

Falklands Wars – the History of the Falkland Islands: with particular regard to Spanish and Argentine pretensions and taking some account of South Georgia, the South Sandwich Islands and Britain's Antarctic Territories by Roger Lorton ¹

Paper 9²

1900 – 1959

Pin Pricks & Antarctic Pretensions

“I do not think that the Argentine Government will seriously raise the question unless we force their hands by taking umbrage at their periodical pin pricks, and their periodical reassertions of their claim.”³



This paper examines what were known, for a period, as the Falkland Islands Dependencies and in particular, South Georgia – claimed for Britain in 1775. British territories in the South Atlantic, sub-Antarctica and in Antarctica itself that were administered for convenience from the Falklands despite each having very separate histories. The diplomatic manoeuvring that led to the signing of the Antarctic Treaty is considered, together with Argentina's policy of 'pin pricks' – its attempts to goad Great Britain into a reaction in the South Atlantic. This period is also important for the founding of the unsuccessful League of Nations and its successor the United Nations. Argentina's claims were not placed before the League of Nations as they should have been. Would the UN's International Court of Justice, after 1946, offer a better opportunity for Argentina to air its grievances? ⁴

1900 – February 20th, Dr. Severo Salcedo applies to the Falkland Islands government for a twenty-year lease of South Georgia. ⁵

“In return, the Crown would receive two percent of net profits from his sheep farming, sealing and mining operations. Demonstrating its lack of knowledge of the island, the government considered these activities appropriate. Nonetheless it rejected the application, preferring to give Falkland residents the first opportunity to implement such initiatives....”⁶

At Stanley, William Harding is appointed Consul for both Chile and Italy. ⁷

The Falklands' postal contract held by the German business, the Kosmos Steam Company, is taken over by the Pacific Steam Navigation Company, operating between Liverpool and Valparaiso. ⁸

1 *Falklands Wars – the History of the Falkland Islands: with particular regard to Spanish and Argentine pretensions and taking some account of South Georgia, the South Sandwich Islands and Britain's Antarctic Territories* Roger Lorton LL.B(Hon), M.Phil. 2011 – 2019. Roger Lorton has asserted his rights under the Copyright, Designs and Patents Act 1988 to be identified as the author of this work. **NB.** These papers are about the disputes surrounding the Falklands. The full research can be found here – <https://falklandstimeline.wordpress.com/>

2 Citation = Lorton, Roger. *Falklands Wars: Timeline History of the Falkland Islands*. Wordpress 2011 Paper 9

3 Sir Malcolm Robertson November, 1928

4 Copies of the charts referred to in this paper can be found at <https://falklandstimeline.wordpress.com/charts/> Many of the images contain a hyperlink to a larger version.

5 *PRO CO 78/99*. The nationality of Salcedo is not stated.

6 *Seal Fisheries of the Falkland Islands & Dependencies: A Historical Review* A. B. Dickinson 2007 p.129

7 *The London Gazette* No.27155 & No.27205

8 *A display to The Royal Philatelic Society, London of The Postal History of the Falkland Islands between the years 1827 and 1945* Michael J. Y. Roberts 2015

July 29th, in the Falklands, Charles McLeod is shot dead by Joseph Jenkins in a dispute over racial taunts.

October 2nd, in the Falkland Islands *Gazette*, a 'Mining and General Lease of South Georgia' is advertised. On offer are twenty-one year renewable leases at a £10 annual fee backed by a £200 security deposit. ⁹

1901 – in the Falklands census, 2,043 people are noted as resident of which 1,940 (94.7%) are British subjects, and 60% of who have been born in the Islands. The *Stanley Comet* newspaper is established and Hugo Schlottfeldt becomes German Consul. ¹⁰

August 6th, an expedition to Antarctica sails from Britain in *Discovery*. Some 50 expedition members, including Ernest Shackleton, are led by Robert Scott.

October 16th, from Goteburg in Sweden, a Swedish Antarctic Expedition sails in *Antarctic* (Carl Anton Larsen), led by Otto Nordenskjöld.¹¹

Rumours circulate that Argentina intends to send a gunboat to the South Shetland Islands.

“No action was taken at Buenos Aires on this occasion, and correspondence with the Colonial Office, Admiralty and Board of Trade showed that there was little ground for moving in the matter. The Colonial Office were unaware of the extent to which British subjects resorted or were likely to resort to these islands for fishery or other purposes, ... The Admiralty were in no way interested in the control of the islands, which did not possess any navigational or strategical advantages. The Board of Trade were unable to ascertain that sealing and whaling vessels starting from the United Kingdom made use of these islands.” ¹²

December 15th, *Antarctic* arrives in Buenos Aires. The Argentine Government offer to supply food and fuel in the expedition takes on an Argentine officer Jose Sobral. Underfunded, the offer is taken up.

December 23rd, Canadian pelagic sealer *Beatrice L. Corkum*, arrives in Stanley bound for “Cape Horn and the South Shetland Islands” to hunt seals. She is joined by *Edward Roy*. ¹³

“They were able to take some 7700 skins before returning to Halifax in May 1902. This began an industry which continued from Nova Scotia for the next decade.” ¹⁴

1902 – in **February**, parties from the Swedish Antarctic Expedition are dropped off at sites around Graham Land. *Antarctic* (Larsen) then moves away for the winter.

March 27th, *Antarctic* (Larsen) visits Port Stanley.

From Patagonia, two Welsh colonies – Y Wladfa (founded 1865) and Cwm Hyfryd (founded 1889) – petition the British Colonial Office for annexation by Britain. ¹⁵

April 22nd, at South Georgia, *Antarctic* (Larsen) seeks a harbour to over-winter.

May 14th, Larsen takes *Antarctic* into a sheltered cove, which he names Grytviken. ¹⁶

⁹ There were no applications. *cf.* Dickinson 2007 p.129

¹⁰ *The London Gazette* No.27304

¹¹ See 1893, 1894, 1895 and 1896. For a biography of Larsen, see - https://www.falklandsbiographies.org/biographies/larsen_carl

¹² *Memorandum on the Falkland Islands Dependencies* 1947 in LCO 2/490 at para.20

¹³ Pelagic sealing involved taking seals in the ocean rather than at their breeding grounds.

¹⁴ Dickinson 2007 p.96

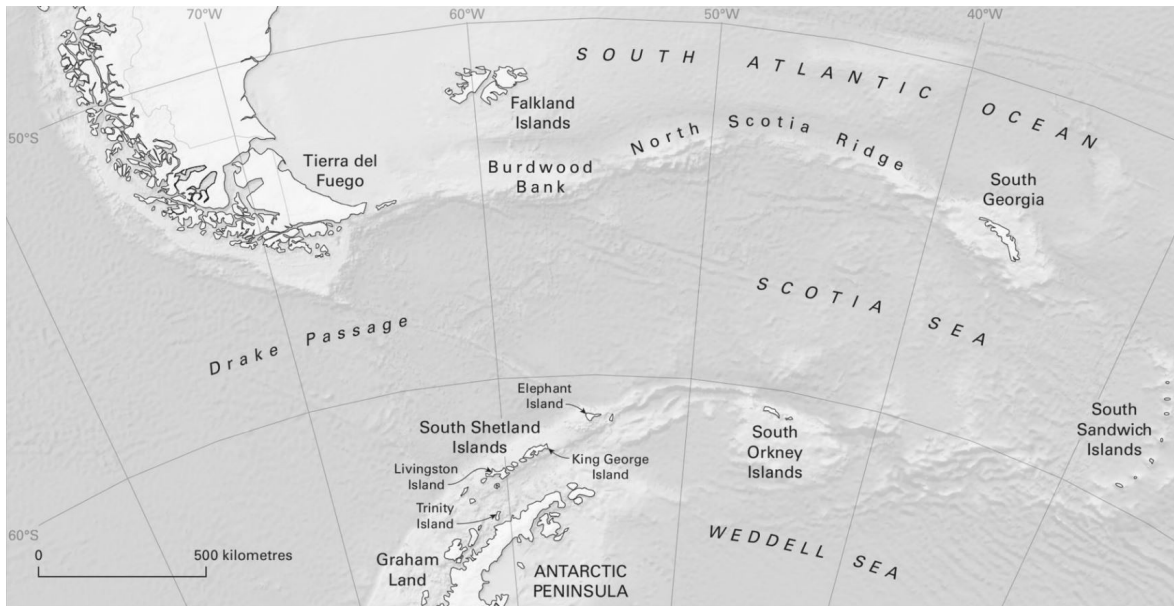
¹⁵ *Britain and Latin America in historical perspective* Leslie Bethell 1989 in *Britain and Latin America: a changing relationship* Victor Bulmer-Thomas (ed.) 1989. It is unclear what, if any, response was returned.

¹⁶ Larsen had first seen South Georgia in 1893; recognising the possibilities for a shore-based whaling operation. He appears to have used this opportunity to survey the site.

*“Larsen, a Norwegian who had previously visited South Georgia during a pioneer whaling voyage in the Jason in 1893-94 ... recognised the possibilities of the island as a whaling base.”*¹⁷

*“Larsen, whose previous Antarctic voyages had given him the idea of establishing a shore-based whaling operation in the southern ocean, wrote to the Royal Geographical Society in London in February 1896 and asked about leasing a site on South Georgia Island.”*¹⁸

*“In 1901-3 Larsen captained the Swedish Nordenskjöld expedition, which visited the Falklands and South Georgia – on South Georgia a shore party named a bay “Grytviken” [“The Pot Bay”] after some old tryppots they found there.”*¹⁹



May 22nd, from Chubut, some 250 men, women and children depart the Welsh settlements for Canada.

*“As many more will, we believe, follow this first detachment shortly. ... The exodus of the Chubut colonists must act as a strong deterrent to immigration to this Republic. After many years of a severe struggle against the natural defects of the strip of Argentine territory which the original settlers selected in the hope of being free to live their own way, without the harassing control of a superior government, the succeeded, by their own enterprise, perseverance and self-denial, in converting a desert into fruitful soil. But this brought upon them the very evil they had left their homes to avoid. The Chubut colony had become too prosperous and valuable to be left to its own devices. A government was bestowed upon it which was not in sympathy with the Welsh customs and prejudices. An expensive bureaucracy also necessitated heavy taxation for its support... The news will now spread far and wide among the emigrating classes of the old world that the industrious, orderly and God-fearing inhabitants of an Argentine colony had been obliged to sacrifice the fruit of 35 years trial because they found existence in Argentina no longer endurable.”*²⁰

17 Memorandum on the Falkland Islands Dependencies 1947 in LCO 2/490 at para.20. See also 1894 & 1896

18 *The Fate of Louise: A Maine-built ‘down-easter’ at Grytviken Harbor, South Georgia Island* Charles Lagerbom 2012 in *The Mariner’s Mirror* Volume 98, no.3 August 2012. Also Headland 1992 p.62

19 *Falklands Facts and Fallacies: The Falkland Islands in History and International Law* Graham Pascoe 2020 p.270

20 *Falkland islands Magazine* August 1902 quoted in *Penguin News* October 29, 1983. Religious nonconformists, the Welsh emigrants were particularly affected by a new Argentine military law which required the young men to take part in military exercises on a Sunday. To the Welsh, this was the sin of Sabbath-breaking cf. 1863 & 1865

May 28th, Chile and Argentina sign the *Pactos de Mayo* – brokered by Britain. ²¹ Boundary disputes are to be arbitrated by either Britain or Switzerland; “*It would have been contradictory to appoint a territorial arbitrator with whom Argentina had a territorial dispute,..*” ²²

In **October**, in the UK, details of a proposed Scottish expedition to Antarctica, are laid out in *The Scotsman*.

*“The leader and all the scientific and nautical members of the expedition are Scots; the funds have been collected for the most part on this side of the Border; it is a product of voluntary effort, and unlike the expedition which will be simultaneously employed in the exploration of the Antarctic, it owes nothing to Government help.”*²³

November 5th, from South Georgia, *Antarctic* (Larsen) sails for Graham Land.

December 29th, unable to reach the sites where expedition members have spent the winter, due to sea ice, Larsen drops off two crew members to make contact on foot. ²⁴

December 30th, the Scottish National Antarctic Expedition, led by William Speirs Bruce, arrives off Stanley in *Scotia*. ²⁵

1903 – January 26th, *Scotia* sails for the South Orkney Islands.

February 12th, in the Weddell Sea, *Antarctic* (Larsen) is crushed by sea ice. The remaining crew of 20, set out on foot for one of the pre-determined wintering sites at Snow Hill Island. ²⁶

March 26th, after venturing as far as the Weddell Sea, the Scottish expedition returns to Laurie Island (South Orkney Islands), where a pre-fabricated meteorological station is erected - '*Ormond House*.'

In **August**, work on a Falklands depot and repair facilities ceases. Coal supplies are to be reduced.

“... when the existing stock of coal maintained by them at the Falkland Islands is used up no more will be kept for naval purposes.” ²⁷

“The appointment of Admiral Sir John Fisher as Second Sea Lord in June 1902 resulted in a naval revolution which greatly diminished the perceived military value of the Falklands. In August 1903 the Admiralty ceased work on the coaling depot ... The decision reflected Fisher's redistribution of the fleets to meet the threat from Europe. ... The South American station was disbanded and its area of responsibility absorbed into the South Atlantic station with its base at Freetown – 5,000 miles from the Falklands.” ²⁸

21 There were actually 4 pacts: 1. Renouncement of interference with Chilean affairs in the Pacific; 2.A framework for the resolution of territorial controversies; 3. An arms control treaty; 4. Agreement requesting that King Edward VII of the UK head a demarcation arbitration panel. *cf.* 1977

22 Pascoe 2020 p.263

23 Organised by Dr. William Spiers Bruce, a ship, *Hekla*, had been purchased and fitted out at great cost. The vessel was renamed, *Scotia*. Bruce took six scientific staff; including David Wilton (zoologist), Robert Rudmose-Brown (botanist). James Harvie Pirie (geologist/medical officer), and Robert Mossman (meteorologist). *Scotia*'s captain was Thomas Robertson. Unusually, this expedition did not have the approval of the *Royal Geographical Society* which offered no finance.

24 They failed, and would also have to be rescued.

25 Bruce had previously visited Stanley in 1893. For a biography of Bruce, see - https://www.falklandsbiographies.org/biographies/bruce_william

26 The expedition's scientists and crew member were now spread around three different locations. It would be nearly 8 months before they would be rescued. One seaman died of a heart condition during the sojourn.

27 Quoted in *British Interests in the Falkland Islands: Economic Development, the Falkland Lobby and the Sovereignty Dispute, 1945 to 1989* C. R. Ellerby 1990 pp.53-54. The work to build the Panama Canal had changed British strategic thinking.

28 Ellerby 1990 pp.53-54

November 8th, the Swedish Antarctic Expedition is rescued by an Argentine ship, Uruguay (Irizar). ²⁹

November 18th, from Stanley, HMS *Nymphe* is sent to investigate allegations of illegal sealing at New Island.

“Although Canadian sealing was primarily pelagic, the crews were not averse to taking animals onshore and illegally on both the Falkland and Lobos Islands when the opportunity arose. ... The sealers were often able to carry out poaching with impunity since the Royal Navy and its Uruguayan counterpart only provided sporadic protection for the breeding animals. The improbability of surprising illegal sealers and the high cost of fuel were given by the Colonial Office as the main reasons for not stationing a vessel at the Falkland breeding sites; “the value of the property is hardly equal to the cost of protection.”...” ³⁰

In Buenos Aires, Carl Anton Larsen finally steps ashore. He presents his ideas about a whaling venture to members of the local business community.

“Thus began the activity of Argentina in Antarctica! ..., Captain Carl Anton Larsen asked why Argentina was not dedicated to hunt cetaceans in the vicinity of its coasts. From there was born the initiative to create a company...” ³¹

December 2nd, after 9 months making weather observations on Laurie Island in the South Orkney Islands, the *Scottish Expedition* returns to Port Stanley.

December 8th, Dr. Bruce sails for Buenos Aires aboard *Orissa*.

December 25th, in the Falklands, *Clarence S. Bement*, with its cargo of coal on fire, is wrecked off Fox Bay. ³² The crew get to shore.

December 29th, in Buenos Aires, Dr. Bruce approaches the British Legation requesting that they; *“... bring before the Argentine Authorities the suggestion that they should continue the work in the ensuing year of the observatory established in the South Orkney Islands.”* ³³ Minister Haggard immediately writes to Argentina’s Ministry of Foreign Affairs with Bruce’s suggestion.

“... on December 29th, 1903, the Argentine Government were invited by this Legation to take over the meteorological Station established on Laurie Island in South Orkneys by Mr William Bruce. ... My impression is that Mr Bruce arranged all details previously with the meteorological Department, but that the Argentine Authorities requested him to make the offer officially...” ³⁴

“In passing on this offer Mr Haggard acted without instructions.” ³⁵

“The object of these conversations, in which Dr. Bruce took the initiative, was to arrange for the establishment of a permanent meteorological observatory on Laurie Island. As a result of the enthusiastic support of Mr. Walter G. Davis, the head of the Argentine Meteorological Service, it was agreed that the Argentine Government should take over the maintenance and staffing of the observatory, and that the Scottish Expedition would be responsible for transporting the observers and training them...” ³⁶

29 With the loss of just one man. Two outlying groups of men appear to have successfully made their way to the main party at Snow Hill Island.

30 Dickinson 2007 p.101 citing *Harding to Cobb March, 1902 & March, 1903*

31 *Ocupacion de las Islas Georgias del Sur (San Pedro) y Sandwich del Sur* Alfredo Bruno Bologna 1982

32 *Cambridge Expedition to the Falkland Islands 1977: Report to the National Maritime Museum*

33 *FO 371/4/456. cf. 1906*

34 *Harford to Bart February 14, 1906* in *FO 371/4/454*.

35 *Robertson to Lord Cushendun November 9, 1928* in *FO 371/12736/365*

36 *The Antarctic Problem* E. W. Hunter Christie 1951 p.178

1904 – January 2nd, Argentine decree 3073 authorises the *Oficina Meteorologica Argentina* to maintain the station on Laurie Island.

*“The plans Mr. Bruce had cherished of making at Ormond House, South Orkneys, a permanent meteorological station were now happily fulfilled. The Argentine Government, through its Meteorological Office, agreed to undertake the upkeep of the station for the following year... W. H. Haggard, C.B., the British Minister,... gave all his weighty influence to the furtherance of the project.”*³⁷

*“Argentina was left in no doubt by Great Britain that the transfer to the Argentine Meteorological Office, of the meteorological station previously established on Laurie Island in the South Orkneys by a British expedition, did not also involve the transfer to Argentina of the sovereignty either of the South Orkneys group or of Laurie Island itself.”*³⁸

*“On that date the Argentine Republic established the first observatory in Antarctic territory, a real and uninterrupted occupation, before any (other) foreign establishment, it constitutes another “indisputable reason to assert rights in this frozen geographical area.”...”*³⁹

*“... (of) the laws of major importance we must cite the decree of President Julio Argentino Roca 1904, by which the meteorological observatory is established in the Orkney Islands, with which our country began the permanent occupation in the white continent to this day.”*⁴⁰

January 5th, from Buenos Aires, Minister Haggard reports his actions to the Foreign Office in London.

*“Mr. Bruce seemed to me not to have made up his mind whether they (South Orkneys) were likely to be of any use whatever, or not, to Great Britain.”*⁴¹

January 21st, three Argentine scientists sail to the South Orkneys – L. H. Valette, H. Acuña and E. Szmula.

February 22nd, at Laurie Island, 'Ormond House' is handed over to the scientists from Argentina. Hugo Alberto Acuña raises the Argentine flag alongside those of Great Britain and the expedition's Scottish Lion. Robert Cockburn Mossman volunteers to remain at the station to supervise their training; supported by one of the *Scotia's* crew, William Smith.

*“Often, among the various topics brought forward in the cabin in the long winter evenings, arose the question of the ownership of the South Orkneys. And after many long discussions we arrived at the pleasing conclusion that even in this age of imperialism the South Orkneys has escaped the grasp of any country, and that we enjoyed the privilege of living in No-man's Land. But I fear it is no longer so. Not that we claimed them for Britain, for even if we had been seized with desire to widen the confines of our empire, we could not lay claim to new territory in our country's name without having a Government mandate, and as for claiming them for Scotland, I fear that still less would have been recognised, ... However, when the *Scotia* returned to the island in February 1904, with an Argentine staff to take over the meteorological observatory at Ormond House under*

³⁷ *The Voyage of the Scotia: being the Record of a Voyage of Exploration in antarctic Seas by Three of the Staff* R. N. Rudmore Brown, R. C. Mossman & J. H. Harvey Pirie 1906 p.193. The invitation was, on the face of it for a period of just one year. Argentina, however, would continue to maintain the Laurie Island Station after that time albeit without any further authority from the UK. As a result, Argentina laid the basis of its current and continuing claim to the South Orkneys. However, these Islands are currently subject to the Antarctic Treaty which recognises no sovereignty claims. *cf.* 1959

³⁸ *Antarctica Cases: United Kingdom v. Argentine; United Kingdom v Chile* International Court of Justice 1956 p.25

³⁹ *Textos escolares: Las Malvinas y la Antártida para la “Nueva Argentina” de Perón* Amelia Beatriz Garcia 2009

⁴⁰ *La Cuestion del Atlantico Sur y la Antardida* Edith V. Fernandez 2012 p.16

⁴¹ Quoted in *Robertson to Lord Cushendun November 9, 1928* in FO 371/12736/365

*the auspices of the Argentine Government, the Argentine naval flag was hoisted on the cairn where formerly the Scottish Lion flew; and I presume the South Orkneys are looked upon as a possession of that power; the nucleus of an empire, perhaps, they may even seem to ambitious Argentine expansionists.”*⁴²



*“... the Argentine flag replaced the Scottish Lion which the Bruce Expedition had flown. Nothing in the correspondence can be construed as a recognition either express or implied of Argentine sovereignty ...”*⁴³

*“(Señor Acuña arrived) ... fully accredited by the Argentine postal authorities as a postmaster.”*⁴⁴

*“There was no ceremony of taking possession. One of the new staff came provided with a supply of Argentine postage stamps and a specially designed post mark. 'Orcadas del Sud. Distrito Rio Gallegos', but this is believed to have been in the interests of philatelists. The first mail to Buenos Aires was taken north in the Scotia and posted from Cape Town... (fn) ... neither the second nor any of the subsequent parties until 1941 included an accredited postmaster.”*⁴⁵

*“... the legitimate claim of our province on the Argentine Antarctic Sector is based on the effective and uninterrupted occupation exercised by the national State since 1904, consolidating itself with exploration, scientific and technological activities,..”*⁴⁶

February 29th, in Buenos Aires, a new whaling company – *Compañía Argentina de Pesca Sociedad Anonima* – is registered. Its

directors, all foreign residents, are listed as P. Christopherson, the Norwegian Consul⁴⁷; E. Tornquist, a Swedish banker, and H. Schlieper, a German-American businessman. Carl Larsen is recorded as manager.

*“... the first formal activity related to South Georgia was the establishment in Buenos Aires of the Compañía Argentina de Pesca, in 1904, ... organised under the laws of Argentina. ...(and) Argentine warships supplied fuel for the island for decades, without British reaction.”*⁴⁸

42 Brown, Mossman & Pirie 1906

43 *Memorandum (A6503/128/2?)* in FO 371/12736/356

44 *South African Philatelist* April, 1935.

45 *Memorandum on the Falkland Islands Dependencies* 1947 in LCO 2/490. cf. 1935, 1947 & 1955

46 Argentine Congress August 3, 2006 *Document 4302-D-06*

47 Pedro (Peter) Christophersen was a Norwegian who had emigrated to Argentina in 1871; variously, Consul for Norway, landowner, successful businessman and, apparently, lottery winner.

48 *Las Malvinas Entre el Derecho y la Historia* M. G. Kohen & F. D. Rodriguez 2016 p.260. See below.

*"In 1904 Larsen tried to raise capital to found a whaling company in Norway, but failed. He obtained the capital in Buenos Aires, where he founded a whaling company, the "Compañía Argentina de Pesca" (known as "Pesca" for short), which was constituted by Argentine government decree on 29 February 1904 and registered in Buenos Aires on 8 April 1904."*⁴⁹

March 16th, at Stanley, William Harding is gazetted as German Consul.⁵⁰

March 26th, in London, responding to a request, the Admiralty gives its opinion regarding the South Orkneys.

*"... relative to the suggestion made by the Argentine press that the Argentine Government should take possession of the South Orkneys... (the Lord Commissioners) ... did not attach any importance to the possession of these islands from a naval point of view..."*⁵¹

April 16th, the Colonial Office also provides its opinion.

*"... no importance should be attached to the possession of the group of islands in the South Atlantic known as the South Orkneys."*⁵²

April 26th, copies of the Admiralty and Colonial Office opinions are sent to Haggard in Argentina.

*"Lord Lansdowne ... referring to the suggestion by the Argentine press that the Argentine Government should take possession of the South Orkneys, stated that in view of the opinions expressed by the Admiralty and the Colonial Office, "it will be unnecessary for you to take any action in the matter..."*⁵³

May 19th, in Argentina, an administrative decree is issued. Art.15 states that; *"The Territory of Tierra del Fuego is divided into four departments, ... IV – Isla de la Estados includes the islands of the same name and all the others that are in the Atlantic under the sovereignty of right of the Argentine Republic."*

May 28th, William Lamond Allardyce is appointed Governor of the Falklands.⁵⁴

In the Falklands, the *Seal Fishery Amendment Ordinance* provides a power of arrest for illegal sealing.⁵⁵

June 6th, an arbitration panel considers a sovereignty dispute between British Guiana and Brazil.

*"... to acquire the sovereignty of regions which are not in the dominion of any State, it is indispensable that the occupation be effected in the name of the State which intends to acquire the sovereignty of those regions; That the occupation cannot be held to be carried out except by effective, uninterrupted, and permanent possession being taken in the name of the State, and that a simple affirmation of rights of sovereignty or a manifest intention to render the occupation effective cannot suffice; That the effective possession of part of a region, although it may be held to confer a right to the acquisition of the sovereignty of the whole of a region which constitutes a single organic whole, cannot confer a right to the acquisition of the whole region which, either owing to its size or to its physical configuration, cannot be deemed to be a single organic whole ..."*⁵⁶

September 1st, Governor Allardyce arrives at Stanley.

49 Pascoe 2020 p.270

50 *The London Gazette* No.27660

51 Quoted in Robertson to Lord Cushendun November 9, 1928 in FO 371/12736/367

52 *Ibid*

53 *Ibid*

54 *The London Gazette* No.27681. For a biography see - https://www.falklandsbiographies.org/biographies/allardyce_sir

55 Dickinson 2007 p.87

56 *Reports of International Arbitral awards: Guiana Boundary case (Brazil, Great Britain)* June 1904 vol.11 pp.11-23

In **October**, at the port of Buenos Aires, *Louise* (Thorsen) anchors after sailing from Sandefjord in Norway. With a crew of 15, she also carries 65 workers for Larsen's South Georgia enterprise.⁵⁷ At Buenos Aires they await the arrival of a steam whale-catcher, *Fortuna*.

*"Louise also carried provisions for 20 months, nearly 800 tons coal, 30 whaling harpoons, 300 grenades and nearly 2,000 empty barrels. Her cargo also included two prefabricated buildings and all the components for the whaling factory plant. One of the structures was to house factory workers, while the other was intended for factory equipment."*⁵⁸

November 16th, Carl Larsen arrives at Grytviken, South Georgia with 3 ships, *Louise*, *Rolf* and *Fortuna*, and with enough material to build a factory.⁵⁹

*"An early photo appears to be from that year and shows Louise and Fortuna in an otherwise empty Grytviken harbour. The men stayed aboard Louise while shore accommodations were built. With no available dock, the material on board Louise had to be ferried ashore on improvised rafts, until a proper pier was built. When Fortuna caught her first whale on 27 November 1904, the humpback was brought alongside Louise. When construction of on-shore housing was complete, Larsen used Louise (referred sometimes by the Argentines as Luisa) as a storage hulk."*⁶⁰

Researcher's Comment: Larsen did not have British permission. In light of his requests of 1896 to both the Royal Geographical Society, and Governor Goldsworthy at Stanley, he clearly knew that South Georgia was claimed by Britain - although he would later deny it. He was not, however, a director of the company, merely listed as its manager. What company directors Christopherson, Tornquist, or Schlieper knew, is nowhere recorded. These men certainly had contacts within the Argentine navy, as they were able to employ naval vessels for supply runs to Grytviken (see below), but the extent of any involvement by the Argentine government is unclear. That government had seen an opportunity with the South Orkney Islands, so it would be likely that they saw another with the whaling company.

