories, geology ranked highest in priority of areas of research. Geography, geophysics, meteorology and oceanography were the other areas put forward as being worthy of study. Details concerning the duration and conduct of the expedition were also given in relation to the Antarctic mainland and Bouvet Island. The size of the expedition, equipment, ship, cost, sources of revenue, and procedures to execute the expedition were also set down.¹⁵ Of particular note is the setting of preliminary estimates for the proposed expedition at £79 600 in 1946 along with an itemized breakdown of the costs.¹⁶ However, in July 1946 South Africa became the first country to propose internationalizing research in the Antarctic by expanding its proposal for an expedition.

A change of attitude from the South African government was recorded by the GSSA as:

At the conclusion of [World War II] hostilities, the further proposal emanated from Field-Marshal Smuts that the scope of the research should be extended to embrace a "Southern Polar Mass" with participation by a number of nations interested in research problems of the Southern Hemisphere. This was the proposal to be submitted to the Empire Scientific Conference in July 1946. (17)

That proposal was then elaborated:

that countries with scientific interests in the Antarctic: Great Britain, United States of America, Norway, Australia, New Zealand, the Union of South Africa, Chile and the Argentine, should be invited to co-operate by establishing one or more land-

bases each in sectors which they control, or in which they may be permitted to participate. (18)

Thus, South Africa in effect became the first country to make an open formal proposal for international co-operation in Antarctic research. The proposal submitted by the South African delegation to the Empire Scientific Conference went into considerable detail as to dates, control by governments, proposed base sites, an outline of scientific research programmes and the size of land-station parties.¹⁹ From the proposed South African expedition a memorandum was also drawn up on a proposed International (United Nations) Antarctic Expedition, in which credit for the idea was identified as follows:

The idea arose out of, and is complementary to, the "Proposed South African Antarctic Research Expedition to Weddell Sea", of which Dr L C King is the originator. (20)

The details of this proposed expedition, however, aimed at the use of eight aircraft carriers or more from which such an expedition would be conducted. The significance of this is that it showed that South Africa advanced the idea of broader international co-operation in Antarctic research from the immediate post-war period.

As for the idea of the "International Polar Year" proposed by the GSSA, the SAARC minutes of 13 September 1946 noted the report of Dr B F J Schonland on the proposal as follows:

Dr B F J Schonland stated that he had asked that the question of holding an International Polar Year be placed on the agenda of the recent Commonwealth Scientific Conference, but on reaching London, had discovered this item had been omitted from the agenda. He had, therefore, arranged that a meeting on this subject be held at the Scott Polar Research Institute which had been attended by all available experts from Great Britain ... it

appeared that two undertakings were considered at present more important than a Polar Year. (21)

Although these two other undertakings, namely the setting up of permanent stations in the British Antarctic Sector and a proposed Anglo-Scandinavian expedition to the Atlantic Sector (New Schwabenland) of Antarctica, took precedence, the minutes stated further that

While the meeting had agreed that the question of a Polar Year would have to be left to the meteorologists, it was thought that it could not take place before 1950. It would be useful if, in the meantime, South Africa were to consider:

- (i) sending some young scientists to the Falkland Island Dependencies for training in Antarctic work and possibly later to undertake the staffing of one Antarctic station;
- (ii) participating in the Schwabenland proposal. (22)

As for the proposed South African expedition, it was recommended that:

Plans for a purely South African expedition to the Antarctic be held in abeyance. (23)

Thus, from this meeting came the end of the idea of sending a South African expedition for the time being, but South Africa was encouraged to participate in joint ventures with Great Britain and the proposed New Schwabenland expedition. The idea of setting up a permanent station at Bouvet Island was also scrapped at this time.²⁴

The GSSA responded on 24 September 1946 by approaching the CSIR to investigate the possibilities of South African participation in the proposed British-Scandinavian expedition to Coats Land and New Schwabenland.²⁵ In early October the office of the British High

Commission in Pretoria requested the use of one or two South African geologists and a meteorologist to send to the Falkland Island Dependencies at the end of the month.²⁶ Owing to the short notice and personnel problems South Africa was unable to send a meteorologist²⁷, but a geologist, Mr Raymond J Adie, was sent.²⁸

Participation in the New Schwabenland expedition appeared less hopeful, however, when the President of the CSIR stated that his Council had

decided that it could not recommend that the government should bear any of the expenses involved in an expedition of this kind.
(29)

Talk of an "Empire Expedition to Antarctica" also appeared and the SAARC showed keen interest in becoming involved.³⁰ The SAARC finally nominated two of its members - a geologist (Dr L C King, the SAARC Chairman) and a meteorologist (Mr D L Niddrie) - to participate in the British-Scandinavian Expedition at the end of 1948.³¹

South African activities in the Sub-Antarctic regions took off at this time also. Of greatest importance were the instructions by Prime Minister J C Smuts after World War II to annex and occupy Marion and Prince Edward Islands.³² As a result, landing parties from the H.M.S.A.S. "Transvaal" formally annexed the two islands, Marion Island on 29 December 1947 and Prince Edward Island on 4 January 1948. The establishment of a weather station on Marion Island soon followed, which has been maintained ever since.³³ The move to establishing South African bases had begun and would expand to Gough Island and, finally, the Antarctic mainland.

The first mention of sending expeditions to Gough Island and the Antarctic mainland appeared in March 1951 but the problems of costs continued to bedevil their realization.³⁴ Links to other Sub-Antarctic islands such as Tristan da Cunha were also expanded through shipping services linking them to Cape Town,³⁵ although South Africa had maintained a weather station there since 1942.³⁶ South African operation of the weather station on Gough Island began in May 1956 when it took over from the British-backed Gough Island Survey of 1955/56.³⁷ It was not until the 1960s, however, that South Africa finally established its own foothold on the continent with the acquisition of a weather station from the Norwegians on the Queen Maud Land coast. Hence, the period of the late 1940s through the 1950s not only saw South Africa making direct contacts with the Antarctic in terms of its own scientific expeditions but also saw its involvement in moves to internationalize Antarctic research.

While South Africa had considered and made some motions to internationalizing Antarctic research as early as 1946, other countries soon followed with similar ideas. Argentina, for example, proposed on 8 February 1948 an international conference on the Antarctic.³⁸ Later that same year South Africa was informed of an official proposal for an international conference by the United States:

In July 1948 the United Kingdom advised us that the Americans had informed them of a decision to put forward officially the countries interested in Antarctica (i.e. Australia, New Zealand, Argentina, Chile, France, Norway and the United Kingdom) a plan for international trusteeship of Antarctica which would cover the continent itself and all islands south of 60° except the South Shetland and South Orkney groups (claimed by the United Kingdom).

The U.N. would join this group of countries as an administering authority of the trust territory. Each state in turn would act as spokesman in the Trusteeship Council. A commission would be created to co-operate with the U.N. specialized agencies etc. (39)

Two points were significant here. First, that an official approach was made to certain governments identified as having vested interests in Antarctica and second, that it would act in co-operation with the United Nations. Both points would eventually be incorporated into a working plan which would include and affect South Africa in different ways over time.

The issue at the time of the American proposal centred on the situation of territorial claims in Antarctica, but the American proposal also sought to promote international co-operation in scientific investigation and research.⁴⁰ As regards territorial claims in the Antarctic, South Africa put forward its views thus:

Per circular telegram of 9th March, 1948, the Union explicitly stated that "the continent itself is unoccupied res nullius and as such can be made the subject of special ad hoc International arrangements which could be altered from time to time ... British claims should be distinguished from this continental aspect.

Again in similar notes dated 5th November, 1948 to Australians, Norwegians, French, Argentines and Chileans we stated: "As you are aware, the Union has never advanced any claim to Antarctic territory most of which, in default of effective occupation can only be regarded as terra nullius." (41)

The South Africans interpreted the British attitude towards the concept of the trusteeship as unfavourable in that

The United Kingdom immediately referred the Americans to the grave dangers inherent in any trusteeship scheme for Antarctica

i.e. the intrusion of many countries including Russia in the area, and put forward a counter-proposal (previously vaguely mooted) for an 8-power condominium. (42)

The response by the United States was a revised scheme for an 8-member condominium to operate over the same area as the trusteeship but with all claims merged and costs to be shared equally among the eight members. The United Kingdom did comment to the American government that there was some concern regarding South Africa's interests in Antarctica and its exclusion from the proposals.⁴³

On the substance of the new American proposals, the South African government went along with the British attitude⁴⁴ but "... raised strong arguments against the Union's exclusion from the proposed authority"⁴⁵ as the Americans felt that it had, up to that point, shown insignificant interest in the Antarctic. The South African government approached the British government to see if it would support South African claims to participate in the discussions on the proposals. The South African government interpreted the British response thus:

In August 1948 our High Commission in London reported that the United Kingdom government, while willing in principle to support the Union's claim to a say in the special regime proposed by the U.S. and while "fully recognising" the Union's interest in Antarctic matters, nevertheless felt that they could not support the Union's arguments for the following reasons:

- (i) The proposals were purely American and were not the result of prior consultation
- (ii) The Americans expressly limited the powers concerned to those with actual claims in Antarctica
- (iii) Without having first had an opportunity to study the proposals in detail they felt it would be inopportune to raise the question of the Union's participation

- (iv) The U.S. proposals were expressly framed to exclude the possibility of certain other powers, notably Russia, from claiming association with the "special regime" through the Security Council. (45)

In response to the British position, the South African government directly approached the United States government using the following points to support its claims for participation:

- (i) As the U.S. proposals stood, the Union would be the only major power in the Southern Hemisphere which would have no say in the future administration of the Antarctic, whose character and scope was of vital interest to us
- (ii) our whaling interests
- (iii) the importance of meteorological stations
- (iv) our geographic situation, which made the Union a natural base for operations, commercial and otherwise in Antarctica and
- (v) our strategic interests.

The embassy was requested not to press for formal inclusion and merely to stress our interest in developments. (46)

On 5 October 1948, the South African Embassy in Washington reported that the United States government's position was as follows:

- (i) Americans looked on SA interest with a good deal of sympathy and our approach was not unexpected.
- (ii) The Americans had originally raised the question of trusteeship over Antarctica when the Russians were refusing to co-operate in the Trusteeship Council. Russia had since taken her seat on the Trusteeship Council and the trusteeship proposal was accordingly dropped.
- (iii) The agreement had to be restricted to the 8-powers to exclude claims of outside powers such as Russia but it was the American intention to have a clause inserted in the Constitution allowing for accession by other powers whom all the signatories felt had a definite interest in the Antarctic. This ought to take care of the Union's case. (47)

As to the attitude of the Antarctic territorial claimants towards South Africa's rights in the Antarctic, it was noted in a telegram dated 11 December 1948 to the South African government on the claimant's views on South African rights in the Antarctic that

... the reactions of Australia, New Zealand, Argentine, Chile and Norway were favourable and the Union's claim to recognition of our interests generally accepted. The French intimated informally that they could see no reason why the Union should be excluded, but were not prepared to make a firm statement until such time as the matter of the "regime" was carried further. In essence the attitude of all could well be summed up as being sympathetic but non-committal. (48)

But at the end of 1948, relations amongst the eight countries approached had changed regarding this and other issues.

Like the South African proposal, the United States proposal failed to gain sufficient support, experiencing rejection from at least one of the countries approached.⁴⁹ Other attempts were made to bring about some form of international co-operation but it would not be until nearly a decade later that the first international effort in Antarctic research would materialise.

In the 1950s, research expeditions to the Antarctic expanded as did South Africa's participation in them. As noted earlier, in its quest to expand meteorological research, South Africa took over operations on Gough Island in 1956. South Africa also participated in the Commonwealth Trans-Antarctic Expedition, 1955-58. As well as contributing £20,000 to the costs of the expedition,⁵⁰ South Africa also sent a meteorologist, Mr J J "Hannes" le Grange, from the Weather Bureau in Pretoria.⁵¹ Le Grange, in fact, became the first South

African ever to reach the South Pole.⁵² These accomplishments aside, however, it was the International Geophysical Year which was to have the most far-reaching impact on the future of scientific and political developments in the Antarctic.

In the planning stages of the Third International Polar Year, or the International Geophysical Year (IGY) 1957-58 it was decided by its organisers to include Antarctica for international co-operation. South Africa became one of the twelve countries which participated in the Antarctic, placing its weather stations at Marion Island, Gough Island, and Tristan da Cunha under the auspices of the IGY effort. South Africa also participated, along with a number of other countries at the invitation of the United States, in the establishment and manning of the Little America V research station. The knowledge gained from the IGY was enormous and proved beneficial to a number of countries. For South Africa it set the foundations for its understanding of meteorological patterns directly affecting its western and southern coasts. In terms of its significance in international co-operation, the IGY was one of the largest scientific undertakings of all times. The study of Antarctica in the IGY itself was the impetus for yet further developments in international co-operation in the Antarctic region.

While it should be noted that the IGY offered a great opportunity for extensive international co-operation, this did not occur free of reservations. Throughout the 1950s extensive suspicions existed of Soviet interests and participation in Antarctic research and the

IGY.⁵³ Attempts by other countries outside of those recognised to have interests in the Antarctic were also viewed with distrust, as was seen when India attempted to introduce the issue at the 11th Session of the United Nations General Assembly.⁵⁴ Any attempt to bring it into the sphere of the United Nations was opposed by a majority of countries at the time and the issue was withdrawn from the agenda.⁵⁵

At this same time, to increase South African involvement in developments in Antarctica, some of the government departments began re-examining the idea of staking a territorial claim. It was agreed that a claim could only be established if it was assented to by bilateral agreement with those two countries (Australia and Norway) which controlled territory to which South Africa could hope to have any justifiable claim. Considerable discussion over what constituted sufficient foundation for acquisition of sovereignty developed in the 1950s, particularly as the United States was itself in a quandary over whether or not to stake a claim. The threat that the staking of a claim in 1957 by the United States could lead to the same by the Soviet Union together with the possibility of the cessation of exchange of Antarctic geophysical information from the Soviets caused enough concern to have left both countries not pressing individual rights. But a number of people in the South African government felt that if it was going to acquire territorial rights in Antarctica it should do so before the Americans as it was feared that the United States would be less likely to accept new claims after its own interests had been met.⁵⁶

On 25 July 1957 the South African government was informed of British moves to push the idea of the establishment of an international authority to govern Antarctica.⁵⁷ In brief, the British proposal sought an authority based on those states with established claims⁵⁸ along with the United States which could act to curtail further possible claims from such countries as the Soviet Union. To formulate the British proposal, the views of the 'old' Commonwealth⁵⁹ were obtained, although the positions of Canada and South Africa were not to be included in the authority.⁶⁰ The attitude in the Commonwealth remained at the time of the proposal that there was insufficient justification for direct South African participation in the authority. The Union government, however, felt otherwise.

The concern most evident remained the urge to keep out Soviet participation from any proposed authority. To allow South Africa to participate in such an authority with less active Antarctic research participation than the Soviet Union was an obvious problem. Bringing in the involvement of other countries outside of those with claims but with varying degrees of interest (such as Belgium and Japan) also became a point of concern. The 'old' Commonwealth members saw the situation thus:

The clear meteorological and strategic importance of the area to the Union was not disputed, but it was felt that to admit the Union would be to open the door to other countries which had not attempted to establish interests in Antarctica. (61)

The South African Departments of Defence and Transport, on the other hand, responded to this viewpoint with the attitude that

it was of the utmost importance that the Union be associated with any future control and administration of Antarctica. (62)

Thus the government departments concerned, particularly Transport which took over Antarctic interests from Commerce and Industries in the 1950s, began the co-ordination of policy to push South African rights in Antarctica. But objections to South African participation not only came from other 'old' Commonwealth members but continued from the United States government.

On 7 September 1954 the South African government directly approached the British government as to their their willingness or otherwise to support South African claims to participate in the Antarctic authority discussions, either British or American.⁶³ The British response went along the lines that South Africa would have to state whether it supported the British proposal and was willing to submit to the financial requirements of those to be involved in the authority. The South African government responded that it could in principle support the British proposal so long as the British government formally accepted South African participation in the proposed authority. The South African attitude towards the American proposal was not supportive as it emphasized the amalgamation of Antarctic claims and the major role such would play, particularly should the United States advance its own territorial claim. As a South African territorial claim did not appear forthcoming, it felt it would obviously be excluded from the American plan.⁶⁴

The British and Australian governments both agreed that South Africa had legitimate claims to participate and agreed to make this point

known to the United States government. As for actual South African participation in the talks schedule for the end of September 1957, Australia and New Zealand remained reluctant to push the issue with the United States. In October South Africa interpreted the American view as follows:

In October 1957 our Ambassador in Washington reported on the result of his conversations at the State Department, and indicated that, in effect, though the Americas were "sympathetic" and understood our arguments, they were nevertheless not convinced that they were of sufficient force to warrant the Union's inclusion in the discussion. The State Department spokesman also made a remark to the Ambassador which the latter had construed as indicating that one or more Commonwealth countries had not shown themselves enthusiastic about the Union's participation. (65)

However, the South African government received confirmation from London that there was no reluctance from the Commonwealth members and that all supported South African rights to participate. The talks actually held in Washington in October 1957, however, only included representatives from the United States, United Kingdom, Australia and New Zealand. The results of these talks were inconclusive.

In December 1957 these same countries again convened at the invitation of the American government to discuss new proposals for the establishment of an Antarctic Authority. Under these proposals South Africa would have probably participated only in an advisory capacity.⁶⁶ Enquiries in early 1958 by the South African government to the British on their attitude toward South African participation revealed that South Africa's weakness lay in "the fact that the Union had no claim based on past performance in the region."⁶⁷ By 10 March 1958, the United States was again reconsidering its view on the issue.

The United States government informed South Africa that it was looking at the idea of a multilateral treaty outside the United Nations and consisting of countries with "direct substantial interests in the continent."⁶⁸ Though South African interests were accepted by some as substantial, the lack of a record of discovery or exploration in Antarctica remained the main obstacle. But by 25 March the United States' government was seen by the South African authorities apparently to have

discarded their previous doubts as to the eligibility of the Union (and Belgium and Japan) for inclusion at least amongst those countries whose comments are desired. IGY performance in Antarctica has been the decisive factor. (69)

Thus, after a long process of trying to gain acceptability of its interests in Antarctica, South Africa firmly gained the right to participate in the proposed talks. The fact that the United States realised that the participation of the Soviet Union was inevitable was seen by the South African government as one of the main reasons for the acceptance of South African participation.⁷⁰ In the end it was the twelve nations which co-operated in the IGY programme in the Antarctic to which the United States sent Aide Mémoires for proposed talks on the future of Antarctica.⁷¹

In terms of the specifics of the Aide Mémoires from the United States dated 25 March 1958, a number of points were brought up as to Antarctica's future scientific and political status. The United States government sought to establish a consensus agreed among the twelve governments approached for continued scientific investigation and co-operation in a free and peaceful atmosphere, and the

establishment of an international agreement to ensure such. The international agreement identified at that point as "a multilateral treaty among the countries having a direct interest in Antarctica" raised some concern with the South African authorities.⁷² Questions over the general acceptance of South Africa "having a direct interest in Antarctica" had resulted in its non-invitation to previous Antarctic talks.⁷³ The use of the phrase "countries having a direct interest in Antarctica", coming from the United States government, therefore cast doubts about South Africa's status even though it had been formally invited to participate.

The focus of the proposed Antarctic Treaty⁷⁴ was said to include the following: the giving of legal effect to the principles set out in the treaty; the provision of some co-ordinating instrument for those principles set in the treaty; the desire that politics would not endanger the then existing situation in Antarctica; and the linking of this to some co-operative interaction with the United Nations.⁷⁵ Furthermore, a conference for the formalizing of such a multilateral treaty was discussed. Emphasis was laid on a long term solution to the questions surrounding Antarctica as well as upon the need to maintain strict secrecy on the subject. This last point was interpreted by the South African authorities to mean "to avoid unwelcome initiatives from other sources."⁷⁶

South Africa immediately responded to the American Aide Mémoire with inquiries on 31 March 1958 to the other Commonwealth governments approached.⁷⁷ Responses were received the next day from London and

Canberra.⁷⁸ Since there had been previous official-level discussions on such proposals with the other Commonwealth members the American proposals were generally accepted.⁷⁹ However, the details in the response from Australia made a number of notable points. Firstly, South Africa was again reassured that Australia fully agreed to the inclusion of the Union in the consultations on Antarctica. Secondly, the inevitable fact that the Soviet Union could not, and would not, be excluded was spelt out clearly.⁸⁰ Also both Australia and South Africa would strongly push non-militarization in Antarctica as both countries displayed concern over the threat of missile bases located within striking range of their territories.⁸¹ With this information at hand South Africa began the process of formulating its reaction to the United States proposals, but, because a General Election was pending in 1958, it was felt that ministerial direction would likely be delayed.⁸²

By 2 June, the South African embassy appeared to have made some progress with the United States State Department. By conducting informal consultations which appeared to benefit the South African position, the embassy was able to obtain information on the reactions of other governments in response to the American proposals. The South African response had already been received by the embassy from Pretoria but any new information on the proposals was requested as early as possible.⁸³ Of particular interest to the Union government in relation to the informal consultation conducted by Mr J G Stewart, counsellor in the South African embassy, with Ambassador Daniels of the United States State Department was:

My /Mr Stewart's/ observations lead me to the conclusion that in this procedure of his /Ambassadors Daniels/ he has been almost as frank with us as he has been with the three other Commonwealth governments and, I think, franker than with most of the other governments. (84)

Furthermore, in the light of such views

I mention the foregoing because Mr Daniels has let me gain the impression that he thinks the United States and the Union may think similarly on many of the principles at issue; and that he hopes we shall find ourselves in a position to support the United States viewpoint. (85)

With this position known, South Africa in effect was able to ensure its role in the consultations, as the United States would obviously have sought as much support for its proposals as possible. Along with these points a number of other issues were discussed by Messrs Stewart and Daniels. Firstly, that the conference should be held before the next United Nations General Assembly session. Secondly, it was expected that Washington would most likely be the venue of the consultations with slight possibilities of these being held in London or Argentina, but that the Chilean and Australian venues were unlikely. Thirdly, that the Soviet Union, the only country by then which had not yet responded, appeared to be likely to co-operate although the formal consultations would go ahead whether they or any other country responded unfavourably. Fourthly, details were given for a brief and direct treaty covering a number of issues including scientific research, territorial claims, peaceful use of Antarctica, freedom of access to Antarctica, establishment of an administrative instrument for Antarctica, voting rights and procedures within the administrative instrument for the 12 countries involved, duration of the treaty and the idea of a provision for withdrawal.⁸⁶ The issue of

accession by other countries outside of the original twelve was also examined. This issue is of particular current interest in light of what has developed in the 1980s. In response to Mr Stewart's question on future rights of accession by other countries who did not cooperate in the IGY in Antarctica, Ambassador Daniels was reported to have responded that

... it might not be polite to exclude the possibilities of accessions given the principle of freedom of access for scientific co-operation. Looking at the question practically, however, he doubted whether any other countries would be able to show sufficient real and direct interest to qualify for accession. (87)

However, Mr Stewart continued:

He seemed to be hopeful that the Indians would accept the position (he implied also that it had not been without difficulty or argument that the State Department had arrived at their proposals which would exclude India). From his remarks I gained the impression that the United States position, at least on available data, is that India has no part to play in Antarctica. (88)

This point was to change with time, however, and at present has become one of the major issues facing South Africa in the Antarctic Treaty system.

On 2 June 1958 the Soviet Union transmitted its favourable response to the American proposals, together with a list of its own proposals. It was the last of the eleven recipients of an Aide Mémoire to respond. Recognizing its minority position in relation to the other 11 countries involved, the Soviet Union put forward the idea of the inclusion of all interested countries, making particular reference to India in light of its 1956 proposal to include Antarctica on the United Nations agenda.⁸⁹ This the South Africans found "somewhat

disturbing" and deduced that:

The Soviet suggestion is perhaps not entirely unexpected because in a conference as at present envisaged they would stand alone whereas if they are able to expand its membership somewhat to include some of the Soviet bloc and neutralist countries who would follow their lead they would, if necessary, be in a more favourable bargaining position.

It is, however, not clear from the wording of the Soviet note whether they are making the participation of additional countries a condition for their participation in the proposed conference. From the way the note is worded it would appear that they are not doing so, and in this way the State Department intends to read it until it appears to the contrary. (90)

It later transpired that this was not a condition for participation.

On 13 June 1958 the first meeting of the twelve nations was held. Attending for South Africa were Mr J G Stewart, then Chargé d'Affaires at the South African Embassy in Washington D.C., and a colleague from the embassy (identified as Mr Franklin). Several issues were discussed at this preliminary meeting. In brief, they included setting the date of the first official meeting for 24 June to allow for delegations to receive instructions from their governments and to set up a tentative schedule of meetings; the establishment of a rotating chairmanship; and that there would not be a pre-set agenda other than that the focus of discussions would be the creation of the proposed treaty.⁹¹ Also presented at these discussions was an informal list of articles proposed by the Australians, outlining nine possible points to be included. It was also agreed that no formal record would be kept of the initial discussions; that as little publicity as possible would be generated; and that a decision on the place and time of the proposed Antarctic Conference would be postponed until some headway had been

made in the preliminary talks. The Soviet Union did, however, bring up the issue of informing other countries who might wish to express an opinion on the issue of the Antarctic Conference. This was immediately opposed by the Chilean and Argentinean delegations on the grounds that they felt that the conference was to carry on with the work and co-operation begun by the IGY and only the twelve countries who participated should be involved in the Antarctic Conference. An actual decision on this issue was postponed for discussion "at the first normal meeting of the preparatory group."⁹²

The South African delegation received its instructions the next day on 14 June. The main points put forward were that South Africa was not to "rubber stamp" whatever the conference produced; that South Africa would send a number of officials to join the delegation; that the government favoured that the treaty be finalised before the next United Nations General Assembly session; and that South Africa would be flexible on any venue chosen for the Antarctic Conference. In response to the proposals put forward by Ambassador Daniels,⁹³ the South African officials were in general agreement with most. The exceptions included concern over freezing claims to sovereignty, in that the Soviet position remained unclear. Should the issue need a firm decision the delegation was to contact Pretoria in good time with knowledge of the Australian and British position on the issue. Also, in terms of the voting procedure, South Africa preferred the unanimity principle over the two-thirds majority concept. Reservations did exist, however, on this, and further information was sought on this point from the delegation. As for the idea of an indefinite

duration for the treaty the authorities in Pretoria expressed no opinion and awaited further direction from the delegation on this point.⁹⁴

Concern was evident over the possibility of a Soviet withdrawal. While the South Africans preferred not to allow such action, they realised that, in the light of the Soviet withdrawal from the World Health Organization (WHO) in the past, even though no such provisions existed in its constitution, sovereign entities should have the right of withdrawal. Against this, it was pointed out that a fixed period treaty would act to discourage what was termed "irresponsible withdrawals" for the duration of the treaty. Thus either a withdrawal provision could be included or a fixed period treaty could be considered in dealing with withdrawals. In conclusion on this point, the South African government's attitude was:

Whatever is decided at the conference about duration, a procedure for withdrawal could possibly be incorporated into the treaty to discourage irresponsible withdrawals - say a fairly lengthy period of notice, plus the approval of the controlling body. (95)

It is unclear why such a detailed concern on this issue was made. In particular this could have reflected concern not so much over the possibilities of a Soviet withdrawal but over the future of South African participation. Only two years earlier South Africa "voluntarily" withdrew from the United Nations Educational, Scientific and Cultural Organization (UNESCO) for reasons connected with interference in its domestic situation.⁹⁶ South Africa also withdrew from participation in the United Nations General Assembly for 3 years from 1955 to 1957 for similar reasons. Furthermore, within the next

decade South Africa would withdraw or be expelled from a number of other international bodies. As to whether the South African government was solely concerned over potential Soviet intentions or if there were other ulterior motives behind such a concern remains unknown.

The last point discussed of Ambassador Daniels' preliminary views was accession to the treaty by other countries outside of the "twelve". The Department of External Affairs put its views thus:

It must be stated again that it is our primary concern that the control body should not be expanded beyond the twelve countries directly interested, and we are opposed to any increase in this number being invited to the conference. We realize though in time other countries may establish an interest through their scientific activities and it is conceivable that we might wish to agree to others acceding and subscribing to the principles of the treaty. Provision should be made for such an eventuality. But we must do our utmost to secure that any provision for accession in the treaty ensures that accession is on our terms viz that acceding states do not become members of the control body. (97)

Furthermore, information obtained from the Australian government on the attitude of the Indian government towards its exclusion from the meetings and conference was to the effect that

[Indian Foreign Minister] Krishna Menon is apparently unconcerned about the exclusion of India from the twelve, and that it is chiefly the Permanent Representative at the United Nations who has been upset. (98)

In the period between this first gathering and the beginning of the first normal meeting on 24 June 1958, South Africa's representatives continued talks with other countries⁹⁹ for preparatory information as well as for further instructions to and from Pretoria. Once the normal meetings began, full details were reported back to Pretoria with

extensive exchanges continuing throughout the duration of the talks. The informal discussions themselves carried on from June 1958 until October 1959, whereupon the actual conference was convened from 15 October until 1 December, when the treaty was signed. An extensive list of issues concerned the participating states generally but a number had special significance for South Africa, in view of the rising condemnation of apartheid in other international bodies as well as later developments going on into the 1980s.

Amongst the general issues which were looked at during the period of the preparatory talks was whether such talks would include substantive issues instead of just focusing on questions concerning procedure and principles. More specific issues included access to the informal talks and the conference by other states outside of the "twelve" participants; the question of freezing the status quo (territorial claims) and the positions of the states involved in the treaty; a definition of Antarctica; discussions around the proposed list of articles and later the draft treaty prepared by the Australian government; and the two principles of "peaceful uses of Antarctica" and "scientific research and co-operation in Antarctica" to be incorporated in the treaty. There were several issues which directly concerned South Africa for political reasons somewhat removed from the Antarctic issue.

The question of access to the informal talks and the actual conference by other states outside of the "twelve" had the interest of the government. Furthermore, accession to the actual treaty and the rights of non-signatories in the treaty system were also of concern. India

was also posing a problem in its renewed moves to include Antarctica on the 1958 United Nations agenda, moves which most of the "twelve" openly opposed. South Africa was particularly antagonistic to this in light of developments at the United Nations in relation to its own domestic policies,¹⁰¹ some of which were directly connected to Indian actions. This mistrust not only extended to the discussion of Antarctica in the United Nations but also to the rejection of Geneva (the European headquarters of the United Nations) as a possible venue for the actual conference so as to ensure no possible links to the United Nations. As mentioned earlier (pp.52-3) the subject of the treaty's duration and rights of withdrawal were looked at with interest. Lastly, the voting procedure could have significant implications on how the treaty system would function, particularly if other states were to be allowed into the treaty system in the future.

Thus, the post-World War II (1945-1958) period could be characterized as the interest-building era in South African Antarctic Policy. Beginning with practically no tangible interests in the 1940s, this period saw the development of a number of South African accomplishments in the Antarctic by 1958. These accomplishments included the establishment of a number of sub-Antarctic weather stations; the first serious investigations into sending a South African Antarctic expedition; involvement in international co-operation aimed at exploring and studying the Antarctic region as well as sending the first South Africans to Antarctica; initiating the proposal of establishing an international authority to govern Antarctica; and the annexation of sub-Antarctic territory followed by

the revival of the potential South African claim to a sector of Antarctica. By the end of this period South Africa, after a considerable period of effective rejection, obtained international recognition for its interests in the Antarctic. However, even with this development, insecurity continued to influence policy, particularly when South Africa went into the negotiations to create what would become the Antarctic Treaty System, as will be shown in the next chapter.

CHAPTER III

The Entrenchment of South Africa's Interests in the Antarctic:
South Africa's role in the
Antarctic Treaty Talks and Conference, 1958-1959

To understand South Africa's position at the preparatory talks and the actual Antarctic conference (15 October - 30 November 1959), one needs to understand the context in which South Africa found itself at the time. Internationally, South Africa was facing ever-increasing animosity and pressure in relation to its domestic policies and what appeared to be its intransigence on South West Africa.¹ Social sanctions, particularly forced withdrawal from or suspension of South African diplomatic representation in International organisations had begun but not become common practice.² However, as the Antarctic Treaty system would entail the development of an administrative organ, the threat of antagonistic governments ever getting into it remained a significant concern to the South African government throughout the negotiating period.³ Noteworthy is the attitude of certain states participating in the Antarctic talks in relation to their attitudes at the United Nations. The United States, for example, joined in criticizing South Africa on a number of questions during the height of the Cold War in the 1950s, even though South Africa, like the United States, had shown itself to have a staunch anti-communist government. These contradictions concerned the South African authorities, more so by the late 1950s.⁴ Nonetheless, more direct issues also affected South Africa's position in the Antarctic talks.

As a member of the Commonwealth, South Africa saw its position

significantly influenced by the attitudes of the other three participating Commonwealth members (the United Kingdom, Australia and New Zealand).⁵ Furthermore, it was felt by the United States' delegate, Ambassador Daniels, that it would be advantageous if the US and the four Commonwealth representatives exchanged and possibly coordinated viewpoints,⁶ which eventually did occur. But no factor concerned South Africa's representatives as much as the question over the acceptance of South Africa's interests in the Antarctic by the other participating states.

As noted earlier in Chapter II (pp.37-39) the South African government was concerned over the initial moves by the United States in 1948 to organise a meeting of those states with territorial claims in Antarctica and itself to create an international trusteeship for the continent. Because South Africa had never put forward a claim it was not considered for involvement.⁷ This left the South African government distressed that it would be excluded from involvement in an area it felt that it was geographically and strategically tied to. Fearing this, South Africa's representatives in Washington as well as in London and Canberra were instructed to push its case.⁸ Although the Union received some sympathy, this became irrelevant as the 1948 proposals fell through. Even with this the South African government continued to examine ways in which it could increase its claims to interests in Antarctica. It even considered declaring a formal territorial claim over part of that area claimed by Norway.⁹ Diplomatic contacts with the claimant governments became the chief means of putting forward its case, and sympathetic responses were received by December 1948 from most.¹⁰ Interest again was revived in

the mid-1950s for international activities in the Antarctic. The most significant was the International Geophysical Year (IGY), 1957-58 in which South Africa participated, thus furthering its interests and visibility there. When talks of the development of an administering authority were revived by the British in 1954, South Africa received some recognition of its interests in Antarctica from the other Commonwealth members, but not from the United States.¹¹ The attitude against South Africa seemed to be based on its non-claimant position. By March 1958, however, a change of attitude had apparently developed in Washington in which it was felt that a multilateral treaty should be created by the twelve states involved in the IGY's Antarctic activities.¹² In the end South Africa was formally invited to participate in discussions to create this Antarctic Treaty.¹³ However, the South African authorities remained uneasy over their position in the talks held in Washington.

When the first preparatory meetings began, doubts remained in the mind of J G Stewart, South Africa's Chargé d'Affaires in Washington and representative at the preparatory talks. On 30 June 1958 he noted in relation to informal exchanges with the representatives of the other Commonwealth participants and the United States that:

Apart from the question of the acquisition of territory, any co-operation which the Union may give its friends in Antarctica should serve to emphasize the Union's real interest in the area, an interest whose recognition has been achieved only with difficulty and which, it is not impossible, might yet be disputed at some stage. (14)

This unease continued until Mr Stewart and Ambassador Daniels had an

informal talk at the end of June. After putting South Africa's case quite frankly to Ambassador Daniels, Mr Stewart noted that

Mr Daniels' reaction to this was very satisfactory. He said that he had been convinced of the Union's interest (he seemed more impressed with the strategic than the scientific interest); and that I could quote him to you as being satisfied that the Union should have "equal rights with the United States" on the administrative organ." (15)

It was from this point onward that South Africa might have started to feel more assured of its position in the preparatory talks and conference and that most of the participants to the talks would not pose a serious threat to its participation. However, some sense of doubt did persist throughout, even after the treaty was signed.¹⁶

During the preparatory talks several issues came up which affected the preparations for the actual conference. A number of these concerned all the participants but a few of them were of particular interest to the South African authorities. Those general issues which appear in the diplomatic correspondences between Washington and Pretoria can be identified as the following: the right of participation in the initial talks and conference by other states beyond the "twelve";¹⁷ the question of freezing the status quo on claims; the definition of "Antarctica" for the purposes of the treaty; the handling of the Australian proposed list of articles and draft treaty; and the incorporation of the principle of "peaceful uses of Antarctica" and "scientific research and co-operation" in Antarctica.

On the question of the discussion of substantive issues instead of only procedural and principle questions, this had much to do with the original position of the Soviet delegation during the preparatory talks.¹⁸ Nevertheless the South African government itself had several reservations on what the preparatory talks should accomplish. In its instructions to Mr Stewart of 14 June 1958 in relation to the first preparatory meeting, the Department for External Affairs stated that:

In the first place, we are not in favour of the preparatory talks taking matters so far that the conference will, in fact, be no more than a rubber stamp. We consider that issues are involved which may require the presence of officials from the home countries and that since most of the participating countries would presumably not be able to arrange for such attendance at the preparatory talks, these countries will be at a decided disadvantage. Although the broad lines of a treaty are likely to emerge from the preparatory talks, the conference proper should be of such a nature as to allow exchanges of opinions by fully briefed delegates. (19)

This response was specifically aimed at comments made on what was discussed at the procedural meeting (13 June 1958) on the conduct of the preparatory talks.²⁰ The Soviet position was made known at the first of the preparatory meetings on 24 June when it was observed that:

The Russian representative today also expressed opposition to discussing draft articles for a treaty at the informal talks. The talks, he said, should be confined to the time and place for conference (sic), procedural questions and agreement on the general principles underlying the treaty. (21)

The other representatives all disagreed with this viewpoint. It was generally felt the preparatory talks offered a good opportunity to accomplish much of the work before the conference. All of the final decisions, however, would be made at the conference, but these, it was

generally felt, should not be just rubber stamps of agreements reached at the preparatory talks. By doing most of the work at the preparatory talks, the time of the conference could be cut down especially as most delegations wanted the treaty completed before the next session of the United Nations.²² At the end of the first preparatory meeting it was agreed by consensus that the participants would discuss the Australian proposed list of treaty articles (substantive issues) to which no Soviet opposition was raised.²³

An unofficial meeting (27 June) held between the first and second preparatory meetings amongst the four Commonwealth representatives and the United States representative agreed that

It was uncertain whether the Russians would continue to participate in preparatory talks if these talks embraced matters of substance regarding the proposed treaty. (24)

In response the five representatives decided that it would be best to keep the Soviet Union in. To accomplish this, the preparatory talks would be conducted in such a way that some substantive issues would be discussed which would not bring about a walkout. Several issues for discussion were then considered, including the position of non-signatories to the treaty, freedom of access to Antarctica for peaceful purposes, and the definition of Antarctica.²⁵

By the second preparatory meeting there were new developments. Whereas the Soviets again stressed that these talks should not include issues of substance, opposite sentiments were voiced by the representatives of Chile, Argentina, Norway and, to a lesser extent, South Africa and

the United States. Chile, Argentina and Norway stressed the need to exchange viewpoints before the conference but the two Latin American states expected further detailed discussions of the agenda, regulations on the conduct of the conference and technical details.²⁶ For Norway, the concern was over practicalities relating to financial and staff requirements. For these reasons the Norwegians wanted the conference to conclude its task as quickly as possible with most of the work having been done at the preparatory talks. Furthermore, it was felt that the exchange of views at the preliminary talks would give the participants the chance of analysing the issues fully before going to the conference, and thus of being ready to make the important decisions unhesitatingly. South Africa emphasized the need to know one another's views on the principles to be considered for the treaty, while the United States agreed but pointed out that nothing at these talks would be construed as binding.²⁷ Following the discussions on this issue the meeting then turned to address the substantive issue of territorial claims in Antarctica.

Irrespective of his objections to discussing substantive issues the Soviet representative, as Mr Stewart noted, did get involved in the discussion on the freezing of the status quo (territorial claims):

There was some discussion of this and in spite of his stand on not discussing substance, the Soviet representative was drawn into it. In the circumstances one wonders if the procedure to follow in order to get the talks going is simply to ignore the Russian objections to discussing particular articles and to proceed to talk about these matters in the hopes that without precipitating a walkout, the Russians would be drawn willy-nilly into the discussions. (28)

However, at the end of the second preparatory meeting the South

African delegates, along with other delegations, were pessimistic as to the prospects of continuing with the Soviet Union.²⁹ The eleven other delegations were in fact considering speeding up the talks in relation to a draft treaty. The Australian draft treaty was expected soon and plans were even made to conduct discussions on this.³⁰ The first positive development from the Soviet representative came at the third meeting (18 July) but it was also noted that the Chileans were pushing for the opposite, namely quite formal talks during the preparatory meetings.³¹ The Chilean stance was not generally accepted although it was agreed that working papers to encapsulate viewpoints would be prepared. The Soviet response was observed as "mild" in relation to preparing papers and no real objections were made.³² The talks at the third meeting then went on to discuss at some length the freezing of the status quo and the definition of Antarctica, with no objections from the Soviet representative.³³ At the conclusion of the third meeting Stewart expressed his optimism on meaningful progress being made since the previous meeting and on the future. Stewart construed this in the following manner:

That this has proved possible is due in the main to a slightly more co-operative attitude adopted by the Soviet representative, and the repeated efforts by other members of the group to steer the discussions along more positive lines without at the same time perhaps scaring the Russians off. The change in the attitude of the Soviet representative to the talks was the more marked in that it manifested itself also in his very form of address to the Committee which was far more affable and subdued than it had been in the past. It is therefore to be hoped that better progress in the talks will be made at the next few meetings. In fact, Ambassador Daniels expressed the hope at the meeting that it would not be necessary for the group to meet more than a few more times. (34)

In fact the preparatory talks continued for fifteen months and the

conference lasted only six weeks, a testimony to the willingness of the Soviet Union to participate and the extent to which all substantive issues were discussed during the preparatory meetings.³⁵

The next major issue to concern the twelve participants was the question of giving access to the preparatory talks and/or the conference to other countries. Again, this was an issue initiated by the Soviet Union. This view was first made known in the Soviet Union's official reply of 2 June 1958 to the proposed talks on Antarctica. In particular the Soviet Union stated that:

While agreeing to take part in the aforementioned conference, the Soviet government considers it necessary to point out that the conference and the projected international treaty on the Antarctic would be much more effective if all states wishing to do so would take part in the discussion of this question. (36)

Furthermore the Soviet Union proposed:

Participation by a sufficiently wide range of states in the discussion of the question regarding the Antarctic could, in the opinion of the Soviet government, be ensured by convening a conference of all states expressing a desire to take part in it. (37)

The South African reaction was one of recognizing why such a proposal would be made, namely the isolated position in which the Soviet Union would find itself at the preparatory talks and actual conference. What was not known at first was whether the Soviet Union would insist on open participation as a precondition to its participation.³⁸ The South African government's response to such a proposal in its instructions to its representative to the preparatory talks was:

It must be stated again that it is our primary concern that ... we are opposed to any increase in the number being invited to the conference. (39)

The Soviet representative brought up the issue at the procedural meeting (13 June) held before the start of the preparatory talks. The representatives of Chile and Argentina voiced their opposition to this on the grounds that the conference was to further what the IGY had accomplished and only the twelve states invited had participated. This issue was then passed on to be discussed at the first preparatory meeting.⁴⁰ There the Soviet representative again mooted the proposal for expanding the number of participants. All the other states, with the exception of Japan, generally rejected the proposal although ideas of giving other countries access to the treaty once it was in place were considered. The Japanese delegation suggested limiting the preparatory talks to the original twelve but possibly opening the conference to other countries.⁴¹

At the first talks between the four Commonwealth and United States representatives held at the South African Embassy on 29 June, the issues of freedom of access to Antarctica and rights of non-signatories were discussed. These issues later developed into the issue of accession to the treaty by other countries. But, the intention at this time was to divert interest from inviting other states to participate in the development of the Treaty.⁴² Agreement was also reached at this meeting to dissuade the Japanese from the idea of opening up the conference to other countries and to explain why.⁴³

The issue again came up at the second preparatory meeting where a number of the other countries voiced their opposition to inviting

further countries. Japan then proposed that a decision on this be postponed. New Zealand, in particular, threw out ideas to the Soviet representative on principles determining the rights of non-signatories and the idea of an accession clause within the treaty, to which there was no response.⁴⁴ At the third preparatory meeting the Soviet representative again brought up the question. The response to this issue became evident and effectively established two days later (10 July) when the Australian draft treaty was presented to the other Commonwealth and United States representatives. Participation was not envisaged beyond the twelve participating in the talks, but procedures for accession to the treaty were incorporated into the draft. Hence, in moves to circumvent Soviet proposals to include more countries in the Antarctic preparatory talks and conference, the concept of accession to the Antarctic Treaty was developed. Furthermore, as things turned out, the membership was not expanded beyond the original twelve until after the treaty came into force.

The questions of the freezing of the status quo in relation to territorial claims in Antarctica and the definition of Antarctica were the first substantive issues to be specifically addressed in the preparatory talks. The principles of "peaceful uses of Antarctica" and "scientific research and co-operation" in Antarctica were also examined. These issues were recognized as worthy of discussion before the talks themselves had commenced in that several were of concern during the IGY activities in the Antarctic.⁴⁵ At the procedural meeting held before the preparatory talks on 13 June they were summarized in the list of articles proposed by Australia for the draft

treaty.⁴⁶ This list of proposed articles effectively acted as a list of issues to address within the preparatory talks until the Australians presented for comment their copy of a draft treaty at the meeting of the Commonwealth and United States representatives of 10 July.⁴⁷ This draft was then introduced to the preparatory talks at the fourth preparatory meeting of 22 July.⁴⁸ Although discussion of these issues can be found from before the actual circulation of the Australian proposed articles, it was not until the third preparatory meeting of 8 July that they were specifically addressed in terms of working papers.

As noted earlier over Soviet opposition to substantive discussion in the preparatory talks (pp.61-62), Chile's proposal to formalize the preparatory talks had met with a negative response from most other states.⁴⁹ The exception was that some states felt a number of issues should be formalized in writing in terms of the general viewpoint amongst the members. From this the consensus (including the Soviet Union) was that individual states would be asked to draw up working papers which the twelve could then discuss so as to reach some general agreement.⁵⁰ In terms of the abovementioned issues the following countries were invited to prepare the following papers: the United Kingdom on the "Definition of Antarctica"; New Zealand on the principles of "Peaceful use of Antarctica" and "Scientific research and co-operation"; and the United States on settlement of disputes referred to the International Court of Justice.⁵¹ As was first seen with the Australian proposal of a draft treaty, the practice was continued with draft proposals of further articles to be added to the Australian draft. The United States, for example, submitted the first

draft article spelling out the functions of what would become the administrative organ of the treaty.⁵² Thus, from early on in the preparatory talks extensive procedural progress was made which encouraged the participation and input of a number of states. It should be noted, however, that much of what was presented to the preparatory meetings from the Commonwealth and United States representatives did undergo considerable scrutiny from them as a group beforehand.⁵³

Besides these general issues there were a number of issues which had the particular attention of the South African authorities. These were identified earlier as access by other states to the preparatory talks and/or conference; the question of accession to the treaty and relations with non-signatory states; Indian moves to include Antarctica on the United Nations agenda; the question over the venue and time of the conference; the voting procedure to be used in the Antarctic Treaty administrative organ; the duration of the treaty; and developments centering on Norway's scientific station on the coast of Queen Maud Land. Though most issues did become part of the preparatory talks, concern over the Indian action and the Norwegian station were mainly dealt with in the unofficial meetings amongst the Commonwealth and United States representatives.

Access by other states to the talks and/or the conference was, as discussed above (pp.65-67), initiated by the Soviets in their response to the American invitation to attend talks on Antarctica.⁵⁴ South Africa's authorities and representative were openly opposed to such an

idea from the beginning⁵⁵ but again this was discussed before and there is no need to expand on it. However, during the talks references were made to the possibility of including India in order to co-opt it and keep it from trying to get Antarctica on to the United Nations agenda.⁵⁶ Italy also appears to have made inquiries on its own inclusion in the conference "on the grounds that an Italian scientist had accompanied a recent New Zealand expedition to Antarctica."⁵⁷ South African differences with India and distrust over the likely manner of its participation in the conference, ensured that the South Africans remained opposed to bringing in other states to the talks or conference.⁵⁸ Stewart expressed the South African opposition to allowing India to participate in the talks and conference by stating that

... indeed it was disturbing to note how ready some of the other parties were to even giving consideration to this possibility. For once a country which cannot claim any direct interest in Antarctica is admitted, there would appear to be no grounds for failing to open the gates to all comers. (59)

He also linked the question of Italian participation to the likely consequences of admitting countries like India.⁶⁰

South Africa remained adamant on this issue and received general support for this view from most of the other participants. However, this stance could be said not to have been based solely on its interests in Antarctica.