December 25th, Grytviken produces its first oil from a whale harpooned on November 27th.⁶¹

December 31st, an Argentine gunboat, *Uruguay*, reaches the Laurie Island weather station with supplies.

1905 – January 15th, on the mountain above Grytviken, Carl Larsen finds a meteorological station with equipment loaned by the *Servicio Meteorological Nacional* of Argentina.⁶²

*"Argentina also installed a telegraph station and Argentine military crews conducted various relays on the island without ever being disturbed by any British authority."*⁶³

57 Originally *Louise* was a Maine built 'down-easter'. Fully refurbished she sailed under an Argentine flag.

58 *The Fate of Louise: A Maine-built 'down-easter' at Grytviken Harbor, South Georgia Island* Charles Lagerbom 2012 in *The Mariner's Mirror* Volume 98, no.3 August 2012

59 Suggested that Larsen's backers did not believe that Britain would interfere. See *Pesca: the history of Compañía Argentina de Pesca – an account of the pioneer modern whaling and sealing company in the Antarctic* I. Hart, 2001.

60 Lagerbom 2012

61 *Ibid.*

62 Built and run by the *Compañía Argentina de Pesca* and not the Argentine Government. Carl Larsen took the readings until August, 1905, when the work was taken over by Eric Nordenhaag (Sweden) until 1907. These readings were sent to Buenos Aires and Stanley with the vessels that visited Grytviken. *cf.* 1950 & 1952

63 Kohen & Rodriguez 2016 p.260. As there is no record of a separate Argentine telegraph station on South Georgia this is likely to refer to Larsen's meteorological station which had telegraphic facilities after 1907. There is no evidence that the meteorological station was ever staffed by Argentine military personnel. Indeed, from 1907, the station appears to have been run by another whaling company licensed by the British government.

February 1st, an Argentine navy transport ship, *Guardia Nacional*, arrives at Grytviken with supplies.

“... that there were Argentine Navy ships in Grytviken is a proof of Argentina's interest in the islands.”⁶⁴

Following rumours that a further meteorological station will be founded by Argentina on South Georgia, Commodore Sir A. Paget speaks to the head of the Argentine Meteorological Service to emphasise that the permission of the British Government would be required.⁶⁵

From Laurie Island, Robert Mossman, the last member of the *Scottish Expedition*, departs the South Orkneys.

“... in Mossman they certainly had a Scotsman for their first governor.”⁶⁶

In **March**, Grytviken's first cargo of whale oil arrives in Argentina. Initially taxed as an import, the *Compañía Argentina de Pesca* argues that the oil is an Argentine product as the whales are caught in international waters by Argentine flagged ships.

“... our vessels fish on the high seas under the aegis of the Argentina flag, and only use those islands, ... to shelter from the severe storms ... this island therefore (is only) a place of transit for our products.”⁶⁷

March 27th, Argentina's Government announce that the 165 tons of whale oil, from the *Compañía Argentina de Pesca*, will be admitted free of duty.

“... based on the ground that for this occasion only there is no objection to consider this consignment as the product of fishing in the high seas, and therefore for import purposes assimilated to national products. This wording is not perhaps devoid of significance.”⁶⁸

“It seems at any rate to be clear from the Decree published in the Argentine ‘Boletín Oficial’ of the 27th March 1905 that the Argentine Government did not then regard the Island as Argentine territory.”⁶⁹

Argentina publishes a map of its military regions.⁷⁰

July 16th, fuel supplies are delivered to the Grytviken factory by the Argentine warship, *Guardia Nacional*.⁷¹

“Neither the company nor the Argentine Government vessel *Guardia Nacional* hoisted the Argentine flag on the island (though one of the four ships of the company flew it).”⁷²

“Argentina continued to exercise acts of authority ... by the presence of their ships of war.”⁷³

July 24th, at Stanley, the *South Georgia Exploration Company* is granted a licence for farming, mining and sealing at South Georgia by the Governor of the Falkland Islands following negotiations with Ernest Swinhoe.⁷⁴

64 *The Malvinas, the South Georgias and the South Sandwich Islands: the conflict with Britain* L. H. Destefani 1982

65 FO 371/4/455.

66 Brown, Mossman & Pirie 1906

67 Argentina's Minister of Finance Norberto Piniero, March 29, 1906 quoted in Bologna 1982

68 *Haggard to Lansdown June 28, 1905* quoted in *Allardyce to Lyttelton November 28, 1905* in FO 371/4/45. The decision applied to all subsequent cargoes.

69 FO 371/4/156. See March, 1906

70 *Mapa de la División del Territorio de la Republica en Regiones Militares* 1905. No Atlantic islands were shown.

71 Bologna 1982. cf. 1981 & 1982

72 *Memorandum on the Falkland Islands Dependencies* 1947 in LCO 2/490

73 Kohen & Rodriguez 2016 p.260. A mere presence is quite insufficient for the purposes of sovereignty.

74 *Chronological List of Antarctic Expeditions and Related Historical Events* R. Headland 1989. Headland notes that the *South Georgia Exploration Company* was founded in Punta Arenas on 20th March, 1905 with a sheep farmer, Richard Lion, as its president and that it was Lion that visited the Falklands to negotiate a pastoral licence. In Headland's 1992 work (*The Island of South Georgia*), however, it was Ernest Swinhoe that negotiated the licence and for more than just sheep grazing. Swinhoe was aboard *Consort* when she arrived at South Georgia in the August of 1905 and all subsequent

“... It was not until 1905 that the first lease was granted to the South Georgia Exploration Company of Punta Arenas. It was also required to buy annual sealing licences.”⁷⁵

July 27th, in the Falklands, a Danish barque, *Sixtus*, is wrecked at Volunteer Rocks. The crew are rescued.⁷⁶

August 9th, at South Georgia, Ernest Swinhoe lands 24 sheep and 4 horses at King Edward Cove before setting out to explore.

August 22nd, after an encounter with a whaling ship flying the Argentine flag, Swinhoe makes his way to the whaling factory at Grytviken.⁷⁷

*“The men there are all from Norway or Sweden, thirty-two in all, and have signed a contract for three years before the Argentine Consul in Norway. The Manager is a brother of the Captain Larsen of the ‘Antarctic’ who was with the Swedish South Pole Expedition in 1905... I told him we had taken out a lease of the Islands from the Falkland Islands Government to prospect &c., for minerals or farming, also had leased the seal fishing of the Islands,...”*⁷⁸

“Swinhoe hoped to start a mineral and farming enterprise on the island and visited Larsen’s brother Lauritz at Grytviken in August 1905. Lauritz Larsen was in charge at the time and Swinhoe reported finding 32 men at the new station hard at work. Louise by now had been moved from the rough pier being constructed and out into the bay. She was moored nearby and filled with coal.”⁷⁹

September 19th, in the Falklands, a steamer, *Kirkhill*, is wrecked on Wolf Rocks.

September 27th, on South Georgia, Swinhoe visits Grytviken once again to formally protest the unlicensed whaling operation.⁸⁰

*“I read out our lease to him and did not see why we should pay for the Islands and let them reap the benefit and kill sea-elephants... I told them they would have to get out, but he is just the manager here and will have to consult his Company in Buenos Aires, so I put it on paper about our claims and said they would have to withdraw from here... We flew the English flag during our three months on the Islands, which is a British possession whereas the Company at present occupying the Islands have had the harbour surveyed by Argentine Officers from the transport ‘Guardia Nacional’ with the intention of flying the Argentine Flag after the period of one year, to end this November 1905, also having sign boards made to put up in all the bays or harbours around the Island for the purpose of renting to any other Company that may want to start whaling there.”*⁸¹

“Their reception by the Norwegians was not cordial. On being shown the lease of the South Georgia Exploration Company, Captain Larsen disputed the authority of the Falkland Islands Government to grant it, and ordered the intruders off the island.”⁸²

reports came from him. I can find no other references to Richard Lion. Later reports suggest that when Swinhoe negotiated the first lease he was assisted by a Mr. Henry Velway. cf. FO 371/4

75 Dickinson 2007 p.129

76 *Cambridge Expedition to the Falkland Islands 1977: Report to the National Maritime Museum*. Some reports give the name of the vessel as *Sixeus*

77 Dickinson 2007 p.129 gives the date as August 14, 1905

78 *Swinhoe Report to Allardyce November 14, 1905 FO 371/4/48*

79 Lagerbom 2012

80 *The History of Modern Whaling* Johan N. Tonnessen 1982

81 FO 371/4/50

82 *Memorandum on the Falkland Islands Dependencies* 1947 in LCO 2/490

September 28th, Swinhoe hands over a letter addressed to ‘Mr. Larsen, Cumberland Bay’.

“Dear Sir, Having ‘leased’ from the Falkland Islands Government these Islands named South Georgia, which you at present occupy as a Whaling station, and, as we hold the Legal Rights for the same, issued to us by the above named Government, we wish to notify your Company to withdraw from these the South Georgia Islands.”

November 2nd, in Buenos Aires, Pesca director Pedro Christophersen, accompanied by an Argentine naval officer, Captain Guillermo Núñez, visit the British Legation. Britain’s *charge d’affaires* reports the conversation to Governor Allardyce.

*“Captain Nunes explained that Captain Larsen,.. had been engaged in whaling in the South Atlantic since 1893, and ... he had been employed by the Argentine Fishing Company (Compañía Argentina de Pesca) for whaling. He had established a depot at South Georgia for boiling down the whale oil and had not thought it necessary to apply to anyone for permission, not realising that that uninhabited island was under your jurisdiction. ... Captain Nunes and Mr. Christophersen explained that the Fishery Company caught all their whales on the High Seas, and that all the Company wanted was a depot for boiling down the oil and for stores, etc. That would not, they said, interfere with any rights the Exploration Company had acquired under the lease from you to fish for seals in the territorial waters of the Island or to work minerals. ... I informed these gentlemen that I thought the proper course for the Company to pursue was to apply to you for a licence to establish a depot at South Georgia and it is their request that I now approach you for that purpose...”*⁸³

*“... on 2 November 1905 the president of Pesca, Hermann Schlieper, and Capitán Guillermo Nuñez, Director of Armaments of the Argentine ministry of marine, applied through the British Legation in Buenos Aires for a whaling licence from the Governor of the Falklands.”*⁸⁴

November 28th, from Stanley, Governor Allardyce reports the South Georgia issue to London.

*“I do not know the status of Captain Nunes in the Office of the Ministry of Marine, but I presume that he is a high official of the Argentine Republic, and should this be so his action in coming forward to support Captain Larsen’s statement that he “had not thought it necessary to apply to anyone for permission not realizing that that uninhabited island was under your jurisdiction” is all the more surprising as it is difficult to believe that he was not aware that the Argentine transport ‘Guardia Nacional’ had proceeded to South Georgia, that a survey of Cumberland Bay had been made by Argentine Officers from this vessel, and that sign boards – according to Mr. Swinhoe – were “made and put up in all the bays and harbours around the island.” One is more particularly led to believe that Captain Nunes did know when one remembers that the Argentine ‘Official Gazette’ of the 27th of March last published a decree of the Argentine Minister of Finance admitting, free of duty, “165 tons of whale oil conveyed to Buenos Aires by the barque ‘Rolf’ belonging to the Argentine Fishing Company.” ... had it not been for the appearance at South Georgia of the South Georgia Exploration Company Ltd., and the flying of our Flag during the three months the party was there, the Argentine Flag would have been hoisted in our Dependency with proportionate complications.”*⁸⁵

Allardyce requests that HMS *Sappho* investigates the whaling establishment at Grytviken.

83 FO 371/4/56. Larsen had been sufficiently aware of British sovereignty to enquire with the Royal Geographic Society about a lease at South Georgia in 1896. cf. Headland 1992 p.62

84 Pascoe 2020 p.270

85 Allardyce to Lyttelton November 28, 1905 FO 371/4/44

November 30th, from Buenos Aires, Britain's Legation informs the Colonial Office in London that the Argentine Republic have retained a vessel to maintain contact with the meteorological station on the South Orkney Islands.

The Colonial Office contacts the Foreign Office to suggest; “... *that it should be intimated to the Argentine Government that the South Orkney's were British territory; that His Majesty's Government assumed that it was in ignorance of this fact that the Argentine meteorological station had been maintained there since February 1904 without any notification having been made to His Majesty's Government, but that it was hoped that the Argentine Government would not discontinue the use of the islands for this useful scientific purpose...*”⁸⁶

“*His Majesty's Chargé d'Affaires at Buenos Aires, who had been instructed to make representations in this sense to the Argentine Government, pointed out that the Colonial Office seemed to be unaware that the Argentine Government had been officially invited, through His Majesty's Legation, to take over the observatory. In reminding the Colonial Office of this, it was suggested that the fact that the Argentine Government had taken over the observatory at the invitation of His Majesty's Government, made the British claim all the stronger...*”⁸⁷

December 11th, in Buenos Aires, the terms of a proposed lease for a plot of land at Grytviken is handed to the *Compañía Argentina de Pesca* by the British Legation. *Pesca's* directors object to a clause requiring that a share of the profits is paid to the Falklands Government.

December 12th, *charge d'affaires* Frederic Harford informs Governor Allardyce of the difficulty.

“... *to pay this share out of the profits would necessitate their applying to the Argentine Government for permission to alter their Statutes accordingly. This would give a publicity to the matter which was perhaps not desirable, and might lead to the withdrawal of their present privilege of importing whale oil free of duty into this country.... It would be a very serious matter if the Argentine Government adopted the system of a percentage of profits of English Companies working in the Argentine... Mr. Schlieper said his company would be willing to buy the land in question, some 500 acres, if they could deal directly with your Government, ... He pointed out the advantages which were likely to accrue to His Majesty's Government from the Fishery Company's operation, viz: (1) a stock of coal and stores always available for ships, (2) the meteorological observations made, (3) the beacon lights they proposed to maintain on South Georgia, (4) the facilities for landing by means of the pier erected by them in Grytviken harbour, (5) the introduction of acclimatized cattle and sheep.*”⁸⁸

December 24th, in the Falklands, two whalers and a factory ship, *Admiralen*, arrive off New Island with a whaling licence from the Governor. *Admiralen* anchors for a month before moving off for the South Shetlands with 40 whales to process.⁸⁹

“*In the seasons 1905-06 and 1906-07 the Governor of the Falkland Islands demanded royalties on all whales caught from (the Falklands and South Georgia), but not for operations in the South Shetlands, which, it is alleged, he stated to the Norwegian whalers in 1905 were not British possessions. The South Orkneys, South Shetland Islands and Graham Land were then regarded as terra nullius.*”⁹⁰

86 Noted in an internal Foreign Office *memo* by H. Jones dated July 8th, 1930 A 4733/1437/2/1930

87 *Memorandum on the Falkland Islands Dependencies* 1947 in LCO 2/490

88 *Frederic Harford to Governor Allardyce December 12, 1905*. Copied to London.

89 *Admiralen* was commanded by Alexander Lange

90 *Memorandum on the Falkland Islands Dependencies* 1947 in LCO 2/490. cf. 1908, 1917, 1947, 1955 & 1959

December 30th, from Buenos Aires, Harford reports a further discussion in which Schlieper had emphasised his concern that; “... the company might be deprived of their privilege of importing whale oil (into Argentina) free of duty in virtue of its being derived from whales caught on vessels under the Argentine flag.”⁹¹

*“In the two conversations I had with the representatives of the Fishery Company, the right of His Majesty’s Government to South Georgia was never questioned, ...”*⁹²

*“By the end of 1905 British concerns about this Argentine enterprise necessitated a review of the possible illegal establishment of this shore-base.”*⁹³

1906 – January 9th, in London, the Colonial Office comments on the Grytviken negotiations.

*“Lord Elgin would suggest that Mr. Harford should be instructed, as soon as a lease is granted to the Argentine Fishing Company, to inform the Argentine Government of the rumours which have reached him of the desire to establish a Meteorological Station in South Georgia, and to say that His Majesty’s Government will be pleased to grant them facilities, on the understanding that copies of the reports will be communicated to them. This will be a convenient way of informing the Argentine Government that the Island is British Territory.”*⁹⁴

January 11th, from South Georgia, Swinhoe sends rock samples to London’s Imperial Institute for analysis.⁹⁵

January 31st, HMS Sappho arrives at Grytviken.

*“Neither Mr. Swinhoe’s nor Captain Hodges’ reports mention that the Argentine flag was flying...”*⁹⁶

*“When HMS Sappho duly arrived to investigate and report on the situation for the Falkland Islands Government, Captain M. M. Hodges reported that ‘in the bay we found the Louise, a dismantled barque which is used as a general store ship and has about a thousand tons of Welsh coal aboard.’ ...”*⁹⁷

February 2nd, Captain Hodges RN inspects the whaling station, accompanied by Carl Larsen.

*“The station consists of Captain Larsen’s house which was brought from Norway in sections and put together here, some huts for the men, the Boiling factory, a slip fitted with powerful winches for heaving whales up on shore, blacksmith’s shop, etc; in fact everything is most complete and Captain Larsen has now brought down a dynamo, and the factory will soon be lit with Electric light.”*⁹⁸

Records produced to Hodges show that in the 12 months of operation, Larsen’s team have caught 189 Humpback whales, 22 Fin whales, 18 Blue whales and 7 Right whales; resulting in 7434 barrels of oil. Larsen tells the British captain that when they were unable to hunt whales, they had taken a few Elephant Seals.

*“... the Directors of the Fishery Company told me that Captain Larsen had killed some Sea Elephants in winter; when he could not go out whaling, but they had long since given him orders not to kill any more until the Government of the Falklands gave them a licence to kill seals generally.”*⁹⁹

91 FO 371/4/79. My emphasis.

92 Harford quoted in FO 371/4/76

93 Lagerbom 2012

94 FO 371/4/40

95 FO 371/4/168. On examination the samples were found to have no commercial value.

96 *Ibid.*

97 Lagerbom 2012

98 *Report on visit to South Georgia Island by HMS Sappho 11 February, 1906* in FO 371/4/395

99 Harford note dated February 14, 1906 in FO 371/4/405

February 3rd, Larsen and Hodges visit Fortuna and Antarctic Bays; agreeing the locations for two beacons.

*“Discussion certainly took place between Captain Hodges and Larsen concerning the licensing of Compañía Argentina de Pesca's whaling station, which was then being arranged through the British Legation in Buenos Aires and the Government at Stanley. Some conflicting accounts describe this as difficult. These suggest that there was either a Norwegian or Argentine flag flying over Grytviken to which Hodges objected, that Hodges gave Larsen a time (said to be either 15 or 30 minutes) to remove the flag before Sappho's guns, trained on the flag pole, would open fire to the same effect, and that Larsen lowered the offending flag. Neither the official account prepared by Captain Hodges nor the Norwegian histories refer to this and no supporting contemporary reports include it. ... All other accounts indicate that relations between Captains Hodges and Larsen were amicable and cooperative.”*¹⁰⁰

*“HMS Sappho was sent to South Georgia to sort matters out; Captain Hodges of Sappho had cordial relations with Larsen, and Britain granted the lease to Pesca. That gave the island its first residents – some 60 Norwegians including some wives and Larsen's five daughters and two sons.”*¹⁰¹

February 5th, after surveying King Edward Cove, HMS Sappho sails for Montevideo.

*“The main result of the visit of HMS Sappho was an ordinance of the Falkland Islands Government making it unlawful to take whales without a licence, and imposing royalties on each whale caught.”*¹⁰²

At Port Stanley, Swinhoe renews his lease for the South Georgia Exploration Company.¹⁰³

February 14th, a Mr. M. Rothenborg, representing *Compañía Argentina de Pesca*, arrives in Port Stanley.

February 26th, Governor Allardyce writes to the Colonial Office.

*“... the time has I think arrived when the question of the establishment of British Sovereignty over the Groups of Islands known as the South Shetlands and the South Orkney's ... might very well be considered. As far as I have been able to ascertain these Islands are at present a sort of "no man's land" and the present juncture therefore offers a favourable opportunity in view of the valuable seal and whale fisheries which are known to exist in and around these archipelagos to consider the question before the adjacent South American Republics move, as they are pretty certain to do, in the same direction.”*¹⁰⁴

February 27th, in London, Norway's *charge d'affaires* questions the Foreign Office as to the ownership of islands in the South Atlantic.¹⁰⁵

March 8th, a South Georgia lease for *Compañía Argentina de Pesca* is finally settled at £250 *per annum*.

*“In addition to the main text of the agreement were two annexes: one specifying the boundaries of the lot (of) the lease with a sketch; the second mentioned restrictions by which the Compañía Argentina de Pesca could not take products and animals on the island and forced (the company) to build two lighthouses, maintain a permanent deposit of coal, provide assistance and supplies to the needy boats and keep a weather station.”*¹⁰⁶

100 Headland 1992 pp.67-68

101 Pascoe 2020 p.270

102 *Memorandum on the Falkland Islands Dependencies* 1947 in LCO 2/490

103 21 years at £100 *per annum*; later sold to Norwegian whaling company *Bryde & Dahl*.

104 FO 371/4/275

105 FO 371/4/269

106 Bologna 1988 p.46. Backdated to January 1, 1906. The conditions embraced two *de facto* situations – the beacons and the weather station both of which were already *in situ* and operating.

*“Ernesto Fitte roundly criticises "Pesca" for acting in an "unpardonable, submissive manner" on 12 (sic) March 1906 in accepting British jurisdiction over its activities, and confirms that the Argentine government knew what was going on but still failed to protest.”*¹⁰⁷

March 19th, in London, Britain’s Colonial Office considers the ramifications of the Pesca lease.

“Having regard to the fact that the Company have now taken out a British lease, with the certain knowledge of the Argentine Government, that Captain Nunes, a high official of that Government, was one of the gentlemen who waited upon the British Charge d’ affairs to prefer, on behalf of the Company, a request for a British lease, that neither the Company nor the Argentine Government vessel “Guardia Nacional” hoisted the Argentine flag on the island, and that no protest has been received from the Argentine Government to the grant of the lease to the South Georgia Exploration Company or to their constant flying of the British flag on the Island, or to their request to the Argentine Fishing Company to desist from further operations, Lord Elgin thinks that His Majesty’s Government may now definitely assume that the Argentine Government do not question the British title to the Island.

*It seems at any rate to be clear from the Decree published in the Argentine ‘Boletin Oficial’ of the 27th March 1905 that the Argentine Government did not then regard the Island as Argentine territory. The Report which forms the Preamble to the Decree points out that the Company cannot be authorised to fish in the territorial waters of the Coasts and Islands of Patagonia or instal themselves on land while the law of 1880 is in force and the recommendation which it makes in favour of the free importation of the Company’s consignment of whale-oil is based upon the consideration that the Company had not infringed that law, in other words upon the consideration that by installing themselves on South Georgia the Company had not installed themselves on Argentine territory.”*¹⁰⁸

March 29th, considering the situation with the *Compañía Argentina de Pesca*, Argentina’s Minister of Finance, Norberto Piniero, records; *“... recently, the company received a communication in which the British government demanded payment of a sum in respect of an annual lease for the right to hold a port on the island. As a result of this requirement the Company has agreed to pay a lease for use of the port and land, which lease must (be) submitted annually to the British government...”*¹⁰⁹

*“... nor does the passivity shown by the government of the Nation offer any mitigating circumstances ... there are no excuses for what happened...”*¹¹⁰

April 2nd, the Colonial Office considers the South Orkneys' situation.

*“Lord Elgin would suggest, should Sir E. Grey see no objection, that the Argentine Government should be informed that the South Orkneys are British territory and that His Majesty’s Government assume that it was in ignorance of this fact that the Argentine Government have maintained a Meteorological Station there since February, 1904.”*¹¹¹

May 7th, in London, the Colonial Office respond to Norway’s February request for information.

*“His Majesty’s Government have a claim to the following territories within the limits mentioned in Mr. Irgen’s note, viz: South Georgia, the South Shetlands, the South Orkneys, and Graham’s Land.”*¹¹²

107 Pascoe 2022 vol.3 p.221

108 FO 371/4/156

109 Quoted in Bologna 1982

110 *La disputa con Gran Bretaña por las islas del Atlántico Sur* Ernesto Fitte 1968 p.114

111 FO 371/12736/371. cf. 1903, 1904 & 1906

112 FO 371/4/269

*“... the South Shetland Islands were not international, as had been supposed by the Norwegian Government, but were British territory, that the other British possessions in the same region were South Georgia, the South Orkneys and Graham Land,...”*¹¹³

*“Norwegian whaling companies should (therefore) apply to the Governor of the Falkland Islands for any facilities they might desire in those territories. The whale fishery was accordingly dealt with by law under FI Ordinance No.3 of 1906, which made it unlawful to take whales without a licence, and imposed royalties on each whale caught.”*¹¹⁴

*“The South Shetland Islands comprise a number (of islands), of which the most important are King George Island, Livingstone Island and Deception Island... The Shetland Islands were also included in the letters Patent in 1908. A whaling licence was first granted by the Falkland Islands Government in 1907. Up to this time, approximately, the islands were we think, res nullius.”*¹¹⁵

May 19th, in the Falklands, *Fortuna* grounds on a reef in Fox Bay. Passengers and crew are saved by *Lafonia*.

June 20th, *Cassard*, a French steel barque built in 1899, is wrecked on Driftwood Point, Bleaker Island.¹¹⁶

July 12th, from Port Stanley, Governor Allardyce raises the question of the sovereignty of the South Sandwich Islands with the Colonial Office.¹¹⁷

*“In 1905 the Argentine Government developed plans for observatories in South Georgia, Booth (Wandel) Island, in the Palmer Archipelago, one of the South Sandwich Islands, and possibly also in West Falkland. That these plans did not come to fruition was principally due to the lack of trained meteorologists willing to undertake the work.”*¹¹⁸

August 2nd, from Buenos Aires, *charge d'affaires* Harford telegrams Sir Edward Grey.

*“Local paper states that Argentine Government is about to inform Powers that they have established permanent Observatory on South Orkneys. Shall I inform Argentine Government they are British territory?”*¹¹⁹

August 21st, in London, the Colonial Office respond to a Foreign Office request for an opinion.

*“Lord Elgin would suggest that Mr. Harford might be instructed when making this intimation to explain to the Argentine Government that the intervention of His Majesty’s Government in the matter of the transfer of the observatory was based not less on the British ownership of the Group than on the British status of the Expedition which originally established it.”*¹²⁰

August 22nd, Britain’s Legation in Buenos Aires is told to affirm British sovereignty over the South Orkneys.

113 *Memorandum Respecting the Falkland Islands and Dependencies* J. W. Field 1928 (Internal Foreign Office memo) paras.269 & 270. cf. 1947, 1955 & 1959

114 *Memorandum on the Falkland Islands Dependencies* 1947 in LCO 2/490. Licences cost £25. cf. 1947, 1955 & 1959

115 Opinion of the Law Officers 1947 in LCO 2/490. Original emphasis. cf. 1947

116 *Cambridge Expedition to the Falkland Islands 1977: Report to the National Maritime Museum*. The wreck was sold at public auction on the 29th for £355; her cargo of wheat for £20.

117 Eight of the South Sandwich Islands were discovered by Capt. James Cook in 1775. The remaining three by a Russian, Fabian Gottlieb von Bellingshausen, in 1819.

118 *Memorandum on the Falkland Islands Dependencies* 1947 in LCO 2/490

119 FO 371/4/460

120 FO 371/4/469

*“In 1906 certain administrative acts of the Argentine Government seemed to show that Argentina claimed sovereignty over the Islands, and in these circumstances His Majesty’s Minister was instructed to present a note to affirm that the group was British territory.”*¹²¹

August 23rd, in Buenos Aires, Frederic Haggard addresses a *Note* to the Argentine Foreign Ministry stating that the South Orkney Islands are British territory.