As for accession to the treaty once it came into force, South African resistance to this was particularly strong from the beginning. The pre-preparatory meeting discussions with United States authorities

revealed possible problems in achieving a reconciliation between the principle of "freedom of access for scientific co-operation" and exclusive access to the treaty.⁶¹ In its first instructions to its representative the South African government clearly spelled out its views thus:

We are also in favour of the suggestion ((e)) that the treaty should contain a statement on freedom of access to Antarctica for scientific purposes. We think it is essential though, that any country desiring access for scientific purposes should have to subscribe to the principles of the treaty and accept the administrative and control arrangements established by the treaty. We feel most strongly that no such country should thereby be entitled to membership of the administrative or control group, which should be confined to the original twelve participants.(62)

Yet in this same set of instructions the government proved to be slightly flexible in dealing with long term possibilities:

We realise, though, that in time other countries may establish an interest through their scientific activities, and it is conceivable that we may wish to agree to others acceding and subscribing to the principles of the treaty. Provision should perhaps be made for such an eventuality. But we must do our utmost to secure that any provision for accession in the treaty ensures that accession is on our terms viz. that acceding states do not become members of the control body. (63)

At the first of the Commonwealth and United States representatives informal talks (30 June) the issues of the position of non-signatories and the principle of "freedom of access to Antarctica for peaceful purposes" were suggested as alternative subjects of discussion to counter Soviet calls for extending participation in the conference.⁶⁴ The connection between access to the talks, the continent, and the treaty became clear here. As to their attitude towards the position of non-signatories and accession to the treaty, the South Africans were

apparently reassured of their stand by the United States delegate (Ambassador Daniels) as it was noted that:

His response was satisfactory to our point of view. He thought that if the treaty made suitable provision for peaceful access for scientific purposes there would be no need to make provision for accession to the treaty. (65)

The question of an accession clause to the treaty was then proposed at the second preparatory meeting by New Zealand to defuse Soviet demands on participant expansion. No Soviet response to this suggestion was forthcoming at this time however.⁶⁶ The end of trying to block accession to the treaty came at the second Commonwealth and United States representatives' informal meeting of 10th July. At that meeting the Australians presented their draft treaty which included provisions for accession. In the opinion of South Africa's representative these accession proposals marked the "fundamental difference of approach to the treaty between the Australians on the one hand and the United States" and also South Africa and New Zealand on the other.⁶⁷ The Australians argued that their draft was restrictive as it was "framed on the basis that every State participating in scientific investigation in Antarctica [would] be doing so as a signatory of, or an accessory to, the Treaty, and [would] have the obligations imposed by the Treaty."⁶⁸ Furthermore, that by allowing accession the Soviet Union would feel compelled to stay as some of their allies could then potentially come in. The Australians also felt that under the restrictive nature of their draft the benefits of controlling other states' activities in Antarctica would be preferable to having states conducting activities beyond the control of the treaty. In contrast, the United States, South Africa

and New Zealand opposed accession as such, as it would make it difficult to keep other states off the administrative organ. It was recognized at this stage that these three states could find themselves standing alone. South Africa's representative in particular noted the possibility that the Americans could probably agree to concessions on this point.⁶⁹ If such were to occur it was felt that South Africa would be compelled to follow the American lead.⁷⁰ This view was confirmed by the Secretary for External Affairs in his instructions of 21 July 1958:

... your minute 11th July you have correctly interpreted our views on accession. In the light of Union's clearly defined policy regarding Antarctica we regard present developments with considerable concern and Minister feels we cannot depart from our consistent attitude especially as United States continues to oppose right of accession. Should United States decide to support Australia we will have to follow suit as we cannot weaken our general position by standing virtually alone. (71)

In brief, the view to accept accession to the treaty carried through and was incorporated in Article XIII of the treaty. In the treaty itself, however, a clear distinction was created between what was termed "Contracting Parties" and what may be called acceding states. Contracting Parties are those states which participate as decision-makers in the administrative organ of the treaty as spelled out in Article IX of the treaty while acceding states have become only observers in the Antarctic Treaty system.⁷² However, a significant number of acceding states have been elevated from observers to full Contracting Parties (also referred to as "Consultative Parties")⁷³ with the approval of all Contracting Parties as set out in Article XII of the treaty. The consequences of this for South Africa have not yet been clearly made known, but this will be discussed later in chapter

5. As to relations with non-signatories nothing was specifically included in the treaty but policies on relations with non-signatories have been developed through the consultative meetings referred to in Article IX in the treaty.

Two issues which came up together in the minds of the South African government were the voting procedure to be used in an Antarctic Treaty administrative organ and the question of the duration of the treaty. First references to these two issues appeared during informal talks with Ambassador Daniels.⁷⁴ On the voting question Ambassador Daniels expressed support for the two-thirds majority principle for all substantive decisions and on duration favoured an indefinite period treaty.⁷⁵ Furthermore, it was felt that a withdrawal clause would not be encouraged but that it would probably be necessary. In its response to these viewpoints in its first set of instructions to its representative, the South African government generally agreed, though with certain reservations.

The South African government favoured a unanimity/consensual system over a two-thirds majority system, but if the treaty were to run on majorities it would settle for a two-thirds over a simple majority system. On the question of duration the South African view was that two options were available. First, that if an indefinite period were considered, procedures for a legal withdrawal should be incorporated. The alternative was a fixed period treaty with no withdrawal provision. The concern over these was that the interest focussed on keeping the Soviet Union from pulling out of the treaty and conducting

Antarctic activities beyond the auspices of the Antarctic Treaty system. Under an indefinite period treaty it was felt that states could not be bound indefinitely should certain circumstances change with time. Hence, should states desire to leave the obligations of the treaty, provision should be made with certain safeguards to protect the treaty. The fixed period option on the other hand, was felt to compel members to comply at least for the duration of the treaty with the knowledge that it was not permanent, thus relieving pressure on the need for a withdrawal procedure.⁷⁶

In the process of discussions during the preparatory meetings the two issues underwent considerable examination. Amongst the Commonwealth and United States representatives a unanimity/consensual system was not thought likely, particularly in the light of early Soviet attitudes as reflected in the Soviet use of the veto in the United Nations Security Council.⁷⁷ As things evolved, probably much because of the co-operative nature of the Soviet delegation as well as the wish to keep them participating in the treaty, the principle of unanimous/consensual voting was incorporated under Article XII.⁷⁸ On the question of duration both fixed period and indefinite period elements were embodied in the treaty, also under Article XII. In brief, the treaty was designed to last indefinitely in its current form so long as no Contracting Party requested a review of the treaty after thirty years in force. Should a review be convened it would only take a simple majority to institute changes in the treaty system.⁷⁹ Finally, as for withdrawals, provision was made under Article XII for a lengthy (two years) procedure connected to failure to ratify decisions agreed upon at meetings of the Contracting Parties. Thus the

issues of voting, duration and withdrawal were all eventually incorporated into the treaty.

At the time the abovementioned subjects were being addressed a number of issues developed outside the direct scope of the treaty's contents which also gained the attention of the South African government. The first focused on Indian moves to have the issue of Antarctica included on the United Nations agenda. Corresponding to this was a general concern over any links of the Antarctic talks, conference, or treaty to the United Nations system. Concern over these links in themselves then raised questions over the venue and time of the conference, particularly at the suggestion of the conference being held in Geneva (at the United Nations European headquarters). But, it is important to understand how these issues developed, particularly in light of the ongoing deterioration in relations between South Africa and the United Nations.

The earliest consideration of United Nations involvement in Antarctica came in July 1948 when the United States government proposed that a trusteeship arrangement be established for Antarctica. This, of course, came to nothing, but the willingness of the United States to link Antarctica with the United Nations is worth noting, particularly as it would hold the opposite opinion a decade later.⁸⁰

India first made moves to introduce the question of Antarctica into the United Nations as early as 1956. This action was perceived by the South African government in the following manner:

This Indian move caught all concerned by surprise. It was felt that Krishna Menon and possibly Nehru had possibly thought up the idea to further their favourite pose of "peace-makers" between West and East. All Commonwealth countries expressed resentment and concern at the move. A spokesman of the United States State Department, in conversation with a member of our Washington Embassy, said that he did not see how the Indians could believe that they were being helpful. Latin-American countries were expected to oppose inscription. (In the event, the Indians withdrew the item.) (81)

India was not the only country to consider United Nations involvement in Antarctica however. New Zealand Prime Minister Nash announced on 18 February 1958 that his government would support international control of Antarctica under United Nations direction.⁸² However, by 1 April 1958 Mr Nash had changed his attitude towards the relation with the United Nations, downplaying it to "under United Nations auspices".⁸³ Apart from this incident India remained the main protagonist for United Nations involvement.

Questions over India's position continued on into 1958 not only in its United Nations activities but also its relationship to the conference. American affirmation of India's exclusion was made known to the South Africans in early June but the issue was not yet resolved.⁸⁴ Participants in the preparatory talks were noticeably anxious to get the negotiations completed before the next United Nations General Assembly session in September. Reasons for this impatience were never clearly defined in South African documentation, but it is likely that any developments in the United Nations would have made the South Africans apprehensive, particularly in light of the Indian connections.⁸⁵ The South African government confirmed its support for the conference being "held and the treaty finalised"

before the next session of the United Nations General Assembly to its representative in Washington in mid-June.⁸⁶ By the second preparatory meeting an element of haste developed with the news that the Indian government had sent its United Nations delegation instructions to get the question of Antarctica onto the United Nations agenda of the upcoming General Assembly session.⁸⁷ At the second Commonwealth-United States representatives' informal meeting the issue of dealing with India was addressed. The idea that India be co-opted to get it to withdraw its item in the United Nations was anathema to South Africa. Not only were its relations with that country at issue but India's interests in Antarctica were debatable as mentioned earlier.⁸⁸ In the end the question of Antarctica was not placed on the United Nations agenda and the Indians were not invited to participate in the conference. India did, however, accede to the treaty and became a full Contracting Party in 1983 with the approval of all Contracting Parties. But this did not resolve all questions relating to ties to the United Nations.⁸⁹

During the course of the preparatory talks on time and venue of the conference, the Soviet delegate proposed the European Headquarters of the United Nations at Geneva as a possible site.⁹⁰ At this stage (at the second preparatory meeting of 1 July 1958) all were agreed that the conference should be held by September and be completed before the next session of the United Nations General Assembly; but the venue remained in question. Early references from the participants had evolved to where a number of states considered Washington to be the likely site of the conference as the preparatory talks were being

held there.⁹¹ What became evident here then was that the Soviet suggestion contradicted the general view that the conference be completed before the next United Nations session. It was soon pointed out that, since the Geneva venue was already booked for other conferences for the targeted time, other venues would need to be considered.⁹² The South African government itself had no particular preference at first, although it wished it to be in a country in which it maintained a significant enough representation to handle the requirements of such a conference.⁹³

The preparatory talks in Washington extended far beyond the originally intended time span and the conference was eventually also held in Washington DC the next year. The preparatory talks themselves eventually lasted long enough to work out most of the details and to justify Washington as the conference venue.⁹⁴ The co-operation amongst the twelve governments ultimately provided a climate where the issues of the conference venue and Indian activities at the United Nations did not stall the process.⁹⁵ The United Nations itself was kept clearly at a distance during the preparatory talks and conference although Article X held that all Antarctic activities be "consistent with the Charter of the United Nations." This clause was not clearly defined and like other issues has become a focus of the United Nations debate during the 1980s.

The last issue which interested the South African government during the period of the preparatory talks was the situation of the future of the Norwegian continental bases. In particular the United States informed the four Commonwealth representatives at the end of June 1958

that owing to financial considerations the Norwegian base on Queen Maud Land (in the Norwegian sector directly south of South Africa) would have to be closed down at the end of the IGY in 1958. The United States approach to the Commonwealth members was made without the knowledge of the Norwegian government, and it was thought unlikely the Norwegians would make approaches to other governments on this. Whereas the representatives of New Zealand, Britain and Australia felt their governments were not able to help out financially, logistical support was a possibility. The South African representative did not commit his government to anything but reported back to Pretoria that this offered opportunities for further substantiation of interests in Antarctica.⁹⁶ The first moves within the government began on 23 July 1958 in consultations between the Departments of External Affairs, Transport, Defence, Commerce and Industries and the Council for Scientific and Industrial Research.⁹⁷ Norway's official notification of withdrawal came in 1959 whereupon the South African Weather Bureau initiated the interest for a South African takeover of the "Norway Station" base. Keesing's described the process of the establishment of South Africa's first continental base in the following manner:

At the opening of the Antarctic Conference in Washington on Oct. 15, 1959, the Union Minister for External Affairs (Mr Louw) announced that an agreement had been reached between South Africa and Norway whereby the Norwegian base at Maudheim would be loaned to a South African Antarctic Expedition for an indefinite period. The Norwegian delegate (Mr Paul Koht) explained that Maudheim would no longer be used by Norwegian scientists after the end of the I.G.Y. and that his Government had offered to lend the station to the Union of South Africa.

An agreement to this effect was signed on Oct. 30 by the Norwegian and South African Governments. It provided (1) that South Africa would have the use of the Maudheim base for as long as she required it; (2) that tractors, sledges, sledge dogs, and equipment would be bought from Norway; (3)

that the South African expedition would take over the scientific instruments hitherto used by Norwegian scientists at the base. It was made clear in Oslo and Pretoria that the lease would be on a temporary though indefinite basis, and that the base would remain Norwegian property.

The South African Antarctic Expedition - the first to be sent out from the Union to the Antarctic - will comprise 10 or 11 men headed by Mr Johannes La Grange (a meteorologist), who was a member of the Commonwealth Trans-Antarctic Expedition led by Sir Vivian Fuchs. Maudheim is in the Norwegian Antarctic Territory (Queen Maud Land). (98)

However, it should be noted that Keesing's incorrectly stated that it was the "Maudheim" station when it was the "Norway" station which was transferred to South Africa.⁹⁹ South Africa sent its first expedition in 1960 and has since maintained a permanent presence on the continent.

Consequently, in terms of the conference and treaty, South Africa was represented by a high level delegation and the final treaty itself was signed by the South African Minister of External Affairs, Mr Eric Louw. The preparatory talks had lasted from June 1958 to October 1959 and the conference from 15 October to 30 November 1959. During the period of preparations and the conference a large number of issues were worked out to the consensual agreement of all involved. This effectively created the first international multilateral treaty and organization governing a region of the earth under consensual procedures. Furthermore, this established the first nuclear test ban and nuclear-free area treaty in history, and one to which both the United States and the Soviet Union agreed.¹⁰⁰ As for South Africa, a number of issues which directly concerned it were addressed and resolved, though not necessarily to its original liking. South Africa became the second country, after Britain, to ratify the Antarctic

Treaty on 21 June 1960 under procedures set down in Article III of the South Africa Act, 1909.¹⁰¹

South Africa's role in the conference was viewed positively and South Africa's Minister of External Affairs, Mr Eric Louw, was optimistic about developments:

South Africa was represented at the conference at Washington last year. We had a strong delegation consisting of our ambassador at Washington, Mr du Plessis, the Councillor of the Embassy (102), a member of Head Office here, a member of the Embassy staff and the Scientific Attaché, Dr Shuttleworth. I can tell the committee that our delegation did exceptionally good work. After the conclusion of the conference they were complimented for their contribution towards the discussions. South Africa has shown its interest in what is happening in Antarctica. There is also another organization which is known by its initials S.C.A.R. We have also been co-operating with them. A South African exploratory team went to Antarctica recently. We are doing what we can also in that sector. (103)

As for the establishment of South Africa's presence on the Antarctic continent, the Minister of Transport also presented an optimistic picture when he stated in Parliament:

The hon. member for Yeoville [Mr S J M Steyn] has asked for information regarding the expedition to the South Pole area. All I can tell him he has probably read in the newspapers, namely, that the expedition has arrived safely. They have taken over the Norwegian base and according to the reports we have received everything is going reasonably well. The base was in a somewhat neglected state. Many of the tunnels had collapsed but they have opened them up again. According to the most recent reports they are fairly happy and have put everything in order where necessary. (104)

Furthermore, total expenditure including purchasing most of the equipment for operations and transport for the establishment of the South African station cost £56 300.¹⁰⁵ This was considerably less than

the original estimate of £97 000¹⁰⁶ and even the £79 600¹⁰⁷ and £100 000 envisaged in 1946.¹⁰⁸ Thus, South Africa had finally gotten off to a good start as a full member of the Antarctic Treaty system; it had also established a permanent continental scientific station by 1960. Questions over its presence there would not be raised again for nearly two and half decades and, when they were, they would be for different reasons and come from a fairly different group of countries. The treaty itself came into force on 23 June 1961.

CHAPTER IV

The Expansion of and Assault on the Antarctic Policy of
the Republic of South Africa, 1961-1988

Since 1960 there have been two streams of diplomatic developments concerning South Africa and the issue of Antarctica. These two streams can be summarised as the expansion of the Antarctic Treaty system and the unfolding of South Africa's diplomatic isolation in international organizations. These two sets of developments were essentially separate until the 1980s when interest in the Antarctic expanded beyond the signatories of the Antarctic Treaty.

In the period since the Antarctic Treaty came into force, South Africa has participated not only in all of the activities and Consultative meetings of the Antarctic Treaty Organization but also in related bodies such as the Scientific Committee on Antarctic Research (SCAR)¹ and the much older International Whaling Commission. The Antarctic Treaty system itself has expanded now to consist of five components with a sixth in the developing stages. These can be identified as the Antarctic Treaty, recommendations of the biennial conference of the Contracting Parties, the 1972 Convention for the Conservation of Antarctic Seals, the 1980 Convention on the Conservation of the Antarctic Marine Living Resources,² and the Scientific Committee on Antarctic Research (SCAR) which co-ordinates the scientific activities of the states active in Antarctic research.³ It should be noted that the recommendations of the biennial conferences are reached by the consensus of all Contracting or Consultative Parties⁴ (full members), hence they have received the support of the South African government.

In particular, these have included administrative arrangements, the acceptance of acceding states and the elevation of some to full consultative status, and the expansion of the treaty system. The sixth potential component is the establishment of a minerals regime in Antarctica which finally materialized in draft form in 1988.⁵ This, however, has not been completed and questions remain over its future, particularly from states outside the Antarctic Treaty system. As the treaty nears thirty years in force it has been viewed by its participants as an example of international co-operation unmatched anywhere else, especially in light of its very diverse membership since its inception. Much has been written on this but it is not the focus of this work to examine the functions and accomplishments of the Antarctic Treaty itself.⁶ In the view of the treaty members, the Antarctic Treaty system has fulfilled its role effectively, has expanded considerably since 1961 and the co-operation it has afforded its members has been interpreted positively to the present.⁷ However, a number of points are worth expanding on.

During the preparatory talks to the Antarctic Conference questions were raised over whether states beyond the original twelve signatories could potentially become members of the administrative organ of the Antarctic Treaty. Developments since 1961 have brought about some far-reaching results in relation to this issue. The number of states signatory to the treaty has grown from the original twelve to the current thirty-seven⁸ with other states considering accession. More importantly the number of full "Contracting" or "Consultative" Parties has increased from the original twelve states to around twenty.

Included in this expansion of Consultative members are India, the German Democratic Republic, China and Brazil, all of which, although accepted by South Africa for this status, have presented a threat to South Africa's own status within the treaty system. This will be examined in further detail below. As for the relationship between the treaty system and non-signatories, this has also flared up in the 1980s in a somewhat confrontational atmosphere. States outside the system currently view the treaty system as an "exclusive club" of the most developed states which have been able to afford Antarctic research to the exclusion of most Third-World countries. The particular point of contention has been the practice of the treaty members to recognize only individual states' activities in Antarctica but not the recognition of joint ventures for consideration of full membership in the treaty's decision-making organ. As most Third-World countries have found themselves unable to contend with the costs of mounting Antarctic expeditions, many have sought a more equitable system in which the interests of these states could be included. It has thus been the relationships between the states signatory to the treaty, both original and new, and to those outside the Antarctic Treaty system that have resulted in the question of Antarctica and the existing treaty being addressed at the United Nations in the 1980s.⁹

While Antarctica and the Antarctic Treaty system issues have undergone changes in the international relations forum since 1960, South Africa has at the same time faced a protracted campaign to isolate it in the international community. Specific reference here is made to its withdrawal, suspension, exclusion and expulsion from participating in international organizations. Since 1955, when it first withdrew from

participating in the United Nations General Assembly for three years over opposition to international governmental organizations (IGOs) discussing its domestic policies, specifically apartheid, South Africa has faced banishment from most international bodies, both governmental and non-governmental, as well as general international ostracism such as no other country has ever experienced.¹⁰ The United Nations system has, for example, effectively excluded South Africa from participating in nearly all of its activities by rejecting the current government's credentials although it unquestionably maintains full membership in the United Nations system.¹¹ The notable exceptions to successful exclusion moves have been in certain scientific related organizations (such as the Antarctic Treaty Organization and the International Atomic Energy Agency or IAEA) and organizations where the Non-Aligned countries have not dominated in terms of the decision-making procedures.

Bissell states that diplomatically the prime target of those leading the campaign to isolate South Africa was to effect the expulsion of the South African government from as many international organizations as possible.¹² By the mid-1970s South Africa had been expelled from only one international governmental organization [IGO] (the Economic Commission for Africa of the United Nations Economic and Social Council) and, to date, from less than half a dozen.¹³ What has happened then is that South Africa has faced exclusion in the following ways: exclusion from participation by means of credentials rejection;¹⁴ exclusion by means of the numerical majority of a given organization disregarding or violating organizational charters,

constitutions or statutes to achieve specific ends;¹⁵ exclusion of participation by means of not extending invitations to functions of an organization to which South Africa was a member;¹⁶ exclusion by means of termination of membership by other members of the organization concerned, in some cases where no provision allowed for such;¹⁷ exclusion by means of curtailment of participatory rights of access, such as limits on voting and/or speaking rights, or non-access to meeting venues through non-issuance of visas to attend;¹⁸ "after the fact" loss of rights of participation following South African response to exclusion or withdrawal such as loss of voting rights for refusal to pay its allotted financial contributions;¹⁹ and effecting South African withdrawals by antagonising the South African government or its diplomatic representatives.²⁰ From the first suspension in 1962 the African countries in particular have maintained constant pressure in most IGOs but it should be noted that the decision-making procedures in some have not made complete exclusion from all organizations possible.

Harold Jacobson identifies two decision making subsystems based on qualifications of states' votes in any given IGO's administrative organ:

... we distinguished between those international governmental organizations in which the representative subsystems dominate decision making and those in which the participant subsystem dominates. If the decisions of an IGO have consequences that have immediate importance for its member states, particularly the more powerful ones, it will tend to be in the first category, while IGOs that take decisions of lesser importance or with more remote consequences will tend to be in the second. Thus decision making in the International Monetary Fund, the General Agreement on Tariffs and Trade, and the International Atomic Energy Agency is dominated by their representative subsystems, while decision making in the World Health Organization, the International Labour Organization, and the United Nations Educational, Scientific and

Cultural Organization is dominated by their participant subsystems. Small, weak, and poor states have a greater opportunity for influence in the organizations in the second category than they do in those in the first, but even organizations in the first category provide them with greater influence than they would have if decisions were taken outside of the structural framework. This is why such states press to have decisions made in IGOs. (21)

Because of this we see that the pressure exerted in most organizations by the African and/or Third World blocs has resulted in the exclusion of South Africa from nearly all bodies where a participant subsystem or "one state, one vote" system is used. But, in the representative subsystem organizations listed above (IMF, GATT and IAEA) South Africa still enjoys most membership rights of participation. The Antarctic Treaty Organization (ATO) also qualifies as a "representative subsystem" organization with decision making based on consensus. Thus, although South Africa has faced considerable diplomatic isolation since the 1950s especially in international organizations, the type of decision making procedures of organizations has affected their ability to exclude South African participation.

As a final note, South Africa has had to deal with political realities affecting its participation in organizations relating to Antarctic regional issues. While South Africa did host the Scientific Committee on Antarctic Research (SCAR) meeting VII at Cape Town in September 1963²² none of the Antarctic Treaty Consultative Meetings (ATCM) have been held in South Africa (nor in the Soviet Union) for "political reasons" while some countries have hosted them more than once.²³ In more recent developments, general participation at the thirty-fifth annual meeting of the International Whaling Commission in July 1983

was described in the following manner:

The total membership is now 40 nations, Jamaica, Kenya, Mauritius and Uruguay were not represented at the meeting; South Africa was represented but did not take part in discussion or in voting.(24)

Thus South Africa's vulnerability has been extended to very diverse numbers and types of IGOs including the operation of the Antarctic Treaty Organization. This then leads to the current international debate over South African participation in the Antarctic Treaty system.