In **September**, the Falklands’ Governor is authorised to treat the South Sandwich Islands as a Dependency of the Falklands for the purposes of leases and licensing.¹²²

*“In September 1906 the Governor of the Falkland Islands was authorised to include them as Dependencies of the Falkland Islands. In December of the same year, when the question of including this group in the Colonial Office list as a Dependency of the Falkland Islands arose, the Colonial Office were told that the British claim to these islands was very slender, but... there would be no objection to including them in the Colonial Office list, which, being an unofficial publication, would be no bar to the consideration of any duly authenticated claim should such be subsequently advanced in another quarter.”*¹²³

*“This group of islands must, in our view, either be res nullius or British territory. There has been no effective claim made to them by any other power. They are practically speaking uninhabitable, affording so far as is known, no more than an anchorage where vessels may obtain shelter. Landing is difficult, and on some islands practically impossible, and it is unlikely that any of the islands will become of any value.... If Great Britain has no title, the South Sandwich Islands are clearly still terra nullius.”*¹²⁴

*“The Argentine Republic has a particular interest in the location of these islands of the South Atlantic, not only for strategic reasons, but especially the South Sandwich Islands which are located 2,400 km from the Argentine city of Ushuaia in Tierra del Fuego, they set the western boundary of the claim of the Argentinean Antarctic sector which extends from 25° to 74° west longitude...”*¹²⁵

September 22nd, from Buenos Aires, Haggard informs London that he has heard that the Argentina Government are intent upon claiming the Orkney Islands; but that he has not received an official reply to his note of August 23rd.¹²⁶

*“Argentina was the country that established the first permanent settlement in the area of Antarctica. ... it has never abandoned this valuable observatory, outpost of civilization in the inhospitable southern regions.”*¹²⁷

October 5th, in Stanley, the *Whale Fishery Ordinance No.3* is brought into effect, providing for the licensing of whale fishing around the Falkands and the Falklands Dependencies.

“1. It shall not be lawful for any person to kill, take or hunt, or attempt to kill, take, or hunt any whale in Colonial Waters unless he shall have first been duly licensed, and shall have entered into a bond to the Colonial Government, with one sufficient surety, in the sum of one hundred pounds -

(a) to pay into the Colonial Territory, the royalties specified on the Schedule...

121 Memorandum (A6503/128/2?) in FO 371/12736/357

122 Field 1928 para.275

123 Memorandum on the Falkland Islands Dependencies 1947 in LCO 2/490

124 Opinion of the Law Officers 1947 in LCO 2/490. Original emphasis. cf. 1775 & 1947

125 Bologna 1982

126 FO 371/4/472

127 Argentine 4th Grade text book quoted in Garcia 2009

*(b) to render to the Government an accurate account of the number and description of whales taken by him under his licence.”*¹²⁸

Researcher's Comment: This ordinance was publicly gazetted but Argentina did not protest or comment; while the *Compañía Argentina de Pesca* complied fully with the terms of the Ordinance.

November 10th, off South Georgia, Norwegian whaler, *Fridtjof Nansen*, is wrecked; as is *Lyn* belonging to the *Compañía Argentina de Pesca*.

December 7th, in Argentina, President Jose Figueroa Alcorta issues a decree appointing Argentine 'Commissioners' for the Orkney islands.

*“... and the rest of the islands and Antarctic lands claimed by Argentina, under the dependency of the Government of Tierra del Fuego.”*¹²⁹

December 15th, another Argentine decree determines salaries for staff at the meteorological stations on Laurie and Booth (Wandel) Islands, referring to them as - “*Stations in Southern Argentine lands.*”¹³⁰

1907 – January 4th, in Buenos Aires, a formal diplomatic note is presented to Argentina's Foreign Ministry, emphasising that the South Orkney's are a British possession; “... *in order to remove any possible misconception as to the legal basis on which operation of the meteorological station on Laurie Island in the South Orkneys had been transferred to the Argentine Meteorological Office...*”¹³¹

*“Mr Townley, who had replied to the Minister,... asked, in reporting home the matter, that he might be furnished with further evidence in support of the claim. The Admiralty, of whom enquiry was made, pointed out that no Spaniard had ever explored or discovered anything in that region; that the land in question was far outside any territorial limits to which the Argentine Government could lay claim; and, further, that the South Orkney's had been formally taken possession of by British subjects long before the Argentine Government had ships to visit the locality.”*¹³²

*“The Minister for Foreign Affairs, in replying to Mr. Townley's note, asked for time to consider the question, but in conversation he expresses his surprise that His Majesty's Government claimed this group. No further communication from the Argentine Government at this period is recorded.”*¹³³

In **March**, in London, Norway's Minister requests further details regarding British territorial rights over the South Orkneys, the South Shetlands and Graham Land.

April 30th, a formal reply is handed to the Norwegian Minister.

128 For an on-line copy of this ordinance, see - <https://sparc.utas.edu.au/uploads/r/antarctic-documents-database/3/0/e/30e73803accefe16229491bf6cbc943e6fe603536d7223d9b0cc2198bffc2a32/7100dedf-4b80-4d48-a29b-a74890b57d0e-AU-ATADD-1-BB-GB-350.pdf?token=f6ba2ad4ed215bb796b1eaaff0be2fe97d5137ca1128107945f7948e480a52a2>

129 An expedition on December 20, 1906 went to install another observatory on Booth Island. Abandoned after running aground.

130 Goodhart to Grey December 20, 1906 FO 371/4/488

131 *The Agent for the Government of the United Kingdom to the Registrar of the International Court of Justice at the Hague, May, 1955*

132 Internal Foreign Office memo by H. Jones dated July 8, 1930 A 4733/1437/2/1930. Walter Townley was Britain's Envoy Extraordinary and Minister Plenipotentiary (one rank below Ambassador) to Argentina.

133 *Memorandum on the Falkland Islands Dependencies* 1947 in LCO 2/490

“... that the British claim to the South Shetlands rested on the fact that Captain Foster of HMS Chanticleer took formal possession of the lands about the islands on the 7th January, 1829, landing at Cape Possession, Hoseason Island, and that Sir John Ross landed on Cockburn Island in the South Shetland group on the 6th January, 1843, and took formal possession of this and contiguous lands, ... The Norwegian Minister was further informed that no question as to title had hitherto been raised by foreign Governments, that the only notification made in any quarter was that to himself on 16th May, 1906, and that it was not the practice of His Majesty’s Government to notify foreign Governments additions to British territory made by annexation, occupation or otherwise.”¹³⁴

“The Norwegian Government did not lodge any protest against the British claim.”¹³⁵

In **May**, a Chilean company, the *Sociedad Ballenera de Magallanes* of Punta Arenas, takes out a Falklands whaling licence for the South Shetland Islands and Graham Land.

October 18th, in the Netherlands, at the Hague Conference, international agreement is reached to expand the conventions of 1899 regarding the pacific settlement of disputes. Signatories include Chile and Argentina.¹³⁶

Chile immediately submits a proposal to Argentina that they negotiate an agreement as to a division of sovereignty over South Georgia, the South Sandwich Islands, the South Shetlands and the Antarctic lands, within the spirit of the Treaty of 1881. Argentina’s Foreign Minister, Estanislao Zeballos, responds; “Chile ought to know that England claimed all these lands.”¹³⁷

November 23rd, in the Falklands, *Baden Powell*, is wrecked on Elephant Jason.¹³⁸

“That Canadian crews were hunting on the islands was further suggested after Baden-Powell was wrecked ... blown ashore on the way from Halifax to the South Shetlands. Entries in its log, which fortuitously washed ashore at Port Stanley, provided confirmation but were insufficient for prosecution...”¹³⁹

December 12th, at Grytviken, Joachim Peterson arrives as the first commissioned policeman for South Georgia.¹⁴⁰

1908 – February 5th, in London, in the House of Commons, MP Josiah Wedgwood asks a question.¹⁴¹

“I beg to ask the Under-Secretary of State for the Colonies, whether he is aware that the public lands in the Falkland Islands are being sold off at the rate of about £50,000 a year; and whether he will consider the advisability of changing the method of sale into that of leasing at periodically revised rents.”

Under-Secretary of State for the Colonies, Mr. Winston Churchill, responds:

“The proceeds of the sale of land in the Falkland Islands are invested separately, and form a capital asset of the Colony. The average receipts of the Sale of Lands Fund amounted to about £5,000 a year for the five years 1902–1906, the highest amount in any one year being £12,783.”

134 Field 1928 paras.271 & 272

135 Memorandum on the Falkland Islands Dependencies 1947 in LCO 2/490

136 Commenced June 15, 1907. See - <https://docs.pca-cpa.org/2016/01/1907-Convention-for-the-Pacific-Settlement-of-International-Disputes.pdf>

137 ICJ 1956. Pleadings. *Antarctica Cases, UK v. Argentina, UK v. Chile*, 63

138 Cambridge Expedition to the Falkland Islands 1977: Report to the National Maritime Museum

139 Dickinson 2007 p.102

140 Commissioned by the Falkland Islands Governor but employed, apparently, by the *Compañía Argentina de Pesca Sociedad Anonima*

141 Hansard, Commons: 5 February 1908 col.858

February 17th, in Buenos Aires, Italy's Minister – in a communication regarding the *Rome Postal Union Convention* – includes the Falkland Islands among those British Colonies which had adhered to that convention with regard to registered letters. Argentina's Minister for Foreign Affairs promptly protests to Italy, asserting that the Falklands' archipelago belongs to his nation, not Britain. ¹⁴²

HMS *Sappho* visits Stanley. ¹⁴³ Commander Hodges inspects the Volunteer Force which has a strength of 94, and recommends that; "... *Falklanders participate in the annual Bisley Trophy competition and the Commonwealth Games to encourage shooting skills.*" ¹⁴⁴

February 25th, from Buenos Aires, Britain's Minister, Walter Townley, informs London of the Argentine protest to Italy. Townley says that he will not mention the issue unless it is raised first by Argentina's Foreign Ministry, but, if it is, he would confirm that there was nothing to discuss.

"Nothing whatever came of it; Argentina did not raise the affair with Britain, and continued to tolerate the presence of the Falklands in the UPU, as she had done since April 1877 (and still does; the Falklands are still listed on the UPU's website as an overseas territory of Great Britain). So there was in 1908 no protest to Britain over the possession of the Falklands,..." ¹⁴⁵

March 12th, in London, aware of the Argentine protest to Italy, the British Government decides not to respond if a similar protest is received in the UK. ¹⁴⁶

April 1st, in the Falklands, *Helene Blum* is wrecked on Seal Rock, Cape Pembroke. ¹⁴⁷

Messrs. *Salvesen & Co* of Leith, Scotland, obtain a lease for a whaling station on New Island, off West Falkland.

"Salvesen & co... built a whaling station on New Island in 1908 using materials brought from a defunct station in Iceland." ¹⁴⁸

In the Falklands, *Ordinance 3*, is replaced by *Ordinance 5*, under which whaling licences may be renewed but no new ones granted. The killing of calves and females is prohibited.

"The system of control of the whale fishery instituted in 1906 was by now considered unsuitable. Accordingly, the Ordinance was repealed and replaced by Ordinance No.5 of 1908, and amending Ordinances, and by separate regulations for South Georgia and the other Dependencies. The policy of 1908 aimed at limiting the extent to which pursuit of whales might be carried on and reducing the amount of waste involved ... To secure the first of these objectives it was decided to issue no further leases or licences... the shooting of whale calves, or of female whales accompanied by calves, was prohibited." ¹⁴⁹

In **June**, US Consul John E. Rowan announces his departure from the Falkland Islands. The US Secretary of State having determined that the Consulate would be better placed in Punta Arenas, Chile. ¹⁵⁰

July 21st, in London, *Letters Patent* are issued with regard to British possessions in the South Atlantic.

142 *Townley Telegraphic No.4 February 25, 1908 6787/08*

143 *The Wilds of Patagonia* Carl Skottsberg 1911

144 Ellerby 1990 p.53

145 Pascoe 2020 p.264

146 *The Falkland Islands as an International Problem* Peter J. Beck 1987 p.90. No protest was received.

147 *Cambridge Expedition to the Falkland Islands 1977: Report to the National Maritime Museum*

148 Dickinson 2007 p.88

149 *Memorandum on the Falkland Islands Dependencies* 1947 in *LCO 2/490*

150 Rowan had been complaining for some time that, as a result of regulation by the Falkland Islands Government, few American whalers called at Port Stanley.

“Whereas the group of islands known as South Georgia, the South Orkneys, the South Shetlands, and the Sandwich Islands, and the territory known as Graham's Land, situated in the South Atlantic Ocean to the south of the 50th parallel of south latitude, and lying between the 20th and the 80th degrees of west longitude, are part of our Dominions, and it is expedient that provision should be made for their government as Dependencies of our Colony of the Falklands.

I. Now We do hereby declare that from and after the publication of these our Letters Patent in the Government "Gazette" of our Colony of the Falkland Islands the said group of islands known as South Georgia, the South Orkneys, the South Shetlands, and the Sandwich Islands, and the said territory of Graham's Land shall become Dependencies of our said Colony of the Falkland Islands.

*II. And We do hereby further declare that from and after such publication as aforesaid the Governor and Commander-in-Chief of Our Colony of the Falkland Islands for the time being (herein-after called the Governor) shall be the Governor of South Georgia, the South Orkneys, the South Shetlands, and the Sandwich Islands, and the territory of Graham's Land (all of which are herein-after called the Dependencies); and We do hereby vest in him all such powers of government and legislation in and over the Dependencies as are from time to time vested in Our said Governor in and over Our Colony of the Falkland Islands, subject, nevertheless, to any instructions which may from time to time be hereafter given him under Our Sign Manual and Signet, or through one of Our Principal Secretaries of State, and to such laws as are now or shall here after be in force in the said Dependencies. ...”*¹⁵¹

*“It had been the rising importance of the whaling industry that first directed attention to the question of political sovereignty in the Antarctic and it was in order to establish British control over whaling that the further deliberate annexation of the Falkland Islands Dependencies was carried out in 1908. ... Owing to the fact that the geographical co-ordinates mentioned in the Letters Patent of 1908 included a large section of the southern extremity of South America, the Letters Patent were erroneously interpreted in some quarters as meaning that His Majesty's Government claimed this section of the continent. ...”*¹⁵²

*“In the period between their discovery and the issue of Letters Patent in 1908, no foreign national put forward a claim on behalf of his country to any part of the Falkland Islands Dependencies. Although numerous foreign expeditions, scientific, commercial and naval, visited the area during this period, none of them thought fit to challenge British sovereignty in any way whatsoever. It may therefore be fairly assumed that British sovereignty received tacit recognition from all the important maritime powers during the nineteenth century. No objection was put forward by any other power to the terms of the Letters Patent of 1908...”*¹⁵³

*“The most extraordinary thing about this unprecedented declaration of sovereignty is that it covered an enormous area and it had been done so unscrupulously that it included part of our territories of Tierra del Fuego and Santa Cruz and the Chilean province of Magallanes.”*¹⁵⁴

*“British title to the Dependencies "does not derive from the Falkland Islands" and "these territories have been treated as Dependencies of the Falkland Islands only for reasons of administrative convenience." ... in Argentinian eyes, the express linking of the Dependencies with the Falkland Islands has no doubt been perceived as a way of legalistically bolstering what might otherwise be a weak claim...”*¹⁵⁵

151 *British and Foreign State Papers, 1907-08, Vol. 101 (London, 1912), pp. 76-77.* See - <https://falklandstimeline.files.wordpress.com/2018/01/1908-1917-letters-patent.pdf>

152 *Memorandum on the Falkland Islands Dependencies 1947 in LCO 2/490*

153 Christie 1951 p.240

154 Destefani 1982

155 *Who owns the Falkland Island Dependencies in International Law? An Analysis of Certain Recent British and Argentine Official Statements* C. R. Symmons 1984

*"The Letters Patent, however, did not "necessarily bring into force in the Dependencies the whole of the existing legislation of the Colony, and some difficulties might arise as to the applicability of certain Ordinances if no further provisions were made". In remediation, statutes in force in the Falkland Islands were extended to the Dependencies by the 1908 Dependencies Ordinance ... The 1881 Seal Fishery Ordinance could now be applied to regulate the new and growing industry. The 1908 Ordinance empowered the Falkland Islands government to locate a Stipendiary Magistrate on South Georgia to administer the Dependencies directly, especially the growing whale industry and population."*¹⁵⁶

September 1st, Britain's Letters Patent are published in the *Falkland Islands Gazette*.



*"The Letters Patent vested all powers of Government and legislation in the Governor of the Falkland Islands, and provided that "the Governor is, and shall be deemed always to have been, authorized and empowered to make and execute, in Our name and on Our behalf, grants and dispositions of any Lands which may lawfully be granted or disposed of by Us within the Dependencies." ..."*¹⁵⁷

"... (the) question of title to the Falkland Island Dependencies is legally distinct from

*the question of title to the Falkland Islands themselves", being based on different facts..."*¹⁵⁸

In Port Stanley, a South Orkneys Whaling Licence is issued to the *Newfoundland Steam Whaling Company* by the Governor.

*"In 1908 a licence to take whales in South Shetland and Orkney waters was granted to the Newfoundland Steam Whaling Company. In the same year another company applied for a licence for the latter area and similar applications were received from various companies in each of the three following years."*¹⁵⁹

In **November**, from Buenos Aires, the *Compania Argentina de Pesca* applies to the Falklands governor for a licence to hunt seals under the Dependencies Ordinance of 1908.

*"A provisional licence was issued for 1909 on the condition that if sealing was successful the company would either take out a licence in 1910 or face a £10 fine. It was not satisfied with this and asked to take out a long-term licence. This was rejected by the government since quantitative information on the size and distribution of the elephant seal stock was unavailable. ... The company was required thereafter to apply for the licence annually. ... Nonetheless, it did enjoy a virtual monopoly until the industry ended. At least 260,950 animals were killed."*¹⁶⁰

November 13th, Argentina's Foreign Minister asks to be informed as to the terms of the "declaration" of July.

"On the issue of the Letters Patent the Argentine press announced that His Majesty's Government had issued a declaration of sovereignty over the islands. The Argentine Minister for Foreign Affairs enquired of Mr. Russell (His Majesty's Charge d'Affaires at Buenos Aires) as to the terms of this

156 Dickinson 2007 citing Scott Polar Research Institute MS 240/1

157 *Memorandum on the Falkland Islands Dependencies* 1947 in LCO 2/490

158 Symmons 1984 citing *Antarctic cases 1955. cf. 1955*

159 *Memorandum on the Falkland Islands Dependencies* 1947 in LCO 2/490

160 Dickinson 2007 p.131

*declaration of sovereignty. Mr. Russell was instructed to supply him with a copy of the Gazette in which the Letters Patent had been published. He did so and the Argentine Government acknowledged the receipt of his note without comment.”*¹⁶¹

*“No evidence can be found that either Argentina or Chile protested against an inclusion of their territory under British jurisdiction.”*¹⁶²

Argentina also approaches Chile.

*“... the governments of Argentina and Chile met in 1906 and again in 1908, to discuss the question of Antarctica and the possibility of defining a common border in the far south. These talks, however, broke down without agreement. The main reason for this failure was their overlapping ambitions: both countries wanted the South Shetland Islands and the tip of the Antarctic Peninsula, which were the most strategically useful and economically viable part of the region due to their accessibility. The two countries did, however, agree upon a vague notion of an ‘American Antarctica,’ based, in part, on the apparent geological continuation of the Andes Mountains into the Antarctica Peninsula.”*¹⁶³

December 29th, from Stanley, Governor Allardyce reports his concerns regarding conservation of sealing stocks in the Falklands following; *“... a raid on the Fur Seal rookery at Volunteer Rocks, almost within sight of the seat of Government. On that occasion the rookery was depleted and the seal pups left to die.”*¹⁶⁴

Stanley Sports Association is founded.

1909 – in January, the Governor is authorised to apply the Falklands sealing regulations to the South Sandwich Islands, and to consider the application for a sealing licence from *Compañía Argentina de Pesca*.¹⁶⁵

The *Seal Fisheries (Dependencies) Ordinance* is enacted.

*“The Canadian pelagic sealers argued, albeit unsuccessfully, that this did not apply to them since they had taken the skins at sea outside colonial waters. ... as a result some 70,000 skins may have left the colony duty free until 1908. ... If the royalty had been paid, about £14,000 would have been generated for the treasury.”*¹⁶⁶

February 20th, a copy of the 1908 *Letters Patent* is forwarded to Argentina's Foreign Ministry.

March 18th, Argentina's Foreign Minister, Victorino de la Plaza, acknowledges receipt of a copy of the Falkland Islands *Gazette*.

*“... it is to be concluded from the terms of their reply that in 1909 Argentina did not dispute the British title to South Georgia, the South Sandwich Islands, the South Shetlands and Graham Land, which territories were also covered by the communication sent to the Argentine Government,...”*¹⁶⁷

*“Argentina acknowledged receipt of it on 18 March 1909, but did not protest or take any other action. A copy was also sent to the Chilean foreign ministry, which likewise acknowledged receipt but took no action.”*¹⁶⁸

161 Internal FO memorandum in FO 371/12735 at 97

162 Memorandum on the Falkland Islands Dependencies 1947 in LCO 2/490

163 Reluctant collaborators: Argentina and Chile in Antarctica during the International Geophysical Year, 1957–58 A. J. Howkins 2008 in *Journal of Historical Geography* 34 (2008) 596–617

164 Palmer in Tatham (ed.) 2008 p.39

165 Field 1928 para.277. See July, 1908

166 Dickinson 2007 p.104

167 *Antarctica Cases: United Kingdom v. Argentina; United Kingdom v Chile* International Court of Justice 1956 p.23

168 Pascoe 2020 p.270

On South Georgia, with British leases, new whaling stations are established at Leith Harbour and at Ocean Harbour (*Lauritz Larsen*).

July 22nd, the *Compañía Argentina de Pesca* take on a further British lease for Jason Harbour.

“... the *Compañía Argentina de Pesca*... A company... which recognises a concession granted by the British government... the Argentine government, through that company’s compromising, appears to recognise British sovereignty. That is deplorable.”¹⁶⁹

“Britain discovered South Georgia, the South Orkneys, the South Sandwich Islands and the South Shetlands and administered them with magistrates and other officials from 1909, with Argentina’s knowledge and without protest. There is no possible Argentine claim to have inherited South Georgia from Spain, since the Treaty of Tordesillas “allocated” it to Portugal, and Spain never had any presence there.”¹⁷⁰

August 25th, from Stanley, Governor Allardyce sails to inspect the new *Salvesen* whaling factory at New Island.

November 30th, at South Georgia, James Innes Wilson arrives on-board a *Christian Salveson & Co* ship, *SS Coronda*, as the newly appointed Stipendiary Magistrate. To ensure compliance with the whaling and sealing laws.

A South Georgia post office is established in the managers Villa at Grytviken.

“... British administrative authority has been in continuous occupation ever since.”¹⁷¹

“Much credit for the subsequent success of both industries must go to this first representative of the Crown in the Dependencies as well as to the then-Governor William Lamond Allardyce. Both recognised that the economy of the colony and Dependencies would benefit significantly from the import, export and oil production duties generated by a long-term industry.”¹⁷²

December 31st, on South Georgia, 720 people are recorded as present, with 93% shown as ‘Scandinavian.’

“During December 1909 Wilson inspected all the South Georgian whaling stations... the population of Grytviken was 150.”¹⁷³

1910 – January 1st, in the South Atlantic, a *Seal Fisheries (Dependencies) Ordinance* comes into force; abandoning the royalty system but doubling the fee to £20. The legislation requires the establishment of seal reserves as well as providing a ‘closed season’ from October 1 to December 31 each year.

In Buenos Aires, a book considering at the history of the Falkland Islands from Argentina’s perspective, is published – *Les îles Malouines: nouvel exposé d’un vieux litige* by Paul Groussac.¹⁷⁴

“This was a bitterly anti-British and one-sided book which misinterpreted some of the events of 1770 and 1771 – the Spanish seizure and restoration of Port Egmont. Groussac paid minimal attention to the American involvement in the events of 1831 to 1833, which in fact he knew all about. ... His book was written before the Vernet papers were donated to the Argentine archives and Groussac makes no mention of them or to Vernet’s pro-British sentiments. Nor did he consult the British State papers.”¹⁷⁵

169 Miguel Ángel Zavala Ortiz to the Argentine Congress, April 20, 1950 in *Diario 1950* pp.1178-1179

170 Pascoe 2020 p.272

171 *Memorandum on the Falkland Islands Dependencies* 1947 in *LCO 2/490*

172 Dickinson 2007 p.131

173 Pascoe 2020 p.271

174 Groussac was born in France but moved to Argentina in 1866 when he was 18. His book, published in French, became particularly influential after a version of it was made compulsory reading in Argentine schools in 1937.

175 Peter Pepper in Tatham (ed.) 2008 p.254

*“Paul Groussac ... gives a seriously faulty account of Falklands history: he misinterprets the events of 1770-71, he understates the involvement of American sealing ships and the foreign recognition of Britain’s possession of the islands, he says hardly anything about Louis Vernet, who played such a central part in the story, and he omits the vitally important Convention of Peace. Groussac’s work is therefore of little value, though for some time it was the only full-length book on the Falklands dispute, ...”*¹⁷⁶

Researcher's Comment: Groussac's sole original claim was that Spain returned only Saunders Island to the British in 1771. The location, he said, of Port Egmont.

In reality, Port Egmont was the body of water sheltered by West Falkland, Saunders Islands and Keppel Island – all of which had British buildings erected on them.

Spain, in the convention of 1771, had acknowledged that Port Egmont was part of the Great Malouine – West Falkland.



January 16th, Norwegian, Carl Anton Larsen, applies to the South Georgia Magistrate for British citizenship.

*“I have given up my Norwegian citizens rights and have resided here since I started whaling in this colony on 16 November 1904 and have no reason to be of any other citizenship than British, as I have had and intend to have my residence here still for a long time.”*¹⁷⁷

February 4th, an Argentine newspaper reports.

*“... correspondence recently brought back from the (South Orkney) islands had an Argentine stamp with a postmark placed on it by the official of the observatory charged with the correspondence, bearing the designation “Southern Argentine Territories, Orkneys Station... It was also argued that the maintenance of the observatory on the islands must in itself constitute in time an act of sovereignty which would entitle Argentina to claim possession of the islands by right of undisputed occupation....”*¹⁷⁸

March 31st, Britain signs a general arbitration agreement with Argentina.¹⁷⁹

*“It is signed in London on March 31 of that year to settle “all the differences between the Contracting Parties that it would not have been possible to settle through diplomatic channels” resorting to the Permanent Court of Arbitration in The Hague, established by the 1899 Convention. “Provided, however, that they do not affect the vital interests, independence or honor of the two Contracting States, and that they do not concern the interests of third parties.” The islands are not mentioned.”*¹⁸⁰

176 Pascoe 2020 pp.267-268

177 Quoted in Headland 1984 & 1992

178 FO 371/12735/55

179 See 1899 & 1907

180 *La cuestión Malvinas en los tratados anteriores a 1966* E. Aramburu 2014

April 7th, from Buenos Aires, Minister Townley writes to London in support of a cession of the South Orkney's to Argentina. He argues, *inter alia*, that the meteorological site there allowed Argentine farmers to know if the season would be wet or dry at least six months ahead.¹⁸¹ London requests the views of the Falklands' Governor.

*“... there can be no doubt that this colony would be a serious loser should Mr. Townley's recommendation be hereafter given effect to.”*¹⁸²

May 9th, in the Falklands, *Malvina*, carrying a cargo of wool, is wrecked on Saunders Island.¹⁸³

May 25th, Argentina celebrates the centennial of the *Primera Junta* of 1810 with the publication of a map identifying the Falklands as Argentine territory.¹⁸⁴

*“He reminds me that the rights of Sovereignty are not established by the colouring on a map...”*¹⁸⁵

*“The British representative in Buenos Aires was instructed not to take notice of its existence.”*¹⁸⁶

Researcher's Comment: The relevancy of maps, official or unofficial, had led to a series of exchanges between Argentina and Britain in 1884. However, Argentina argued that maps had little, if any, relevance to questions of sovereignty. Britain therefore stopped protesting at these minor affronts.

In **September**, aware of Groussac's book, the American Department of the British Foreign Office requests a review of historical correspondence. Gaston de Bernhardt, an assistant librarian, is tasked with the research. He is given three months.

*“Bernhardt's brief was not to analyse the rights and wrongs of the case but only to summarise the **correspondence** on the dispute, which of course is only part of the picture. He fulfilled that limited task competently enough...”*¹⁸⁷

October 5th, from Argentina, Minister Townley writes to the Foreign Office again, regarding the South Orkneys.

*“I would respectfully venture to submit that the disputed ownership of the barren rocks may possibly some day lead to an unpleasant incident. ... The possession of the Falkland Islands is always dragged in as to what Argentina will do when she has a large fleet and one hundred and fifty million inhabitants, but reasonable people have given up hope that Great Britain will ever consent to a discussion of this question.”*¹⁸⁸



181 Governor Allardyce to Mr. Harcourt December 24th, 1910 in FO 371/1288

182 *Ibid*

183 *Cambridge Expedition to the Falkland Islands 1977: Report to the National Maritime Museum*

184 Buenos Aires in 1810 rejected Napoleon's Spain, but declared for Spain's King Ferdinand. Not an act of independence.

185 Foreign Minister Ortiz in *Monson to Granville, December 31, 1884* in FO 6/503/97. *cf.* 1884

186 Kohen & Rodriguez 2016 p.246

187 Pascoe 2022 vol.3 p.227

188 *Townley to Sir Edward Grey 5 October 1910* in *The Falkland Islands/Malvinas: The Contest for Empire in the South Atlantic* B. Gough 1992

At the Falklands, Governor Allardyce issues seven South Orkney whaling licences for the 1910/11 season.¹⁸⁹

November 11th, in London, a Foreign Office *memo* raises the possibility of a cession of the South Orkneys.

“... the proposal to cede the islands is not a new one. It originated with Mr. Townley, then Minister at Buenos Aires, who suggested in 1910 that they should be ceded in the form of a free gift as they were useless to us and valuable to Argentina on account of the observatory. The Admiralty had no objection to the proposal but the Colonial Office turned it down on the grounds that the islands were valuable as a base for the whaling industry in which many of the Falkland Islanders were interested, and that they provided a small but useful revenue for the Government of the Falkland Islands.”¹⁹⁰

“... Allardyce became alarmed at a discussion which was taking place in the Colonial Office about appeasing Argentine claims to sovereignty. ... in reply to a secret despatch from London dated 11 November 1910 about a possible cession of the South Orkneys to the Argentine Republic, Allardyce strongly opposed the proposal...”¹⁹¹

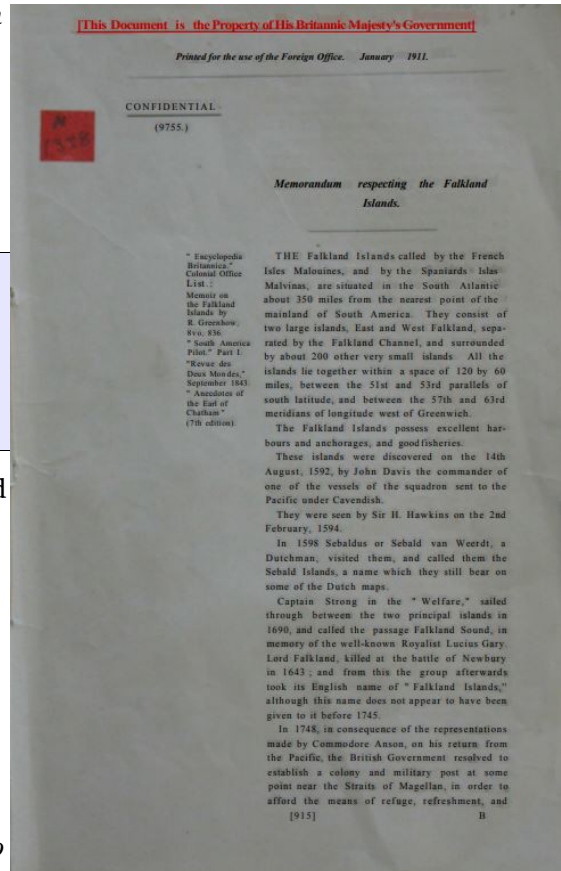
December 7th, before printing, Gaston de Bernhardt's research is circulated within the Foreign Office.¹⁹²

Researcher's Comment: The brief was specific - 180 years of correspondence to be reviewed and written up in three months. All things considered, the assistant librarian did well; but there was a lot missing. This report would, however, colour Foreign Office thinking for the next two decades.

December 12th, in London, a clerk at the Foreign Office, Gerald Spicer, adds his opinion to the *Memorandum*.

“For more than 60 years we have refused to discuss the question with the Argentine Gov., but from a perusal of this memo, it is difficult to avoid the conclusion that the Argentine Govt.'s attitude is not altogether unjustified and that our action has been somewhat high-handed. If the alleged secret understanding between the Spaniards and ourselves could be traced our claims would probably be found to be weaker than they are. ... the Argentine Govt. do not regard this question as closed.”¹⁹³

“With a subject as complicated as the history of the Falkland Islands, it is inevitable that individual officers will have differing and in some cases conflicting views. This is natural, but it is also irrelevant.”¹⁹⁴



189 Governor Allardyce to Mr. Harcourt December 24, 1910 in FO 371/1288. I am unable to find any Argentine protests with regard to the issue of such licences. Or any attempt by Argentina to issue its own licences.

190 FO 371/12735/101

191 Palmer in Thatham (ed.) 2008 p.39

192 FO 881/9755. Published for internal use by the Foreign Office in 1911. Click on the image for a hyperlink to the work. See also *The Anglo-Argentine Dispute Over Title to the Falkland Islands: Changing British Perceptions on Sovereignty since 1910* Peter J. Beck 1983 and *When the English doubted their rights* Juan A. Lanus 2010.

193 Quoted in Gough 1992

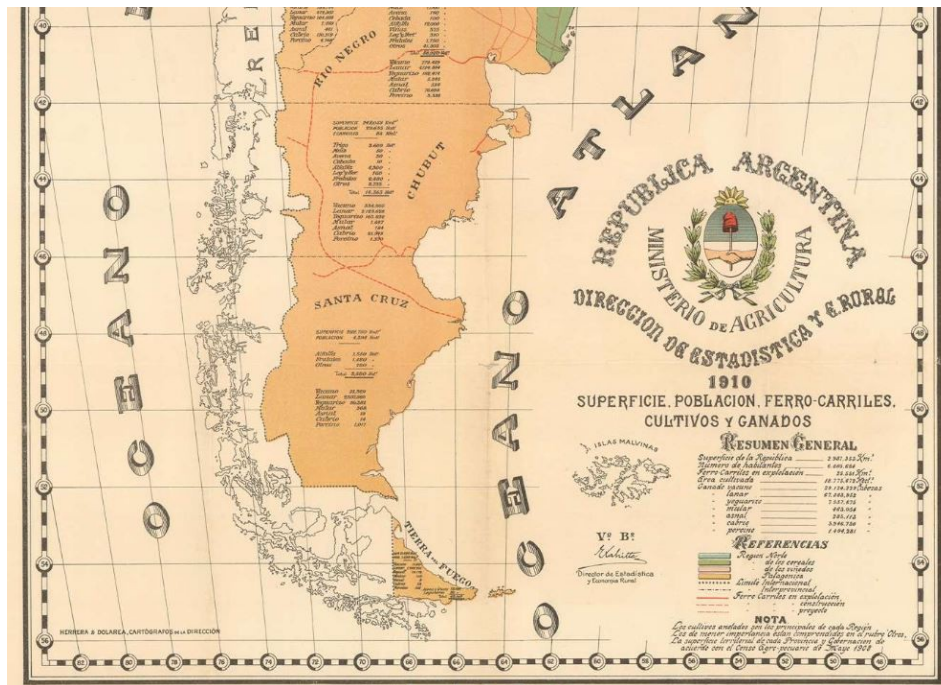
194 Foreign Office submission to the Parliamentary Foreign Affairs Committee in 1983. cf. *The Falkland Islands, 5th Report from the Foreign Affairs Committee Session 1983-1984 HC 268 25.10.1984*

“Read without further investigation or analysis, de Bernhardt's account must have seemed to Spicer to be pretty damning to the British case. No one at the Foreign Office at the time was interested enough in the Falklands to undertake any criticism of it, and it was taken at its face value. ... For 18 years until John Field's memo of 1928, it remained the standard Foreign Office paper on the Falklands, and no doubt strengthened the characteristic diffidence and reserve of that department. ... It is also important to realise that de Bernhardt's account has some glaring weaknesses, which are mainly explained by his limited brief, which only required him to summarise the correspondence.”¹⁹⁵

December 24th, from Stanley, responding to the question of ceding the South Orkneys, Governor Allardyce notes the potential financial losses for the Islanders. He also comments on the attitude that Argentina is likely to adopt.

“... almost certain to be misunderstood in South America, and might hereafter form an unfortunate precedent for other demands, and be used to materially weaken our claim to possessing any territory in these seas.”¹⁹⁶

“The cession was proposed as a free gift, and appears to have been contemplated as a complimentary gesture on the occasion of the Argentine centenary celebrations. The Admiralty had no objections. The Board of Trade could not suggest a quid pro quo. The Colonial Office vetoed the proposal on the ground that the South Orkney's were valuable as a base for the whaling industry...”¹⁹⁷



195 Pascoe 2022 vol.3 p.228

196 Governor Allardyce to Mr. Harcourt December 24, 1910 in FO 371/1288. Also David Tatham (ed.) 2008 p.39

197 Internal Foreign Office memo by H. Jones dated July 8, 1930 A 4733/1437/2/1930

1911 – in South Georgia, the Norwegians introduce reindeer as a food source for the whalers. ¹⁹⁸

In London, the US *charge d'affairs* approaches the British government to ask if there would be any objection to a US citizen, Capt. Cleveland, hunting sea-elephants at South Georgia.

“... he was informed, in reply, that the Governor of the Falklands would be authorised to grant Captain Cleveland a licence to take a limited number of sea-elephants in South Georgia in the 1912 season.” ¹⁹⁹

March 30th, Britain's Foreign Secretary, Edward Grey, provides a written answer in Parliament - regarding the negotiation of arbitration agreements with other nations.

“There are thirteen which have been concluded for a period of five years, most of which have been renewed for a further period of five years. In addition to the above, treaties have been signed with the Argentine Republic and Brazil which have not as yet been ratified by the King.” ²⁰⁰

April 2nd, in the Falklands, a population census identifies 2,272 people present.

In **May**, the South Georgia, the Magistrate reports that 5,521 whales have been caught, yielding 150,457 barrels of oil valued at £394,898. Governor Allardyce complains that the revenue to the Falkland Islands' Government is less than 1% of the value of the catch and recommends an export duty of 3d per barrel be imposed.

At Port Stanley, a 5 kilowatt wireless telegraphy station is installed, enabling telegrams to be sent to Uruguay.

June 6th, at South Georgia, *Bayard* is wrecked in Ocean Harbour.

June 22nd, in the Falklands, the coronation of King George V and Queen Mary is celebrated.

In **July**, in London, Foreign Office Assistant-Secretary, Robert Campbell, submits a *minute* regarding de Bernhardt's research.

“Who did have the best claim when we finally annexed the islands... I think undoubtedly the United Provinces of Buenos Aires. We cannot easily make out a good claim and we have wisely done everything to avoid discussing the subject.” ²⁰¹

“Research Department have also discovered a Foreign Office minute of 1911 setting out the weakness of our claims, which has somehow found its way through the safety net and into the Public Records Office. Apparently its nature is clearly apparent from the index. I enclose a copy. We must keep our fingers crossed that the Argentines do not take it into their heads to start hunting around in the PRO.” ²⁰²

“As to the question of doubts which may have been expressed by officials from time to time, it is inevitable in a matter such as this, involving consideration of complex historical and factual questions, that doubts may have been expressed... It depends very much on the time at which they were expressed. The law has developed over the years. Anything, for example, prior to 1928 would not have taken account of a major arbitration in that year, bearing upon the question of ‘acquisitive prescription’ in the Palmas arbitration. Anything prior to that certainly has to be considered in that light.” ²⁰³

198 Ironically, in 2013, it was Norway that was asked to employ its expertise at culling reindeer numbers.

199 *The United States and the Question of the Falkland Islands* A. F. Orchard Sept, 1928 in FO 371/12736/324

200 These were as a result of the 2nd Hague Convention. cf. 1907. More than 70 arbitration treaties had been registered at the Hague by 1911. Britain's agreement with Argentina appears to have stalled following changes made to the agreement by the Argentine Senate. See September 15, 1911.

201 Quoted in *Notas sobre documentos del Foreign Office referentes al conflicto Malvinas* Enrique Ferre Vieyra quoted in *La política internacional, el derecho y el territorio nacional* 1999

202 *Fearn to Williams* November 26, 1981 in AW 040/325/1

203 Sir Ian Sinclair quoted in *Little Platoon* M. Charlton 1989 p.3. Sinclair was a F.O. Legal Adviser 1976– 1984.

At South Georgia, *Camana* is scuttled at Husvik Harbour. ²⁰⁴

In **September**, the internal debate within London's Foreign Office on the issue of a cession of the South Orkney Islands to Argentina continues.

“Our title to the South Orkneys is much stronger than it is to the Falklands, but we should of course be much more unwilling to give up the latter. It seems probable that if we make any offer to the Argentine Govt., in connection with the South Orkneys they will be encouraged to raise the question of the Falklands.” ²⁰⁵

September 15th, Colonial Secretary Harcourt adds his view

“... he regrets that he is unable to concur with the views of Secretary Sir E. Grey as to the policy of offering to cede the South Orkneys... even if it were possible to come to an understanding with the Argentine Government on the matter; it is to be feared that the Senate would be unwilling to accept the terms agreed upon or to consent to waive the claim of the Argentine Republic to the Falkland Islands.” ²⁰⁶

“Harcourt presumes that it is with a view to raising the question of the sovereignty of the Falkland Islands that the Argentine Senate has eliminated the clause restricting the scope of the proposed arbitration treaty...” ²⁰⁷

September 27th, in London, the Foreign Office responds to the Colonial Office.

“Secretary Sir E. Grey ... observes that Mr. Harcourt’s objections to any offer to cede the South Orkneys to the Argentine Government are based mainly upon the assumption that such a step might fail to secure recognition of the British title to the Falkland Islands, and would weaken the British case if His Majesty’s Government were compelled to submit the matter to arbitration under a general treaty. I am to explain that Sir E. Grey does not propose to proceed with general arbitration treaties with any country pending the conclusion of the treaty recently under negotiation with the United States, nor does he propose the conclusion of a treaty with the Argentine Government until the British title to the Falkland Islands has been recognised.” ²⁰⁸

“The Colonial Office agreed to this proposal, and after informal enquiry of the Argentine Government as to whether the cession of the islands on the terms proposed would be agreeable to them, Sir R. Tower was instructed to arrange with them an 'exchange of courtesies' in the form of a convention under which the South Orkneys would be ceded in return for a suitable site for a Legation house.” ²⁰⁹

“This clearly shows that the British Government was perfectly aware that Argentina still maintained its claim over the Falkland/Malvinas Islands in 1911.” ²¹⁰

October 21st, Germany's Antarctic (Filchner) Expedition arrives at Grytviken in *Deutschland*.

204 *Wrecks, Hulks and Other Vessel Remains at South Georgia, Falkland Islands Dependencies* R. Headland 1984. As whaling became less profitable, old equipment was abandoned rather than maintained.

205 *FO 371/1288*. This note, one of a series, is initialled R.S.

206 *Colonial Office to Foreign Office September 15th, 1911* in *FO 371/1288*

207 *Ibid*

208 *FO 371/1288*

209 *Ibid* cf. 1914

210 *The Malvinas/Falklands Between History and Law* M. G. Kohen & F. D. Rodríguez 2017 p.188

1912 – January 17th, Robert Falcon Scott, leading a five-man expedition, reaches the South Pole; the second man to do so. ²¹¹

February 19th, HMS *Glasgow* visits Stanley.

A geological survey of South Georgia is conducted by Davis Ferguson for *Christian Salvesen's*, while six Norwegian companies take out Dependencies licences to hunt the South Sandwich Islands. ²¹²

On South Georgia, a house is built for the magistrate at King Edwards Point. Grytviken is designated a '*port of entry*' for South Georgia. ²¹³ The South Georgia Post Office is moved to King Edwards Point. ²¹⁴

March 11th, the Falklands Islands switch from using Stanley Mean Time (UTC -3:51:24) to Falkland Islands Time (UTC -4). ²¹⁵

In **June**, at Grytviken, a typhus epidemic kills nine whalers.

In the Falklands, a new wireless station is established at Hookers Point by Governor Allardyce; "... *without assistance from either the Home Government or the Admiralty.*" ²¹⁶

"In 1912 a wireless station was organised at Port Stanley. The Argentine Government was formally told of the fact; but some official pointed out that if the notification were acknowledged British occupation of the Malvinas would be recognised! So, instead of acknowledging receipt of the Note, all direct communications, by wire or post, with the islands, were deprecated." ²¹⁷

September 28th, in the Falklands, the '*Wild Animals and Birds (South Georgia) Ordinance*' comes into effect, offering protection to reindeer, the Upland Goose, and other bird species. Kristen Loken becomes the first resident clergyman on South Georgia.

October 21st, the Hektor Whaling Company take out a 21 year lease for a shore station on Deception Island in the South Shetland Islands; issued by the Governor of the Falkland Islands Dependencies. ²¹⁸

"By 1912-13 there were 12 factory ships and 32 catchers working in the South Shetlands area, all holding licences issued by the Falkland Islands Government." ²¹⁹

On Deception Island, a seasonal post office is established; with Port Foster designated as a "*port of entry*".

"A post office was maintained by the stipendiary Magistrate from 1912 to 1928. Falkland Islands stamps were used, at first bearing an overprint 'Port Foster,' but from 1913 onwards this overprint was replaced by a rubber cancellation date stamp with the words 'Deception Island, South Shetlands.' ..." ²²⁰

211 Beaten to the pole by a Norwegian, Roald Amundsen, who had arrived there just 5 weeks before Scott. None of Scott's team survived the journey back.

212 *The Agent for the Government of the United Kingdom to the Registrar of the International Court of Justice at the Hague, May, 1955*

213 *Memorandum on the Falkland Islands Dependencies* 1947 in *LCO 2/490*. cf. 1982

214 An early suggestion that South Georgia should issue its own stamps was squashed for political reasons, resulting in the South Georgia Post Office using Falkland Islands stamps for the first 35 years of its existence. With a 'South Georgia' over-stamp.

215 Converted Universal Time (UTC) is the successor to Greenwich Mean Time (GMT). UTC -4 is four hours behind UTC.GMT. Not all countries automatically follow the UTC system. cf. 1983 & 2010

216 *The Battle of the Falklands, 1914: A Falklands perspective* Graham Pascoe 2014

217 *The Times* August 12, 1928. cf. July, 1928

218 *Memorandum on the Falkland Islands Dependencies* 1947 in *LCO 2/490*

219 *Ibid.*

220 *Ibid.*

November 12th, in the Falklands, *Oravia* is wrecked on Billy Rock – crew and cargo are saved by the local tugs *Penguin*, *Plym* and *Samson*.

November 15th, *Oravia* sinks.
Postcards of the wreck are sold.

November 24th, American whaling brig *Daisy* arrives off South Georgia; “... and, to her captain's indignation, he was forced to take out a licence to hunt sea-elephants.”²²¹

“The tiny, land-locked haven of Grytviken ... finally greeted us through the sense of smell even before we had rounded the point that hides its entrance. The odor of very stale whale then increased again as we entered the cove, which might be likened to a great cauldron so filled with the rotting flesh and macerated bones of whales that they not only bestrew its bottom but also thickly encrust its rim to the farthest highwater mark. At the head of the cove, below a pointed mountain, we could see the whaling station, its belching smoke, several good-sized steamers, and a raft of whale carcasses. Fragments of entrails and other orts [sic] of whale were floating out to sea.”²²²



December 24th, sealing conservation areas are identified around the Falkland Islands.

“In a further attempt to increase the stock, South, Flat, and Elephant Jason Islands and North and South Fur Islands were declared Crown Reserves... The Jason Islands were central to the industry, generating forty-five per cent of the fur seal harvest during 1910-1912.”²²³

1913 – March 14th, a crippled iron barque, *Lady Elizabeth*, limps into Port Stanley in a poor condition after suffering damage at Cape Horn. She is condemned and sold as a coal hulk.

March 22nd, at Grytviken and Leith whaling station, workers go on strike.

An officer is sent to the South Orkney Islands to supervise observance of the whaling laws.

“Mr. Moyes, Customs Officer to the Orkney Islands, spent over two months in the group in 1913.”²²⁴

“... and, while there, (Moyes) acted as auctioneer for the sale of the wreck of the floating factory *Tivga* at the request of the Norwegian owners.”²²⁵

October 8th, Solveig Gunbjørg Jacobsen is born on South Georgia

In **September**, a draft-agreement exchanging the South Orkney Islands for land in Buenos Aires is drawn up.

December 25th, at Grytviken, a Lutheran church is consecrated for the Norwegian sealers working there.²²⁶

221 *The Antarctic Problem* E. W. Hunter Christie 1951

222 *Logbook for Grace: Whaling brig Daisy 1912–1913* R. Cushman Murphy 1965

223 Dickinson 2007 p.89

224 Internal Foreign Office memo by H. Jones dated July 8, 1930 A 4733/1437/2/1930

225 *Memorandum on the Falkland Islands Dependencies* 1947 in LCO 2/490

226 See 1916

1914 – January 10th, the South Orkney’s draft-agreement is amended in Buenos Aires.

“... the Minister of Foreign Affairs, Dr Ernesto Bosch, ... (found) it difficult to accept the phrase “the sovereignty is ceded.”...” ²²⁷

“Unless Sir R. Tower withheld such a vital piece of information, which is hardly imaginable, no objection of this sort was raised at all.” ²²⁸

“A draft convention was submitted by Sir R. Tower in which the word “cession” was used. The Argentine Government replied with a counter-draft in which they made use, without any comment, of the expression.” ²²⁹

March 6th, explorer Ernest Shackleton applies to the Falklands governor for a monopoly over the fur seal rookeries around the archipelago.

“Although Shackleton had announced on 13 January 1914 that he had obtained funding for his proposed 1914-1917 Trans-Antarctic Expedition, he may have been thinking of income for the future.” ²³⁰

On South Georgia, a football match takes place between a team from Grytviken (below), and a team from A/S Ocean.

“The team from Grytviken consists of Englishmen, Danes, Swedes and Norwegians and an impressive Irish player in defence. The team from Ocean is made up of nine solid built boys from Larvik and two Swedes.” ²³¹

March 20th, following a change of government in Argentina, the South Orkney draft-agreement is abandoned. ²³²

“Both President Peña and Dr. Bosch were, I believe, genuinely desirous of giving effect to the exchange of courtesies with His Majesty's Government. That generation has passed away and the present Administration shows no favour to anything that will entail expense.” ²³³



“... in the absence of any reply to his note of the 10th of January, His Majesty’s Minister asked the new Foreign Secretary whether he might expect an expression of the views of the Argentine Government on this matter. He was informed in reply that “Dr. Plaza (Acting President) had given his opinion that the present was an

²²⁷ FO 371/12735/109

²²⁸ Internal Foreign Office memo by H. Jones dated July 8th, 1930, in A 4733/1437/2/1930, footnote to para.23. This suggests that the amendment had been made locally in Buenos Aires, but not notified to the UK.

²²⁹ Memorandum on the Falkland Islands Dependencies 1947 in LCO 2/490 footnote to para.23

²³⁰ Dickinson 2007 p.92. A lease was drawn up, but Shackleton never established a company.

²³¹ Dag Ingemar Børresen, Sandefjordmuseene in “Sophus”, a Larvik Museum publication, April 2004. Ocean won 9:2

²³² FO 371/12735/102. cf. 1912 & 1927

²³³ Sir R. Towers despatch quoted in Memorandum on the Falkland Islands Dependencies 1947 p.42 (fn) in LCO 2/490

*inauspicious moment to put forward any suggestion entailing expenditure by the Argentine Government, and that he felt that the contemplated purchase of a site for a British Legation house in Buenos Aires would prove onerous at a moment when every endeavour was being made towards effecting economies"..."*²³⁴

Whaling Officer Spencer is sent to the South Orkneys to liaise with the local magistrate and inspect the licensed whaling vessels operating there.

Further whaling licences are issued by the Falkland Islands Dependencies Government for ships operating at the South Shetlands.

*"In 1914 licences were held by eight Norwegian companies, one British company and one Chilean company. All these licences, except that of the Hektor Whaling Company, were subject to annual renewal. Most of the factory ships were moored at Deception Island, but some used Admiralty Bay. ... A Norwegian maintenance party remained at Deception Island over the winter and a British Stipendiary Magistrate was resident on the island during each summer season from 1910 to 1930."*²³⁵

August 4th, in Europe, Britain declares war on Germany.²³⁶

*"The war came as no sudden surprise, as by wireless we were kept in very close touch with the trend of events in Europe. Being a British colony, precautions had to be taken against attack, so the local Volunteer force was mobilised, forming perhaps one of the smallest forces in existence."*²³⁷

*"During the 1914-18 War the Argentine authorities proved obstructive regarding wireless communication between the British Legation and the Governor of the Falkland Islands."*²³⁸

August 5th, at Stanley, Governor Allardyce informs the Islanders that Britain is at war with Germany.

*"I formally promulgated the Proclamation at 11am on the 5th before the citizens of Stanley, and called upon all loyal Colonists to become Volunteers ... In reply to my wireless messages to London, I was informed that no assistance could be rendered and that I must do the best I could."*²³⁹



Falkland Islands Defence Force 1914

234 Internal Foreign Office memo by H. Jones dated July 8, 1930, in A 4733/1437/2/1930. Footnote to para.23.

235 Memorandum on the Falkland Islands Dependencies 1947 in LCO 2/490

236 During the course of WWI, 36 Islanders enrolled in H. M. Forces. Ten lost their lives.

237 *Wireless in the Falkland Islands* W. D. Lacey in *The Wireless World* December 1916

238 Memorandum on the Falkland Islands 1947 in LCO 2/490

239 Quoted in Pascoe 2014

*“In 1914 Stanley was a rather run-down frontier town of eight stores, five pubs and three churches..... the majority of the inhabitants of Stanley were carpenters, storekeepers, mechanics, mariners, labourers and shipwrights; the population of the town was 905 which, because of a severe housing shortage, was crammed into 186 dwellings, most of which were of rusting corrugated iron in a poor state of repair...”*²⁴⁰

The Falkland Islands people pay for and donate three aircraft to the *Royal Flying Corps*.

August 15th, the newly completed Panama Canal has its official opening.

August 26th, at South Georgia, Falkland Islander, Edward Binnie, arrives as Magistrate.²⁴¹

September 14th, Rear-Admiral Sir Christopher Cradock, in command of the South American Station, is ordered to make the Falkland Islands the coaling base for his squadron.

October 1st, HMS *Glasgow* and HMS *Monmouth* take on coal at Port Edgar.

October 7th, at Port Stanley, Rear-Admiral Cradock arrives on HMS *Good Hope*. Cradock informs the Governor that a German squadron under Admiral Graf Maximilian von Spee has been reported near Cape Horn; consisting of *Scharnhorst*, *Gneisenau*, *Leipzig*, *Nurnberg* and *Dresden*.

*“Early in October the gallant Admiral Cradock with his squadron visited Port Stanley, and left shortly afterwards. Upon Admiral Cradock’s advice the women and children were sent away from Stanley to the outlying settlements. The exodus was such that local transport facilities could not stand up to, and every means of transport was resorted to. My wife had the unpleasant experience of spending the night on the tiny bridge of a steam whaler swept by seas every few moments... others preferred to go on horseback, and I am inclined to think they had the better bargain.”*²⁴²

October 26th, from Buenos Aires, Ernest Shackleton's *British Imperial Trans-Antarctic Expedition* sails on *Endurance*, bound for Grytviken.²⁴³

November 1st, at the Battle of Coronel, Von Spee's German squadron sinks HMS *Good Hope* and HMS *Monmouth*. HMS *Glasgow* is damaged.

November 5th, from the Admiralty in London, Winston Churchill telegrams a warning to Governor Allardyce.

*“German cruiser raid may take place. All Admiralty colliers should be concealed in unfrequented harbours, Be ready to destroy supplies useful to enemy and hide codes effectively on enemy ships being sighted.”*²⁴⁴

November 8th, at Port Stanley, HMS *Glasgow* and HMS *Canopus* anchor in the harbour. Remaining only a few hours, Governor Allardyce notes; *“The Glasgow had a huge hole in her port side large enough to admit a large dining table also several smaller holes, and one right in the stern about a foot square.”*

November 12th, at Stanley, HMS *Canopus* (Grant) returns with instructions to defend the town.

*“Canopus is to remain in Stanley Harbour. Moor ship so that your guns command the entrance. Extemporise mines outside the entrance... No objection to your grounding ship to obtain good berth.”*²⁴⁵

240 *The battles of Coronel and the Falklands in the making* Mensun Bound in *Penguin News* August, 2014

241 For a biography, see - https://www.falklandsbiographies.org/biographies/binnie_edward

242 Lacey 1916

243 Arriving November 5th.

244 *The World Crisis 1911-1914* W. Churchill 1923 vol.1

245 Quoted in Pascoe 2014

Grant sets up 4 shore-batteries and equips the Islands Volunteer Force with a 12-pounder gun. Mines improvised from oil drums are strung across Port William from Yorke Point to Arrow Point.