The first reference to place focus on Antarctica by non-members of the Antarctic Treaty was at the 1982 signing ceremony of the United Nations Conference on the Law of the Sea (UNCLOS) in Kingston, Jamaica. This was specifically made by the Malaysian representative, Ghazali Shafie, based on remarks by the Tanzanian representative on the exclusion of Antarctica from the Law of the Sea Convention. Mr Shafie said:

It is time now to focus our attention on another area of common interest ... I refer to Antarctica, whose immense potentialities exist for the benefit of all mankind. (25)

Essentially this comment by Shafie was the beginning of what has been interpreted as the attack on the Antarctic Treaty system from outside.²⁶ What has then been advocated from this is an United Nations controlled alternative to the more exclusive Antarctic Treaty system (ATS). Malaysian motives for this move, particularly those of Malaysian Prime Minister Dr Mahathir Mohammad, have raised questions since he first publicly rejected the existence of the ATS at the United Nations in September 1982. What has resulted is a challenge by

the poorer states outside of the ATS or the ATS with the objective of inducing the change of control from what Jacobson identifies as a representative subsystem institution dominated by most of the world's powerful states to a participant subsystem institution dominated by smaller and poorer states which have not had any direct interests in Antarctica to present.²⁷

The debate on South African participation in the ATS originated from a number of states which up to the time of Malaysian references had shown no interest in the Antarctic region.²⁸ Antigua and Barbuda first publicly discussed the issue at the June 1983 Caribbean Community and Common Market (CARICOM) meeting where its deputy Prime Minister, Mr Lester Bird, stated "... what is monstrous is that South Africa is an accepted partner in these deliberations"²⁹ in relation to South Africa being not only a full Contracting Party but also the only African country in the ATS. This particular move brought in the support of most African countries for the Malaysian initiative.³⁰

Peter J Beck, in particular, refers to peripheral issues influencing the discussion of South African participation in the ATS in the following manner:

One of the by-products of the recent international debate about the Antarctic Treaty System has been the enhanced intrusion of political considerations, and during 1983 Caribbean and African governments combined to introduce a new dimension into the discussion in the form of an attack upon the participation of South Africa, a founder member of the system. This element permitted not only a further development of the anti-treaty argument but also an aspect capable of attracting the support of other governments more concerned to condemn South Africa than to consider the future interests of Antarctica. (31)

By September 1983, through the leading actions of the Malaysian and Antigua and Barbudan governments, the Antarctica issue was finally placed on the United Nations Agenda.³²

The agenda item "Question of Antarctica" was finally discussed in the United Nations General Assembly First Committee in November 1983. The Antigua and Barbudan representative briefly brought up the issue of South African participation during the course of the debate. He specifically called for the immediate expulsion of South Africa as a full consultative state, but no reference to South Africa was made in the resulting resolution (38/77 of 15 December, 1983) calling for a study on Antarctica to be carried out by the United Nations Secretary-General.³³ As part of the study conducted by the Secretary-General, states were invited to send reports or statements on their opinions, knowledge, and/or activities within the ATS and on Antarctica. South Africa itself sent a comprehensive statement documenting its activities and support for the ATS.³⁴ Fifty-three other states sent in comments to the Secretariat of which a few made direct references to South Africa.³⁵ Some of those references demonstrated that not all had a clear understanding of how the treaty operated, especially those asking for the exclusion or expulsion of South Africa.³⁶ In the ensuing report of the Secretary General the issue was interpreted in the following manner:

It was, however, noted that no African State, except South Africa, was a party to the Antarctic Treaty. Moreover, some States found that one of the major flaws of the Treaty was the presence of South Africa among the signatory countries. They expressed serious doubts that a Treaty which provided for the inclusion of a State that practised the policy of apartheid could be an ideal legal regime for an area of global concern. They

expressed the view that it would be in the interest of the international community to exclude South Africa from the Treaty and not allow it to participate in any future co-operative effort in the region, because, they argued, the apartheid regime of South Africa could not be relied upon to uphold the purposes and objectives of the present Treaty or any future treaty that might emerge. (37)

However, the report further went on to state that:

Some States opposed the introduction of political elements into the discussion that, in their view, had nothing to do either with Antarctica or with the Antarctic Treaty. (38)

These two points, then, demonstrate the views of the two sides in the debate over South African participation in the Antarctic Treaty System.

At the first debate in 1983 in the United Nations General Assembly First Committee the commitment to maintaining and preserving the Antarctic Treaty system as it stood was made clear by the representations of the Consultative Parties. In a unanimous stand all Consultative States which spoke emphasized the co-operation encouraged by the ATS and the unique opportunity it had provided for such amongst as diverse a group of countries as that participating in the ATS. Furthermore, the stability and peace the treaty had made possible was unique and there was no visible need to change a system which worked as well as it did. The Consultative States' representatives noted that a number of the assumptions mentioned by non-member states were, in their opinions, incorrect and that efforts should be made by those states to inform themselves further on the facts of the ATS.³⁹ Similar stands have been maintained on United Nations discussions on Antarctica in subsequent years as noted in the speeches of the Consultative Parties' chairman at the United Nations (the Australian

representative).⁴⁰

The following year (1984), the focus of debate in the First Committee centred on three issues: aspects of participation in the ATS being exclusive; the distribution of the potential wealth of Antarctica under the ATS and the then developing "minerals regime"; and South African participation as a Consultative Party in the ATS.⁴¹ In the defence from the Consultative Parties' spokesman on points raised during the debates no mention was made of objections to South African participation in the ATS.⁴² At the end of the 1984 debates, South Africa was again not mentioned in the resolution (39/152 of 17 December, 1984) adopted.⁴³ The unwillingness of the Consultative members to heed the resolutions pertaining to Antarctica was stated by them, however.⁴⁴

The particular references to South African participation were again brought up during the debates in 1985. Unlike previous years, however, a resolution focusing on South Africa was drafted and adopted. The resolution, L85, was formulated by the African states and submitted by Mauritius. The resolution concentrated on demonstrating concern over South Africa's position as a Consultative Party and advocated the expulsion of South Africa at the earliest possible date.⁴⁵ Strong disapproval on this resolution, as well as the other two adopted by the First Committee and General Assembly, was demonstrated by the Consultative States in their refusal to participate in the debate and voting on the Antarctica question. Noteworthy exceptions did exist in the way of Indian and Chinese participation in voting only on the

South African resolution. However, while both broke rank with the rest of the Consultative Parties by voting in favour of resolution L85, both felt that such action was based on issues outside of the ATS and this did not contradict the position of the Consultative Parties' support for the ATS.⁴⁶ More adamant rejection of the vote on resolution L85 was voiced by Australia's representative, Richard Wolcott, when he stated that South Africa would not be expelled.⁴⁷ During the actual debates Mr Wolcott argued that the general view of the Consultative Parties was that "Antarctica was a case where fundamental difference over apartheid should not inhibit the pursuit of objectives which could advance the interests of mankind."⁴⁸ Additional points were made that because of the geographic proximity and the work done by South Africa in Antarctica, there were "advantages in South Africa's continuing to be bound by the Antarctic Treaty's provisions."⁴⁹ Since then the position of the Consultative Parties has remained essentially the same in support for the ATS and opposing the introduction of South Africa's internal policies into the Antarctic debate. In general, the attitude of the Consultative States on the United Nations debate has been characterized thus:

Moreover the opening up of extraneous questions like South African membership runs the risk of taking matters out of Malaysia's hands. In any event critics of the Treaty face a group of Treaty Parties which is very influential, determined and united on the merits of the Treaty. The Treaty system has shown itself to be resilient, has consolidated itself organisationally and is growing in numbers. Moreover, to judge from debates in the United Nations, Antarctica is not a subject of real interest to many delegations. (50)

Still, the final General Assembly vote recorded in favour of resolution L85 (100-0-12 and 37 not participating) was noticeably higher than those of the other two resolutions, L82 (96-0-11 and 41

not participating) calling for an expanded United Nations study of Antarctica and L83 (92-0-14 and 43 not participating) on request for information on the minerals talks.⁵¹ Furthermore, this trend has continued to the present. As for the Contracting Parties' position, they in general did not and do not foresee any future role for the United Nations in Antarctica, a view which their attitudes have demonstrated.⁵²

At the 1986, 1987 and 1988 United Nations sessions similar, if not identical, resolutions were adopted re-iterating the appeal to the other Consultative members to expel South Africa irrespective of the consensual limitations existing in the Antarctic Treaty. On Consultative Parties voting on these particular resolutions, it was stated from them that "the treaty parties would vote according to their individual attitudes but in ways which would not affect their position on the successful functioning of the Antarctic Treaty."⁵³ Nonetheless, the South African resolution gained further numerical support in 1986 as well as in 1987. Those states which up to 1988 had broken rank from the other Consultative Parties and voted on the South African resolutions were Argentina, Brazil, China, German Democratic Republic, India, Poland and the Soviet Union.⁵⁴ However, by 1988 Poland and the Soviet Union were again not participating in the vote on the South African resolution leaving five states still doing so.⁵⁵ As for the arguments put forward to substantiate the need to expel South Africa from the ATS, Beck summarized the campaign in the following manner:

Another preoccupation of the critical lobby concerned South

Africa's role in the ATS. Several Afro-Asian nations (most notably Ghana, Indonesia, Kenya, Nepal, Nigeria, Pakistan and Rwanda) recalled recent OAU (UN 1985: 73) and NAM declarations (UN 1986: 94-98), when pressing for South Africa's exclusion from ATCMs. As in previous years, no delegate provided a coherent explanation of how South Africa's exclusion would help the Antarctic scene, given its proximity to, and activity within, Antarctica. The case was argued only upon the basis of non-Antarctic criteria (UN 1987g: 54-57), though Ghana did introduce a novel element: 'The racist regime does not represent, nor extend the benefits of its activities in Antarctica, to the overwhelming majority of its citizens, because of the unacceptable system of apartheid' (UN 1987c: 46). (56)

Thus the essential questions raised by the campaign to achieve the expulsion of South Africa from the ATS can be identified as first, what purpose would such an expulsion serve in the history of diplomatic isolation of that country, and second what benefits would be gained in the ATS by effecting the expulsion of South Africa. But, as it is argued in the Beck passage above, it is clear that the urge to expel South Africa from the ATS has not so much to do with actual concern over its involvement in the ATS as it does to political issues beyond the scope of the ATS. In particular, the specific references in the resolutions to justify suspension clearly do not relate to South African activities in the ATS but to its apartheid policies practised within South Africa.⁵⁷ The campaign, then, is to advance the older issues of finding ways to put pressure on the South African government to effect political changes at home. As has been inferred from the general consensus of most Consultative Parties, their concerns over South African participation differ from those states seeking South Africa's expulsion from the ATS, namely South Africa's regional and strategic interests vis à vis political concerns beyond the realm of Antarctic co-operation. But with obvious splits developing within the Contracting Parties over South Africa's continued presence in the ATS

the future of the ATS and South Africa's future role in it, especially after 1991, remains unclear. For the time being South Africa's continued presence in the ATS poses the greatest threat to the future of the ATS itself.⁵⁸ Furthermore, as it is highly unlikely that South Africa would yield to expulsion from the ATS, the situation will most likely remain the same at least until 1991, when the Antarctic Treaty could come up for review.

CHAPTER V

The Defense of and Future Prospects for the Antarctic Policy
of the Republic of South Africa

The future of South Africa's continued presence in the Antarctic Treaty System (ATS) will probably be, as the history of South Africa's Antarctic policy has been, a continued endeavour for acceptance. A number of factors such as timing and expected changes in South Africa's domestic policies will have major bearings on the final decision but that decision will ultimately be left to the Consultative Parties of the ATS. In the short term, that is until 1991, South Africa's position will most likely remain secure because of provisions in the Antarctic Treaty and the attitudes of most Consultative Parties. In the long term, particularly after 1991, its position will potentially become less certain with much depending on international perceptions of changes in South Africa's domestic situation, the possibilities of a treaty review as set down in Article XII of the Antarctic Treaty, and the interest of a majority of Consultative States in maintaining the status quo. As South Africa's presence has become the most divisive factor within the ATS,¹ a number of questions will be raised over the need to keep Antarctica separate from other international issues and the value of keeping South Africa in the ATS.

The short term prospects, that is until 1991 when changes to the treaty will be able to be enacted not by consensus but by a simple majority of Consultative Parties, will be mainly directed by Articles IX through XII of the Antarctic Treaty and the willingness of the other Consultative Parties to effect an expulsion at the expense of

potentially violating the treaty. With regard to the different Treaty Articles, a number of relevant points are addressed. Article IX paragraphs 1 and 2 make references to the rights of full participation in the Treaty's administrative organ by those states named in the preamble, of which South Africa is one.² Paragraph 4 of the same article is the most important as its stipulation that decisions on those measures to be dealt with (as outlined in Article IX, paragraph 1) by the Consultative Parties "shall become effective when approved by all the Contracting [Consultative] Parties whose representatives were entitled to participate in the meetings held to consider those measures".³ This entrenches the principle of full consensus. Article X of the treaty lays down that all activities in Antarctica be consistent with the Charter of the United Nations. This particular clause has aroused the interest of most of the United Nations members in relation to South Africa's presence in the ATS and has been used to justify its expulsion from the ATS.⁴ In response, the Consultative Parties have countered that as they have not seen South Africa's apartheid policies practised in Antarctica, no justification exists to expel it under Article X. Disputants amongst Contracting States of the Antarctic Treaty are required under Article XI to seek peaceful solutions, which ensures responsible conduct by the parties involved vis à vis the treaty.⁵ This particular article could be referred to by South Africa should a dispute over its presence significantly escalate amongst the Consultative Parties, but the final option of referral to the International Court of Justice for settlement would pose problems. As South Africa is not a signatory to the Statute of the International Court of Justice, it cannot approach the Court for relief. This was

pointed out in the case of South Africa's non-designation to the International Atomic Energy Agency (IAEA) Board of Governors in 1978 in violation of the IAEA Statute.⁶ Article XII 1a demonstrates another safeguard protecting South Africa's presence, namely that any modifications or amendments to the existing treaty must be made with the approval of all Contracting States:

The present Treaty may be modified or amended at any time by unanimous agreement of the Contracting Parties whose representatives are entitled to participate in the meetings provided for under Article IX. Any such modification or amendment shall enter into force when the depository Government has received notice from all such Contracting Parties that they have ratified it.(7)

Thus, changes in the treaty including those aimed at changing South Africa's status could be easily blocked by South Africa. Article XII 1b is significant in that it provides the only means by which a Contracting Party could withdraw from the treaty by way of non-ratification of a change to the treaty:

Such modification or amendment shall thereafter enter into force as to any other Contracting Party when notice of ratification by it has been received by the depository Government. Any such Contracting Party from which no notice of ratification is received within a period of two years from the date of entry into force of the modification or amendment in accordance with the provisions of subparagraph 1 (a) of this Article shall be deemed to have withdrawn from the present Treaty on the date of the expiration of such period. (8)

Paragraph 2 of Article XII essentially details the procedure whereby, after 30 years in force, a review of the treaty can be called by any of the Contracting Parties. Furthermore, any modifications will only require a simple majority. If a Contracting Party fails to ratify the modified or amended treaty within two years after the changes are

made, that state may withdraw from the treaty with effect from two years after notification. Thus, Article XII defines the protection of rights South Africa will enjoy until 1991 when the Antarctic Treaty's 30th year in force will be reached. However, a further point needs to be made concerning any possibility of expulsion of South Africa before the treaty comes up for review after 1990.

Not all international organizations have strictly adhered to the limits set in their constitutions when opting for the exclusion of South Africa. Two specific examples relevant on this point are the rejection of credentials and subsequent denial of participation of South Africa from the United Nations General Assembly (UNGA) since 1974, and the non-designation of South Africa as the African member of the Board of Governors of the International Atomic Energy Agency (IAEA). In both cases legal assessments of these actions concluded that there had been serious violations of the United Nations Charter and Rules of Procedure of the General Assembly,⁹ and the Statute of the IAEA.¹⁰ This returns us to Jacobson's two types of organizations, those controlled by participant decision-making subsystems (one state, one vote) and those controlled by representative decision making subsystems (weighted or consensual voting).¹¹

As noted earlier, South Africa has nearly always been excluded from those identified as being part of the participant subsystem where numerically the "Non-Aligned" states but particularly African countries have had a major say on the organization's agendas. On the other hand, South Africa has remained in many of the representative subsystem controlled organizations where a good number of Western

European, North American and the Japanese governments have dominated. If one then looks at the list of countries which have played major roles in those representative subsystem organizations (such as the World Bank, the International Monetary Fund, the United Nations Security Council, and the General Agreement on Tariffs and Trade) and the list of countries which have repeatedly opposed the expulsion or suspension of South Africa from most participant subsystem organizations, a notable correlation can be found.¹² When these countries are individually identified, a significant number of these countries make up most of the list of Consultative Parties in the ATS (namely Australia, Belgium, Chile, France, Japan, New Zealand, Norway, the United Kingdom, the United States, and the Federal Republic of Germany).¹³

In more recent developments, two are worth noting. With noticeable changes in Soviet foreign policy in the 1980s, pressure from that country and one other particular member of the Soviet bloc (Poland) to isolate South Africa internationally has appeared to ease. The first evidence of this appeared in the non-participation by most of the Soviet bloc on the resolutions calling for the expulsion of South Africa from the ATS.¹⁴ In later sessions, some of the Soviet bloc countries did begin voting in favour of the South African expulsion resolutions, but by 1988 the Soviet and Polish governments had again taken to not participating on these resolutions.¹⁵ In 1987 the Soviet Union showed a further change in attitude towards South African exclusion when they refused to support a move by African countries to suspend South Africa from the IAEA. The Soviet Union noted that the

IAEA was one organization where exclusion was not favoured, and this stance was repeated in 1988 at the IAEA's general conference in Vienna. No clear reasons were given for their opposition, but it succeeded in defeating the moves for suspension.¹⁶ Thus, if one assumes such an attitude will continue until 1991 in a broader sense, then an evident majority of Consultative Parties will likely oppose South Africa's exclusion.

In the long term, South Africa's position is less secure, as it will most likely remain dependent on internal and external factors potentially beyond its control. As the focus of current controversy over South Africa's Consultative Party status has had to do not with its Antarctic policy but its internal race policies, the question to be resolved in the ATS will be, to what extent will extraneous political issues, such as international opposition to apartheid, be allowed to influence the operation of the ATS. The historical precedent set by the Contracting Parties against allowing non-related issues to influence the ATS has been exemplary. When the Soviet Union invaded Afghanistan in 1980 the United States implemented a decision to curtail scientific co-operation with the Soviet Union but Antarctic research co-operation was exempted. When Argentina and the United Kingdom went to war over the Falkland Islands, this did not affect their participation in the ATS and the negotiations over Antarctic marine living resources and minerals.¹⁷ The general reason given for these examples of co-operation has been that there exists a keen interest "to maintain the norm that wherever possible, Antarctica not be linked to other issues in the international political arena."¹⁸ If this attitude can be maintained amongst a majority of the Contracting

Parties, then South Africa's continued presence in the ATS can be expected. The ambiguity remains from those states (Argentina, Brazil, India, China and the German Democratic Republic) which have voted in the United Nations to exclude South Africa, yet have argued that this does not affect their support for the maintenance of the ATS.¹⁹

The apparent changes in Soviet attitudes could also be included as positive developments for South Africa's position in the ATS. With the downgrading of influence of the Soviet Union in the foreign policies of other eastern European states, their predictability is also likely to decline. Concern over keeping extraneous issues out of the ATS could have a greater influence in the future decisions of these countries but not necessarily be the only concern. Other concerns could include, and have included, the implications of having South Africa outside of the ATS not being bound by the restraints set in the ATS²⁰ and pressure from states outside of the ATS. Yet with the international community still watching developments inside South Africa, how the world will perceive the changes enacted by the De Klerk government will inevitably sway the attitudes of some states. Besides those states which could go one way or the other, those which have before not supported exclusion will, for the foreseeable future, likely maintain the same attitude. This, however, does not discount a possible greater concern over extraneous issues finding their way into the ATS for unanticipated reasons.

Thus, the outlook for South Africa's remaining in the ATS appears more optimistic than pessimistic at this time. Greater concern has been

displayed by the Contracting Parties over the introduction of political issues which are not considered to directly affect the functioning of the ATS than over supporting calls for the exclusion of South Africa because of its domestic racial policies. The majority of members of the United Nations will be likely to continue urging the exclusion of South Africa from the ATS, but neither time nor general support from the Contracting Parties appears forthcoming. Until 1991 South Africa will remain soundly protected by provisions within the Antarctic Treaty. After 1991 the future will remain less secure. However, with the past record of many Consultative Parties and the late changes in policy in others towards supporting total South African diplomatic isolation, not to mention precedent in relation to international politics affecting the question of the ATS, it appears that most states may choose to leave the apartheid issue outside of the realm of the ATS.

CONCLUSION

As the world became a smaller place through developments in technology and communications, places such as Antarctica became less remote than they once were, both physically and mentally. While this happened, those countries nearest or most willing to pursue interests in the Antarctic established footholds from which to develop and expand their interests. In a period of less than a century, then, interest in the Antarctic increased from a handful of countries at first, at the end of the 19th century, to virtually all countries by the 1980s. More specifically, before the 1980s barely a couple of dozen countries had shown any interest whatsoever. This attention to Antarctica developed for many reasons, much depending on the individual attitudes of governments. However, this does not mean that interest in the Antarctic centred on concerns over the Antarctic region, since some countries were looking at wider issues.

On the one hand, most of the earliest states involved in the Antarctic were there pursuing national interests, mainly economic or to enhance their prestige. In time, most countries' attention shifted away from the pursuit of individual national interests to favouring broader international co-operation to benefit a larger number of countries. This new approach was then formalized and entrenched through the creation of a multilateral convention, namely the Antarctic Treaty of 1959, by the countries mutually accepted as having demonstrated significant interest in the Antarctic by that time. The focus here downplayed individual states' interests in favour of the general well-being of the Antarctic itself. This arrangement has since been

maintained by the wide range of governments involved in the Antarctic Treaty System to what is accepted as their satisfaction.

On the other hand, much wider interest evolved in the 1980s mainly from a large number of countries which found themselves outside the Antarctic Treaty System (ATS) for a number of reasons. Some concentrated on their inability to gain an effective voice in the administration of Antarctica, which resulted in their criticisms and/or attacks on the ATS for what they felt to be its "exclusive" nature. Most recently, concern has increased with the ATS Consultative Parties' creation of a "Minerals Regime" for Antarctica, which many countries felt excluded them from any benefits, should commercial mining ever commence in Antarctica. However, other states, some with little direct interest in or understanding of current Antarctic politics have chosen to focus on issues not related to the administration and protection of Antarctica in order to question the legitimacy of the ATS. Here, then, can be identified the basis of the current debate over the presence of South Africa within the ATS and South Africa's corresponding policy.

South Africa has since 1960 pursued an Antarctic policy consistent with the goals and objectives of the ATS and no state has openly questioned this. What some countries outside the ATS have apparently sought to do is introduce their opposition to South Africa's domestic policies into the debate over Antarctica, not necessarily for the sake of addressing Antarctic issues. Specifically, a majority of countries in the United Nations have called on the other Consultative Parties of the Antarctic Treaty to exclude South Africa at the earliest date

possible, and have done so without understanding the safeguards in the Treaty which protect South Africa at least until 1991. The attempt to introduce what some governments have felt to be peripheral issues unrelated to the functioning of the ATS, such as the international campaign to isolate South Africa diplomatically, has in the past been rejected by the majority of the ATS Consultative Parties; yet it is this issue which now poses the greatest threat to the functioning of the ATS. But for South Africa this can be looked at in two ways.

Firstly, international calls for South Africa's exclusion from the ATS can be seen as another step in the moves to isolate South Africa diplomatically. In this case it would be from participating in international organizations, with the objective of pressuring it to make changes in its domestic policies. As the Antarctic Treaty Organization (ATO) is one of the few remaining international organizations in which South Africa still enjoys its full participatory rights, it is only logical that international pressure would inevitably target this organization. Pressure from African countries, many of which have had much to do with the debate on this issue, could be interpreted in light of the fact that South Africa is the only African country in the ATS. At the same time it should be noted that few, if any, African countries have ever shown any interest in getting involved in the ATS. This question is likely to remain unresolved until after 1991 and in the end it will not be universal opinion but the decision of South Africa's fellow Consultative Parties which will decide.