Port Stanley 1914

November 29th, at Stanley Cathedral, a memorial service is held for those officers and crews lost at Coronel.

December 5th, *Endurance* sails from Grytviken for the Weddell Sea.

December 6th, Admiral von Spee informs his squadron of the decision to attack the naval station at Stanley.

*“If the harbour is clear of enemy ships, Nurnberg will reconnoitre northwards, including Berkeley Sound, while outside Port William Gneisenau will lower boats to sweep for mines in the entrance. Following those boats Nurnberg is to enter Port Stanley and carry out the work of procurement and destruction. Gneisenau is to follow as far as the connecting channel between Port William and Port Stanley, anchor there and send armed cutters, to be covered by Nurnberg, to the town side of the harbour under the command of Sub-Lieutenant Kotthaus, who is to hand the Governor an ultimatum and attempt to bring him on board.”*²⁴⁶

December 7th, arriving in Port William are Admiral Sturdee's British squadron – *Invincible*, *Inflexible*, *Carnarvon*, *Cornwall* and *Kent*. *Glasgow* and *Bristol* enter the harbour at Stanley while an armed merchantman, *Macedonia*, patrols outside in the Sound.

December 8th, Germany's squadron approach the Falkland Islands. At 5am *Nurnberg* and *Gneisenau* break away to carry out their orders. From Sappers Hill, Islander, Cristian Andreasen, sees the German ships and telephones *Canopus*. Sighting smoke, the Germans assume that the islanders have seen them and are burning the stores; not suspecting the presence of British warships.

*“One thing we are sure of, and that is that they never saw us – never knew we were there, till we fired, and what is absolutely certain is that they never knew the Fleet was here... or they would have kept thousands of miles away...”*²⁴⁷

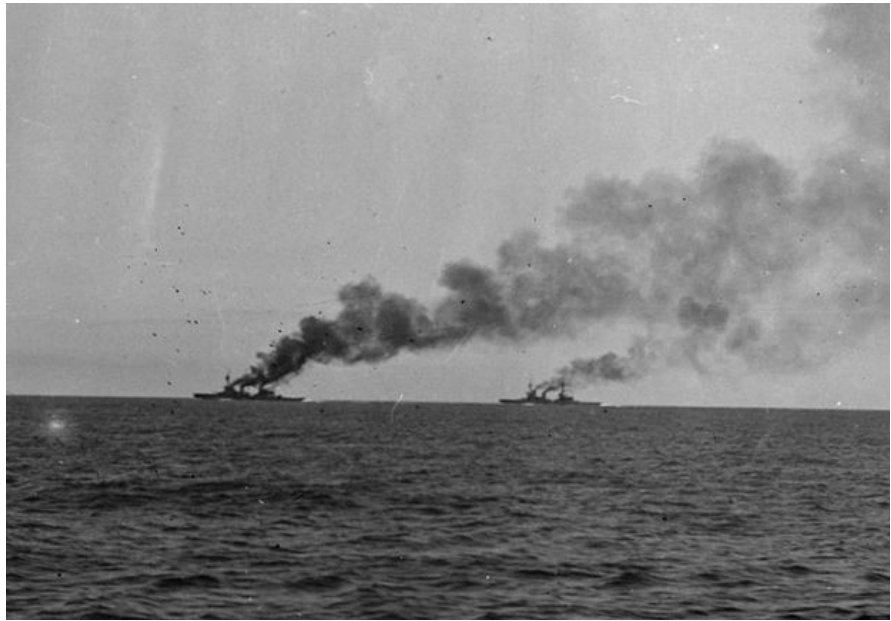
246 *Ibid*. This was a raid, not an invasion; contrary to suggestions from German prisoners. The intention to capture the Governor was, apparently, in revenge for the seizing of a German Governor in Samoa.

247 Midshipman Robert Dickson quoted in Pascoe 2014. p.33

HMS *Canopus* signals “Enemy in sight”

At the last minute, Admiral von Spee realises the danger and tries to flee; pursued by the British fleet.

Engaged during the afternoon, the German squadron is virtually destroyed. *Scharnhorst*, *Gneisenau*, *Leipzig* and *Nurnberg* are sunk. Admiral von Spee is killed together with more than 1,900 German seamen. British dead amount to eight.²⁴⁸



*“The victory off the Falklands terminated the first phase of the Naval War by effecting a decisive clearance of the German flag from the oceans of the world..... when Admiral von Spee's powerful squadron, having been unsuccessfully though gallantly engaged off Coronel, was brought to action and destroyed on 8th December by Sir Doveton Sturdee. Only two small German cruisers and two armed merchantmen remain at large of all their formidable preparations for the attack on our trade routes, and these vessels are at present in hiding... That is a very remarkable result to have been achieved after only a few months of war. I am sure, if we had been told before the War that such a result would be so soon achieved, and that our losses would be so small, we should not have believed it for a moment.”*²⁴⁹



*“After the battle we looked for some relaxation from such arduous duties as we had been doing, but owing to the British squadron remaining in the vicinity to hunt the Dresden we were obliged to keep the watches as before. ... After the Dresden was accounted for, the majority of the Volunteers were allowed to resume their civilian employment, but the watches on the wireless station were not diminished in any way.”*²⁵⁰

248 The wreck of *Scharnhorst*, Admiral von Spee's flagship, was located in December, 2019. See *Discovery of WW1 German Battlecruiser SMS Scharnhorst in Falklands waters* in *MercoPress* December 26, 2019

249 First Lord of the Admiralty, Winston Churchill speaking in the Commons. *Hansard HC deb 15.2.1915 vol. 69*

250 Lacey 1916

December 22nd, from Buenos Aires, the US *charge d'affaires* writes to his Secretary of State in Washington DC.

“The battle of the Falkland Islands has considerably improved the situation from the point of view of Argentine neutrality as there does not appear to be any further occasion at present for acts on the part of Germans which might infringe the country’s neutrality. On the other hand that battle has once more brought to prominence the long drawn out question of the sovereignty over those islands.

As the Department is probably aware, the Argentine Government at the end of every year has addressed a protest to the British Government against the occupation of the islands which are considered a part of Argentine territory. These annual protests have always been drafted in a formal manner and no replies or even acknowledgements to them have ever been received or were expected. ²⁵¹

It appears that the protest which will be made the last week of this year will be of a slightly different character and will ask that the British Government agree to compensate Argentina in case the German Government should demand an indemnity from this Government for allowing the British Fleet to violate the neutrality of its territory (Falkland Islands).

It is stated in some quarters that the British Government will also be asked to return the islands to Argentina at the close of the war. I do not believe, however, that such a request is contemplated.” ²⁵²

December 23rd, in Buenos Aires, following reports in the newspapers, Britain's Minister has a conversation with Argentina's Foreign Minister, Jose Murature. The Argentine Minister confirms that his country has not made any protest over the issue of the Falklands since 1888. ²⁵³

“On 23 December 1914 the British ambassador to Argentina, Sir Reginald Tower, reported to the Foreign Office that the local press in Buenos Aires had announced that on 24 December the Argentine Minister in London: “... would, by instructions from Dr. Murature, Minister for Foreign Affairs, present a protest against the occupation by Great Britain of the Falkland Islands. The papers add that this protest is made annually to His Majesty's Government”. It was not true, of course ... annual protests had ceased in 1849, and the Argentine Minister confirmed this.” ²⁵⁴

December 30th, William Douglas Young is gazetted Governor. ²⁵⁵

251 There is no record of such annual protests; not in the UK's archives, nor in those of Buenos Aires. See below.

252 *Papers Relating to the Foreign Relations of the United States, 1914, Supplement, The World War – The Charge d’Affaires (Lorillard) to the Secretary of State, American Legation, Buenos Aires, December 22, 1914*

253 Tower to the British Foreign Secretary, Sir Edward Grey, March 20th, 1915 in *British Documents on Foreign Affairs Part II* quoted in Pascoe & Pepper 2008

254 Pascoe 2022 vol.3 p.312. This is a reference to the annual Messages to Congress made by Argentine Presidents at the opening of the legislature. Whether a speech to the Argentine Congress can amount to a formal protest is moot. Protests should be made government to government.

255 For a biography, see - https://www.falklandsbiographies.org/biographies/young_sir

1915 – January 18th, some 25 miles from Vahsel Bay, *Endurance*'s route is blocked by sea ice.²⁵⁶

February 24th, ice locked, *Endurance* is treated as a shore station. Shackleton's *British Imperial Trans-Antarctic Expedition* prepare for a long wait.

*“Endurance slowly drifted northwards with Shackleton exercising his powers of leadership to maintain morale during the long Antarctic night and as the pressure of the ice-floes started to batter Endurance. Eventually, she sprang a leak and, when timbers began to crack, the men abandoned ship and set up 'Dump Camp' in tents on an ice-floe.”*²⁵⁷

In Panama, the newspaper *Star and Herald*, publishes a suggestion that Argentina is to protest the occupation of the Falkland islands by Britain.

*“Stories of a recrudescence of Argentina claims to the Falklands Islands have been circulated here and in other parts of South America, but, as I have been personally assured by Dr. Murature, and as he authorised the Argentine consul-general in Panama on 20th February to state officially, the last Argentine protest in regard to the Falkland islands was dated 1888...”*²⁵⁸

In **May**, the new Governor, William Douglas Young, arrives at Stanley and is the first to travel on the Camber Line. A narrow gauge railway running 3.5 miles between the Royal Navy depot and the Moody Brook Wireless Station.²⁵⁹



May 28th, Captain Newnham is appointed Commandant, *Falkland Islands Volunteer Force*.²⁶⁰

256 Vahsel Bay had been the planned starting point of the overland expedition.

257 Shackleton, *Sir Ernest Henry (The Boss)* Robert Burton in Tatham (ed) 2008

258 *Sir Reginald Tower to Sir Edward Grey March 20, 1915* in Pascoe 2022 vol.3 p.312

259 The railway link lasted until 1927 when it fell into disuse.

260 *The London Gazette No.29174*

Mr. Bennet, Britain's *Government Whaling Officer* spends 3 months on the South Orkney Islands. ²⁶¹

“Licences for whaling in the South Orkneys were held ... in the 1915-15 season by four companies, namely the othval and Thule, Hektor, Normanna, and Hausgesund Companies, all of which were Norwegian. This outburst of whaling activity came to an end with the 1914-15 season.” ²⁶²

August 29th, from Stanley, the first message via an undersea telegraph cable link with Montevideo is sent by Govenor Young.

November 21st, *Endurance*, trapped in sea ice for 9 months, finally sinks.

1916 – from the Falklands, the New Island whaling operation moves to South Georgia.

March 11th, at South Georgia, the floating whaling factory *Horatio*, catches fire with 1,820 tonnes of whale oil aboard. The vessel is towed out to sea and left to burn.

May 10th, at King Haakon Bay on South Georgia, Ernest Shackleton and five members of his expedition arrive in a small boat.

“From Elephant Island, Shackleton set out in the 22 foot James Caird with Worsley, Crean, McNish, McCarty and Vincent on one of the most famous boat journeys in history. Battling high seas and ferocious storms and suffering immense privations they took 16 days to reach King Haakon Bay on the south-west coast of South Georgia.” ²⁶³

May 14th, Carl Larsen's original whale catcher, *Fortuna*, sinks off Hope Point, South Georgia.

May 20th, on foot, Shackleton and two others reach Stromness whaling station where a whaling vessel, the *Southern Sky*, sails to collect the three men remaining on the other side of South Georgia.

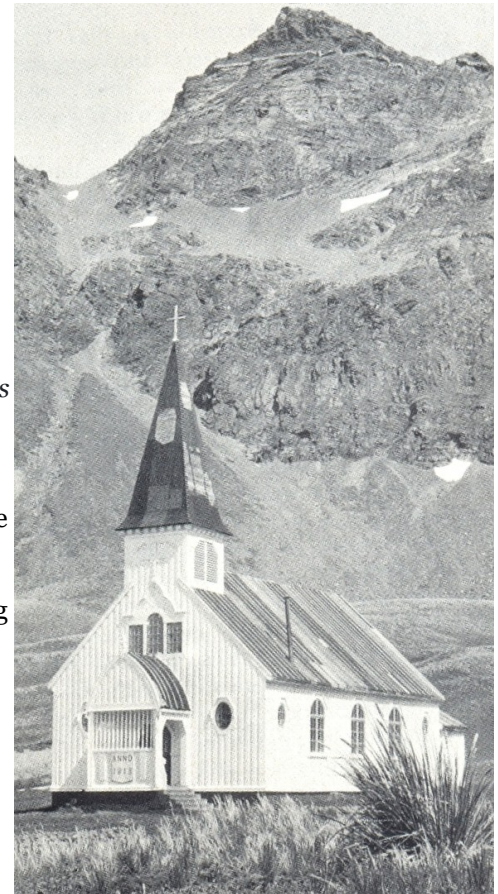
May 23rd, *Southern Sky* sails from South Georgia for Elephant Island to rescue the remain men of the expedition and crew of *Endurance*.

May 31st, Shackleton, unable to get close to the marooned members of his expedition due to pack ice, returns to Port Stanley.

June 3rd, at Stanley Town Hall, Shackleton speaks to a large audience of Islanders giving details of his voyage and the travails that befell his expedition.

“At the end of his account, a simple and unvarnished story, Sir Ernest was heartily cheered in recognition of the pluck exhibited by him and his intrepid companions.” ²⁶⁴

June 16th, the Uruguayan fisheries vessel, *Instituto Pesca*, arrives at Port Stanley to pick up Shackleton for a further attempt to rescue his men on Elephant Island. ²⁶⁵



Grytviken Lutheran Church

261 *Agent for the Government of the United Kingdom to the Registrar of the International Court of Justice*, May, 1955.

Also A 4733/1437/2/1930 Internal Foreign Office memo by H. Jones dated July 8, 1930.

262 *Memorandum on the Falkland Islands Dependencies* 1947 p.43 in LCO 2/490

263 Robert Burton in Tatham (ed) 2008

264 *Falkland Islands Magazine & Church Paper* July, 1916

265 *Return of Shackleton from Weddell Sea* in the *Geographical Review* vol.2 no.1 July, 1916 pp.55-57

August 4th, in Ocean Harbour, South Georgia, *Montebello* sinks.

August 11th, from Portsmouth, the *Discovery*, sails for the Falkland Islands to assist Shackleton. ²⁶⁶

August 30th, Ernest Shackleton, with the assistance of the Chilean government, finally succeeds in rescuing the stranded members of his expedition.

*“The stranded party was rescued by the Chilean Government ship *Yelcho* (Captain Luis Pardo), which on this occasion was commanded by Sir Ernest Shackleton, at whose insistence the expedition was organised.”* ²⁶⁷

December 24th, at Port Stanley, HMS *Lancaster* anchors in the harbour.

1917 – with glycerine required for the armaments industry, the Falkland Islands Governor bans all whale product exports from the Dependencies, other than to the UK. All licences are subject to review.

January 19th, Two 6 inch guns are positioned on Sapper Hill and Mount Lowe to protect Stanley's wireless station; “*HMS Lancaster* landed two officers and five men for each gun. To complete the gun crews Captain Segrave requested twenty five men and two signallers from the Falkland Islands Volunteer Force ...”



March 28th, new *Letters Patent* clarify the area claimed by Britain in its 1908 *Letters Patent*. ²⁶⁸

“Whereas doubts have arisen as to the limits of the groups, of islands known as South Georgia, the South Orkneys,; the South Shetlands, and the Sandwich Islands, and the territory of Graham Land otherwise known as Graham's Land; and whereas it is expedient that provision should be made for the government, not only of these islands and territory but also of certain other Our islands and territories adjacent thereto as Dependencies of Our Colony of the Falkland Islands: I: Now We do hereby declare that from and after the publication of these Our Letters Patent in the Government Gazette of Our Colony of the Falkland Islands, the Dependencies of Our said Colony shall be deemed to include and to have included all islands and territories whatsoever between the 20th degree of West longitude and the 50th degree of West longitude which are situated south of the 50th parallel of South latitude; and all islands and territories whatsoever between the 50th degree- of West longitude and the 80th degree of West longitude which are situated south of the 58th parallel of South latitude. II. And We do hereby vest in the Governor and Commander-in-Chief of Our Colony of the Falkland Islands all such powers and authorities in and over the lands hereby included in the Dependencies of Our said Colony as are exercised by him over the Dependencies in virtue of certain Letters Patent bearing date at Westminster the Twenty-first day of July, 1908.”

²⁶⁶ *The New York Times* Aug 12, 1916.

²⁶⁷ *Memorandum on the Falkland Islands Dependencies* 1947 p.43 in LCO 2/490. In 1940, Chile would claim that this rescue amounted to an 'act of sovereignty' over Antarctica.

²⁶⁸ See - <https://falklandstimeline.files.wordpress.com/2018/01/1908-1917-letters-patent.pdf>

*“Due to the astonishment and protests presented by Argentina and Chile, the British Government corrected the text in 1917 limiting the area... leaving out the Malvinas because they were already occupied, and the Argentine and Chilean mainland. Once again force prevailed over law.”*²⁶⁹

*“In 1908, by Letters Patent, the five original territories comprising the Dependencies were set up: in 1917 amending Letters Patent were issued to clarify the extent of the claim to Graham Land. These "important State acts" appear not to have been protested against by Argentina at the time. They have, before and since, been supplemented by other administrative acts which are of importance in evidencing "effectiveness" of occupation in international law, in particular the Whaling Ordinance of 1906 which, together with amended subsequent versions, has in the past regulated the issue of whaling licences in the Dependencies' waters. These ordinances have in general been respected by the nationals of other States including those of the two claimants, Chile and Argentina.”*²⁷⁰

*“New Letters Patent were issued on 28 March 1917, defining the extent of the Dependencies so as to exclude any possibility that they might have referred to Patagonia (as had been wrongly asserted in Argentina), and to include all islands and territories south of 58° South and between 50° and 80° West.”*²⁷¹

July 2nd, the new Letters Patent are published in the *Falkland Islands Gazette*.²⁷² Argentina does not protest.

1918 – January 31st, in Buenos Aires, *La Nacion* reports that the German Chancellor has made a speech in Berlin referring to the “restoration” of the Falklands to Argentina. German agents instigate disorder.

*“Deputy Foreign Minister Diego Molinari remained the highest Argentine official known to be on the German payroll.... In 1918, he started assisting a German committee that was preparing propaganda about the disputed Malvinas, or Falkland Islands. He worked closely with another German agent of influence named Tjarks.”*²⁷³

*“German propagandists urged the Argentines to seize the opportunity to recover their rightful possession. The Argentine provincial press reported that annual protests against the British occupation were being made in London, but the Argentine Foreign Minister denied the truth of these reports; the last Argentine representation had been made in 1888. German propaganda continued, in 1916 and 1918, to support the Argentine claim to the Falkland group, with the offer to secure "restitution" in the peace negotiations.”*²⁷⁴

July 4th, at Mount Vernon in the USA, President Wilson talks of his views on the rights of peoples.

*“What we seek is the rule of law, based upon the consent of the governed and sustained by the organized opinion of mankind. Peoples are not to be bartered from sovereignty to sovereignty – as if they were mere chattels and pawns of a game. Every territorial settlement involved in this War must be made in the interest and for the benefit of the population concerned. Self-determination ... is an imperative principle of action.”*²⁷⁵

November 11th, in Europe, Germany surrenders.²⁷⁶

269 Destefani 1982 p.101

270 Symmons 1984

271 Pascoe 2020 pp. 270-271

272 *Falkland Islands Gazette*, July 2, 1917 in *Memorandum on the Falkland Islands Dependencies* 1947 in LCO 2/490. Also *British & Foreign State Papers 1917-1918* 1921 vol.3 pp.16-17.

273 *The Intelligence War in Latin America, 1914-1922* Jamie Bisher 2016. Molinari would remain a political activist throughout his life, also becoming a revisionist historian. cf. 1801 Tjarks owned two propaganda newspapers.

274 *Memorandum on the Falkland Islands* 1947 in LCO 2/490

275 Quoted in *Self-determination and the Falklands* Denzil Dunnett 1983

276 The First World War was formally ended by the Treaty of Versailles, signed on June 28, 1919.

1919 – January 25th, the *Paris Peace Conference* approves the creation of a council, to consist of representatives from all the countries in the world – a *League of Nations*. ²⁷⁷

“Art.12: Members of the League agree that, if there should arise between them any dispute likely to lead to a rupture they will submit the matter either to arbitration or judicial settlement or to enquiry by the Council,...

Art.13: Members of the League agree that whenever any dispute shall arise between them which they recognise to be suitable for submission to arbitration or judicial settlement and which cannot be satisfactorily settled by diplomacy, they will submit the whole subject-matter to arbitration or judicial settlement.”

March 7th, in Buenos Aires, Foreign Minister Pueyrredon complains to Interior Minister Ramon Gomez about the issue of an identity card to Ines Willes de Boe. This gives her place of birth and nationality as; *“Islas Malvinas. Nacion: Inglaterra.”* ²⁷⁸

In **June**, the Colonial Office initiates discussions between the Admiralty and the Foreign Office with regard to Britain's intentions towards Antarctica. So that a definitive policy can be formulated. ²⁷⁹

“In 1919 the Secretary of State for Colonies, Viscount Milner, and his Under-Secretary of State, Leopold S. Amery, reassessed Britain's ad hoc Antarctic policy. Amery concluded that the Colonial Office lacked a clearly defined policy. In June he recommended that, "... we ought quietly to assert our claim to the whole continent." Amery believed that all land was potentially valuable. He was, therefore, interested in the "immense potential value" of Antarctica's fisheries and mineral resources.” ²⁸⁰

July 18th, the Falkland islands Volunteer Force is renamed the Falkland Islands Defence Force.

September 19th, following the imminent retirement of Governor Sir Douglas Young, Reginald St-Johnston arrives at Stanley in the SS *Kenuta*, to act as caretaker. ²⁸¹

“In 1919 he was posted to the Falkland Islands as colonial secretary, and in effect acting governor as Sir Douglas Young was about to depart on retirement leave.” ²⁸²

277 Also known as the *Versailles Peace Conference*; the talks opened on January 18, 1919. Contrary to rumours circulating before the meetings commenced, there is no indication that Germany attempted to discuss the Falkland Islands.

278 *Protestas Por Malvinas (1833-1946)* Alfredo Becerra 1998

279 *The Foreign Office, Commerce and British Foreign Policy in the Twentieth Century* J. Fisher, E. Pedaliu & R. Smith (eds) 2016

280 Ellerby 1990 pp.67-68 citing P. J. Beck's '*British Antarctic Policy in the early 20th Century*' in *Polar Record* 21 (Jan. 1982), 477.

281 While in the Falklands, St. Johnston conducted a census of the trees. There were 54.

282 David Tatham in Tatham (ed) 2008. See - https://www.falklandsbiographies.org/biographies/st_johnston

1920 – January 10th, the *League of Nations* commences work with objectives to prevent wars, promote disarmament and resolve international disputes through negotiation and arbitration. To facilitate the latter, a *Permanent Court of International Justice* is established.²⁸³ Both Britain and Argentina are founding members of the *League of Nations*. However, Argentine membership is the result of a Presidential decree; not ratified by the Argentine Congress.²⁸⁴

*“Maintaining, as they have, their indisputable rights to the Falkland Islands, the Argentine Government have not pressed the submission of the case to arbitration, although the idea was mooted by the Argentine Foreign Minister, Dr. Ortiz, in 1884. ..., the Argentine Government never brought the matter before the Council of the League of Nations, as being a dispute which, under Article XI or Article XV of the Covenant, would be likely to lead to a rupture or disturb peace.”*²⁸⁵

In the Falklands, a *Reform League* is formed; *“... through which the views of the general public on matters affecting local legislation could find expression.”*

Conifer, Sycamore, Alder and Mountain Ash tree seedlings are planted on Mount Low in the Falklands.²⁸⁶

January 11th, workers at Grytviken strike for higher wages.²⁸⁷

*“I have the honour to report for the information of His Excellency the Administrator that on 11th. January 36 Russian labourers ceased work on the station of the Compania Argentina de Pesca at Grytviken, and refused to take orders from the foreman, In the evening a deputation approached the Manager and demanded higher wages, with new contracts, and the old contracts to be returned, wages to be 150 pesos gold per month without part of the catch, and eight hours work per day. The Manager offered to give them the wages asked for and change of contract, but was not prepared to take off the part of the catch as the men would lose interest in the work. This they did not agree to, and on the following day they massed together and went over the station and threatened the men who were working, forcing them to join the strike.”*²⁸⁸

January 16th, HMS *Dartmouth* arrives at South Georgia.

*“... the timely arrival of H.M.S. Dartmouth ... put an end to further proceedings. In the evening I called the Bolsheviks up and told them that the Company would not accept their terms but that they could consider themselves discharged and would be fined according to the Summary Jurisdiction Ordinance, and sent back to Buenos Aires as deported aliens as soon as a whaler could be got ready. Notwithstanding the fact that the Dartmouth lay in the inner harbour within almost a stone's throw of the station, they immediately caused a repeated general strike. ... It was arranged that 60 of the strikers should be sent away and the boats were to be ready on Wednesday morning at 6am, when each man in turn would be charged with breach of contract and fined accordingly before going onboard, I made application to Captain Hope of H.M.S. Dartmouth to land a party of Marines and sailors to act as police in case of necessity, while the men were being fined and sent onboard.”*²⁸⁹

283 Also referred to as the *World Court*, this operated between 1922 and 1946 when the new United Nations replaced it with the *International Court of Justice* (ICJ). When the UK recognised the jurisdiction of this tribunal, it did so with a caveat in that the UK would not recognise the court's jurisdiction for disputes predating 1920. To be reviewed every decade; an policy that Britain still applies today with the ICJ. *cf.* 1946

284 Argentina withdrew after only 12 months, rejoining in 1933

285 *Memorandum on the Falkland Islands* 1947 in *LCO* 2/490

286 *Bulletin of Miscellaneous Information* No.1 1927 Royal Botanical Gardens, Kew. None survived more than 3 years.

287 The strikers were mostly dock workers recruited in Buenos Aires. *cf.* Headland 1992. Other reports claimed that 36 of the rioters were Russian Bolsheviks. *cf.* Tonnessen 1982

288 Report of the Stipendiary Magistrate E. B. Binnie, South Georgia, January 22nd, 1920.

289 *Ibid.*

In London, the Foreign Office, concluding discussions commenced in June, 1919, decide that Britain's Antarctic policy should seek to include the whole of Antarctica within the British Empire.

*“... while the time has not yet arrived that a claim to all the continental territories should be put forward publicly, a definite and consistent policy should be followed of extending and asserting British control with the object of ultimately making it complete.”*²⁹⁰

*“In January 1920, without Cabinet or Treasury approval, Britain adopted a policy of extending imperial control over the entire continent “without undue ostentation”. The Foreign Office advised caution to avoid international opposition. The Admiralty reported that Britain had only 15 indisputable claims to Antarctic territory outside the Falkland Islands Dependencies based on discovery and 10 disputable claims.”*²⁹¹

During **February**, a census of fur seals, by Government naturalist J. E. Hamilton, concludes that there is a breeding stock of 15,000.²⁹²

In **July**, in Buenos Aires, the Head of Argentina’s Meteorological Service informs Britain’s Minister that, as no budget had been allocated for the upkeep of the meteorological station at Laurie Island, the station would have to close when the next relief ship went there.

*“A strong press agitation which took the line that the closing of the station would involve the loss of sovereignty over the South Orkneys proved too strong for the Argentine Government...”*²⁹³

September 19th, John Middleton is appointed Governor.²⁹⁴

In London, the *Interdepartmental Committee on Research and Development in the Falkland Islands Dependencies* concludes its work and reports to Parliament; recommending further exploratory work in Antarctica.

In **December**, at Stanley, the Falkland Islands Reform League meets in the Town Hall to discuss “securing of an adequate form of legislative representation for the people of the Falkland Islands”.²⁹⁵

December 25th, at Port Stanley, Governor Middleton arrives to a salute of guns from HMS *Weymouth*.

*“After inspecting a guard of honour from the Defence Force, he took the oaths of office in the Council Chamber and then, according to an account in the Falkland Islands Magazine: ‘made a short speech in the course of which he mentioned that it was his desire to administer the government in such a way as to promote the best interests of the Colony and its inhabitants’.”*²⁹⁶

290 CO 532/160/1959

291 Ellerby 1990 p.68 citing 'British Antarctic Policy in the early 20th Century', *Polar Record* 21 (Jan.1982), 477.

292 Dickinson 2007 p.113

293 Field 1928 para.249

294 *The London Gazette*, No.32047

295 Pascoe 2022 vol.3 p.345 citing Bernhardson 1989.

296 Stephen Palmer in Tatham (ed) 2008. For a biography. see -

https://www.falklandsbiographies.org/biographies/middleton_sir

1921 – January 12th, on the Danco Coast of Graham Land, the *British Imperial Antarctic Expedition* lands in Paradise harbour. ²⁹⁷

HMS *Weymouth* visits South Georgia.

In **February**, following an allocation of funds for the meteorological station on Laurie Island, the Argentine sloop *Uruguay* sails for the South Orkney Islands with supplies.

In the Falklands, *Guvernoren*, a Norwegian whale factory ship, is wrecked at Cape Carysford.

March 23rd, fur sealing is prohibited in the Falklands colony and Dependencies in the *Fur Seal (Consolidation) Ordinance 1921*. This repeals the 1899 legislation. ²⁹⁸

“The government naturalist recommended that a 3-inch naval gun be placed on Elephant Jason Island to deter poachers.” ²⁹⁹

April 24th, in the Falklands and Dependencies, a population census identifies 2,094 people present in the archipelago with 1,337 on South Georgia. ³⁰⁰

An investigation into the potential for oil exploration around the archipelago is undertaken. ³⁰¹

September 12th, at Stanley, Herbert Henniker Heaton arrives as Colonial Secretary. ³⁰²

September 17th, from London, Ernest Shackleton sails in *Quest*, en-route to South Georgia and the Antarctic. Shackleton's objective is to circumnavigate Antarctica.

Following an application for a South Orkney's lease by the *Tonsberg Whaling Company* for the purpose of erecting a whaling station, South Georgia's magistrate, William Barlas, sails to the South Orkney's to survey the proposed area. ³⁰³

“The site chosen was Borge Bay, Signy Island, and was 500 acres in extent. ... The lessee bound himself not to take other animals than whales in the South Orkney Islands, and the ownership of any mineral ore found in the leased territory was reserved to the Crown...” ³⁰⁴

1.—AREA.	
The area of the Colony, including West Falklands and adjacent Islands is 6,500 square miles, and that of South Georgia 1,000 square miles, making a total area of 7,500 square miles.	
2.—POPULATION.	
The population of the Falkland Islands and its Dependencies was found to total 3,431, made up as follows :—	
Falkland Islands	2,094
South Georgia	1,337
Total	3,431
In the year 1891 the population was 1,789 ; in 1911, 3,275, and in the present year 3,431.	
The distribution of the population is described as follows :—	
Port Stanley	897
Darwin and Lafonia	365
Other Districts E.F.	436
West Falklands	396
South Georgia (including shipping)	1,337
Total	3,431

297 A four-man expedition led by John Lachlan Cope who abandoned the expedition after six weeks, leaving with one other man. The remaining two stayed on until January, 1922; the smallest British expedition to overwinter in Antarctica. See *Two men in the Antarctic: An expedition to Graham Land* Thomas Bagshawe 1939

298 Dickinson 2007 pp.114-115 citing *Proclamation No.1 March 23, 1921: Suspension of the Issue of Licences to Kill or Capture the Fur Seal Falkland Islands Gazette XXX no.5 1921*

299 Stephen Palmer in Tatham (ed) 2008

300 See - [https://nationalarchives.gov.fk/jdownloads/People/Census Information Early Settlers/Report of Census 1921.pdf](https://nationalarchives.gov.fk/jdownloads/People/Census%20Information%20Early%20Settlers/Report%20of%20Census%201921.pdf)

301 *Final report on geological investigations in the Falkland Islands, 1920-1922* A. Baker 1924

302 Remaining until 1925. cf. 1934

303 Internal Foreign Office memo by H. Jones dated July 8, 1930 A 4733/1437/2/1930

304 *Memorandum on the Falkland Islands Dependencies* 1947 in LCO 2/490

*“In 1921 a magistrate from the Falkland Islands again made a visit, when a land whaling station was established on Signy Island under a Crown lease granted by the Falkland Islands Government. ... As to Signy island, we think Great Britain can establish a title.”*³⁰⁵

*“... in the 1920s there were some 20 British government personnel permanently stationed on the island.”*³⁰⁶

In **November**, an ex-Royal Navy armed drifter, *Afterglow*, is purchased for the Falklands colony to aid with seal fishery protection. This vessel is to be supplemented by armed sealing officers stationed on Elephant Jason Island.

*“... utmost discretion will be exercised dealing with raids, to prevent any serious international complications.”*³⁰⁷

December 18th, the *British Imperial Expedition* to Graham Land is relieved by the Falkland Islands' Dependencies Magistrate, A. G. Bennett on the factory ship *Svend Foyn I*.

1922 – January 5th, at South Georgia, Sir Ernest Shackleton suffers a fatal heart attack.³⁰⁸ A factory ship, *Professor Gruval*, is chartered to take Shackleton's body to Montevideo for an eventual transfer to England.

On Signy Island, a Whaling Officer spends three months ensuring that the terms of the *Tönsberg Hvalfangeri Company* lease are being complied with.

*“He reported in favour of the construction of breakwaters, and an iron slipway, and as to the month (January) at which the land station came into use in the season.”*³⁰⁹

In **February**, at Montevideo, a message is received from Lady Shackleton requesting that her husband's body is returned to South Georgia for interment.

March 5th, on South Georgia, Sir Ernest Shackleton is buried in Grytviken cemetery. A ceremonial escort is provided by Uruguay.

“Captain Hussey reports from South Georgia by wireless that after being borne over piles of whalebone and little mountain streams the body of Sir Ernest Shackleton was laid at rest forever in a little hillside cemetery in South Georgia on March 5. His head lies to the southward, towards the Antarctic he loved so well. Over his resting place there is raised a simple wooden cross, bearing wreaths from Lady Shackleton and members of the expedition. Prior to the service in the church, which was of the simplest character, and which was conducted by a magistrate, Mr Binnie,



305 Opinion of the Law Officers 1947 in *LCO 2/490*. cf. 1947 & 1959

306 Pascoe 2020 p.272

307 Dickinson 2007 p.114 citing PRO CO 78/159 & 162

308 Shackleton had previously suffered from a suspected heart attack while in Rio de Janeiro, but had refused treatment.

His embalmed body was taken to Montevideo, but then returned to South Georgia at his wife's request.

309 Internal Foreign Office *memo* by H. Jones dated July 8, 1930 *A 4733/1437/2/1930*

*Mrs Aderg, the only woman on the island, placed a bunch of freshly-gathered flowers on the coffin. One hundred whalers were present, the Norwegians singing funeral hymns and the company repeating the Lord's Prayer. Then the coffin was borne on the stalwart shoulders of six Shetlanders, all ex-servicemen, up the hillside, followed by a cortege of islanders. The church bell solemnly tolled while the remainder of the service was conducted at the graveside, the Norwegians singing their funeral hymns. Magnificent wreaths from the Uruguay Government, French Maritime Society and other bodies in Uruguay were placed on the grave.”*³¹⁰

At Elephant Jason Island, in the Falklands a guardhouse is erected for three fishery protection officers, with a 12-pounder gun emplaced.

*“Seal fishery officers were appointed in 1922 and armed officers were placed at major rookeries during the breeding season. Fur sealing was prohibited. HMCS Afterglow was purchased (at a cost of £8,800) to assist with protection of the rookeries.”*³¹¹

May 1st, from Punta Arenas, Chile, Britain's Vice-Consul reports that a British subject, born in the Falklands, was refused a visa by the Argentine Consul on the grounds that he was *ipso facto*, an Argentine citizen.³¹²

*“During the twentieth century the Argentine Government have pursued a policy of **pin-pricks** in connexion with their claim to the Falkland Islands... In 1922 the newly elected Argentine Government forbade their consuls to visa British passports of persons born in the Falkland Islands.”*³¹³

1923 — the Falklands' Governor complains that Argentina is refusing to handle telegrams from the colony.³¹⁴

*“Enquiries showed that the complaint was justified, and that the telegraphic administration not only refused to forward incoming telegrams but also to accept messages from places in the Republic directed to the islands. It was believed that the orders emanated from the Director of Posts and Telegraphs, and that they were unsupported by any official action or decree of the Government, although possibly the Director was acting in accordance with instructions, or at least hints given by his superiors in pursuance of a definite policy. The matter was brought to the notice of the Argentine Government, who promised to make enquiries.”*³¹⁵

In London, a *Discovery Committee* is appointed by the British Government, to be funded by whaling industry taxes; *“... to conduct research into the economic resources of the Antarctic and sub-Antarctic regions, with special reference to the Falkland Islands Dependencies.”*

July 23rd, at the Hague, the Permanent Court of International Justice gives its advisory opinion in the *Status of Eastern Carelia* case, noting: *“It is well established in international law that no State can, without its consent, be compelled to submit its disputes with other States either to mediation or to arbitration, or to any other kind of pacific settlement.”*³¹⁶

December 10th, at Stanley, Henry Herbert Gresham is appointed Consul for Norway.

310 *Otago Daily Times* May 5, 2022 citing *Times* (no other detail provided)

311 Stephen Palmer in Tatham (ed) 2008. See also *Cambridge Expedition to the Falkland Islands 1977: Report to the National Maritime Museum*.

312 Field 1928 para.189

313 *Memorandum on the Falkland Islands* 1947 in *LCO 2/490*. My emphasis.

314 Laver (2001) states that an instruction was circulated in Argentina as early as 1919 but I am unable to confirm this.

Problems seem to have been intermittent, suggesting that there was no coordinated policy on the part of Argentina.

315 Field 1928 para.192

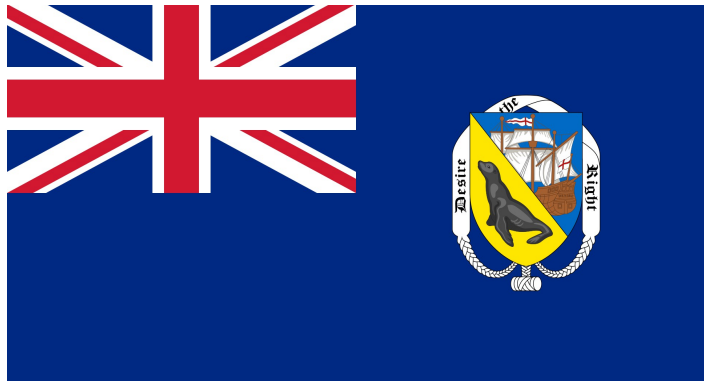
316 *Status of Eastern Carelia, Advisory Opinion, 1923 PCIJ (ser.B) No.5 (July 23) para.33*. See November, 1982

1924 — the Irish yachtsman Conor O'Brien arrives at Stanley in *Saoirse*, where he assists the colonial secretary, Herbert Henniker-Heaton, in the design of a crest for the Falklands to be used on a new flag. ³¹⁷

A postal service is inaugurated between South Georgia, the Falkland Islands and Uruguay. ³¹⁸

January 30th, Henry Gresham also becomes Consul for Chile at Stanley. ³¹⁹ Uruguay also opens a consulate in Stanley with Gresham as Consul. ³²⁰

October 14th, in the Falklands, work commences on the construction of a suspension bridge at Bodie Creek. ³²¹



1925 — in **February**, at King Edward Point, South Georgia, Britain establishes a Marine Investigating Station for scientists – Discovery House. ³²²

March 7th, *Swona* sinks off South Georgia.

April 1st, on South Georgia, Britain erects a wireless station.

On Laurie Island in the South Orkneys, Argentina establishes a wireless station at the meteorological facility.

June 23rd, from London, with regard to the Laurie Island wireless station, Britain's Minister at Buenos Aires; "... was instructed to inform them that the necessary licence would be granted but they should have applied for it beforehand, and that they must make application for a call-sign through the Governor of the Falkland Islands, whereupon a call-signal from the list of groups reserved for stations in the British Empire would be allotted."³²³ Argentina's Foreign Ministry responds that; "With regard to wireless stations constructed in Argentine territory the Republic would act in accordance with the provisions of the International Radiotelegraphic Conventions..." ³²⁴

"The position with regard to the South Orkneys Islands is greatly complicated, in our view, by the meteorological established by the Argentine in Laurie Island and by the wireless station established there later on by the Argentine in 1925. ... The wireless station established in 1925 by the Argentine was not established pursuant to any permission in that behalf by HM Government." ³²⁵

"...from about 1925 onwards Argentina slowly began to suggest that it was raising a claim to all the Falkland Islands Dependencies..." ³²⁶

At Bruce Bay in the South Orkney Islands, the *Tönsberg Hvalfangeri Company's* lease to 500 acres is renewed for a 5 year period.

³¹⁷ Territory flag with the Colonial Badge

³¹⁸ *The Island of South Georgia* Robert Headland 1992

³¹⁹ *The London Gazette* No.32905, No.32892 & No.32999.

³²⁰ Protested by Argentina in 1952

³²¹ See - <https://bodiecreekbridge.com/index.html>

³²² Field 1928 para.232. Part of the Discovery Investigations. See below.

³²³ FO 371/12735/98

³²⁴ *Memorandum on the Falkland Islands Dependencies* 1947 in LCO 2/490. cf. 1926

³²⁵ Opinion of the Law Officers 1947 in LCO 2/490. cf. 1903, 1904 & 1947

³²⁶ Pascoe 2020 p.272

“The rent of the Tonsberg Company’s lease is £250 per annum, the fee for an additional whale catcher is £100 per annum, and the dues are paid on barrelogage at a rate which has fluctuated considerably, but at present is 2s 6d per barrel. The total revenue to the Government from last season’s Orkney Islands whaling was £6,000 and during the last five years it totals £26,000.” ³²⁷

In the Falkland Islands, *Aliens Ordinance 1925* prohibits any foreigner from owning land without a licence.

September 24th, from the port of London, the first *Discovery Investigations* team sails aboard *RSS Discovery*. Organised by the Discovery Committee, the expedition is funded by Britain's Colonial Office. Its objectives to provide scientific information for the whaling industry.

October 1st, *Granat*, sinks at Ice Fjord, South Georgia. The crew are rescued by the whale catcher *Semla*.

At Signy Island, a Whaling Officer spends 3 months ensuring that the terms of the *Tonsberg Hvalfangeri Company* lease are being complied with. ³²⁸

October 31st, in the Falklands, work on Bodie Creek Bridge is completed. A suspension bridge to shorten the distance from Lafonia to Goose Green. ³²⁹



In **December**, Capitán Guillermo Nuñez, *Compañía Argentina de Pesca* shareholder, visits Stanley. Nuñez, Commodore of the Buenos Aires Yacht Club, agrees to present a prize for a sailing race. ³³⁰

“The behaviour of Nuñez, and of "Pesca" over several decades, together with the complete lack of any Argentine reaction to Britain’s administration of South Georgia and the other Falkland Islands Dependencies, prevented any possible Argentine claim to those territories.” ³³¹

327 Internal Foreign Office *memo* by H. Jones dated July 8, 1930 A 4733/1437/2/1930

328 *Ibid.*

329 Ordered in kit form from David Rowell & Co, London at a cost of £2,281

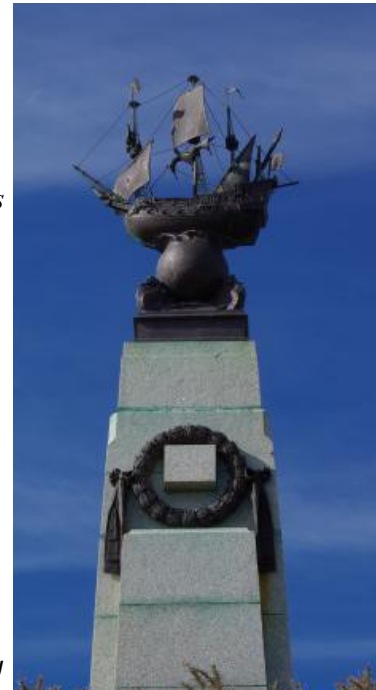
330 *Falkland Islands Magazine* December 1925 p.6

331 Pascoe 2020 p.272

1926 — at Port Stanley, a monument is erected to commemorate the Battle of the Falklands 1914 (right).

April 14th, in Buenos Aires, a further *Note* is addressed to Argentina regarding the issue of telegraphic licences. No immediate response is received.³³²

*“... we replied ... that, while the precise meaning of (Argentina’s reply) was not clear, His Majesty’s Government did not interpret it as an assertion of sovereignty over islands which were undoubtedly British on the grounds of discovery and formal taking of possession, and to which no Argentine Government appeared ever to have put forward a claim in any communication to His Majesty’s Government.”*³³³



April 26th, RSS *Discovery* arrives at Stanley.

*“The coming of the Discovery to Port Stanley was for them an event, as was indeed the coming of any ship, for practically the only vessels that called were those of the six-weekly mail service from South America and Europe. But the Discovery was a special event; we flew the Falkland islands flag. It was largely for the benefit of the Falkland Islands Government that we were investigating the whaling and the people took us to their hearts.”*³³⁴

John Hamilton secures permission from the Falklands government to introduce Patagonian (grey) foxes (*Dusicyon griseus*) on to Staats and Tea Islands to control the Uplands Goose (*Cholephaga picta*) that grazed there.

*“In addition to foxes, Hamilton introduced into the Falkland Islands a myriad of Patagonian wildlife species: Austral parakeets or parrots (*Enicgnathus ferrugineus*), buff-necked Ibis (*Theristicus melanopis*), lesser rheas (*Pterocnemia pennata*) (incorrectly called ‘ostriches’ by local residents), hog-nosed skunks (*Conepatus humboldtii*), sea otters (*Lutra felina*), and guanacos. Rheas, a male and female, and several skunks were released on Staats Island.”*³³⁵

*“Hamilton kept a close watch on the Falklands and, when opportunities arose, he began to acquire property there. In 1922, for instance, he bought Beaver Island and adjacent islets from Richard Waldron Thornhill of Punta Arenas, who had inherited them from an uncle. Shortly thereafter he purchased Weddell Island and the Passage Islands, and attempted to buy the Jason Islands.... He also owned property in Stanley.”*³³⁶

August 14th, Monsieur Beaudrier is appointed Vice-Consul of Belgium for the Falkland Islands.

332 *Antarctica Cases: United Kingdom v. Argentina; United Kingdom v Chile* International Court of Justice 1956 p.25. Argentine never answered.

333 FO 371/12735/152. See 1825

334 *To the Ends of the Earth* Francis K. Pease 1935 p.29

335 *The enigma of guanacos in the Falkland Islands: the legacy of John Hamilton* William L. Franklin & Melissa M. Grigione 2005.

336 Wayne Bernhardson in Tatham (ed) 2008. Hamilton's status is uncertain, but due to the existence of the Aliens Ordinance of 1925, he must have been a British citizen (born Caithness) or he held a licence to own land in the Falklands; despite living mainly in Argentina. At some point he incorporated his holdings in Jersey. See - https://www.falklandsbiographies.org/biographies/hamilton_john

Argentina's Consul-General at Valparaiso grants a visa for a Falkland Islander to enter Argentina – with a reservation; “... *the principle of Argentine nationality of these (islands) is maintained and they shall be included within the jurisdiction of the national territory.*”³³⁷

October 19th, in London, the seventh *Imperial Conference* opens; bringing together the Prime Ministers of the UK, Australia, Canada, India, Irish Free State, Newfoundland, New Zealand and South Africa. The final statement on November 22nd, confirmed that all the dominions were equal and; “... *autonomous communities within the British Empire.*”³³⁸

“*The 1926 Imperial Conference ratified that, “The whole of the Antarctic should ultimately be included within the British Empire ... a definite and consistent policy should be followed of extending and asserting British control with the object of ultimately making it complete.*”³³⁹

December 20th, Argentina protests the inclusion of the Falklands within the *Brussels Health Convention*.³⁴⁰

December 22nd, Arnold Wienholt Hodson is gazetted as Governor.³⁴¹

1927 – January 7th, at Port Stanley, *Ilen* arrives carrying the emblem of the Royal Irish Yacht Club.

January 17th, South Georgia, Leith Harbour and Stromness Bay are surveyed.

A sealing licence for the South Sandwich Islands is taken out by the *Tönsberg Company*.

“... *the expanding Whaling industry induced A/S Tönsberg Hvalfangeri to send one of their catchers, the Busen VII under captain H. Hansen, to prospect for whales in South Sandwich waters... The expedition reported that whales were plentiful, and notwithstanding the lack of anchorages and fresh water, the Tönsberg Company applied for a licence to work round the islands.*”³⁴²

In Geneva, Britain attends a meeting of the *Whaling Committee of the International Council for the Exploration of the Sea* to discuss whaling regulations in all waters. Argentina is absent.

“*Not, in 1927, although she was a member of the League of Nations and had recently formulated pretensions to the South Orkneys and South Georgia, did Argentina take any part in the Whaling Conference convened at Geneva in that year, under the auspices of the League, which, if she had had sovereignty over these territories, she might be expected to have done. Nor did she voice any objection to the fact that the United Kingdom took a leading part in that conference in its capacity as the State responsible for the regulation of whaling in the Falkland Island Dependencies.*”³⁴³

In **February**, at Signy Island, *Discovery* meets the Norwegian factory ship *Orwell*.

March 22nd, the Universal Postal Union (UPU) circulates a letter to all its members requesting details of their territorial jurisdictions.³⁴⁴

April 6th, from Buenos Aires, Britain's *charge d'affaires* reports to London that the Argentine wireless station on Laurie Island has commenced operations, using the call sign – L.R.Z.

337 Quoted in Field 1928 para.195

338 Known as the *Balfour Declaration*

339 Ellerby 1990 p.68 citing *A Cold War I Beck* in *History Today* June 1987

340 Kohen & Rodriguez 2016 p.247

341 *The London Gazette* No.33241. For a biography, see - https://www.falklandsbiographies.org/biographies/hodson_sir

342 *Memorandum on the Falkland Islands Dependencies* 1947 in *LCO* 2/490

343 *Agent for the Government of the United Kingdom to the Registrar of the International Court of Justice, May, 1955*

344 *International Law Documents: 1948 – 1949* Naval War College, Rhode Island 1950 vol.XLVI

*“Enquiry was at once made of the International Telegraphic Bureau at Berne as to whether any notification respecting a call sign for the station had been made by the Argentine Government, and, if so, in what terms. The reply of the Bureau showed that the Argentine Government had applied for a call signal two years before, and that their notification to the Bureau was of such a nature as to imply an assumption of Argentine sovereignty over the islands,..”*³⁴⁵

*“No application for a licence or a proper call signal had been made through the Governor of the Falkland Islands. The Admiralty and Colonial Office held that the matter could not be allowed to rest where it was, and pressed for further action at Buenos Aires.”*³⁴⁶



Laurie Island Argentine radio crew May, 1927

May 17th, at Stanley, a four-masted barque, *Fennia*, is towed into the harbour having been demasted in a storm.³⁴⁷

June 8th, Governor Hodson arrives in Stanley.³⁴⁸

*“The whaling industry had become the principal source of revenue and a major source of contention in the Falklands at the time when Hodson arrived. An unexpected development during his period was the abandonment of the old floating factories moored in harbours and subject to governmental control, and their replacement by new factory ships operating on the high seas with, at the time, no regulation. This caused the deliberations on preserving the whaling industry of the Islands and Dependencies, by conservation of whale stocks, to become increasingly complex.”*³⁴⁹

345 Field 1928 paras.253/254

346 *Memorandum on the Falkland Islands Dependencies* 1947 in LCO 2/490

347 Declared irreparable, *Fennia* was purchased by the Falkland islands Company and used as a coal hulk.

348 Sworn in on the 9th.

349 Robert Headland in Tatham (ed) 2008

July 9th, Britain's mission to Argentina is raised from a Legation to an Embassy, with Malcolm Robertson rising from Envoy Extraordinary and Minister Plenipotentiary to Ambassador.

August 2nd, from Stanley, Governor Hodson sails to South Georgia in *Fleurus*.³⁵⁰

August 20th, the *Falkland Islands Reform League* claim that Falkland Islands Company wages have; “... been kept as low as possible to allow Owners of farms to live in luxury abroad.”³⁵¹

*“The FIC was offended by the League's claim ... The Company's treatment of employees was a source of pride. For example the FIC established a Provident Fund and provided free housing, meat, fuel and milk, as well as a school and assembly hall in Darwin. Henniker-Heaton reported that the agricultural workers were uninterested in the League. However, he added that, "It is to be remembered that there are no trade unions in the Colony and the League is the only body which can claim to represent the working man in the political field."...”*³⁵²

August 22nd, Frederick Black Alison is appointed Magistrate and Postmaster at South Georgia.³⁵³

September 8th, with regard to the Laurie Island wireless station, Britain formally protests Argentina's unilateral application for a call-sign.

*“The notification to the Berne Bureau appears, ... to imply the assumption of Argentine sovereignty over the islands an assumption which, as Your Excellency will readily understand, His Majesty's Government could not admit though the meteorological station was, with their assent, handed over to the Argentine Government in 1904 by a British subject. I am, therefore, instructed by Sir Austen Chamberlain to point out to Your Excellency in the most friendly manner that the present position as regards the wireless station is quite irregular, and to express the hope that the matter may be placed upon a proper footing at an early date by application for a British Licence for the station.”*³⁵⁴

*“... the Foreign Office decided that an official protest should be issued against the erection of an Argentine wireless station on Laurie Island. In this case the timing of the delivery of this protest was considered important. It was delayed until the Admiralty Director of Naval Intelligence advised that orders for the most valuable part of the Argentine naval programme would not be awarded to British companies either immediately or in the near future.”*³⁵⁵

In London, Britain's Foreign Office study a newly published book – *The Struggle for the Falkland Islands* – by an American, Julius Goebel. Ambassador Robertson is asked to comment.

*“The book has been quoted in the press here, but I abide by my view that we should take no notice. On-one seriously expects us to evacuate the islands.”*³⁵⁶

*“This book looks like a thesis prepared by a young lawyer for some examination. It may, however, have been produced as a recreation in the intervals of strenuous duty as 'legal adviser to the Legation of Switzerland' in Washington.”*³⁵⁷

350 This was the first visit by a Governor to the Dependencies. Headland 1992

351 CO 78/207/25

352 Ellerby 1990 p.37 citing *Henniker-Heaton to Ormsby-Gore February 10, 1938*.

353 Primarily, it would seem, for organising a memorial service for Sir Ernest Shackleton. See - https://www.falklandsbiographies.org/biographies/alison_frederick

354 FO 371/12735/180. Colonial Office and Admiralty proposals for a more robust protest were rejected. cf. January, 1928

355 *The Role of the Royal Navy in South America, 1920-1970: Showing the Flag* Jon Wise 2014

356 FO 371/12735/178

357 Memorandum of Mr. V. A. L. Mallet April 2, 1928 FO 371/12735/180

*“Julius Ludwig Goebel, jun. (1892-1973), son of a German immigrant to the United States, is mainly remembered for The Struggle for the Falkland Islands, which has had an influence out of all proportion to its content. ... Parts of it are still useful, especially some of the documents he quotes and his bibliography, but it has severe shortcomings: his account of the discovery of the islands has been superseded; he wrongly states that Spain knew more than Britain about the Falklands in the 1760s; he muddles the question of Spain’s acquisition of France’s rights; he wrongly assumes that there was a secret promise by Britain in the 1770s to vacate the islands; he wrongly states that Spain made a reservation of Spanish rights in 1771; he totally misinterprets the Nootka Sound Convention of 1790; he confuses Jewett’s and Vernet’s letters; he fails to mention the Spanish claim of 1822 to all South American possessions (though he had mentioned it in his doctoral thesis), or the Spanish protest in 1825 to Britain against the recognition of South American countries; he gives an inaccurate account of the Lexington raid of 1831-2, and he misrepresents Britain’s motives for sending HMS Clio. ... The Swiss historian Jörg Fisch has analysed Goebel’s accounts of several 17th and 18th century treaties, and concludes that Goebel confuses and conflates the treaties themselves and the Spanish intentions behind them.”*³⁵⁸

Researcher's Comment: Influential, if inaccurate. It was only in the 1960's that Goebel's conclusions, and details of his research, were first subjected to academic scrutiny. Republished in 1982, Goebel's book has an introduction by Prof. Metford who clearly viewed the work with disdain. It is still much referred to in Argentina; whose case regarding the Falkland Islands it favoured.