Secondly, the international call for South Africa's exclusion can be seen as but another obstacle in the history of an Antarctic policy rife with obstacles long before South Africa ever faced opposition over its domestic policies. From the beginning, South Africa's Antarctic policy faced, first, internal resistance, effectively until the post-World War II period. Because of this South Africa was late in establishing visible interests in the Antarctic compared to all other countries adjacent to it. When the National Party came to power in 1948 it faced international resistance to an acceptance that South Africa had serious interests in the Antarctic, since successive South African governments had effectively done little to establish tangible ones there. In fact, the serious pursuit and development of a South African Antarctic policy could be attributed mainly to the efforts of the National Party governments since 1948. The intention of this pursuit of policy, compared to previous government activity, could be explained not so much in terms of economic interests, but in building on national pride and prestige. With the almost immediate expansion of existing meteorological programs on surrounding sub-Antarctic islands and questioning South Africa's exclusion from proposed international talks on Antarctica in 1948, the National Party government from the start aimed at establishing a high profile position for South Africa. The extent of this was exemplified in the reconsideration of whether South Africa would annex a sector of Antarctica, something which previous governments failed to do and which almost cost South Africa the right to participate in the development of an administrative system for Antarctica. Through considerable manoeuvring, the South African government overcame international resistance to the recognition of its interests and by 1958 succeeded in entrenching

itself in Antarctic politics. As for the issue of national prestige, this may in the earliest days have focused on Afrikaner nationalism but, very soon after, it was quite obviously oriented towards general prestige for the country. This is not to say that prestige was the sole motivating factor; for South Africa has derived enormous scientific benefit, particularly in the field of meteorology. Scientific factors were, in fact, recognized as far back as the 1930s with meteorology being the main thrust of research policy until the 1960s. From all of this, then, the calls for South Africa's exclusion could be seen as just another phase of resistance facing its Antarctic policy which originated long before any international opposition developed over its domestic policies.

In the end, the main question over the future of South Africa's Antarctic policy which remains is this: Will South Africa's Antarctic policy and the management policies of the Antarctic Treaty System remain separate from the major debate over the domestic policies of the Republic of South Africa as they did until the 1980s, and, if not, to what extent will the debate over what many would argue to be an issue unrelated to the administration of Antarctica be allowed to affect the Antarctic Treaty System? The answer could go either way, as South Africa's domestic and foreign policies have been uniquely intertwined because of circumstance and, as such, one will affect the international community's attitudes towards the other. Notwithstanding, the Consultative Parties of the ATS have set and adhered to the precedent of not allowing external political questions to intervene or to influence the functioning of the ATS.

NotesIntroduction

1. e.g. Australia, New Zealand, Argentina, Chile and the United Kingdom, and later, France and Norway.
2. Although consideration of establishing a territorial claim was mooted in the South African government in the 1930s, it was not until the 1950s, long after existing claims had been set, that the South African government seriously examined the possibility of staking a claim on the Antarctic continent.
3. In its various forms since the 1950s. See Appendix K for the latest development.
4. The South African National Council for Antarctic Research (SANCAR), later known as the South African Scientific Committee for Antarctic Research (SASCAR) and soon likely to be renamed the South African National Antarctic Research Programme (SANARP), has co-ordinated South Africa's scientific activities in the Antarctic since the mid-1950s. (See Appendix J, letter from the Foundation for Research Development (FRD) on "The Antarctic Programme and the New Mission and Strategy of the FRD", dated 23.3.89.)
5. Sara Pienaar, South Africa and International Relations Between the Two World Wars (Johannesburg: Witwatersrand University Press, 1987), pp.2-3, 6-9, 21-25.
6. Allan Peter Berman, "South Africa and the Antarctic: The International Aspect" (unpublished BA (Hons) thesis, University of the Witwatersrand, 1968), pp.12-23.
7. E W Hunter Christie, The Antarctic Problem (London: George Allen & Unwin Ltd., 1951), p.51.
8. Captain James Cook, The Journals of Captain James Cook, ed. by J C Beaglehole (4 vols. Cambridge: University Press, 1961), II, p.49.
9. Ibid., p.50. These discoveries consisted of what are now known as the Marion and Prince Edward Islands which became South African on 29 December, 1947 (Marion) and 4 January, 1948 (Prince Edward). Frank A Simpson, ed., The Antarctic Today (Wellington: A H and A W Reed, 1952), p.307.
10. Apsley Cherry-Garrard, The Worst Journey in the World (2nd ed.: London: Constable and Company Ltd., 1929), p.xviii.
11. Cook, Journals of Captain James Cook, I, pp. 456-466; II, pp.45-52, pp.653-660; IV, pp.266-268, 308-310, 437-440, 447, 509-512, 685-686.

12. Captain Cook put in at Cape Town on the following dates: 3 March - 15 April, 1771; 30 October - 22 November, 1772; 21 March - 22 April, 1775; and 18 October to the end of November, 1776.
13. Cook, Journals of Captain James Cook, p.685.
14. T R H Davenport, South Africa: A Modern History (3rd ed.: Johannesburg: MacMillan South Africa Ltd., 1987), pp.42-43. British forces took final possession of the Cape of Good Hope in 1806 but it was not until 1815 that Great Britain took legal possession by treaty with the Netherlands.
15. After whom the Ross Ice Shelf and Ross Dependency in Antarctica were named.
16. Hunter Christie, The Antarctic Problem p.137; Deputy Inspector-General R M'Cormick, Voyages of Discovery in the Arctic and Antarctic Seas and Round the World (2 vols.: London: Sampson Low, Marston, Searle and Rivington, 1884), I, pp.36-44; 360-365.
17. Captain Robert Falcon Scott, The Voyage of the "Discovery" (2 vols.: London: Smith, Elder and Co., 1905), I, pp.95-98.
18. Hunter Christie, Antarctic Problem, p.180.
19. Sir Ernest Shackleton, The Heart of the Antarctic (London: William Heinemann, 1910), p.20. The ship left Cape Town on 7 August, 1907.
20. Rear Admiral E R G R Evans, South with Scott (London: Collins Clear-Type Press, 1921), p.36.
21. Cherry-Garrard, Worst Journey in the World, p.31.
22. Ibid., pp.21, 29, 31-32; Evans, South with Scott, pp.26-26; Stephen Gwynn, Captain Scott (London: John Lade The Bodley Head Ltd., 1929), pp.165-168.
23. Sir Douglas Mawson, Home of the Blizzard (2 vols.: London: William Heinemann, 1915), I, pp.18, 20.
24. Commander Frank Wild, Shackleton's Last Voyage (London: Cassell and Company Ltd., 1923), p.6.
25. Ibid., pp.290-293.
26. There were not many expeditions sent in the 1920s but with the appointment of the "Discovery" Committee in March 1923 formal government involvement in Antarctic research developed which carried on into the 1950s and after. In 1929-1930, the British, Australian, New Zealand Antarctic Research Expedition (BANZARE) was sent using the "Discovery" Committee vessels "Discovery II" and "William Scoresby". These two ships became the focus of Commonwealth Antarctic research in the 1930s. As in earlier expeditions Cape Town was used by the BANZARE as a stopping

point on the way to the Antarctic.

27. This became evident in light of the fact that most Antarctic policy was initiated in the Department of Commerce and Industries, which was responsible for controlling whaling activities and policy.

Chapter I

1. Frank A Simpson, ed., The Antarctic Today (Wellington: A H and A W Reed, 1952), p.22. This point was brought out in connection with the exploration motives of Australia, New Zealand and South Africa owing to their proximity to Antarctica.
2. Namely, under the Governor-General before a policy was established, and then the Department of Commerce and Industries. The choice of this department was apparently linked to its control of the Fisheries Survey which oversaw Antarctic whaling activities. From this the Department of Commerce and Industries came to supervise nearly all Antarctic economic, as well as most political activities. However, all foreign policy issues were handled by the Department of External Affairs. As the Department of Foreign Affairs fell under the portfolio of the Prime Minister until 1955 this meant that most of the development of Antarctic policy was handled by him at the ministerial level.
3. Along with Great Britain, Canada, Australia and New Zealand.
4. Union of South Africa, Office of the Governor-General, Fisheries Whale Antarctic memorandum on British policy in the Antarctic prepared for Imperial Conference CE101 Report of Committee of Imperial Conference which was adopted by Conference CE130 Revise application of Kerguelen Seal and Whaling Company at Cape Town for licence to conduct whaling company at Cape Town for licence to conduct whaling operations proposed aerial expedition to South Pole under the leadership of Commander Byrd. Doc. No. SAB 387036742, Ref. 70/311 (Pretoria: South African Government Archives, 1926-1930), 1926 Imperial Conference Report of the Committee on British Policy in the Antarctic, E.130. (Revise), p.1.
5. Ibid., pp.1-2. The only areas officially claimed by 1926 were the Falkland Islands Dependency and the Ross Dependency, both under British control, and Adélie Land (France).
6. Ibid., pp.2-3.
7. Lars Christensen was one of the main Norwegian whaling industrialists whose company's activities off the "African quarter" coast of Antarctica formed the basis of Norwegian claim to that area in the late 1930s.

8. Later known as Byrd Land after Admiral Byrd's exploration of the area, or more commonly referred to as West Antarctica.
9. Frank A Simpson, ed., The Antarctic Today (Wellington: A H and A W Reed, 1952), p.60. The practice of issuing whaling licences was adopted by New Zealand after the British government transferred administration of the Ross Dependency to them in 1923.
10. Union of South Africa, Governor-General, Fisheries, Whale, Antarctic Memorandum on British Policy ..., 1926 Imperial Conference Report, pp.3-4.
11. Ibid. L S Amery, Secretary of State for Dominion Affairs to South African Minister of External Affairs, 6 October, 1928 (telegram).
12. Ibid. "It will be remembered that Conference [of 1926] approved report of special committee recommending that title should be asserted to all areas enumerated in summary of proceedings and that particular area(s) now in question [in the requested licences] should be placed under the control of his Majesty's Government in the Commonwealth of Australia if they were willing (see Paper E.130 Revise enclosed in my despatch of the 5th January, 1927 Secret)."
13. Ibid.
14. Ibid. L S Amery to South African Minister of External Affairs, 22 October, 1928 (correspondence).
15. Allan Peter Berman, "South Africa and the Antarctic: The International Aspect" (unpublished BA (Hons) thesis, University of the Witwatersrand, 1968), pp.12-23. The whaling issues of this period are discussed here. In particular, South Africa signed the 1931 International Convention for the Regulation of Whaling, the 1937 International Agreement for the Regulation of Whaling and the 1938 protocol on whaling. South Africa further participated in the International Whaling Conferences held in London in 1944 and 1945, and in Washington in 1946. South Africa is still currently a member of the International Whaling Commission.
16. Union of South Africa, Governor-General, Fisheries, Whale, Antarctic Memorandum on British Policy ..., British Delegation in Oslo to the Right Honourable, Lord Cushenden, 7 September, 1928 (telegram).
17. Ibid. British Foreign Office to A D E Gascoigne, 18 October, 1928 p.1 (confidential telegram).
18. Ibid., p.3.
19. Berman, South Africa and the Antarctic, pp.24-27.

20. Union of South Africa, Department of Commerce and Industries, Imperial Conference 1937 Committee on Polar Questions, New Hebrides, Western Samoa, The Antarctic. Doc. No. SAB 387086111, Ref. PS12/10/13 (Pretoria: South African Government Archives, 1937), Memorandum Prepared by His Majesty's Government in the United Kingdom entitled "Situation in the Antarctic", E.(37) 6., p.7. See Appendix B map.
21. Union of South Africa, Treasury, Miscellaneous, The Union and the Antarctic. Doc. No. SAB 287274806, Ref. F20/495 (Pretoria: South African Government Archives, 1934-1947), Memorandum from Chairman of the External Trade Relations Committee to the Secretary for Finance, 26 March, 1935, p.1.
22. Union of South Africa, Department of Commerce and Industries, Imperial Conference 1937, "Memorandum Prepared by His Majesty's Government in the United Kingdom", pp.5-8.
23. Eastern Antarctica is the part of Antarctica lying east of the Greenwich Meridian (0°) and west of 180° longitude.
24. Union of South Africa, Department of Commerce and Industries, South African Sector of Antarctic General, Doc. No. 387024027, Ref. 455 (Pretoria: South African Government Archives, 1935), Enclosure to Mr Dormer's despatch No. 336 of 22 September, 1934 entitled "Whaling News: Japanese Competition in the Antarctic".
25. Union of South Africa, The Union and the Antarctic, Confidential Memorandum from the Chairman of the External Trade Relations Committee to the South African Secretary for Finance, pp.1-2.
26. Ibid., p.2.
27. Ibid., p.3.
28. Ibid.
29. Ibid., p.4.
30. Ibid., p.5.
31. Union of South Africa, South African Sector of Antarctic General, Memorandum from W J Lamont of the Department of Commerce and Industries to Dr H D J Bodenstein, Secretary for External Affairs, 18 October, 1935.
32. Australia and the Australian Antarctic Territory; New Zealand and the Ross Dependency; and the United Kingdom and the Falkland Islands Dependency.
33. Union of South Africa, South African Sector of Antarctic, Memorandum of the Department of External Affairs, 30 January, 1935, p.2.
34. Ibid., p.3. The "Geographic Contiguity" principle originated with

Canada as a means of laying claim to all islands within the area comprising and following Canada's eastern and western boundaries' lines of longitude to the north pole. The Soviet Union later applied this principle also in the Arctic. This principle was then applied to Antarctica with all claims dividing the continent into wedge shaped sectors leading to the South Pole. The exception to this is Norway which in an ambiguous manner has only laid claim to the coast line of its sector.

35. Ibid., p.4.
36. Ibid. South African High Commissioner, London to South African Prime Minister and Minister of External Affairs, 14 May, 1935 (correspondence).
37. Ibid. Memorandum of the Department of External Affairs, 30 January, 1935, p.4.
38. Ibid. Minutes of a meeting of the External Trade Relations Committee held at Pretoria, 29 June, 1935, pp.3-7.
39. Ibid. Confidential Memorandum from the Director of the Fisheries Survey to the Secretary for Commerce and Industries, entitled "South African Sector in the Antarctic", 14 August, 1935, p.1.
40. Ibid., p.2.
41. Ibid.
42. Ibid.
43. Ibid., p.3.
44. Ibid. Confidential Memorandum from the Acting Secretary for Commerce and Industries to the Director of the Fisheries Survey, 3 September, 1935.
45. Ibid. R L V Shannon, Commanding Officer of the R.S. "Africana", to the Director of the Fisheries Survey, 12 September, 1935 (correspondence). The R.S. "Africana" had been one of the ships suggested for possible use to send a South African expedition to the Antarctic.
46. Ibid. Memorandum from J H Thomas to the South African Minister of External Affairs, 7 October, 1935. The date is listed as "on or about the 3rd November" and "to return to Cape Town in June 1936". In a memorandum from W J Lamont to the Secretary for External Affairs, Dr Bodenstern, 17 October 1935, the date given for arrival is 30 November, which is about the same date used in a Sunday Times article, 6 October, 1935. The problem with the dates offered in the second two sources is that as "Discovery II" left Britain on 3 October, 1935, and was due in Freemantle, Australia on 18 December, according to the first source (J H Thomas) that would make the journey to Cape Town almost two

months long and to Australia, from Cape Town, around two weeks long.

47. Ibid. J H Thomas, London, to the South African Minister of External Affairs, 1 November, 1935, (correspondence), which further supported his previous correspondence of 7 October stating that the "Discovery II" would reach Cape Town on or about 3 November as the "William Scoresby", a ship viewed by the South Africans as inferior, was scheduled to arrive at Cape Town in 30 days.
48. Ibid. Memorandum from D G Malan of the Board of Trade and Industries to Secretary for Commerce and Industries, McCullen, 27 February, 1936. In it the question "Are we taking any action as regards formal annexation of the South African Sector?" was asked.
49. Ibid.
50. Ibid. Malcolm MacDonald, Dominions Office, London, to the South African Minister of External Affairs, 5 September, 1936 and 14 October, 1936 (correspondences).
51. Union of South Africa, Imperial Conference 1937 Committee on Polar Questions, Report of the Committee on Polar Questions, E. (37) 36, pp.2-4.
52. Ibid., p.4.
53. Union of South Africa, South African Sector of Antarctic General, South African Secretary for External Affairs to South African High Commission in London, 9 August, 1937 (telegram).
54. Ibid. South African High Commissioner, London, to South African Secretary for External Affairs, 7 September, 1937 (urgent telegram).
55. Ibid.
56. Ibid. Internal Memorandum of the Department of Commerce and Industries from A J Stals, member of the Board of Trade and Industries, to the Secretary of Commerce and Industries, 20 September, 1937, pp.1-3.
57. Ibid., p.3.
58. Ibid. W H Louw, Secretary for Commerce and Industries, to J Schoeman, Chief Meteorologist in the Department of Irrigation, entitled "R.R.S."Discovery II"; Voyage to the Antarctic", 22 September, 1937 (correspondence).
59. Ibid. J Schoeman, Chief Meteorologist to W H Louw, Secretary for Commerce and Industries, 22 September, 1937 (correspondence).
60. Ibid. E P Smith from the office of the Secretary for Commerce and

- Industries to Dr von Bonde, Director of Fisheries, 23 September, 1937, pp.1-2 (correspondence).
61. Ibid. Dr von Bonde to the Secretary for Commerce and Industries, 30 September, 1937 (correspondence).
 62. Ibid. Secretary for Commerce and Industries to Secretary for External Affairs, 5 October, 1937 (correspondence).
 63. Ibid. South African Secretary for External Affairs to South African High Commissioner in London, 8 October, 1937 (telegram).
 64. Ibid. Secretary for Commerce and Industries to Director of Fisheries, 15 September, 1938 (correspondence).
 65. Ibid.
 66. Ibid. Memorandum entitled Invitation from the Commander of the Royal Research Ship "Discovery II", from Cape Town, 16 September, 1938, pp.1-3.
 67. Ibid. A J Bosman of the Office of the Secretary for Commerce and Industries to Secretary of the Office of the High Commissioner for the Union of South Africa in London, 30 September, 1938 (correspondence). The Commander of the "Discovery II" received confirmation of the selection of Mr Charter by telegraph inquiry of 10 October, 1938, from him.
 68. Ibid. A J Bosman of the Office of the Secretary for Commerce and Industries to Director of Irrigation, 11 October, 1938 (correspondence).
 69. Ibid. Director of Irrigation to Secretary to the High Commissioner in London, 25 October, 1938 (correspondence).
 70. Ibid. Memorandum and attached report from the Director of Fisheries to the Secretary for Commerce and Industries, 18 November, 1938. The report is a detailed account of Mr Charter's observations on the cruise lasting from 17 October to 10 November. The trip, in the end, did not cost the South African government any money as the Commander asked that Mr Charter be considered as having been a guest of the "Discovery" Committee. This was made known in a correspondence to the South African Secretary for Commerce and Industries, 16 November, 1938.
 71. Acting as the South African Representative on the "Discovery" Committee.
 72. Union of South Africa, South African Sector of Antarctic, Political Secretary at South Africa House in London to South African Secretary for External Affairs, 15 November, 1938 (correspondence).
 73. Ibid. Memorandum from an Under-Secretary for Commerce and Industries to the Secretary, 9 December, 1938.

74. Ibid. Secretary for Commerce and Industries to Secretary for External Affairs, 24 December, 1938, p.2 (correspondence).
75. Ibid.
76. Ibid., p.1.
77. Ibid. Secretary for External Affairs to South African High Commissioner in London, 14 February, 1939, p.2 (correspondence).
78. Ibid., pp.2-3.
79. Ibid. It is learnt from this document, for example, that a South African meteorologist named Engelbrecht did join the February expedition.
80. Ibid., p.3.
81. Ibid., pp.3-4.
82. Ibid. African High Commissioner in London to South African Secretary for External Affairs, 18 March, 1939 (telegram).
83. Ibid. Circular Despatch B No.26 from South Africa House in London to Minister of External Affairs and the Secretary for Commerce and Industries, 31 March, 1939.
84. Ibid. Department of External Affairs secret internal minute, 14 April, 1939.
85. Ibid. Secret Minute to the Secretary for Commerce and Industries, 18 April, 1939. See also Appendix B.
86. Union of South Africa, Imperial Conference 1939, Memorandum Prepared by His Majesty's Government in the United Kingdom, E. (37) 6., p.7.
87. It should also be noted that throughout this period J B M Hertzog, both Prime Minister and Minister of External Affairs, placed more attention on domestic policies than on foreign policies especially as by the late 1930s he was facing serious problems from within his own government. Forced to deal with this, it would appear unlikely that he was able to address specific concerns such as Antarctic territorial claims (Sarah Pienaar, South Africa and International Relations Between the Two World Wars, pp.84-95).
88. Union of South Africa, South African Sector of Antarctica, South African Political Secretary in London to South African Secretary for External Affairs, 4 April, 1939 (correspondence).
89. Union of South Africa, Department of Commerce and Industries, South African Legation of Antarctica General, 1) Japanese Whaling in Antarctic, 2) Visit of Research Ships, Whaling Grounds Doc. No. SAB 387024026, Ref. 455 SG (Pretoria: South African

Government Archives, 1954-1958), Memorandum entitled "The Union and Antarctica", March, 1948, p.4.

90. Union of South Africa, South African Sector of Antarctic, Chairman of the "Discovery" Committee to South African Political Secretary in London, 21 June, 1939 (correspondence). In this, the Chairman argued that the use of whaling information from the expeditions was not intended to be used to benefit or facilitate whaling activities but to protect the whale stocks so that the whaling industry itself was protected in the long run. The nature of future expeditions was also discussed in relation to the interests of the Dominions concerned. A reference was also made as to the cost of a usual 20-month cruise of the "Discovery II" (£50,000) but specific contributions were not addressed.
91. Ibid., pp.2-3.

Chapter II

1. Union of South Africa, Department of Commerce and Industries, South African Sector General Doc. No. SAB 387024027, Ref. 455 (Pretoria: South African Government Archives, 1934-1947), South African Political Secretary in London to South African Secretary for External Affairs, 11 July, 1944 (correspondence).
2. Ibid. E Mendelsohn, Honorary Secretary of the Geological Society of South Africa, to Secretary of the "Discovery" Committee, 21 September, 1944 (correspondence). This, however, was not the first time a South African Antarctic expedition was proposed. In 1930 a one Captain Joyce proposed an expedition to the part of Antarctica immediately south of South Africa but the idea was not supported by the government as the British government felt that it might disconcert the Norwegians.
3. Ibid.
4. Ibid. Acting Secretary for External Affairs to Secretary for Commerce and Industries, 1 December, 1944 (correspondence).
5. Ibid. Acting Secretary for External Affairs to Secretary for Commerce and Industries, 1 December, 1944 (secret correspondence). At the "Discovery" Committee meeting of 6 December, 1944, the South African High Commissioner in London, as were people back in Pretoria, was under the impression that the focus of the expedition was to be the Weddell Sea.
6. Ibid. South African Political Secretary in London to South African Secretary for External Affairs, 7 December, 1944 (correspondence).
7. Ibid. Secretary for Transport, 12 December, 1944; Secretary for Defence, 12 December, 1944; and South African Postmaster-General, 21 December, 1944, all to the Secretary for Commerce and

- Industries (correspondences). These were all in response to inquiries noted in a secret correspondence from the Secretary for Commerce and Industries to the Secretary for External Affairs, 5 December, 1944. Co-operation from the Division of Fisheries also appeared limited owing to a large backlog of work as explained in a correspondence from the Secretary for Commerce and Industries to the Secretary for External Affairs, 15 January, 1945.
8. Ibid. Minutes of Scientific Subcommittee of the "Discovery" Committee meeting held 16 January, 1945, p.1.
 9. Ibid. A J Adams, Geological Society of South Africa to Dr C van Bonde, Director of Fisheries, 23 February, 1945 (correspondence).
 10. Ibid. J D Pohl, Acting Secretary for External Affairs to High Commissioner for the Union of South Africa in London, 16 April, 1945 (correspondence).
 11. Ibid. Minutes of the Scientific Subcommittee of the "Discovery" Committee of 15 May, 1945, p.1.
 12. Ibid. D B Sole, Acting South African Political Secretary in London to South African Secretary for External Affairs, 23 May, 1945 (correspondence).
 13. Ibid. L C King, Chairman of the South African Antarctic Research Committee, to Brigadier B F J Schonland, Scientific Advisor to South African Prime Minister, 29 May 1945 (correspondence).
 14. Ibid. Brigadier B F J Schonland, Scientific Advisor to South African Prime Minister, to J D Pohl, Acting Secretary for External Affairs, 8 June, 1945 (correspondence).
 15. Union of South Africa, Research Committee South Africa Antarctic Doc. No. SAB 387048389, Ref. M.18/8 (Pretoria: South African Government Archives, 1946-1956, South African Antarctic Research Committee (SAARC) of the Geological Society of South Africa (GSSA) Memorandum entitled "Memorandum Upon a Proposed South African Antarctic Expedition", 1946, pp.1-8.
 16. Ibid., p.9.
 17. Ibid. Geological Society of South Africa Memorandum entitled "Memorandum Upon a Proposed International Polar Year in the Southern Hemisphere", January, 1946, p.1.
 18. Ibid.
 19. Ibid., pp.1-4.
 20. Ibid. Memorandum entitled "Memorandum Upon a Proposed International (United Nations) Antarctic Expedition", 1946, p.1.
 21. Ibid. Minutes of the South African Antarctic Research Committee of the Geological Society of South Africa, 13 September, 1946, p.1.

22. Ibid., p.2.
23. Ibid., p.3.
24. Ibid., p.2.
25. Ibid. Geological Society of South Africa to Director of the Bureau of Meteorological Research of the South African Council for Scientific and Industrial Research, 24 September, 1945 (correspondence).
26. Ibid. High Commissioner for the United Kingdom to South Africa to Mr E Mendelsohn, University of Witwatersrand Geological Department, 12 October, 1946 (correspondence).
27. Ibid. Director of the Meteorological Research Bureau to Honorary Secretary of the South African Antarctic Research Committee, 31 October, 1946 (correspondence).
28. Ibid. Minutes of the South African Antarctic Research Committee for the meeting of 6 February, 1947.
29. Ibid., p.3.
30. Ibid.
31. Ibid. Minutes of the South African Antarctic Research Committee for the meeting of 5 November, 1947.
32. Allan Peter Berman, "South Africa and the Antarctic: the International Aspect" (Unpublished BA (Hons) thesis, University of the Witwatersrand, 1968), pp.41-44.
33. Frank A Simpson, ed., The Antarctic Today (Wellington: A H and A W Reed, 1952), pp.304-312. The station was set up in February, 1948.
34. Union of South Africa, Research Committee South Africa Antarctic, T E W Schumann, Director of Meteorological Survey, to Professor H U Sverdrup, Director of Polar Institute, Oslo and to Secretary of Royal Geographical Society, London, 9 October, 1951; Schumann to Dr B B Roberts, Scott Polar Research Institute, 12 March, 1951 (correspondences).
35. Ibid. A B Crawford, Port Meteorological Officer, Cape Town, to Secretary for Transport, 23 April, 1954 (correspondence).
36. Berman, "South Africa and the Antarctic: The International Aspect", pp.37-38.
37. Ibid., pp.30-31.
38. Ibid.

39. Union of South Africa, Department of Commerce and Industries, South Africa Legation of Antarctic General 1) Japanese Whaling in Antarctic 2) Visit of Research Ships, Whaling Grounds Doc. No. SAB 387024026, Ref. 455 SG (Pretoria: South African Government Archives, 1954-1958), prepared memorandum entitled "The Union and Antarctica", March 1958, p.5.
40. Berman, pp.30-31.
41. Union of South Africa, Department of Commerce and Industries, South African Legation of Antarctic General, "The Union and Antarctica", March 1958, p.2.
42. Ibid., p.5. Also, in conforming with the spirit of these proposals which limited access to claimant states, the United States considered a territorial claim, but this never materialized.
43. Ibid.
44. Ibid., p.6.
45. Ibid.
46. Ibid., p.7.
47. Ibid., p.8.
48. Ibid., p.9.
49. Ibid. Berman, p.31: Norway rejected the United States plan on 23 November, 1948 and United States-Argentina relations had soured in that period. It should be noted that Australia and Argentina did not favour the second plan of the Condominium at the outset.
50. Trevor Hatherton, ed., Antarctica (New York: Frederic A Praeger, 1965), p.28; Sir Vivian Fuchs and Sir Edmund Hillary, The Crossing of Antarctica: the Commonwealth Trans-Antarctic Expedition, 1955-1958 (London: Cassell, 1958), p.10.
51. Fuchs and Hillary, The Crossing of Antarctica, p.10.
52. Ibid., p.254.
53. Union of South Africa, Department of Commerce and Industries, South African Legation of Antarctic General, "The Union and Antarctica", March, 1958, pp.9-14. This was particularly so after the Soviet Union asserted its rights in the Antarctic in June, 1950, based on discovery and exploration.
54. Ibid., p.15.
55. Ibid.
56. Ibid., p.17

57. Ibid., pp.17-19.
58. The United Kingdom, Australia, New Zealand, Argentina, Chile, Norway and France.
59. The United Kingdom, Australia, New Zealand and South Africa.
60. Union of South Africa, South African Legation of Antarctic General, "The Union and Antarctica", March, 1958, p.17.
61. Ibid., pp.17-18.
62. Ibid., p.18.
63. Ibid., p.19.
64. Ibid.
65. Ibid., pp.24-25.
66. Ibid., p.25.
67. Ibid., p.26.
68. Ibid., p.28.
69. Ibid., p.29.
70. Ibid., pp.29-30.
71. Union of South Africa, South Africa Legation of Antarctic General, Telegram No.65 from South African Embassy, Washington D.C. to South African Secretary for External Affairs, 25 March, 1958.
72. Ibid. Telegram No.66 from South African Embassy, Washington D.C. to Secretary for External Affairs, 25 March, 1958, p.1.
73. Ibid. This point is emphasized in this document.
74. Ibid. This is what the Aide Mémoire called the proposed multi-lateral treaty.
75. Ibid., pp.1-2.
76. Ibid. Telegram No.13 from South African Secretary for External Affairs to South African High Commissioner, Canberra, 31 March, 1958.
77. Ibid. Telegram No.75 from South African Secretary for External Affairs to South African High Commissioner, London, 31 March, 1958.
78. Ibid. Telegrams to South African Secretary for External Affairs from the South African High Commissioners, London and Canberra,

Nos.59 and 10, respectively, 1 April, 1958.

79. Ibid.
80. This is in light of the total breaks in relations between South Africa and the Soviet Union in 1956.
81. Union of South Africa, South African Legation of Antarctic General, South African High Commissioner, Canberra, to South African Secretary for External Affairs, 1 April, 1958 (telegram).
82. Ibid. South African Secretary for External Affairs to South African Embassy, Washington D.C., 2 April, 1958 (telegram).
83. Ibid. W D du Plessis, South African Ambassador, Washington D.C., to South African Secretary for External Affairs, 2 June, 1958 (correspondence), and attached report from J G Stewart, Counsellor at the Embassy.
84. Ibid., p.1 of the attached report.
85. Ibid.
86. Ibid., pp.1-3.
87. Ibid., p.3.
88. Ibid.
89. Ibid. Embassy of the USSR to United States State Department, 2 June, 1958 (copy).
90. Ibid. J G Stewart, then Chargé d'Affaires at South African Embassy, Washington D.C., to South African Secretary for External Affairs, 6 June, 1958 (correspondence).
91. Ibid. J G Stewart, South African Chargé d'Affaires, Washington D.C., to South African Secretary for External Affairs, 13 June, 1958, p.1 (correspondence).
92. Ibid., pp.1-2.
93. Ibid. South African Ambassador, Washington D.C., to South African Secretary for External Affairs, 2 June, 1958, pp.1-3 (attached report to correspondence).
94. Ibid. W C Naude for the South African Secretary for External Affairs to J G Stewart, South African Chargé d'Affaires, Washington D.C., 14 June, 1958, p.3 (correspondence).
95. Ibid.

96. J C Heunis, United Nations Versus South Africa (Cape Town: Lex Patria, 1986), p.161.
97. Ibid. W C Naudé for the South African Secretary for External Affairs to J G Stewart, South African Chargé d'Affaires, 14 June, 1958, p.3 (correspondence).
98. Ibid.
99. Union of South Africa, South African Legation of Antarctic General, J G Stewart to South African Secretary for External Affairs, 19 June, 1958; M J Botha for the Secretary for External Affairs to South African High Commissioners, London and Canberra, n.d. (correspondences).
100. Keesing's Contemporary Archives, XII (Bristol: Keesing's Publications Limited, 1959-1960), December 19-26, 1959, p.17159.
101. Union of South Africa, Parliament, Hansard's House of Assembly Debates, Vol.101 (1959), cols. 5559-5565; Richard E Bissell, Apartheid and International Organizations (Boulder, Colorado: Westview Press, 1977), pp.16-30.
102. Union of South Africa, Hansard's, Vol.101, col. 5559.

Chapter III

1. Richard E Bissell, Apartheid and International Organizations pp.16-30; A LeRoy Bennett, International Organizations: Principles and Issues (Englewood Cliffs, New Jersey: Prentice Hall, 1977), pp.170-171.
2. Jan C Heunis, United Nations Versus South Africa (Johannesburg: Lex Patria, 1986, p.161; Bissell, Apartheid and International Organizations, pp.19-23. South Africa withdrew from participating in the United Nations General Assembly sessions for three years, from 1955 to 1957, and withdrew from any meetings where South Africa's domestic policies were discussed as agenda items. Furthermore, South Africa "voluntarily" withdrew from the United Nations Educational, Scientific and Cultural Organization (UNESCO) in 1956 over its publication of material perceived by the South African government to have interfered in its domestic affairs.
3. Union of South Africa, Department of Commerce and Industries, South African Legation of Antarctic General, 1) Japanese Whaling in Antarctic 2) Visit of Research Ships, Whaling Grounds, Doc. No. SAB 387024026, Ref. 455 SG (Pretoria: South African Government Archives, 1954-1958), J G Stewart, South African Chargé d'Affaires, Washington D.C., to South African Secretary for External Affairs, 11 July, 1958, pp.1-2 (correspondence).

4. Bissell, pp.17-18, 25-30; Union of South Africa, Parliament, Hansard's House of Assembly Debates, Vol.101 (1959), cols. 5561-5563.
5. Union of South Africa, Department of Commerce and Industries, South African Legation of Antarctic General, South African Secretary for External Affairs to South African High Commissioners, Canberra and London, 31 March, 1958 (telegram); and return responses, 1, 2 and 11 April, 1958; J G Stewart to South African Secretary for External Affairs, 19, 24, 30 June /2/ and 11 July, 1958 (correspondences).
6. Ibid. J G Stewart to South African Secretary for External Affairs, 30 June and 11 July, 1958 (correspondences).
7. Ibid. Prepared memorandum entitled "The Union and Antarctica", March, 1958, pp.5-6.
8. Ibid., p.7.
9. Ibid., p.6.
10. Ibid., pp.8-9.
11. Ibid., pp.19-20, 24-25.
12. Ibid., pp.27-30.
13. Ibid. South African Embassy, Washington D.C. to South African Secretary for External Affairs, 25 March, 1958 (telegram). It contained the Aide Mémoire from the United States government.
14. Ibid. J G Stewart to South African Secretary for External Affairs, 30 June, 1958, p.2 (first correspondence).
15. Ibid. J G Stewart to South African Secretary for External Affairs, 30 June, 1958, pp.3-4 (second correspondence).
16. Union of South Africa, Parliament, Hansard's House of Assembly Debates, Vol.105 (1960), col. 5663. Minister of External Affairs, Eric Louw, stated that in relation to South Africa's participation in the Washington Conference that "South Africa has shown its interest in what is happening in Antarctica", again emphasizing the "interests" issue.
17. Namely the United Kingdom, Australia, New Zealand, Argentina, Chile, France, Norway, Belgium, Japan, the Soviet Union, South Africa and the organizer, the United States.
18. Union of South Africa, South Africa Legation of Antarctic General, J G Stewart to South African Secretary for External Affairs, 24 June, 1958, pp.1-2 (correspondence).
19. Ibid. South African Secretary for External Affairs to J G Stewart, 14 June, 1958 (correspondence).

20. Ibid. J G Stewart to South African Secretary for External Affairs, 13 June, 1958, p.1 (correspondence).
21. Ibid. J G Stewart to South African Secretary for External Affairs, 24 June, 1958, p.1 (correspondence).
22. Ibid., pp.1-2; South African Secretary for External Affairs to J G Stewart, 14 June, 1958, p.1; J G Stewart to South African Secretary for External Affairs, 1 July, 1958, p.5 (correspondences).
23. Ibid. J G Stewart to South African Secretary for External Affairs, 24 June, 1958, p.2 (correspondence).
24. Ibid. J G Stewart to South African Secretary for External Affairs, 24 and 30 June, 1958, p.1 (correspondences). The Soviet representative's view was noted as "the talks, ... should be confined to the time and place for coference [sic], procedural question and agreement on the general principlas [sic] underlying the Treaty".
25. Ibid., pp.1-2.
26. Ibid. J G Stewart to South African Secretary for External Affairs, 1 July, 1958, pp.2-3 (correspondence).
27. Ibid., p.3.
28. Ibid., p.4.
29. Ibid.
30. Ibid.
31. Ibid. J G Stewart to South African Secretary for External Affairs, 10 July, 1958, p.2 (ccrrespondence).
32. Ibid., pp.2-3.
33. Ibid., pp.3-4
34. Ibid., p.4.
35. Keesing's Contemporary Archives, XII (Bristol: Keesing's Publications Limited, 1959-1960), p.17159.
36. Union of South Africa, Department of Commerce and Industries, South African Legation of Antarctic General, Press release from the Soviet Embassy in Washington D.C., 2 June, 1958, p.3.
37. Ibid.
38. Ibid. J G Stewart to South African Secretary for External Affairs, 6 June, 1958, pp.1-2 (correspondence).

39. Ibid. South African Secretary for External Affairs to J G Stewart, 14 June, 1958, p.3 (correspondence).
40. Ibid. J G Stewart to South African Secretary for External Affairs, 13 June, 1958, p.2 (correspondence).
41. Ibid. J G Stewart to South African Secretary for External Affairs, 24 June, 1958, p.1 (correspondence).
42. Ibid. J G Stewart to South African Secretary for External Affairs, 30 June, 1958, pp.1-2 (correspondence).
43. Ibid., p.2.
44. Ibid. J G Stewart to South African Secretary for External Affairs, 1 July, 1958, p.2 (correspondence).
45. Ibid. South African Embassy, Washington D.C., to South African Secretary for External Affairs, 25 March, 1958 (telegram); J G Stewart to South African Secretary for External Affairs, 2 June, 1958, p.2 (correspondence).
46. Ibid. J G Stewart to South African Secretary for External Affairs, 13 June, 1958, pp.1-2 (correspondence).
47. Ibid. J G Stewart to South African Secretary for External Affairs, 11 July, 1958 (correspondence). See Appendix D.
48. Ibid. Internal government memorandum from the South African Secretary for External Affairs to the Secretaries for Transport, Defence, and Commerce and Industries, and the President of the Council for Scientific and Industrial Research (CSIR), 17 July, 1958.
49. Ibid. J G Stewart to South African Secretary for External Affairs, 30 June, 1958, p.2 (correspondence).
50. Ibid. J G Stewart to South African Secretary for External Affairs, 10 July, 1958, pp.2-3 and 30 June, 1958, p.2 (correspondences). This had been discussed earlier by Chile and Argentina with the United States.
51. Ibid. J G Stewart to South African Secretary for External Affairs, 11 July, 1958, annexures a-e (correspondence).
52. Ibid., annexure f.
53. Ibid. J G Stewart to South African Secretary for External Affairs, 30 June, 1958 (correspondence).
54. Ibid. J G Stewart to South African Secretary for External Affairs, 6 June, 1958 (correspondence).

55. Ibid.
56. Ibid. J G Stewart to South African Secretary for External Affairs, 11 July, 1958 (correspondence).
57. Ibid., p.4.
58. Union of South Africa, Parliament, Hansard's House of Assembly Debate, Vol. 101 (1959), cols. 5559-5560 (speech of Minister of External Affairs, Mr E H Louw).
59. Union of South Africa, Department of Commerce and Industries, South African Legation of Antarctic, J G Stewart to South African Secretary for External Affairs, 6 June, 1958, pp.3-4 (correspondence).
60. Ibid., p.4.
61. Ibid. J G Stewart to South African Secretary for External Affairs, 2 June, 1958, p.3 (correspondence).
62. Ibid. J G Stewart to South African Secretary for External Affairs, 14 June, 1958, p.2 (correspondence).
63. Ibid., p.3.
64. Ibid. J G Stewart to South African Secretary for External Affairs, 30 June, 1958, p.1 (correspondence).
65. Ibid., p.3.
66. Ibid. J G Stewart to South African Secretary for External Affairs, 1 July, 1958, p.2 (correspondence).
67. Ibid. J G Stewart to South African Secretary for External Affairs, 11 July, 1958, p.1 (correspondence).
68. Ibid.
69. Ibid., p.3.
70. Ibid.
71. Ibid. South African Secretary for External Affairs to South African Embassy, Washington D.C., 21 July, 1958 (telegram).
72. Accessing states, on the other hand, do not have any obligations to conduct actual activities in Antarctica. At the same time it should be noted that Belgium and Norway have ceased scientific activities in Antarctica, but neither faces a down-grading from Contracting Party status. Thus, what has apparently developed is that once a state attains Contracting Party status, the status remains permanent.
73. R K Headland, "Signatory Governments of the Antarctic Treaty",

- Polar Record, No. 148 (January, 1988), p.64.
74. Union of South Africa, Department of Commerce and Industries, South African Legation of Antarctic General, J G Stewart to South African Secretary for External Affairs, 2 June, 1958, p.3 (correspondence).
 75. Ibid.
 76. Ibid. South African Secretary for External Affairs to J G Stewart, 14 June, 1958 (correspondence).
 77. Ibid. J G Stewart to South African Secretary for External Affairs, 11 July, 1958, p.3 (correspondence).
 78. Ibid. J G Stewart to South African Secretary for External Affairs, 10 July, 1958, p.4 (correspondence).
 79. Article XII of the Antarctic Treaty.
 80. Union of South Africa, South African Legation of Antarctic General, prepared memorandum entitled "The Union and Antarctic", March, 1958, p.15; Deborah Shapley, The Seventh Continent: Antarctica in a Resource Age (Washington D.C.: Resource for the Future, Inc., 1985), p.90.
 81. South Africa, South Africa Legation of Antarctic General, prepared memorandum entitled "The Union and Antarctica", March, 1958, p.15.
 82. Ibid., p.27.
 83. Ibid. South African High Commissioner, Canberra to South African Secretary for External Affairs, 1 April, 1958 (telegram).
 84. Ibid. Memorandum from J G Stewart to the South African Ambassador in Washington, 2 June, 1958, p.3.
 85. Union of South Africa, Hansard's House of Assembly Debates, Vol. 101 (1959), cols. 5559-5562.
 86. Union of South Africa, South African Legation to Antarctic General, South African Secretary for External Affairs to J G Stewart, 14 June, 1958, p.1 (correspondence).
 87. Ibid. J G Stewart to South African Secretary for External Affairs, 1 July, 1958, p.5 (correspondence).
 88. Ibid. J G Stewart to South African Secretary for External Affairs, 11 June, 1958, pp.3-4 (correspondence). The United States had similar views.
 89. R K Headland, p.64.

90. Union of South Africa, South African Legation of Antarctic General, J G Stewart to South African Secretary for External Affairs, 1 July, 1958, p.1 (correspondence).
91. Ibid.
92. Ibid., pp.1-2.
93. Ibid. South African Ambassador Du Plessis to the South African Secretary for External Affairs, 2 June, 1958, pp.1-2 (attached memorandum to correspondence); South African Secretary for External Affairs to J G Stewart 14 June, 1958, pp.1-2; J G Stewart to South African Secretary for External Affairs, 24 June, 1958, p.2 (correspondences).
94. Deborah Shapley, The Seventh Continent, p.90.
95. Ibid., pp.90-91.
96. Union of South Africa, South African Legation of Antarctic General, J G Stewart to South African Secretary for External Affairs, 30 June, 1958 (correspondence).
97. Ibid. Internal government memorandum from the South African Secretary for External Affairs to the Secretaries for Transport, Defence, Commerce and Industries, and the President of the CSIR, 23 July, 1958.
98. Keesing's Contemporary Archives, XII (1959-1960), p.17162; Maarten J De Wit, Minerals and Mining in Antarctica: Science and Technology Economics and Politics (Oxford: Clarendon Press, 1985), p.91. "Maudheim" station was further west and not on the Fimbul Ice Shelf.
99. Ibid.
100. A Le Roy Bennett, International Organizations: Principles and Issues (Englewood Cliffs, New Jersey: Prentice-Hall, Inc., 1977); p.197; Peter R Baehr and Leon Gordenker, The United Nations: Reality and Ideal (New York: Praeger, 1984), p.95.
101. R K Headland, p.90; J A Faris, ed., The Law of South Africa: Cumulative Supplement 1988 (Durban: Butterworths, 1988), p.278; W A Joubert, ed., The Law of South Africa, Vol. 5 (Durban: Butterworths, 1978), p.23. Under South African law the process of entering into and ratifying a treaty has always been an executive function and not a legislative act. As such, the Antarctic Treaty was ratified by the Executive Council of Government, namely the Cabinet. The only involvement by the South African Parliament was in 1962 when, in order to have jurisdiction over its citizens in the international territory of Antarctica, it passed the South African Citizens in Antarctica Act No. 55 of 1962. This particular piece of legislation was officially linked to the Antarctic Treaty and was justified to deal with ambiguities which were not directly addressed in the Treaty. Henning Pieterse,

- "Antarctica and South African Law" Consultus South African Bar Journal, Vol. 2 (1), p.56; Republic of South Africa, Statutes of the Republic of South Africa, 1962, part I, nos.1-58 (Cape Town: Cape & Transvaal Printers Ltd., 1962), pp.628-629; Republic of South Africa, Parliament, Hansard's House of Assembly Debates, Vol. 3 (1962), col. 4525; Vol. 4 (1962), cols. 5562, 5644 and 5762.
102. Mr J G Stewart, South African Chargé d'Affaires in Washington in 1958, South Africa's representative to the Preparatory Talks, and the one who communicated directly to the South African Secretary for External Affairs for the duration of the Preparatory Talks.
103. Union of South Africa, Parliament, Hansard's House of Assembly Debates, Vol. 105 (1960), cols. 5564 and 5667.
104. Union of South Africa, Hansard's House of Assembly Debates, Vol. 103 (1960), cols. 1934-1935.
105. Ibid.
106. Ibid.
107. Union of South Africa, Research Committee South Africa Antarctic Doc. No. SAB 387048389, Ref. M.18/8 (Pretoria: South African Government Archives, 1946-1954), attached cost estimate to prepared memorandum entitled "Memorandum Upon a Proposed South African Antarctic Expedition", 1946.
108. Ibid. Prepared memorandum entitled "Memorandum Upon a Proposed 'International Polar Year' in the Southern Hemisphere", January, 1946, p.2.
109. This is not to say that no criticism developed; several questions were raised over the composition of the first expedition sent to Antarctica and the government's handling of its organization. See "Afrikaans Only in Antarctic", Rand Daily Mail, 3 December, 1959, p.11. (See Appendix E.)

Chapter IV

1. For a general discussion of the SCAR see: Richard Fifield, International Research in the Antarctic (Oxford: Oxford University Press, 1987), pp.1-8.
2. Lee Kimball, Report on Antarctica: United Nations Focus: 1984 and Recent Developments within the Antarctic Treaty System (Washington D.C.: IIED, 1 November, 1984), pp.1-2; see also Matthew Howard, "The Convention on the Conservation of Antarctic Marine Living Resources: A Five Year Review", International and Comparative Year Quarterly, XXXVIII (January, 1989), pp.104-150, for an analysis of the convention.

3. Kimball, Report on Antarctica, pp.1-2.
4. Ibid.
5. See Kimball, Report on Antarctica: Special Report: The Antarctic Minerals Convention Negotiations (Washington D.C.: IIED, February, 1988).
6. See Peter J Beck, The International Politics of Antarctica (London: Croom Helm, 1986); Deborah Shapley, The Seventh Continent: Antarctic in a Resource Age (Washington D.C.: Resources for the Future, Inc., 1985); Kent M Shusterich, "The Antarctic Treaty System: History, Substance and Speculation", International Journal, XXXIX, No. 4 (Autumn, 1984), pp.800-827; Handbook of the Antarctic Treaty System (Cambridge: Scott Polar Research Institute, 1987); Antarctic Treaty System: An Assessment (Washington D.C.: National Academy Press, 1986).
7. Peter J Beck, "The United Nations and Antarctica", Polar Record, XXII, No. 137 (1984), pp.810-811.
8. R K Headland, "Signatory Governments of the Antarctic Treaty", Polar Record, XXIV, No. 148 (January, 1988), p.64.
 United Kingdom, 31 May 1960; South Africa, 21 June 1960;
 Belgium, 26 July 1960; Japan, 4 August 1960;
 United States of America, 18 August 1960;
 Norway, 24 August 1960; France, 16 September 1960;
 New Zealand, 1 November 1960; Soviet Union, 2 November 1960;
 Poland, 8 June 1961 (29.7.1977); Argentina, 23 June 1961;
 Australia, 23 June 1961; Chile, 23 June 1961;
 Czechoslovakia, 14 June 1962; Denmark, 20 May 1965;
 Netherlands, 30 March 1967; Romania, 15 September 1971;
 German Democratic Republic, 19 November 1974 (5.10.1987);
 Brazil, 16 May 1975 (12.9.1983); Bulgaria, 11 September 1978;
 Germany, Federal Republic of, 5 February 1979 (3.3.1981);
 Uruguay, 11 January 1980 (7.10.1985);
 Papua New Guinea, 16 March 1981; Italy, 18 March 1981;
 Peru, 10 April 1981; Spain, 31 March 1982;
 China, Peoples' Republic of, 8 June 1983 (7.10.1985);
 India, 19 August 1983 (12.9.1983); Hungary, 27 January 1984;
 Sweden, 24 April 1984; Finland, 15 May 1984;
 Cuba, 16 August 1984;
 Korea, Republic of 28 November 1987;
 Korea, Democratic Peoples' Republic of, 21 January 1987;
 Austria, 25 August 1987; Ecuador, 15 September 1987.
 (Date) denotes Consultative Status attained
9. Beck, International Politics of Antarctica, pp.186-206.
10. Richard E Bissell, Apartheid and International Organizations p.ix; D J Geldenhuys, The Diplomacy of Isolation: South African Foreign Policy-Making (Johannesburg: Macmillan, South Africa, 1984), pp.10-16; 205-222.