September 9th, in Buenos Aires, a circular issued by Argentina’s Post Office, gives instructions that all postal relations with the Falkland Islands are suspended, “*by superior orders.*”³⁵⁹

*“... a despatch and a letter addressed to the Governor of the Falklands by the British Consulate-General in Buenos Aires were “returned by superior orders” in the one case, and refused in the other.”*³⁶⁰

September 14th, Argentina's Director of Posts and Telegraphs responds to the Universal Postal Union's request of March regarding territory.

*“With reference to your circular letter number 2.122/53 of last 22 March concerning a request for information concerning the territorial jurisdiction of each administration of the Postal Union, I have the honor to request you to inform the various offices of the Postal Union that Argentine territorial jurisdiction extends de jure and de facto to the continental area, to the territorial sea and the islands situated along the maritime coast, to a part of the Island of Tierra del Fuego, to the archipelagos of Los Estados, Ario Nuevo, South Georgia, and South Orkneys, and to polar territories which have not been delimited. De jure, the Archipelago of the Malvinas also belongs to this jurisdiction, but it cannot be exercised de facto because of the occupation maintained by Great Britain.”*³⁶¹

*“What appears to have been the first claim of an official nature advanced by the Argentine Government to sovereignty over South Georgia was made in 1927, when the Argentine Postal Administration notified the International Postal Union that Argentine territorial jurisdiction extended de jure and de facto over the South Orkney Islands and South Georgia. By the words de facto it can only be assumed that the Argentine Government referred to the concession granted to the .., Argentina de Pesca, which still maintained its whaling and sealing operation at Grytviken,..”*³⁶²

358 Pascoe 2020 p.268

359 Field 1928 para.202

360 Memorandum on the Falkland Islands 1947 in LCO 2/490

361 FO 371/12735/137

362 Memorandum on the Falkland Islands Dependencies 1947 in LCO 2/490

*“His Majesty's Government determined not to overlook this further provocative action, especially as it was also rumoured that the Argentine Government intended to raise its claim to the Falkland Islands before the Pan-American Conference at Havana, with the alleged "unofficial" support of the Pan-American Union.”*³⁶³

*“Argentina views the Falklands dispute as intrinsically involving all the British-claimed islands,.. in Argentinian eyes, the express linking of the Dependencies with the Falkland Islands (by Britain) has no doubt been perceived as a way of legalistically bolstering what might otherwise be a weak claim...”*³⁶⁴

September 18th, in Buenos Aires, Ambassador Robertson reminds the Argentine Foreign Ministry of his note of April 14, 1926; *“... he had to point out that the present position as regards the wireless station was quite irregular, and to express the hope that the matter might be placed on a proper footing at an early date by an application for a British licence.”*³⁶⁵

October 5th, Ambassador Robertson writes to Governor Hodson regarding the obstructive practices being employed by Argentina's postal services.

*“.. most unfortunately, and to my mind, most foolishly the feeling of the Argentines on the subject of the Falkland islands is very strong, though they have not even a little toe on which to stand they maintain their claim... The whole position is most ridiculous. ... The Falkland Islands are to Argentine what Gibraltar is to Spain. One must not even mention them...”*³⁶⁶

October 6th, Ambassador Robertson presents a copy of the September Post Office circular to the Under-Secretary of Argentine Foreign Affairs who; *“... at once said that the orders must have been issued by some over-zealous official and that he would have them withdrawn. He would shortly reply to that effect but putting in the phrase "without prejudice to Argentina's claim to the Falkland Islands." He explained that, in view of public opinion in the country, no Argentine Government would ever dare formally to renounce that claim.”*³⁶⁷

October 14th, the Universal Postal Union publishes the declarations of jurisdictions supplied by its members.³⁶⁸

*“Argentina's territorial jurisdiction extends, in law and in fact, over the land surface, the territorial sea, the islands situated on the coast, to a part of Tierra del Fuego and the archipelagos of Estados, Año Nuevo, South Georgia, South Orkney and the undelimited polar lands. Of right, being unable to exercise in fact because of the occupation held by Britain, the Malvinas archipelago also belongs [to Argentina].”*³⁶⁹

A South Sandwich Islands Whaling Licence is issued to the Tonsberg Company of Norway, by the Governor.³⁷⁰

November 4th, Governor Hodson responds to Robertson's intelligence about Argentina's postal policy.

*“We could make ourselves extremely unpleasant if we wished to by stopping the mails going to them from this Colony and refusing to renew the whaling licence of any Argentine company operating in these waters. I hate being petty, but we shall be forced to do something to protect our own interests if they do not mend their ways...”*³⁷¹

363 Memorandum on the Falkland Islands 1947 in LCO 2/490

364 Symmons 1984

365 FO 371/12736/360

366 (Enclosure 2) Sir M. Robertson to Sir Austen Chamberlain December 19, 1927 in FO 371/1273

367 Field 1928 para.203

368 Declarations, not protests.

369 Quoted in Kohen & Rodríguez 2017 pp.188-189. See also Field 1928 para.209

370 Agent for the Government of the United Kingdom to the Registrar of the International Court of Justice, May, 1955

371 (Enclosure 3) Sir M. Robertson to Sir Austen Chamberlain December 19, 1927 in FO 371/1273

December 14th, from London, the Foreign Office instruct Ambassador Robertson to demand that Buenos Aires withdraws its submission to the Postal Union.

December 15th, Argentina's Foreign Ministry responds to the British protest of September 8th. The note states that Argentina's claim to the South Orkneys; "*... is derived apart from other inalienable rights, from first effective occupation, constantly maintained.*"³⁷²

Displaying a dramatic reversal of opinion; Robertson answers Hodson's November 4th letter.

*"... if you read with care the Foreign Office memorandum of 7 December 1910, you must surely have realised that the Argentine attitude is neither 'ridiculous' nor 'childish', as you describe it and I myself had thought it to be. I confess that, until I received that memorandum myself a few weeks ago, I had no idea of the strength of the Argentine case nor of the weakness of ours ... I freely admit that my attitude has changed since I wrote to you on 5th October. This has been caused by the Foreign Office memorandum. I had assumed that our right to the Falkland Islands was unassailable. This is very far from being the case."*³⁷³

December 16th, in London, British Foreign Secretary Sir Austin Chamberlain meets with Argentina's Foreign Minister, Angel Gallardo. Chamberlain raises the declaration by Argentina to the Universal Postal Union.

"2. I ... made use of the opportunity to speak to him on the subject of the Falkland Islands ... I made it plain to Dr. Gallardo that I did not wish to embarrass the Argentine Government by forcing them to any embarrassing retraction of their claim, but this was a very different thing from being compelled by indiscretion on their part – i.e., by the action taken at Berne, which I would hope was only the result of an excès de zèle on the part of an irresponsible postal official – to rebut their ill-founded claim in a manner which might prove as embarrassing to them as detrimental to good relations on either side. I asked his Excellency... to desist from such useless and provocative action..."

3. Dr. Gallardo said that he had been recently looking into the question of the Falkland Islands, and had come to the conclusion that our position and claim there were exceedingly strong...

*4. Dr. Gallardo said that in any case he would at once telegraph to his Government urging that no action should be taken or contemplated with regard to the Falkland Islands pending his return..."*³⁷⁴

Chamberlain also raises a circulating rumour that; "*... some question of the matter (would be) raised at the Pan-American Conference to be held at Havana...*"

*"Dr. Gallardo said that he had recently been looking into the question of the Falkland Islands, and had come to the conclusion that the British position and claim there were exceedingly strong. He was sure that there was no question of raising the matter at the Pan-American Conference,..."*³⁷⁵

December 19th, in Buenos Aires, Britain formally protests Argentina's pretensions made to the Universal Postal Union in a diplomatic *aide-memoire* delivered by Britain's Ambassador to Dr. Sagarna, Argentina's Acting-Foreign Minister.

372 Note by T. M. Snow, dated December 5, 1928 in FO 371/12736/350

373 (*Enclosure 4*) *Ibid* in FO 371/12735. Quoted in Beck 1983. The terms 'ridiculous' and 'childish' had been used by Governor Hodson in his letter of November 4, 1927. The reference to the memorandum of 1910 is clearly a reference to the de Bernhardt research of that year. The fact that Robertson had only received it after being raised up to Ambassador would suggest the 1910 internal memo was limited in its circulation.

374 A 7276/381/2. Quoted in Pascoe 2020 p.266. Quoted in part in Kohen & Rodriguez 2016 p.249

375 Field 1928 para.215 and *Memorandum on the Falkland Islands* 1947 in LCO 2/490.

"In a circular dated the 14th October last, the International Bureau of the International Postal Union circulated observations furnished by a number of participating Governments in regard to the extent of territories over which they claimed jurisdiction. His Britannic Majesty's Government note with surprise and sincere regret that among these observations was a formal declaration by the Argentine Postal Administration that Argentine territorial jurisdiction extends de jure and de facto over the South Orkney Islands and South Georgia and de jure over the Falkland Islands, de facto jurisdiction over the latter being prevented by British occupation. It appears, therefore, that Argentine authorities have now gone out of the way to assert ... a formal claim to the above islands, which have been in uninterrupted British occupation for a century...." ³⁷⁶

Robertson reports.

"As I had anticipated, Dr. Sagarna did not have much to say, as he is not very familiar with foreign affairs. He ... stated that Argentina felt she had a good claim to the islands. I replied that we were fully aware of that, and that the Argentine Government were constantly maintaining their claim to us in writing. This was, however, a wholly different matter from allowing their Postal Administration to go out of its way to assert the claim to an international body. The Argentine Government must surely realise that His Majesty's Government had not the smallest intention of evacuating the islands, and it seemed a pity that a Government Department should take action that could not but stir up ill-feeling... I told him that we should be compelled to reply to the circular if it were not withdrawn." ³⁷⁷

December 27th, Argentina's Minister for Foreign Affairs responds to Britain's aide-memoire in a Note.

"... I find myself having to ratify the statements contained in the Note addressed to Your Excellency from this Department on November 30th, 1925, which reaffirm the sovereignty of the Republic over those (South Orkney) islands. This Government therefore regrets that they are unable to share the opinion of His Britannic Majesty's Government since all the antecedents of the case confirm the legal position of the Government regarding sovereignty, which is derived, apart from other inalienable rights, from first effective occupation, constantly maintained." ³⁷⁸

Robertson reports to London.

"This is the first time, to my knowledge, that such a definite claim has been put forward, and you may think it worth while that I should enquire when the "first effective occupation" took place. Though reference is made to the very vague Note from the Ministry ... of November 30th, 1925, ... my reply of April 14th, 1926... is completely ignored." ³⁷⁹

Accompanying the Argentine Note is a suggestion that negotiations for a Legation site in exchange for the South Orkney Islands should be resumed, provided that use of the word 'cession' can be avoided. ³⁸⁰

"... At the same time, however, the Argentine Government in an accompanying memorandum showed itself conscious of the weakness of its position by suggesting the reopening of the negotiations for the exchange of the islands against the grant of a Legation site in Buenos Aires." ³⁸¹

376 FO 371/127. The aide-memoir itself was dated the 17th.

377 Ibid.

378 FO 371/12735/107. Not received until the 27th, Argentina's Note was dated the 15th.

379 FO 371/12735/104

380 FO 371/12735/105. Robertson referred to this document as an 'unofficial suggestion.' cf. 1914

381 *Antarctica Cases: United Kingdom v. Argentina; United Kingdom v Chile* International Court of Justice 1956 p.25

December 28th, Ambassador Robertson informs London that Argentina intends to resume the interrupted postal service to the Falklands; “... *provided the Ministry of the Interior makes a previous declaration that such fact does not lessen in the slightest degree the previously expressed right of Argentine sovereignty and that it cannot be invoked by any country to the detriment of such right.*” ³⁸²

At the South Sandwich Islands, a whaling factory ship, *Anglo-Norse*, works under a British licence and with a *Discovery* biologist aboard. The islands of Bristol, Montagu and Thule are visited and examined.

At Signy Island, a *Whaling Officer* spends 3 months ensuring that the terms of the *Tonsberg Hvalfangeri Company* lease are being complied with. ³⁸³

1928 – in **January**, South Georgia postal clerk Alfred Jones complains of shortages.

“... *the two and a halfpenny denomination is the postage for letter rate to Norway and we have about 2,000 Norwegians engaged in the whaling industry, more or less 2,000 more Norwegians than two and a halfpenny stamps.*”

January 20th, from Buenos Aires, responding to Britain's protest of September 8, 1927 regarding the wireless station on Laurie Island, the Argentine Government states that; “... *they could not admit the British position, and that they themselves laid claim to the South Orkneys, ...*” ³⁸⁴

January 27th, Argentina forwards a *memorandum* to the British Government.

“... *acknowledging the receipt of the Pro-Memoire sent by the British Embassy on December 17th last, regarding the declaration made by the Argentine Postal Administration concerning the territorial jurisdiction of the Argentine Republic over the Falkland Islands, the South Orkneys and South Georgia. With regard to the Falkland Islands, this Chancery must state, ... that if it is true that from 1833 those islands have been under British occupation, it is not the less true that from that date and on various occasions the Argentine Government protested against such occupation and against the act which gave rise to it. ...*” ³⁸⁵

January 30th, Britain's Ambassador receives a notification from the superintendent of the Western Telegraph Company that it is to renew the telegraph service between Argentina and the Falkland Islands.

For South Georgia, *Compania Argentina de Pesca's Grytviken* lease is renewed for a further 21 years. Under clause 4(c) the company is required to keep a record of meteorological observations taken at the weather station. ³⁸⁶

February 2nd, from Stanley, Governor Hodson sails on *SS Flearus* to visit the Dependencies.

February 24th, at South Georgia, Hodson unveils a granite memorial to Sir Ernest Shackleton purchased by public subscription – inscribed; “*I hold that a man should strive to the uttermost for his life's set prize.*” The Governor also inaugurates the first South Georgia sports meeting and opens a rifle range at Hope Point before leaving to visit the Signy Islands in the South Orkney group.

382 FO 371/12735/117

383 Internal Foreign Office *memo* by H. Jones dated July 8, 1930 A 4733/1437/2/1930

384 *Memorandum on the Falkland Islands Dependencies* 1947 in LCO 2/490. *cf.* 1927

385 Copy in FO 371/12736/374

386 A weather station was required to be maintained within the ground area of the lease, however it was actually situated at King Edward Point, about half a mile away. Nothing appears to have been done about this.

March 2nd, in London, an internal Foreign Office memorandum notes that; “*Sir Austen Chamberlain feels that the failure of the Argentine Government to comply with the request for the withdrawal of the notification made at Berne leaves HMG with no alternative but to take corrective action at Berne.*”³⁸⁷

“*As the Argentine authorities had gone out of their way to assert ... a formal claim to these islands, it was felt that this further provocative action on their part could not be overlooked.*”³⁸⁸

April 4th, at the Hague, the Permanent Court of Arbitration declares its findings in the *Islas de Palmas* Case. In relation to sovereignty, the relevance of geography (contiguity) has been considered.

“Although states have in certain circumstances maintained that islands relatively close to their shores belonged to them in virtue of their geographical situation, it is impossible to show the existence of a rule of positive international law to the effect that islands situated outside territorial waters should belong to a state from the mere fact that its territory forms the terra firma (nearest continent or island of considerable size). Not only would it seem that there are no precedents sufficiently frequent and sufficiently precise in their bearing to establish such a rule of international law, but the alleged principle itself is by its very nature so uncertain and contested that even governments of the same state have on different occasions maintained contradictory opinions as to its soundness.

*The principle of contiguity, in regard to islands, may not be out-of-place when it is a question of allotting them to one state rather than another, either by agreement between the parties, or by a decision not necessarily based on law; but as a rule establishing ipso jure the presumption of sovereignty in favour of a particular state, this principle would be in conflict with what has been said as to territorial sovereignty ... Nor is this principle of contiguity admissible as a legal method of deciding questions of territorial sovereignty; for it is wholly lacking in precision and would in its application lead to arbitrary results....”*³⁸⁹

Dr. Alfredo Palacios, an Argentine socialist politician, visits the Falklands Islands.

A *Falkland Islands Sheep Owners Association* is formed.

May 30th, Britain's Postmaster-General writes to the International Bureau of the Postal Union.

*“I am now to inform you that the jurisdiction of (the Falkland Islands) extends to the dependencies of the Falkland Islands among which are included South Georgia and the South Orkney Islands. All these territories are and remain under British jurisdiction and the title of the Postmaster General to represent them in Postal Union matters cannot be regarded as qualified in any way.”*³⁹⁰

In **June**, Ambassador Robertson again protests Argentina's claims to the South Orkney's and questions the assertion that Argentina bases its claim upon “*first effective occupation.*” Robertson points out that; “*... the observatory in question was first established by a British subject, Mr. Bruce, and that His Majesty's Government cannot admit that the subsequent transfer through the intermediary of His Majesty's Legation at Buenos Aires, of the ownership of the observatory from Mr. Bruce to the Argentine Government can in any way be regarded as affecting the territorial status of the South Orkney Islands.*”³⁹¹

387 FO 371/12735/138

388 FO 371/18634 quoted in *Research Problems in Studying Britain's Latin American Past: The Case of the Falklands Dispute 1920-1950* Peter J. Beck 1983

389 *US v. Netherlands 2R. Int'l Arb. Awards 829 (1928)*

390 FO 371/12735/174

391 FO 371/12737/208

July 27th, an Argentine *decree* authorises postal & telegraphic contact with the Falkland Islands, whilst reserving the country's position with regard to sovereignty. ³⁹²

August 12th, in the UK, *The Times* newspaper reports:

“Argentina claims the (Falkland) islands as her own by right of succession. For Argentina these possessions are the Malvinas, which are, like Gibraltar, “temporarily in the power of England”. This claim of Argentina has just been put forward again. In 1912 a wireless station was organised at Port Stanley. The Argentine Government was formally told of the fact; but some official pointed out that if the notification were acknowledged British occupation of the Malvinas would be recognised!

So, instead of acknowledging receipt of the Note, all direct communications, by wire or post, with the islands, were deprecated. Until the end of July it was not legal for any Argentine to communicate direct with an inhabitant of the Falklands. The Government has just issued a decree authorising communications between the Malvinas and the mainland ... The official isolation has been broken after 16 years.” ³⁹³

September 4th, from Stanley, the Governor reports that; *“... he had been informed on credible authority that the Government of the Argentine continued to do everything in its power to impede the freedom of trade between Argentina and the Falkland Islands and that, although it professed to regard the Colony as part of such territory, it enforced, nevertheless, payment of the export tax on goods shipped for the Falkland Islands as for other foreign countries without differentiation of treatment.”* ³⁹⁴

September 6th, San Salvador's *Diario Latino* reports.

“Uneasiness continues to be felt in the Foreign Office due to the insistence of the Argentine, already manifested energetically on previous occasion in her claim to incorporate the famous Falkland Islands in Argentine territory, alleging that they belonged to her until England took possession of them by force in 1833. It appears that the opinion of the Foreign Office is inclined towards the return of the islands, agreeing to their becoming again Argentine property, on condition that a naval base be left for England in the locality mentioned. The matter presents features which lead to the belief that it will be difficult to settle.” ³⁹⁵

In **November**, an airstrip is constructed on Deception Island by the *Hubert Wilkins Expedition*. Wilkins makes the first recorded flight in Antarctica, with the news transmitted via Port Stanley.

November 3rd, from Buenos Aires, Minister Robertson objects to the Foreign Office plan to submit a further complaint to Buenos Aires regarding the South Orkneys.

“I do not want to make mountains out of molehills, but I have no hesitation in saying that, if I am to carry out my present instructions, we are going to raise a hornets' nest about our ears in this part of the world and even lead to serious trouble with the United States.” ³⁹⁶

392 Kohen & Rodriguez 2016 p.250

393 *The Times* August 12, 1928. Following the appearance of similar reports in French and American newspapers, the source of this story was revealed to be the Argentine Ambassador to Paris. Rather closer to 6 years than 16, this still suggests that some government policy lay behind the obstructiveness. With Montevideo acting as the hub for telegraphic and postal communication, the effects of this, whilst annoying, appear to have been muted.

394 *The Falkland Islands and Dependencies* H. Godwin 1936. Internal Foreign Office memo. See FO 371/122499

395 Quoted in FO 371/12737/296

396 Quoted in FO 371/12737 at 363. The date is given as the 9th in LCO 2/490

Robertson goes further.

*“As regards the Falkland Islands, I have always considered, ever since reading the Bernhardt’s Foreign Office memorandum of December, 1910, that our claim to the islands was very weak indeed. In point of fact, it is based upon force and upon very little else. ... I do not think that the Argentine Government will seriously raise the question unless we force their hands by taking umbrage at their periodical pin pricks, and their periodical reassertions of their claim.”*³⁹⁷

*“Sir Malcolm Robertson in effect asks if it is worth jeopardizing our strong position in Argentina for the sake of reiterating our frequently expressed claim to a few inhospitable rocks, the sole actual and potential value of which is a small revenue derived from whaling, and where we in any case commit acts of sovereignty by issuing whaling licences without objection from Argentina.. I think there is much to be said for this view.”*³⁹⁸

In London, an opinion is requested regarding the legal effect of not submitting a further protest to Argentina.

November 9th, Robertson writes to Lord Cushendun, appealing that the Foreign Office’s note regarding the South Orkneys should not be presented to Argentina

*“Our claim to the islands was, clearly, an afterthought and due merely to the fact that they promised to prove a source of revenue to the Falkland Islands.... To insist yet again and in the face of a definite Argentine refusal for an application for a wireless licence, can but precipitate a crisis. ... As a result of the publication of official correspondence... the Press has taken a renewed interest in the question. Hostile comments appear almost daily in the leading newspapers.”*³⁹⁹

November 21st, Monsieur Maylin is appointed Vice-Consul for Belgium in the Falklands.⁴⁰⁰

December 12th, in London, a legal opinion on the question of whether or not to respond to Argentina’s note of December, 1827 is given.

*“... the failure to answer the last note of the Argentine Minister for Foreign Affairs must, pro tanto, diminish the effectiveness of the advocacy of the British claim, although the merits of that claim may remain as they were.”*⁴⁰¹

1929 – January 31st, Ambassador Robertson notes in his annual report.

*“We take refuge in silence. Argentina safeguards its claim by reaffirming at intervals. I suggest that our most intelligent course would be to allow this state of affairs continue. ... If we take excessive notice of small periodic incidents, as seems to be the desire of the government of the islands, we may force the Argentine government to take a categorical and unpleasant action, such as insisting that the whole question be submitted to arbitration ... My strong recommendation is that we should remain in silence.”*⁴⁰²

At an inter-departmental conference held the same day, between the Colonial and Foreign Offices, a decision is made that, with regard to the issue of a British licence for Argentina’s South Orkney’s wireless station; “... that

397 See Lanus 2010.

398 Minute by Makins November 9, 1828 in FO 371/12736/350

399 Robertson to Lord Cushendun November 9, 1928 in FO 371/12736/369-370

400 The London Gazette No.33681

401 FO 371/12736/352. Original emphasis.

402 Quoted in Kohen & Rodriguez 2016 p.251 citing CO 78 183/6 108880 (?)

*the matter should not be pursued by replying officially to the Argentine Government's notes, but that Sir M. Robertson should enter orally a 'caveat' in regard to the Argentine claims."*⁴⁰³

*"Sir M. Robertson made it clear that he was averse from raising the question with the Argentine Government, in any form, officially or otherwise."*⁴⁰⁴

In **February**, Governor Hodson and Mr. Amedroz, Port Stanley's Harbour-master, sail for the South Orkneys.

*"Sir M. Robertson's deprecation of such a proceeding as likely to precipitate the question of the sovereignty of the islands when the Foreign Office were trying to avoid raising it was supported by the Colonial Office, and definite instructions were sent to the Governor that he should on no account visit these islands."*⁴⁰⁵

In the Falklands, a census of fur seals on Elephant Jason Island concludes that there are 6000 breeding there.⁴⁰⁶

May 10th, in Buenos Aires, I. Ruiz Moreno, a legal counselor, determines that if the Falklands are considered to be part of Argentine territory, customs charges should apply to parcels as they are not being re-exported.

June 10th, in Argentina, the far-right *Patriotic League of Argentina* meet to demand the return of the Falklands. Newspaper, *La Prensa* calls for the surrender of the archipelago to Argentina.

*"On Sept 10, 1832, since Commandante Vernet, by reason of health, could not return to re-establish Soledad, Major Mestivier was named in his stead; he proceeded to the Malvinas in the bark Sarandi and took possession in the name of the Argentine Republic on Oct. 10. But England had now decided upon the occupation of the islands by force, seeing that the United States had thrown over the Monroe Doctrine because it did not suit her to do police work on behalf of Argentina and to apply the Doctrine to the Malvinas... the British Navy took possession of the islands and obligated the Argentine colonists to abandon it ..."*⁴⁰⁷

1930 – February 26th, in the South Sandwich Islands, RRS *Discovery II* arrives off Zavodovski Island.

*"From that date until 17 March the ship worked constantly about the islands, circumnavigating them close inshore, making running surveys of the coasts, sounding in the adjacent waters, and obtaining numerous photographs, sketches and notes... it is unfortunate that only one landing, on Thule Island, could be made in this period..."*⁴⁰⁸

In London, Foreign Office legal adviser, Gerald Fitzmaurice, circulates a *memo* regarding the South Orkney Islands.

"The question of the South Orkneys is to a considerable extent bound up with that of the Falkland Islands, to which the Argentine Government also lay claim. The connexion between the two questions is, however, a political and not a legal one. The history of the Falkland Islands question is too involved for consideration in this statement. It will be sufficient to say that, after a variety of different occupations during the last half of the 18th century, British, Spanish and French, the islands were finally taken possession of, on behalf of the Crown, in 1832, and have been in effective British occupation ever since,

403 Internal Foreign Office *memo* by H. Jones dated July 8, 1930 A 4733/1437/2/1930

404 *Ibid* para.38

405 *Memorandum on the Falkland Islands Dependencies* 1947 p.46 in LCO 2/490. The way this is worded rather suggests that the Governor did, in fact, visit the South Orkneys. The document paragraph refers to 1939, but this is a typing error.

406 Dickinson 2007 p.120

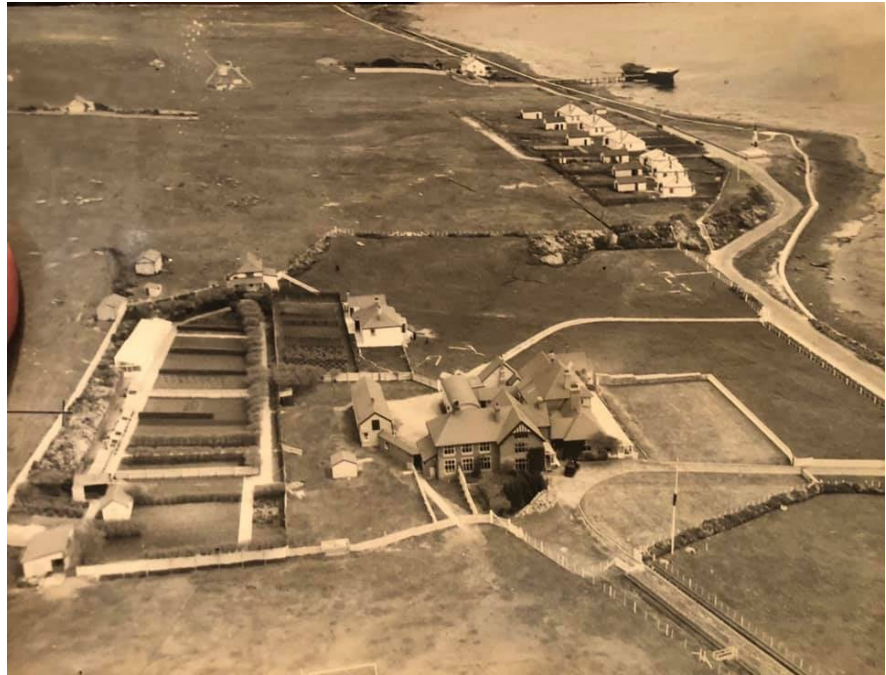
407 *La Prensa* quoted in the *The New York Times* Aug 25, 1929. *cf.* March 18, 1886 *Bayard to Quesada*

408 *British Antarctic Survey Scientific Reports No.91*

a period close on 100 years. During this period the Argentine Government have consistently maintained a claim to the islands, and have from time to time presented His Majesty's Government with a reasoned statement of it. The last occasion on which a detailed statement was put forward was in 1888, and in reply His Majesty's Government contented themselves with declining to enter into any further discussion of the matter. Since that date the Argentine Government have, on more than one occasion, been told in the most unequivocal terms that His Majesty's Government would never in any circumstances contemplate renouncing any rights over or abandoning their possession of the Falkland Islands, but they have, nevertheless, persisted in their claim ...