11. Jan C Heunis, United Nations Versus South Africa, pp.296-301.
12. Bissell, p.167.
13. Ibid.
14. Ibid., pp.161-162; Heunis, pp.189-250, 473.
15. Heunis, pp.189-250, 473-491.
16. Heunis, pp.486-491; Bissell, pp.89-90.
17. Heunis, pp.480-485.
18. Ibid., pp.192-193; Bissell, pp.86-87.
19. Bissell, pp.91-92, 198 (note 95).
20. Ibid., pp.86-87. It should be noted that South Africa withdrew from the British Commonwealth under this method. Although the British Commonwealth had previously guided South Africa's Antarctic policy, it did not affect South Africa's position in the ATS after its withdrawal in 1961.
21. Harold K Jacobson, Networks of Interdependence; International Organizations and the Global Political System (2nd ed.; New York: Alfred A Knopf, 1984), p.128.
22. Richard Fifield, International Research in the Antarctic, p.5.
23. Beck, International Politics of Antarctica, pp.154, 157.
24. S G Brown, "Notes: Thirty-fifth Annual Meeting of the International Whaling Commission, 1983", Polar Record, XXII, No. 136 (1984), p.79.
25. Beck, The International Politics of Antarctica, p.284.
26. Ibid.
27. Ibid., pp.284-285.
28. Ibid. p.286.
29. Ibid.
30. Ibid., pp.203, 286.
31. Ibid., p.203.
32. See Beck, "The United Nations and Antarctica" Polar Record, XXII, No. 137 (1984), pp.139-140.
33. Ibid., p.141.

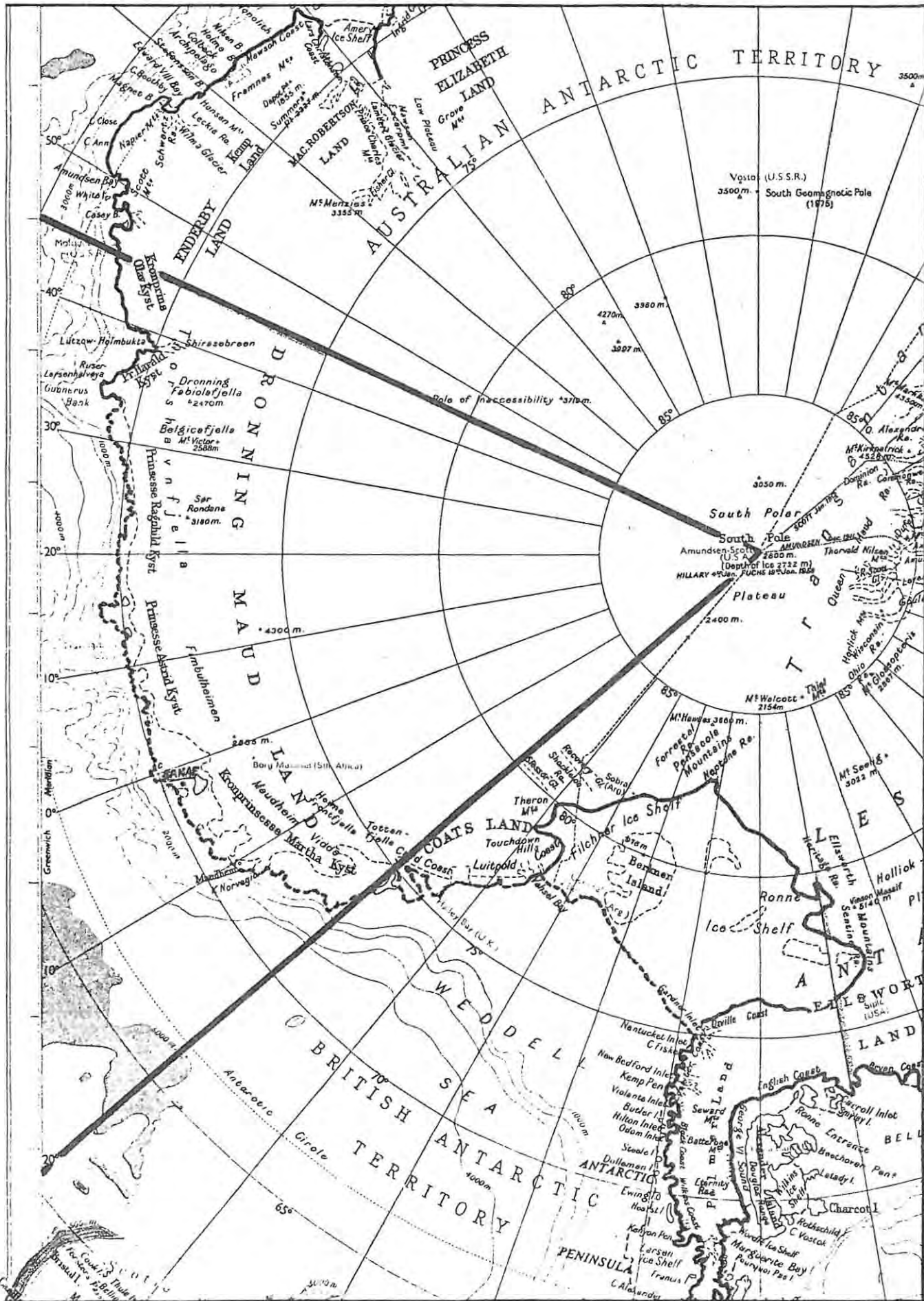
34. South Africa, Department of Foreign Affairs, "Antarctica, A Report to the Secretary-General of the United Nations by South Africa on Antarctica and the Antarctic Treaty System", International Affairs Bulletin, IX, No. 1 (1985), pp.49-65.
35. Ghana, for example, argued that while measures should be taken to bring about broader international co-operation in Antarctica, in the following sentence it called for the exclusion of South Africa from the Antarctic Treaty.
36. As all decisions require consensus amongst all Contracting Parties, South Africa could easily block any move of this nature. This is not to mention that a good number of states opposing South Africa's exclusion in other IGOs constitute a large number of the Contracting Parties in the ATS.
37. United Nations, General Assembly, 39th Session, 31 October, 1984, Study Requested Under General Assembly Resolution 38/77: Report of the Secretary-General, A/39/583. Part I, pp.35-36.
38. Ibid., p.36.
39. Beck, "The United Nations and Antarctica", Polar Record (1984), pp.141-143.
40. Peter J. Beck, "The United Nations Study on Antarctica, 1984", Polar Record, XXII, No. 140 (1985), pp.501-503; "Antarctica and the United Nations, 1985: The End of Consensus?" Polar Record, XXII, No.143 (1986), pp.160-165; "The United Nations and Antarctica, 1986", Polar Record, XXIII, No. 147 (1987), pp.684-686, 688-690; "Another Sterile Ritual? The United Nations and Antarctica, 1987" Polar Record, XXIV, No. 150 (1988), p.210.
41. Beck, "The United Nations Study on Antarctica, 1984", Polar Record (1985), p.501.
42. Ibid., p.502.
43. Ibid., pp.502-503.
44. Ibid., p.502.
45. Beck, "Antarctica at the United Nations, 1985", Polar Record (1986), p.162. (See Appendix F; it was passed as 40/156C in the General Assembly.)
46. Ibid., p.163.
47. Ibid.
48. "Aussie Thwarts Plan to Expel S.A.", Daily Dispatch, 28 November, 1985, p.25.
49. Ibid.

50. "The Antarctic Treaty System and Global Interests in the Antarctic", Australian Foreign Affairs Record LVIII, No. 3 (March, 1987), p.138.
51. Beck, "Antarctica at the United Nations, 1985", Polar Record (1986), pp.161-163.
52. Ibid., pp.164-165.
53. Beck, "The United Nations and Antarctica, 1986", Polar Record (1987), p.687; Lee Kimball, Report on Antarctica (Washington D.C.: IIED, 19 June, 1987), p.3; Lee Kimball Report on Antarctica (Washington D.C.: IIED, December, 1987), pp.21-22.
54. Beck, "Another Sterile Ritual? The United Nations and Antarctica, 1987", Polar Record, XXIV, No. 150 (1988), p.210. (See Appendices G-I.)
55. Along with these two countries of the Soviet Bloc, Bulgaria, Czechoslovakia, Hungary and the Ukraine also did not participate in the 1988 vote; United Nations General Assembly, 43rd Session, 7 December, 1988, Status of South Africa as a Consultative Party to the Antarctic Treaty, A/RES/43/83 /B/.
56. Beck, "Another Sterile Ritual?" Polar Record (1988), pp.208-209.
57. Emphasis on the apartheid issue has been clearly identified in the preambulatory clauses of all the resolutions pertaining to South Africa and the focus of intent in the operative clauses directly refers to the apartheid issue.
58. Beck, "Another Sterile Ritual?" Polar Record (1988), pp.210-211.

Chapter V

1. Peter J Beck, "The United Nations and Antarctica, 1987", Polar Record, XXIV, No.150 (1988), pp.210-211.
2. International Institute for Environment and Development, Antarctica: A Continent in Transition (Washington D.C.: IIED, 1982), Appendix I, p.2. (See Appendix C.)
3. Ibid.
4. Jan C Heunis, United Nations Versus South Africa, pp.296-301.
5. International Institute for Environment and Development, Antarctica: A Continent in Transition, Appendix I, pp.2-3.
6. Republic of South Africa, Parliament, Hansard's House of Assembly Questions and Replies, Vol. 76 (1978), cols. 374-375.

7. International Institute for Environment and Development, Appendix I, p.3.
8. Ibid.
9. Heunis, pp.189-250.
10. Ibid., pp.473-480; George Barrie, "The Non-Designation of South Africa to the IAEA Board of Governors", Topical International Law (Durban: Butterworths, 1979), pp.1-9.
11. Harold K Jacobson, Network of Interdependence: International Organizations and the Global Political System, p.128.
12. Heunis, pp.200-221; Barrie, p.1.
13. R K Headland, "Signatory Governments of the Antarctic Treaty", Polar Record, XXIX, No. 148 (January, 1988), p.64; Barrie, p.1.
14. Two notable absences were Cuba and Mongolia, two states which would later support the resolutions against South Africa; United Nations, General Assembly, 40th Session, 16 December, 1985, Status of South Africa as a Consultative Party to the Antarctic Treaty, A/RES/40/156 /C/.
15. Beck, "The United Nations and Antarctica, 1987", Polar Record, XXIV, No. 150 (1988), pp.210-211; United Nations, General Assembly, 42nd Session, 7 January, 1988, A/RES/42/46, pp.3-4.
16. Republic of South Africa. Bureau for Information, South African Digest, 30 September, 1988, pp.7, 15.
17. Kurt M Shusterich, "The Antarctic Treaty System: History, Substance and Speculation", International Journal, XXXIX, No. 4 (Autumn, 1984), pp.810-811.
18. Ibid., p.810.
19. Beck, "The United Nations and Antarctica, 1987", p.210.
20. "Aussie Thwarts Plan to Expel SA", Daily Dispatch, 28 November, 1985, p.25.



APPENDIX C

The Antarctic Treaty

The Governments of Argentina, Australia, Belgium, Chile, the French Republic, Japan, New Zealand, Norway, the Union of South Africa, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America:

Recognizing that it is in the interest of all mankind that Antarctica shall continue forever to be used exclusively for peaceful purposes and shall not become the scene or object of international discord:

Acknowledging the substantial contributions to scientific knowledge resulting from international cooperation in scientific investigation in Antarctica:

Convinced that the establishment of a firm foundation for the continuation and development of such cooperation on the basis of freedom of scientific investigation in Antarctica as applied during the International Geophysical Year accords with the interests of science and the progress of all mankind:

Convinced also that a treaty ensuring the use of Antarctica for peaceful purposes only and the continuance of international harmony in Antarctica will further the purposes and principles embodied in the Charter of the United Nations:

Have agreed as follows:

Article I

1. Antarctica shall be used for peaceful purposes only. There shall be prohibited, *inter alia*, any measures of a military nature, such as the establishment of military bases and fortifications, the carrying out of military manoeuvres, as well as the testing of any type of weapons.

2. The present Treaty shall not prevent the use of military personnel or equipment for scientific research or for any other peaceful purpose.

Article II

Freedom of scientific investigation in Antarctica and cooperation toward that end, as applied during the International Geophysical Year, shall continue, subject to the provisions of the present Treaty.

Article III

1. In order to promote international cooperation in scientific investigation in Antarctica, as provided for in Article II of the present Treaty, the Contracting Parties agree that, to the greatest extent feasible and practicable:

a. information regarding plans for scientific programs in Antarctica shall be exchanged to permit maximum economy and efficiency of operations;

b. scientific personnel shall be exchanged in Antarctica between expeditions and stations;

c. scientific observations and results from Antarctica shall be exchanged and made freely available.

2. In implementing this Article, every encouragement shall be given to the establishment of cooperative working relations with those Specialized Agencies of the United Nations and other international organizations having a scientific or technical interest in Antarctica.

Article IV

1. Nothing contained in the present Treaty shall be interpreted as:

a. a renunciation by any Contracting Party of previously asserted rights of or claims to territorial sovereignty in Antarctica;

b. a renunciation or diminution by any Contracting Party of any basis of claim to territorial sovereignty in Antarctica which it may have whether as a result of its activities or those of its nationals in Antarctica, or otherwise;

c. prejudicing the position of any Contracting Party as regards its recognition or non-recognition of any other State's right of or claim or basis of claim to territorial sovereignty in Antarctica.

2. No acts or activities taking place while the present Treaty is in force shall constitute a basis for asserting, supporting or denying a claim to territorial sovereignty in Antarctica or create any rights of sovereignty in Antarctica. No new claim, or enlargement of an existing claim, to territorial sovereignty in Antarctica shall be asserted while the present Treaty is in force.

Article V

1. Any nuclear explosions in Antarctica and the disposal there of radioactive waste material shall be prohibited.

2. In the event of the conclusion of international agreements concerning the use of nuclear energy, including nuclear explosions and the disposal of radioactive waste material, to which all of the Contracting Parties whose representatives are entitled to participate in the meetings provided for under Article IX are parties, the rules established under such agreements shall apply in Antarctica.

Article VI

The provisions of the present Treaty shall apply to the area south of 60° South Latitude, including all ice shelves, but nothing in the present Treaty shall prejudice or in any way affect the rights, or the exercise of the rights, of any State under international law with regard to the high seas within that area.

Article VII

1. In order to promote the objectives and ensure the observance of the provisions of the present Treaty, each Contracting Party whose representatives are entitled to participate in the meetings referred to in Article IX of the Treaty shall have the right to designate observers to carry out any inspection provided for by the present Article. Observers shall be nationals of the Contracting Parties which designate them. The names of observers shall be communicated to every other Contracting Party having the right to designate observers, and like notice shall be given of the termination of their appointment.

2. Each observer designated in accordance with the provisions of paragraph 1 of this Article shall have complete freedom of access at any time to any or all areas of Antarctica.

3. All areas of Antarctica, including all stations, installations and equipment within those areas, and all ships and aircraft at points of discharging or embarking cargoes or personnel in Antarctica, shall be open at all time to inspection by any observers designated in accordance with paragraph 1 of this Article.

4. Aerial observation may be carried out at any time over any or all areas of Antarctica by any of the Contracting Parties having the right to designate observers.

5. Each Contracting Party shall, at the time when the present Treaty enters into force for it, inform the other Contracting Parties, and thereafter shall give them notice in advance, of

- a. all expeditions to and within Antarctica, on the part of its ships or nationals, and all expeditions to Antarctica organized in or proceeding from its territory;
- b. all stations in Antarctica occupied by its nationals; and
- c. any military personnel or equipment intended to be introduced by it into Antarctica subject to the conditions prescribed in paragraph 2 of Article I of the present Treaty.

Article VIII

1. In order to facilitate the exercise of their functions under the present Treaty, and without prejudice to the respective positions of the Contracting Parties relating to jurisdiction over all other persons in Antarctica, observers designated under paragraph 1 of Article VII and scientific personnel exchanged under subparagraph 1 (b) of Article III of the Treaty, and members of the staffs accompanying any such persons, shall be subject only to the jurisdiction of the Contracting Party of which they are nationals in respect of all acts or omissions occurring while they are in Antarctica for the purpose of exercising their functions.

2. Without prejudice to the provisions of paragraph 1 of this Article, and pending the adoption of measures in pursuance of subparagraph 1 (e) of Article IX, the Contracting Parties concerned in any case of dispute with regard to the exercise of jurisdiction in Antarctica shall immediately consult together with a view to reaching a mutually acceptable solution.

Article IX

1. Representatives of the Contracting Parties named in the preamble to the present Treaty shall meet at the City of Canberra within two months after the date of entry into force of the Treaty, and thereafter at suitable intervals and places, for the purpose of exchanging information, consulting together on matters of common interest pertaining to Antarctica, and formulating and considering, and recommending to their Governments, measures in furtherance of the principles and objectives of the Treaty, including measures regarding:

- a. use of Antarctica for peaceful purposes only;
- b. facilitation of scientific research in Antarctica;
- c. facilitation of international scientific cooperation in Antarctica;
- d. facilitation of the exercise of the rights of inspection provided for in Article VII of the Treaty;
- e. questions relating to the exercise of jurisdiction in Antarctica;
- f. preservation and conservation of living resources in Antarctica.

2. Each Contracting Party which has become a party to the present Treaty by accession under Article XIII shall be entitled to appoint representatives to participate in the meetings referred to in paragraph 1 of the present Article, during such time as that Contracting Party demonstrates its interest in Antarctica by conducting substantial scientific research activity there, such as the establishment of a scientific station or the despatch of a scientific expedition.

3. Reports from the observers referred to in Article VII of the present Treaty shall be transmitted to the representatives of the Contracting Parties participating in the meetings referred to in paragraph 1 of the present Article.

4. The measures referred to in paragraph 1 of this Article shall become effective when approved by all the Contracting Parties whose representatives were entitled to participate in the meetings held to consider those measures.

5. Any or all of the rights established in the present Treaty may be exercised as from the date of entry into force of the Treaty whether or not any measures facilitating the exercise of such rights have been proposed, considered or approved as provided in this Article.

Article X

Each of the Contracting Parties undertakes to exert appropriate efforts, consistent with the Charter of the United Nations, to the end that no one engages in any activity in Antarctica contrary to the principles or purposes of the present Treaty.

Article XI

1. If any dispute arises between two or more of the Contracting Parties concerning the interpretation or application of the present Treaty, those Contracting Parties shall consult among themselves with a view to having the dispute resolved by negotiation, inquiry, mediation, conciliation, arbitration, judicial settlement or other peaceful means of their own choice.

2. Any dispute of this character not so resolved shall, with the consent, in each case, of all parties to the dispute, be referred to the International Court of Justice for settlement; but failure

to reach agreement on reference to the International Court shall not absolve parties to the dispute from the responsibility of continuing to seek to resolve it by any of the various peaceful means referred to in paragraph 1 of this Article.

Article XII

1a. The present Treaty may be modified or amended at any time by unanimous agreement of the Contracting Parties whose representatives are entitled to participate in the meetings provided for under Article IX. Any such modification or amendment shall enter into force when the depositary Government has received notice from all such Contracting Parties that they have ratified it.

b. Such modification or amendment shall thereafter enter into force as to any other Contracting Party when notice of ratification by it has been received by the depositary Government. Any such Contracting Party from which no notice of ratification is received within a period of two years from the date of entry into force of the modification or amendment in accordance with the provisions of subparagraph 1 (a) of this Article shall be deemed to have withdrawn from the present Treaty on the date of the expiration of such period.

2a. If after the expiration of thirty years from the date of entry into force of the present Treaty, any of the Contracting Parties whose representatives are entitled to participate in the meetings provided for under Article IX so requests by a communication addressed to the depositary Government, a Conference of all the Contracting Parties shall be held as soon as practicable to review the operation of the Treaty.

b. Any modification or amendment to the present Treaty which is approved at such a Conference by a majority of the Contracting Parties there represented, including a majority of those whose representatives are entitled to participate in the meetings provided for under Article IX, shall be communicated by the depositary Government to all the Contracting Parties immediately after the termination of the Conference and shall enter into force in accordance with the provisions of paragraph 1 of the present Article.

c. If any such modification or amendment has not entered into force in accordance with the provisions of subparagraph 1 (a) of this Article within a period of two years after the date of its communication to all the Contracting Parties, any Contracting Party may at any time after the expiration of that period give notice to the depositary Government of its withdrawal from the

present Treaty; and such withdrawal shall take effect two years after the receipt of the notice by the depositary Government.

Article XIII

1. The present Treaty shall be subject to ratification by the signatory States. It shall be open for accession by any State which is a Member of the United Nations, or by any other State which may be invited to accede to the Treaty with the consent of all the Contracting Parties whose representatives are entitled to participate in the meetings provided for under Article IX of the Treaty.

2. Ratification of or accession to the present Treaty shall be effected by each State in accordance with its constitutional processes.

3. Instruments of ratification and instruments of accession shall be deposited with the Government of the United States of America, hereby designated as the depositary Government.

4. The depositary Government shall inform all signatory and acceding States of the date of each deposit of an instrument of ratification or accession, and the date of entry into force of the Treaty and of any modification or amendment thereto.

5. Upon the deposit of instruments of ratification by all the signatory States, the present Treaty shall enter into force for those States and for States which have deposited instruments of accession. Thereafter the Treaty shall enter into force for any acceding State upon the deposit of its instrument of accession.

6. The present Treaty shall be registered by the depositary Government pursuant to Article 102 of the Charter of the United Nations.

Article XIV

The present Treaty, done in the English, French, Russian, and Spanish languages, each version being equally authentic, shall be deposited in the archives of the Government of the United States of America, which shall transmit duly certified copies thereof to the Governments of the signatory and acceding States.

IN WITNESS WHEREOF, the undersigned Plenipotentiaries, duly authorized, have signed the present Treaty.

DONE at Washington this first day of December one thousand nine hundred and fifty-nine.

[Here follow the signatures of the Plenipotentiaries.]

APPENDIX D: AUSTRALIAN DRAFT ANTARCTIC TREATY (10 JULY, 1958)

SECRETInternational Agreement relating to
Antarctica.

The Governments of Argentina, Australia, Belgium, Chile, France, Japan, New Zealand, Norway, the Union of South Africa, the Union of Soviet Socialist Republics, the United Kingdom and the United States.

Recognizing that it is in the interest of all mankind that Antarctica shall continue to be used exclusively for peaceful purposes,

Recognizing the substantial contributions to scientific knowledge resulting from international co-operation in scientific research in Antarctica in the International Geophysical Year,

Considering that it is desirable to make provision for the continuance of scientific research in Antarctica on the basis of international co-operation,

Have agreed as follows:

ARTICLE I:

Antarctica shall be used exclusively for peaceful purposes and shall be and remain entirely demilitarised.

ARTICLE II:

The States parties to this agreement, their nationals and organisations shall enjoy freedom of scientific research in Antarctica and shall co-operate with each other in the co-ordination of, and in the exchange of information resulting from, such research.

ARTICLE III:

This agreement shall be entirely without prejudice to the position of any of the States parties to the agreement in regard to questions of territorial sovereignty in Antarctica.

2.

In particular -

(a) No state shall be required to renounce, or shall, by reason of becoming a party to this agreement, be taken as having renounced, any territorial right or claim in Antarctica

(b) No state shall, by reason of becoming a party to this agreement, be taken as having recognized any territorial right or claim in Antarctica of any other state,

(c) The activities during the currency of this agreement of any of the parties or of their nationals or organisations shall not, as between the parties to the agreement, either while the agreement is in force, or at any time after the termination of the agreement, constitute a basis for furthering existing territorial rights or claims, or for advancing new territorial claims, in Antarctica, but the legal status quo in respect of territorial sovereignty in Antarctica shall, while the agreement is in force, be entirely preserved.

ARTICLE IV:

Each state party to this agreement shall have the exclusive right, in relation to its own nationals and organisations, to exercise jurisdiction for the punishment of offenses against its laws committed by its nationals or organisations in Antarctica. Pending the making of such other arrangements as the parties may subsequently agree upon, matters involving claims by nationals or organisations of one party arising out of acts or emissions in Antarctica by nationals or organisations of another party shall be determined in such manner as may be agreed upon by the parties concerned.

ARTICLE V:

Disputes between any of the parties to this agreement arising out of the interpretation or application of any article of the agreement shall lie within the compulsory jurisdiction

3.

of the International Court of Justice and may accordingly, unless the parties have within a reasonable period agreed upon some other form of settlement, be brought before the Court by an application made by any party to the dispute.

ARTICLE VI:

Within of the coming into force of this agreement and thereafter as may from time to time be necessary, representatives of the states referred to in the preamble to the agreement and of such other states as have acceded to the agreement shall meet for the purpose of adopting, by majority vote, appropriate arrangements in relation to Antarctica for ensuring its use for peaceful purposes, for encouraging and co-ordinating scientific research, for co-ordinating support operations, for the exchange of information and observers, for establishing working relationships with specialized agencies of the United Nations, and for such other purposes as may be necessary for giving effect to the agreement.

ARTICLE VII:

For the purposes of this agreement, Antarctica comprises the area between the 60th degree south latitude and the South Pole, including Continental Antarctica, the adjacent islands, waters and submarine areas, and the superincumbent airspace.

ARTICLE VIII:

This agreement is subject to ratification. The instruments of ratification shall be deposited with -

ARTICLE IX:

This agreement shall come into force thirty days after the date when the instruments of ratification of all of the governments referred to in the preamble to the agreement shall have been

4/...

S E C R E T

4.

deposited with -

ARTICLE X:

This agreement shall be open for accession by states members of the United Nations or of any of the specialized agencies, being states that undertake scientific research in Antarctica. The instruments of accession shall be deposited with -

ARTICLE XI:

This agreement shall continue in force for a period of

(and such other final clauses as may be necessary).

9th July, 1958.

S E C R E T

APPENDIX E

RAND DAILY MAIL, 3 DECEMBER, 1959, p. 11.

Afrikaans only in Antarctic

STAFF REPORTER

THE first South African national expedition to the Antarctic leaves Cape Town today in an atmosphere of scepticism voiced by leading scientists in the country.

The expedition has been criticised as being insufficiently scientific. It is also said to be representative of only one section of the community.

Every member of the ten-man team who will live in the Antarctic for 14 months is Afrikaans speaking. The men are:

Mr. J. J. le Grange, Mr. D. J. Bonnema, Mr. V. von Brunn, Mr. G. F. Strauss, Mr. W. T. de Swardt, Mr. M. H. van Wyk, Mr. M. J. du Preez, Mr. C. de Weerd van Lummel, Dr. A. le R. van der Merwe and Mr. N. W. Erasmus.

AFRIKAANS ONLY

It is understood that the only language to be used in official communications will be Afrikaans.

Scientists allege that the expedition seems to have been chosen on sectional grounds, with preference being given to Afrikaans-speaking South Africans.

Criticism of the expedition is supported by the following facts:

● South Africa is represented on the Special Committee for Antarctic Research (SCAR) by a national committee of scientists specially set up for this purpose. This committee is made up of representatives of various scientific institutions.

● SCAR is a non-governmental and a non-political body. Yet, this national committee was not consulted by the Government when the team was chosen. The Department of Transport took the

matter out of the hands of the committee and members of the committee did not even know who had been chosen to go to the Antarctic until the official announcement was made to the Press.

● The committee was not called together once and the reason given by the Government for this is that there was too little time.

● The team was chosen in the offices of the Department of Transport and, in addition, the expedition was financed out of Treasury funds. Industry was not given an opportunity to contribute towards the costs, although it is understood that several offers were made to provide equipment free of charge.

● This means that the expedition is purely a Government expedition and as such does not conform to the requirements of SCAR.

AT A PARTY

Mr. D. J. Joubert, the Secretary for Transport, announced at a private party in Pretoria, to which Afrikaans newspapermen were invited, that "several hundred" applications were received for the posts.

"Must we infer from this," said a leading scientist, "that not one of these 'several hundred' was a suitably qualified English-speaking person?"

Criticism has also been directed at the Government's choice of a leader. Although Mr. Hannes le Grange has had Antarctic experience and has proved his ability to stand the conditions, he is not a scientist.

SMALL CONTRIBUTION

The whole reason for sending an expedition to the Antarctic was to prove to the world that South Africa was prepared to take a scientific interest in the area. SCAR pointed out that up to now South Africa's contribution had been mainly meteorological.

Because of the composition of the party, it is believed that it will contribute very little to a wider scientific knowledge of the area.

Negotiations for the take-over were also taken completely out of the hands of the national committee. Mr. H. P. Smit, Under-Secretary for Transport, was sent to Norway to make arrangements for the take-over. He was not accompanied by a member of the committee or by a scientific adviser.

BUNGLED

The Government will attempt to answer "reasonably" all these criticisms. Its main point will be that it had about six weeks in which to complete the take-over, appoint the members of the team and equip the expedition.

But, even in the face of any such explanation, the allegation is still made that the planning was bungled. Organised science in the Union was not consulted and, in fact, the advice offered to the Government was completely ignored.

Certain people have outspokenly stated that the expedition, as presently constituted, is not worth the expenditure involved.

APPENDIX F

RESOLUTION 40/156C OF 16 DECEMBER, 1985.

C

The General Assembly,Having considered the item entitled "Question of Antarctica",Noting with regret that the racist apartheid régime of South Africa, which has been suspended from participation in the General Assembly of the United Nations, is a Consultative Party to the Antarctic Treaty, 239/Recalling the interest of African States in Antarctica as shown by the resolution adopted by the Council of Ministers of the Organization of African Unity at its forty-second ordinary session, held at Addis Ababa from 10 to 17 July 1985, 239/Recalling further that the Antarctic Treaty is, by its terms, intended to further the purposes and principles embodied in the Charter of the United Nations,1. Views with concern the continued status of the apartheid régime of South Africa as a Consultative Party to the Antarctic Treaty;2. Urges the Antarctic Treaty Consultative Parties to exclude the racist apartheid régime of South Africa from participation in the meetings of the Consultative Parties at the earliest possible date;3. Invites the States parties to the Antarctic Treaty to inform the Secretary-General on the actions taken regarding the provisions of the present resolution.ROLL-CALL VOTE ON RESOLUTION 40/156 C:In favour: Albania, Algeria, Angola, Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brunei Darussalam, Burkina Faso, Burma, Burundi, Cameroon, Cape Verde, Central African Republic, Chad, China, Colombia, Comoros, Congo, Costa Rica, Cyprus, Democratic Kampuchea, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Gabon, Gambia, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Liberia, Libya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Peru, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Syria, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.Against: None.Abstaining: Austria, Canada, Fiji, Ireland, Luxembourg, Malawi, Portugal, Saint Lucia, Saint Vincent, Solomon Islands, Swaziland, Turkey.Absent: Afghanistan, Belize, Cuba, Dominica, Mongolia, Papua New Guinea, Philippines, Seychelles, St. Christopher and Nevis.

Argentina, Australia, Belgium, Brazil, Bulgaria, Byelorussia, Chile, Côte d'Ivoire, Czechoslovakia, Denmark, Finland, France, German Democratic Republic, Federal Republic of Germany, Greece, Grenada, Honduras, Hungary, Iceland, Israel, Italy, Japan, Lao People's Democratic Republic, Mauritius, Netherlands, New Zealand, Norway, Paraguay, Poland, Samoa, Spain, Sweden, Ukraine, USSR, United Kingdom, United States and Uruguay announced they were not participating in the vote.

APPENDIX G

RESOLUTION 41/88C OF 4 DECEMBER, 1986.

C

The General Assembly,

Recalling its resolution 40/156 C of 16 December 1985,

Having considered the item entitled "Question of Antarctica",

Noting with regret that the racist apartheid régime of South Africa, which has been suspended from participation in the General Assembly of the United Nations, has continued to participate in the meetings of the Antarctic Treaty Consultative Parties,

Recalling the resolution adopted by the Council of Ministers of the Organization of African Unity at its forty-second ordinary session, held at Addis Ababa from 10 to 17 July 1985,¹⁰⁶

Recalling also the relevant paragraphs of the Political Declaration adopted by the Eighth Conference of Heads of State or Government of Non-Aligned Countries, held at Harare from 1 to 6 September 1986,¹⁰⁵

Recalling further that the Antarctic Treaty¹⁰³ is, by its terms, intended to further the purposes and principles embodied in the Charter of the United Nations,

Noting further that the policy of apartheid practised by the racist minority régime of South Africa, which has been universally condemned, constitutes a threat to regional and international peace and security,

1. *Views with concern the continuing participation of the apartheid régime of South Africa in the meetings of the Antarctic Treaty Consultative Parties;*
2. *Appeals once again to the Antarctic Treaty Consultative Parties to take urgent measures to exclude the racist apartheid régime of South Africa from participation in the meetings of the Consultative Parties at the earliest possible date;*
3. *Invites the States parties to the Antarctic Treaty to inform the Secretary-General on the actions taken regarding the provisions of the present resolution;*
4. *Requests the Secretary-General to submit a report in this regard to the General Assembly at its forty-second session;*
5. *Decides to include in the provisional agenda of its forty-second session the item entitled "Question of Antarctica".*

*96th plenary meeting
4 December 1986*

APPENDIX H

Forty-second session
Agenda item 70

RESOLUTIONS ADOPTED BY THE GENERAL ASSEMBLY
(on the report of the First Committee (A/42/758))

42/46. Question of Antarctica

A

The General Assembly,

Recalling its resolution 41/88 C of 4 December 1986,

Having considered the item entitled "Question of Antarctica",

Noting with regret that the racist apartheid régime of South Africa, which has been suspended from participation in the General Assembly of the United Nations, has continued to participate in the meetings of the Antarctic Treaty Consultative Parties,

Recalling the resolution adopted by the Council of Ministers of the Organization of African Unity at its forty-second ordinary session, held at Addis Ababa from 10 to 17 July 1985, 1/

Recalling also the relevant paragraphs of the Political Declaration adopted by the Eighth Conference of Heads of State or Government of Non-Aligned Countries, held at Harare from 1 to 6 September 1986, 2/

Recalling further that the Antarctic Treaty 3/ is, by its terms, intended to further the purposes and principles embodied in the Charter of the United Nations,

Noting further that the policy of apartheid practised by the racist minority régime of South Africa, which has been universally condemned, constitutes a threat to regional and international peace and security,

1. Views with concern the continuing participation of the apartheid régime of South Africa in the meetings of the Antarctic Treaty Consultative Parties;
2. Appeals once again to the Antarctic Treaty Consultative Parties to take urgent measures to exclude the racist apartheid régime of South Africa from participation in the meetings of the Consultative Parties at the earliest possible date;
3. Invites the States parties to the Antarctic Treaty to inform the Secretary-General on the actions taken regarding the provisions of the present resolution;
4. Requests the Secretary-General to submit a report in this regard to the General Assembly at its forty-third session;
5. Decides to include in the provisional agenda of its forty-third session the item entitled "Question of Antarctica".

85th plenary meeting
30 November 1987

APPENDIX I

RESOLUTION 43/83B OF 7 DECEMBER, 1988.

B

The General Assembly,Recalling its resolution 42/46 A of 30 November 1987,Having considered the item entitled "Question of Antarctica",Noting with regret that the racist apartheid régime of South Africa, which has been suspended from participation in the General Assembly of the United Nations, has continued to participate in the meetings of the Antarctic Treaty Consultative Parties,Recalling the resolution adopted by the Council of Ministers of the Organization of African Unity at its forty-second ordinary session, held at Addis Ababa from 10 to 17 July 1985, 215/Recalling also the relevant paragraphs of the Political Declaration adopted by the Eighth Conference of Heads of State or Government of Non-Aligned Countries, held at Harare from 1 to 6 September 1986, 216/Recalling further that the Antarctic Treaty 217/ is, by its terms, intended to further the purposes and principles embodied in the Charter of the United Nations,Noting further that the policy of apartheid practised by the racist minority régime of South Africa, which has been universally condemned, constitutes a threat to regional and international peace and security,

1. Views with concern the continuing participation of the apartheid régime of South Africa in the meetings of the Antarctic Treaty Consultative Parties;
2. Appeals once again to the Antarctic Treaty Consultative Parties to take urgent measures to exclude the racist apartheid régime of South Africa from participation in the meetings of the Consultative Parties at the earliest possible date;
3. Invites the States parties to the Antarctic Treaty to inform the Secretary-General on the actions taken regarding the provisions of the present resolution;
4. Requests the Secretary-General to submit a report in this regard to the General Assembly at its forty-fourth session;
5. Decides to include in the provisional agenda of its forty-fourth session, the item entitled "Question of Antarctica".

ROLL-CALL VOTE ON RESOLUTION 43/83 B:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Brazil, Brunei Darussalam, Burkina Faso, Burma, Burundi, Cameroon, Cape Verde, Central African Republic, Chad, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Democratic Kampuchea, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Gabon, Gambia, German Democratic Republic, Ghana, Guatemala, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Liberia, Libya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Peru, Philippines, Qatar, Romania, Rwanda, Saint Lucia, Saint Vincent, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Sri Lanka, St. Kitts and Nevis, Sudan, Suriname, Syria, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: None.Abstaining: Botswana, Cote d'Ivoire, Ireland, Lesotho, Malawi, Malta, Mauritius, Paraguay, Portugal, Swaziland.Absent: Dominica, Grenada, Guinea-Bissau, Samoa.

Australia, Austria, Belgium, Bulgaria, Byelorussia, Canada, Chile, Czechoslovakia, Denmark, Equatorial Guinea, Finland, France, Federal Republic of Germany, Greece, Hungary, Iceland, Israel, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Papua New Guinea, Poland, Spain, Sweden, Turkey, Ukraine, USSR, United Kingdom, United States and Uruguay announced that were not participating in the vote.

APPENDIX J

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1988-08-03

Dear Allan

THE ANTARCTIC PROGRAMME AND THE NEW MISSION AND STRATEGY OF THE FRD

Attached is a copy of a 'communiqué' about FRD that is going out to the scientific community via the FRD newsletters, a special edition of the SASCAR Newsletter included. At the same time a letter by Dr Arndt, with the same content as the attached, will be forwarded to institutions.

At first sight, aspects of the attached may appear alarming to some in the Antarctic research community. For this reason, and because I shall be away at the XX SCAR meeting from mid-August for five weeks thus being unavailable to discuss the attached with you, I am sending out this communication in order to place the future of the Antarctic Programme into context with the attached. Undoubtedly this circular will not answer all your questions, but I hope it will help with the most important of these.

The important information is, I think, the following:

1. FRD provisionally foresees that it can continue to deal with the scientific component of the Antarctic Programme. The DEA has been advised of this.
2. The organizational framework for the scientific component of SANARP will have to change to fit with the new mission and strategy of the FRD. The 'SASCAR system' will probably disappear, to be replaced by a better, more appropriate organizational framework. This is presently being worked on by a group comprising the chairmen of the present SASCAR Programme Committees and myself. It is a bit too early to provide succinct detail about the new organizational framework envisaged, but in essence it will replace the present four 'discipline-orientated' programmes (i.e. biological, earth, physical and Southern Ocean sciences) with a suite of 'core thrusts', each one being appropriate to a modern Antarctic endeavour. Together, these thrusts will comprise the new SA National Antarctic Research Programme (SANARP) - this name will probably replace the name 'SASCAR'. Each core thrust will be led by a research leader or leaders.

- 2 -

3. The thrusts to be incorporated into the new special programme (i.e. SANARP) for its first 5-year term from 1990 will, obviously, need to be appropriate (i.e. to the purpose of the programme, which is under consideration at present), feasible (i.e. given existing and anticipated short term financial circumstances and logistical capabilities), and accommodate the projects in the present SASCAR system that are not already due for completion by the end of the 1989/90 financial year. If the final choice of 'thrusts' is such that some of the present projects, ongoing to beyond 1990, cannot be accommodated in a thrust from 1990, commitments to these projects will be honoured pending the usual conditions (e.g. satisfactory progress, etc.).

4. The present 'SASCAR organizational framework' has worked quite well so far. However, it does have some serious shortcomings (e.g. the problem of how to apportion funds between the present discipline-orientated programmes) which, even without the new FRD mission and strategy coming into the picture, need to be resolved. The solution to most of these shortcomings seems to be the 'core thrust' model. Given any set of 'Antarctic' circumstances (e.g. current political and/or legal developments in the Antarctic Treaty system, scientific developments in Antarctica; research interests nationally; other national interests viz a viz Antarctica such as economic, strategic, environmental, etc.; available funds and manpower; logistic capabilities; etc.) it should be possible to identify a suite of scientific thrusts appropriate to these circumstances and which also meet the mission of FRD, into which all available resources (e.g. funds, logistics) can be directed for a pre-determined (e.g. 5 years) period. Towards the end of this period, but also sooner if a new need arises, it should be possible to evaluate the performance and re-assess the appropriateness of these thrusts, to identify new thrusts if changed or changing 'Antarctic' circumstances require this, to prioritize proposed new and existing thrusts and to proceed with those that are selected from these for the next pre-determined period.

This is the thinking behind the key thrust model.

5. Proposals (NP10s) for new and ongoing work submitted this year for 1989/90 will be assessed in the usual 'old' way by the SASCAR Programme Committees, at their meetings in the second half of this year. However, it will be necessary to undertake this assessment also in the light of the developing ideas on what core thrusts should make up the new special programme for its first 5-year term from 1990. At some stage, probably the first half of 1989, projects for 1989/90 will have to be 'batched' into the selected thrusts in order to phase in the core thrust concept. From that point on, the research leader(s) of a thrust, plus the project leaders of the projects initially brought together in that thrust, will comprise the thrust's research team. This team will need to get its act together, so to speak, so the objectives of the first suite of thrusts will be met five years on from 1990 - e.g. initially this may entail some revision of project objectives to line up better with thrust objectives, etc.

- 3 -

6. Before the new SANARP special programme, with its suite of X(?) thrusts can be formally launched, a description of the proposed new programme and its core thrusts will need to go through FRD's evaluation system. The present aim is to have the paper work ready for this initial evaluation in the first half of 1989. The SASCAR Chairman's group is trying to do the groundwork of identifying what the thrusts for a modern SANARP should be over the 1990-1995 period. Their ideas will in due course be made known to you (hopefully at the SASCAR sub-committee meetings later this year) so that, as a community, we can sort these out, decide on research leaders for them, and have them described for the evaluation process. Because of the peculiar nature of an Antarctic Programme (see 4 above), we feel this approach is a more appropriate one than simply calling for suggestions from the interested scientific community. When the envisaged set of proposed thrusts for 1990-1995 is made known later this year, you will of course be free to suggest additional ones and/or improvements or modifications to those being proposed. It is hoped that the upcoming SCAR meetings will further help us to identify appropriate thrusts for 1990-1995.
7. As part of the process of identifying the scientific thrusts for the first term of the new programme from 1990, evaluations of the present four discipline-orientated SASCAR programmes will be undertaken, by independent experts, between now and early 1989. The SASCAR physical sciences programme underwent this in July 1988. The SASCAR earth sciences programme will undergo this in October 1988 by an overseas expert. The SASCAR biological and Southern Ocean sciences programmes will undergo this later this year or early 1989. The SASCAR Chairman's group has identified an appropriate person for the latter, who will be approached during the SCAR meetings in Hobart.
- The way we are going about these evaluations is to let the evaluator visit every group in the programme, and to ask each group to prepare their own written submission to the evaluator. Further details will be supplied to relevant project leaders in advance of the evaluator's visit to South Africa.
8. To summarize, it seems likely that the scientific component (SANARP) Antarctic Programme will become one of FRD's special programmes. By 1990, as indicated in the attached, it will replace the 'SASCAR national programme' of today. The phasing period will be 1989. Every five years from 1990 the new programme will go through an evaluation. It will also be evaluated initially (in 1989) before FRD is able to commit itself to the proposed new programme. The idea is that the proposal for the new programme be 'jockeyed' through this initial FRD evaluation by the present SASCAR Chairman's group on behalf of the community, the latter by then having had full opportunity to assist this group design the proposed new programme. To this end you are invited to contact the chairman of the SASCAR programme committee under whose 'auspices' your present involvement falls, in order to discuss with him possibilities for thrusts to be considered for incorporation into the new programme for 1990. As soon as the initial evaluation is complete and, assuming a green light is given, I would envisage that the research leaders of the thrusts that get approved, plus possibly a few others (e.g. DEA), would replace the SASCAR Chairman's group as the 'leader group' for the scientific component of the programme.

- 4 -

9. Quite how funding will be handled is difficult to envisage at present. Ultimately the object is that the selected thrusts would be blockfunded annually over their duration, and the research leaders would be the grantholders. The latter would, of course, be free to re-disburse, or arrange with FRD for the direct re-disbursement of the thrust's grant amongst its participants. Thus, I would imagine that, in practice, each research leader would create his own little 'thrust steering committee' to help him deal with financial and other managerial aspects, as well as inter- or intra-thrust workshops, symposia, etc. FRD's programme manager for SANARP would, of course, be available to facilitate and assist such committees and their activities, but these would not be FRD-appointed committees. Overall scientific programme (or inter-thrust) coordination will require the assistance of at least all the thrust research leaders, in the form of some sort of programme coordination 'forum' as mentioned above, which meets 2 to 4 times annually and which might also give rise to inter-thrust work sessions, seminars, etc, etc. Again, FRD's programme manager for SANARP would have to facilitate this.
10. On the matter of AOs I would imagine that, although the name will probably disappear, a thrust research team (or research leader or thrust steering committee) would be quite within its rights to establish one or more suchlike positions to assist with intra-thrust continuity, organization, etc. Since a thrust would have a 5-year lifespan between evaluations (the evaluation might end it or give it another 5-year term), the terms of such posts would be directly connected to the term of the thrust. AO's terms are already 3 to 5 years. Possibly two or more thrusts might jointly sponsor such posts for their mutual benefit? A new guideline for such posts would probably need to be drawn-up by research leaders jointly.
11. SASCAR will in all likelihood disappear. The role that SASCAR has played viz a viz the Antarctic programme - i.e. the national programme committee - will probably be assumed by the above-mentioned 'programme coordination forum'. SASCAR's other role, that of national committee for SCAR, has already been assumed by a new SA National Committee for SCAR being established and operated by the South African ICSU Secretariat of the new FRD. This new committee has its first meeting later this year.
12. Although all available SANARP support (i.e. finances, logistics) will be shared between the existing thrust teams over any given between-evaluations term, I can see no reason why a researcher, funded through FRD's Core Programme, could not also participate. However, such participation would have to contribute, in real terms, to the objects of a thrust - i.e. a thrust research leader could incorporate a self-funded (e.g. core programme funds) researcher into the thrust team for a once-off, or thrust-duration, period. As in the past, there would nevertheless have to be strict control with regard to 'giving opportunities for visits' - real participation in the thrust would have to remain a condition for this.
13. All thrust research leaders (i.e. the grantholders) will have to have been individually evaluated by FRD.

- 5 -

I hope the above-mentioned has been of some assistance to you in assessing the attached as it might apply to the Antarctic Programme, and also in informing you of progress with and plans for the 'swinging' of the old 'national programme' (SASCAR) into a new 'special programme' (SANARP), for its own benefit as well as to meet the new mission and strategy of FRD. Please do not hesitate to discuss your remaining queries or problems with me or with one of the SASCAR Programme Committee Chairmen. A new organizational framework is necessary for the scientific component of the Antarctic Programme. We are trying to develop the most sensible and appropriate one, that is also compatible with FRD's new system, and to introduce it as smoothly and calmly as possible.

Yours sincerely



P R Condy
SCIENTIFIC COORDINATOR : ANTARCTIC PROGRAMME

APPENDIX K

AG 53

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1989 -10- 0 2

Dear Allan

TRANSFER OF SANARP TO DEPARTMENT ENVIRONMENT AFFAIRS

By now you may know that the final decision has been taken to transfer the management of research in the Antarctic Programme to the DEA. Most of the FRD records (e.g. files, Antarctic literature collection, SAJAR, etc.) have been transferred.

My Secretary (Mathilda de Beer), Liaison Officer (Maureen Allingham) and myself may be re-assigned within FRD or CSIR, or failing this will be seeking new employment elsewhere. Whatever the outcome we hope we may still cross paths with you, even if only occasionally. We thank you most sincerely for your co-operation, support and friendship over the years that we have been involved with the Antarctic programme.

I personally have thoroughly enjoyed working with you in the Antarctic programme. For me it has been an extremely stimulating, enriching and rewarding experience.

With kind regards and best wishes for the future. From this point on you should now deal directly with the DEA on all matters concerning the Antarctic Programme.

Yours sincerely

P R CONDY

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