It should be mentioned that, from the purely legal point of view, the Argentine claim to the Falkland Islands is probably less weak, or at any rate more plausible, than their claim to the South Orkneys. ...

Since, however, His Majesty's Government in the United Kingdom cannot, ..., contemplate renouncing any of their rights over the Falkland Islands or even going to arbitration on the matter, no direct solution of that question appears possible so long as the Argentine Government maintain their present attitude. ...” ⁴⁰⁹



July 16th, Guatemala and Honduras agree to take their border dispute to international arbitration. ⁴¹⁰

*“It will be recalled that, in connexion with the dispute concerning British Honduras, the Attorney-General had occasion to deal with the doctrine *uti possidetis juris* and stated that according to this doctrine each new Latin American State acquired sovereignty over so much former Spanish territory in the new world as it in fact brought under its control.”* ⁴¹¹

September 6th, in Argentina, President Hipolito Yrigoyen, is replaced in a coup by General José Uriburu.

“On 6 September 1930, the first coup in Argentina’s history took place, and ended the second government of Yrigoyen (1928–30). The military officers who assumed power were strongly influenced by the model of the German army of the time,...” ⁴¹²

December 30th, *Discovery II* completes her survey of the South Sandwich Islands.

409 Godwin 1936. Original in FO 371/122499 Annex 1. In December, 1832, before sailing in search of the Argentine garrison, Commander Onslow on *Clio* had visited Port Egmont; raising the marks and signs of sovereignty. cf. 1832

410 *Treaty of Arbitration between Guatemala and Honduras, signed at Washington, on July 16, 1930*

411 Foreign Office Memorandum on the Falkland Islands 1947 in LCO 2/490

412 *State, national identity and power: a historical tour in search of the causes of the Falklands–Malvinas War* Guillermo Mira and Fernando Pedrosa 2021. This would imply that the authors date the existence of Argentina from circa 1860.

1931 – January 28th, an arbitration panel headed by King Victor Emmanuel of Italy, announces its decision regarding Clipperton Island sovereignty.

“It is beyond doubt that by immemorial usage having the force of law, ..., the actual, and not the nominal, taking of possession is a necessary condition of occupation. This taking of possession consists in the act, or series of acts, by which the occupying state reduces to its possession the territory in question and takes steps to exercise exclusive authority there. ...

*Thus, if a territory, by virtue of the fact that it was completely uninhabited, is, from the first moment when the occupying state makes its appearance there, at the absolute and undisputed disposition of that state, from that moment the taking of possession must be considered as accomplished, and the occupation is thereby completed.”*⁴¹³

April 30th, in Stanley, Leonard William Hamilton Young is appointed Consul for Norway.

June 20th, James O'Grady arrives at Stanley as the new Governor of the Falkland Islands.⁴¹⁴ After being sworn in, Governor O'Grady speaks to the Islanders.

*“His Majesty the King has requested me to inform you of his kind interest in you. That may seem a rather far-fetched idea, but most of us follow His Majesty in that respect. We consider this Empire of ours a natural living reality. It is a body politic. It is just as real and just as living as my body is real and living. It is a personality: an entity, representative of our characters and all we stand for. Down in this far away Island in the Southern Atlantic the people of the Falklands have got just those same faculties and qualities that our forefathers had who went abroad for adventure and found it ... You are here in the Falklands and I want you to love the Falklands. To many of you it is your Homeland of the Empire. The more you love it the greater will be your love for the Empire of which it forms a part.”*⁴¹⁵

In **August**, Stanley has a new electrified system of street light turned on by the Governor at a ceremony.

On Deception Island in the South Shetlands, the Hektor Whaling Company's station is abandoned.

*“... and after that year the installations were allowed to become dilapidated. The Company went bankrupt in 1935 and left as bad debts £27,000 owing to the Inland Revenue and £10,700 to the Falkland Islands Government for export duty on whale oil. The Falklands debt was eventually written off.”*⁴¹⁶

In the Falklands, a population census reveals that 2,392 people are present in the archipelago; including 18 Chileans, 16 Norwegians, 6 Argentines, 4 Danes, 3 Germans, 2 Swedes and 2 Uruguayans.

413 *France v. Mexico (1931) 2 R.I.A.A. 1105*

414 This appointment did not appear in *The London Gazette*. For a biography, see - https://www.falklandsbiographies.org/biographies/ogrady_sir

415 Quoted in Tatham (ed) 2008

416 *Memorandum on the Falkland Islands Dependencies 1947 in LCO 2/490.*

1932 — on South Georgia, postal clerk Alfred Nelson Jones and Vera Riches are married by Deputy Registrar William Barlas.

In **July**, following a breakdown in diplomatic relations between Argentina and Uruguay, Argentina's President Agustin Justo asks Britain to take over Argentine interests in Uruguay. ⁴¹⁷

“The fact that in such a diplomatic emergency Argentina asked Britain to represent Argentine interests, rather than, say, Switzerland or the United States, again calls into question Argentina’s seriousness in maintaining a dispute with Britain over the Falklands.” ⁴¹⁸

August 20th, in Canada, the Ottawa Conference concludes. One of the decisions taken is to establish limited tariffs within the British Empire, with higher tariffs applying to the rest of the world.

“The feeling of loyalty for the “informal empire”, a long tradition of responsibility and hundreds of millions of pounds in investments did not stop Great Britain from sacrificing its interests in Argentina in favour of the Empire. The Ottawa Conference of 1932 left Argentina out of the British world.... accentuat(ing) the anti-British feelings of an increasingly influential group of Argentine nationalists. For the first time in almost 100 years the Falkland Islands became an issue again.” ⁴¹⁹

In **December**, the family of Luis Vernet donate his extensive archive relating to his time in the Falkland islands to the Argentine national archives.

1933 — **January 1st**, in Argentina's *La Prensa* newspaper.

“Our nation never forgets that a foreign flag waves over a portion of the Argentine soil which belongs to us geographically and historically.”

January 2nd, in the Falklands, the arrival of HMS *Clio* a century before is commemorated by the construction of a Whalebone Arch outside the Cathedral in Stanley, made from the jawbones of two blue whales.



Also, a celebratory set of 12 stamps is issued (left).

“There were twelve stamps in the 1933 series with twelve very different designs, including a sheep, an iceberg, a whaling ship, a whale, a penguin, views of the Port Louis settlement, South Georgia, Government House, the Port Stanley World War I Battle Memorial, a map of the islands and the colony’s coat of arms. The occasion and the centennial dates were bad enough in Argentine eyes, but the map stamp, the portrayal of the early British settlement at Port Louis, and the inclusion of South Georgia made it very clear that this was a pointed reminder of British possession...” ⁴²⁰

417 The cause of the breach was the harbouring by Uruguay of Argentine General Toranzi, a critic of the military government in Buenos Aires.

418 Pascoe 2020 p.267

419 *Falklands or Malvinas?* Conrado E. Bullrich 2000 p.149

420 *Minature Messages: the semiotics and politics of Latin American postage stamps* Jack Child 2008 p.128

*“The celebrations of the Falklands Centenary in 1933 began with a tribute to the memory of Matthew Brisbane. The Lafonia carrying the Governor and 123 other passengers sailed from Stanley to Port Louis and a wreath was laid at Brisbane's grave where the weather beaten wooden marker was replaced with a new marble gravestone.”*⁴²¹

Centenary celebrations also include a stock fair, horse racing and a radio message to the Islanders from King George V in London.

Researcher's Comment: As centenary celebrations go, it is not clear quite what was being celebrated. A minor police action in 1833 to eject a trespassing garrison from Buenos Aires which had received two written warnings to stay away from the archipelago (1829 & 1832)? British sovereignty can be dated back to 1765 and, at best, 1833 can only be described as a reassertion of existing British rights.

January 20th, Governor O'Grady seeks advice from the Foreign Office on problems experienced by Islanders travelling to Argentina.

“They will not recognise our passports and insist upon our people when they arrive in the Argentine, taking out another passport. There are some other acts of theirs that while irritating need not be commented upon but the last of their pretensions – the matter of our Centenary Stamps – seems to be about the limit. Our stamps are declared to be invalid when the Falkland islands' people write to their friends in the Argentine; they are surcharged and a fine is imposed before delivery can be effected.

*Further than that, they have written to the International Postal Bureau at Berne informing them that in view of Argentina's 'Sovereignty Rights' they are to take notice that the Falkland Islands stamps are invalid. Incidentally, from the philatelists' point of view the stamps will become much more valuable as a result of this extraordinary attitude of the Argentine.”*⁴²²

*“Sir J. O'Grady continued that he could but feel that the position of his Government was, at the moment, somewhat ambiguous, and he asked for enlightenment, both as regards the passport question and that of general policy.”*⁴²³

January 24th, on South Georgia, a child, Iorwerth Nelson Arnold Jones, is born to Alfred and Vera Jones.

In **February**, the Falkland Islands are visited by HMS *Durban* and *Discovery II*.

In Argentina, a press campaign commences, with newspapers calling on their Government to act over the issue of the 'provocative' centenary stamps issued in the Falkland Islands.

February 17th, at Stanley, a cruise ship, *Reina del Pacifico*, anchors in the harbour.

From Buenos Aires, the Argentine Foreign Ministry circulates an instruction to its consulates world-wide.

*“On various occasions this Department has been consulted regarding the attitude to be adopted in the cases of persons born in the Falkland Islands who apply for visas for passports issued by the British Authorities. With a view to adopting a uniform procedure and by reason of the fact that persons born in the Falkland Islands are of Argentine nationality, Your Excellency should inform the officers under your jurisdiction that, as it is impossible to visa this class of passport, Argentine passports should be issued to such applicants.”*⁴²⁴

421 Diana Giles in Tatham (ed.) 2008 p.401

422 In 2006, a set of twelve stamps was valued at \$4,508. cf. Child 2008

423 Internal Foreign Office *memo* by H. Jones dated July 8, 1930 in A 4733/1437/2/1930

424 Quoted in Foreign Office *memo* by H. Godwin dated February 3, 1936 at para.21

March 10th, in Buenos Aires, reacting to the Falklands centenary celebrations, Argentina's Foreign Minister, Carlos Saavedra Lamas, instructs his Legation in Switzerland to deliver a message to the Universal Postal Union.

March 11th, in Argentina, an official announcement appears in newspapers:

*“... to the effect that the Argentine Government had been considering the matter for some time previous to the press campaign calling upon them to take action, and that a communication had, in fact, been sent to the Argentine Legation in Berne to notify the International Postal Union that the Argentine Post Office would refuse to recognise the franking power of the stamps. The result of this action would be that recipients in Argentina of letters bearing the stamps would be called upon to pay the postage plus the usual fine.”*⁴²⁵

From Buenos Aires, Britain's Embassy notifies London.

*“... the issue of the centenary stamps had undoubtedly taken place at an unfortunate moment in Anglo-Argentine relations, as it was bound to cause unfavourable comment and to reopen in the Argentine press the whole question of the sovereignty of the islands at a time when it was important that it should be forgotten...”*⁴²⁶

March 13th, Argentine postal services are ordered to regard letters and parcels carrying Falkland Islands stamps to be regarded as unfranked; requiring a further payment before they can be delivered.⁴²⁷

March 16th, in Berne, Switzerland, Argentina's letter is delivered to the offices of the Universal Postal Union.

April 19th, in London, the British Foreign Office receives a message from its Consul at Riga in Latvia - that Argentina's Consul has received instructions to; *“... impound any Falkland Islands passports... with a request for an Argentine visa, and to issue in its place an Argentine passport.”*⁴²⁸

May 1st, an *Additional Convention to the Treaty of Friendship, Commerce and Navigation 1825* (the *Roca-Runciman Pact*) between the UK and the Argentine Republic is signed, aiming to improve trade and commerce between the two countries.⁴²⁹ The agreement guarantees Argentina a fixed share within the British meat market; also reducing tariffs on cereals and handing monopolies to British companies in Argentina.

*“It can be said that Argentina is an integral economic part of the British Empire”*⁴³⁰

*“After the Roca-Runciman treaty, a profusion of new nationalist writers and factions began to appear. For a time the nationalist movement was largely dominated by historians who sought to fuel the campaign against the British. These historical “revisionists” began to re-examine the 19th century ... Britain's imperialist encroachments: the British invasions of 1806-1807, Britain's role in the foundation of Uruguay in the late 1820s, its seizure of the Falkland Islands in 1833, the blockades under Rosas ... Propaganda of this kind made a deepening imprint on public opinion and helped sustain nationalist sentiments ...”*⁴³¹

July 8th, in the Falklands, unwell, Governor O'Grady departs Stanley for Montevideo.⁴³²

425 FO 371/122499. cf. Godwin 1936 and Hope 1983. Also *Protestas por Malvinas 1833 – 1946* Alfredo Becerra 1998.

426 *Ambassador Robert Macleay to Foreign Office March 17, 1933* in FO 371/122499. cf. Godwin 1936

427 *Directive No. 41,611*

428 Godwin 1936

429 For the original Treaty, see 1825.

430 Vice-President Roca speaking to the press.

431 *Argentina, 1516-1987: From Spanish Colonialism to Alfonsín* D. Rock 1987

432 From Montevideo, O'Grady sailed for England. He never returned, dying in London in December, 1934.

September 5th, at the Hague, a case is heard at the Permanent Court of International Justice between Norway and Denmark over sovereignty of Eastern Greenland. The Court accepts that the requirements for 'effective occupation' in cases of inhospitable regions are much lower than has otherwise been the accepted norm.

*"The Eastern Greenland case (1931–33) is the only territorial dispute in the polar regions ever to have been decided by an international court. ... The Permanent Court of International Justice (PCIJ) held that effective occupation in the polar regions requires relatively little actual exercise of sovereign rights... Since the 18th century, it has been a received principle in international law that settlement and extensive administrative acts by a state are required to establish its sovereignty over new lands. However, the PCIJ held that Denmark had sovereignty over all of Greenland even though Danish settlement and administration were confined to the southwestern coast of the island. The exacting requirements of international law were thus altered "to permit a flexible standard which depends upon the circumstances of the territory. The more isolated the territory and the fewer the inhabitants, the less stringent are the requirements of effective occupation."..."*⁴³³

September 11th, Britain's Postmaster-General reminds the Universal Postal Union (UPU) that, by Argentina's refusal to recognise the Falklands centenary stamps, it is in breach of the UPU Convention.

October 25th, from Buenos Aires, Britain's Ambassador Sir Henry Chilton, suggests to London that; *".. the moment was propitious for a settlement, following the ratification of the new Anglo-Argentine Convention, and the conviction that would seem to exist on both sides that the close economic co-operation, not to mention closer cultural relations, would be to the mutual advantage of both countries. He also revived for consideration, the idea to exchange the South Orkneys for an Embassy House site in Buenos Aires..."*⁴³⁴

*"The advisability of taking any, and if so what, political action upon Sir H. Chilton's letter was very fully explored, but it was eventually decided to let "sleeping dogs lie." ..."*⁴³⁵

US polar explorer, Lincoln Ellsworth, attempting a flight across the Antarctic continent, requests permission from the Falkland Islands Governor for the use of a harbour in the South Shetland Islands. Approval under Art.27(2) of the Air Navigation (Colonies, Protectorates and Mandated Territories) Order 1927 is given.⁴³⁶

November 13th, Britain's Foreign Office responds to Governor O'Grady's January request for directions.

"He was informed that His Majesty's Government fully appreciated the position and were anxious to relieve his Government from its embarrassments. They could not leave out of account the feeling which had been aroused in Argentina by the Falkland Islands Centenary Celebrations, and particularly by the commemorative issue of postage stamps.

The latter measure had given rise to a communication by the Argentine Postal Administration to the International Bureau of the Universal Postal Union. It was thought unnecessary at that stage to discuss in any detail the question of the validity of His Majesty's title to the Falkland Islands. The matter had formed the subject of discussion and correspondence for many years past. His Majesty's Government were advised that that title, while unquestionably strong, is based mainly upon the right of prescription and that the British thesis could not be considered as necessarily bound to succeed if the question were submitted to international arbitration.

The relations between the United Kingdom and Argentina, which had recently been strengthened by the conclusion of a commercial convention, were normally of a sufficiently cordial character to enable the

433 *Historical Evidence and the Eastern Greenland Case* Janice Cavell 2008 citing Triggs 1986.

434 *Memorandum on the Falkland Islands Dependencies* 1947 in LCO 2/490

435 *Ibid.*

436 *Ibid*

*Argentine Government to restrain those sections of the press and of public opinion in the republic, which might otherwise be disposed to ventilate the Argentine claim to the Falkland Islands. In those circumstances His Majesty's Government thought it important, on general grounds of policy, to maintain an attitude of such scrupulous correctness that no excuse would be offered for a revival of agitation over the Argentine claim, or for the Argentine Government to associate itself with popular opinion on the subject, with consequential prejudicial effects on the relations between the two Governments. The Governor would clearly understand that His Majesty's Government do not admit any question whatever as to the validity of His Majesty's title to the islands. On that point they could make no concession to Argentine opinion, and would submit to no diminution of their material rights and interests. ...”*⁴³⁷

December 12th, in Argentina, Britain's consular officials are instructed; “... to watch for any further instances of a refusal on the part of the Argentine postal authorities to recognise Falkland Islands stamps ...”⁴³⁸

December 20th, at the Foreign Office, W. E. Beckett considers the legality of prescription.

“The object of this minute is to submit some observations with regard to the South Orkneys, showing that the position with regard to them is not so clear as it is in regard to the Falkland Islands. In the case of the Falkland Islands, we not only have our long-established claim to sovereignty, but a century old physical occupation, which is so complete as to render it impossible for the Argentines to introduce any change in the situation....”

In Montevideo, the Seventh International Conference of American States defines a State, as possessing - “(a) a permanent population; (b) a defined territory; (c) government; and (d) capacity to enter into relations with the other states.”

“Article 3: The political existence of the state is independent of recognition by the other states. Even before recognition the state has the right to defend its integrity and independence, to provide for its conservation and prosperity, and consequently to organize itself as it sees fit, to legislate upon its interests, administer its services, and to define the jurisdiction and competence of its courts....”

Article 11: The contracting states definitely establish as the rule of their conduct the precise obligation not to recognize territorial acquisitions or special advantages which have been obtained by force whether this consists in the employment of arms, in threatening diplomatic representations, or in any other effective coercive measure. The territory of a state is inviolable and may not be the object of military occupation nor of other measures of force imposed by another state directly or indirectly or for any motive whatever even temporarily.”

“... the most widely accepted formulation of the criteria of statehood in international law.”⁴³⁹

“The Montevideo Convention was interesting in not directly mentioning the concept of sovereignty, which is also considered to be an essential feature of statehood. This is because the Latin American governments drafting the Convention did not want to endorse the existing patterns of sovereignty. They affirmed the declarative theory of statehood that the “political existence of the state is independent of recognition by the other states”, (Article 3). Such an approach is attractive to anti-colonial governments, as it allows claims to statehood to be made by rebels against colonial empires, before they are in full control of the colonised

437 FO 371/122499. cf. Godwin 1936. For acquisitive prescription see 1947. Also August, 1936.

438 FO 371/122499

439 *International Law* M. Shaw 2008 (6th ed.) p.198.

*territory and before they have been recognised. The alternative legal approach, the constitutive theory of statehood, asserts states do not exist until they are recognised by other states. Whatever position is taken on this controversy, it is necessary to go beyond the Convention and note that control over territory is the goal of those seeking recognition. Currently, international lawyers expand the criteria of the existence of a government to there being an effective government.”*⁴⁴⁰

Researcher's Comment: In 1816, an entity calling itself the United Provinces declared independence from Spain; almost immediately descending into internecine conflict. With no national government 1821 to 1826 and no effective control over any territory in 1824. The years 1826 – 1828 saw more conflict followed by a military dictatorship 1828-1829 that controlled little more than Buenos Aires city. This was followed by General Rosas in Buenos Aires province who spent much of his time (1829-1832 & 1835-1852) as a dictator; but still unable to unify all the provinces. Again, no central authority with effective control over the territory claimed. Then, following the departure of Rosas, Buenos Aires declared itself an independent country. Operating as such between 1853 and 1859. Existence as a State requires unity and central control. The United Provinces/Confederation/ Argentine Republic did attain not that until, at the earliest, 1860. Arguably 1863 when Spain recognised Argentina's existence as a separate nation – 47 years after the first declaration of independence. Political unity would have to wait until 1880.

1934 – January 22nd, Ambassador Macleay, back from Argentina, speaks at the Foreign Office.

*“There is no genuine irredentist movement for the recovery of the Falkland group, as all sensible Argentines realise that the islands would be useless to them ... The question is really more than anything else a hobby-horse for a certain type of politician and jingle, which the Ministry of Foreign Affairs, both on principle and for internal political reasons, are unable to ignore altogether;... It is therefore unlikely to become a serious political issue, ... ”*⁴⁴¹

In Argentina, a Nazi affiliated Argentine newspaper, *Crisol*, begins a nation-wide campaign under the banner:

The Malvinas are Ours.

February 17th, Argentina distributes a circular to its consulates world-wide.

*“With a view to adopting a uniform procedure and by reason of the fact that persons born in the Falkland Islands are of Argentine nationality, your Excellency should inform the officers under your jurisdiction that, as it is impossible to visa this class of passport, Argentine passports should be issued to such applicants.”*⁴⁴²

February 25th, in London, rumours circulate in the press that a decision has been made to fortify the Falklands. Argentine newspaper, *La Prensa*, reports that such; “... would constitute a new affirmation of English pretensions never admitted by Argentina.”

A. L. Blake, manager of the *San Julian Sheep Farming Company*; an islander by birth and holder of a British passport, applies for an Argentine visa at the Argentine Consulate in London. He is told that; “... under a recent Decree British subjects born in the Falkland Islands had to apply for an Argentine passport before being permitted to enter Argentina;...”⁴⁴³

440 *Distributed Sovereignty and the Falkland Islands (Malvinas) Dispute* Peter Willetts 2012 p.3

441 *FO 371/20508*

442 *FO 371/122499*. The Falklands' Governor had first complained of such incidents in January, 1933.

443 *Ibid*

*“Mr. Blake then saw (Ambassador) Dr. Malbran personally. His Excellency, while personally sympathetic, confirmed entirely what the consul-general had said. Dr. Malbran added that, if Mr. Blake were prepared to take out an Argentine passport, he would give him at the same time an official document saying that Mr. Blake had only accepted an Argentine passport under protest and with full reservation of his rights as a British subject. Mr. Blake requested Foreign Office advice as to what he should do.”*⁴⁴⁴

*“In 1934 three cases occurred of Argentine refusal to accept Falkland Islands passports; in each case separate diplomatic representations had to be made to the Argentine Embassy in London in order that the Falkland islander in question might acquire an Argentine visa.”*⁴⁴⁵

March 20th, in Cairo, the British delegation to a Postal Conference identify the Falkland Islands and Dependencies as being British territory. Argentina makes no comment.⁴⁴⁶

In **June**, in Buenos Aires, Dr. Palacios urges Argentina's Congress to pass a law requiring all secondary schools to be supplied with a history of the Falklands - based on Paul Groussac's 1910 book – *Les îles Malouines: nouvel exposé d'un vieux litige*.⁴⁴⁷

*“It being necessary that all inhabitants of the Republic should know that the Falkland Islands are Argentine and that Great Britain, without any title of sovereignty, took possession of them by force.”*⁴⁴⁸

June 21st, the Falkland Islands government grants permission for the introduction of guanacos, skunks and ostriches onto Sedge and Wreck islands.⁴⁴⁹

August 9th, Britain's Ambassador in Buenos Aires, Henry Chiltern, is instructed to raise the issue of Blake's visa.

*“The Argentine Government had now... seen fit to introduce and rigorously enforce departmental regulations which amounted, in practice, to the complete exclusion of British subjects born in the Falkland Islands from Argentina. His Majesty's Government could only express the view that such an action on the part of the Argentine Government was in no way consonant with the friendly feelings which that Government had always professed...”*⁴⁵⁰

August 19th, Ambassador Chiltern informs London that the Argentines have agreed to visa Blake's passport.

“... with the proviso that it did not prejudice the claim of the Argentina's government...”

*“A similar procedure was followed in the case of Mr. F. G. Langdon, after Sir V. Wellesley had made further representations to the Argentine Ambassador, and again in the case of Mr. W. M. Dean. In fact a situation has arisen in which a separate diplomatic note has to be sent to the Argentine Ambassador in London every time a Falkland islander requires an Argentine visa. ... this case particularly... threw up in rather an acute form the major question of sovereignty over the islands. It was agreed, however, after much consideration in all quarters, that the risk of provoking a serious dispute with the Argentine Government on these matters should not be run.”*⁴⁵¹

444 Godwin 1936 para.17

445 Memorandum on the Falkland Islands 1947 in LCO 2/490

446 See 1938

447 See 1910 above.

448 Quoted in *The New York Times* June 23, 1934. In 1934, Palacios wrote - '*Las Islas Malvinas: Archipiélago Argentino*'

449 Franklin & Grigione 2005

450 FO 371/122499. cf. Godwin 1936

451 Godwin 1936 para.23

“... our policy in regard to the Falklands must be to maintain our rights while avoiding all incidents calculated to fan the always smouldering embers of Argentine resentment. There is absolutely no hope of our reaching any agreement on the question of principle involved, and our guiding principle must be to avoid dragging this century old controversy into the limelight...”⁴⁵²

September 26th, in Argentina, a new law makes Paul Groussac's 1910 book compulsory reading in schools.

December 29th, Herbert Henniker-Heaton is appointed Governor of the Falkland Islands.⁴⁵³

1935 – January 23rd, in London, a *minute* by John Vyvyan of the Foreign Office's American Department notes; “It is our settled policy to avoid any discussion of the Falkland Islands question.”⁴⁵⁴

February 10th, Governor Herbert Henniker-Heaton arrives in the Falklands on *Reina del Pacifico*. Sworn in that same day.

*“The aim and purpose of Government is the happiness of the governed and with your assistance I shall endeavour to do my best to contribute towards that end.”*⁴⁵⁵

February 11th, in Rio Gallegos, following a petition for naturalisation by Carlos Gleadell Watson, Argentina's Federal Court gives its judgement.

“Facts: This was a petition for naturalisation by a person born in Stanley, Falkland Islands (Malvinas), in 1908, of parents who were not Argentine nationals. Held: that the petition for naturalisation be denied, on the ground that the petitioner was already an Argentine citizen by birth.

The Court said: “The lands included within the Malvinas archipelago, which formed part of the territory subject to our national sovereignty until twenty-three years after the declaration of independence, were occupied by forces of the British navy in January 1833, as is well known. Since then, when the first protest against the assumption of sovereignty by the British Crown was made by Manuel Moreno, the Argentine Minister in London, a protest coupled with a demand for reparation of the injury and loss thereby suffered, as well as for all consequent acts, the Argentine government has constantly maintained its protest over that occupation, calling attention at all times to its rights and jurisdiction over the islands. This is the information given the court by the Ministry of Foreign Relations.

*“It follows that the lands in question continue to form de jure part of the territory of our State, and that accordingly the petitioner, born there, needs no naturalisation, since he has acquired the natural-born citizenship which Article 1 of Law 346 recognises in all who have been born on the national territory or its legal extensions.”...”*⁴⁵⁶

February 22nd, in Buenos Aires, Argentina's Minister of the Interior cancels a police identification certificate issued to Falklands' born Francis Lewis, as the ID states that Lewis is a 'British subject.'

452 Sir David Kelly quoted in *The Falkland Islands and their Adjacent Maritime Area* Patrick Armstrong and Vivian Forbes 1997 citing *PRO A6065/1118/2*

453 Colonial Secretary at the Falklands 1821-1825. For a biography, see - https://www.falklandsbiographies.org/biographies/henniker_heaton

454 *FO 371/18834*

455 Opening address quoted in Tatham (ed) 2008

456 *Report: 49 Revista de Jurisprudencia Argentina, 188.1*

In **March**, in Montevideo, Uruguay, Argentina's Consul-General stops issuing permits for Falkland Island passport holders to enter Argentina; "... *alleging that all persons born in the Falkland Islands are Argentine citizens and, as such, must travel on Argentine passports. Dr. Viñes wrote for instructions from Buenos Aires, and received a reply supporting him...*" ⁴⁵⁷

In **April**, during an exchange concerning the issue of licences to pilots of civil aircraft, the USA challenges British title to the South Shetland Islands.

"The schedule of territories attached to your note includes the 'Falkland Islands and Dependencies.' It has come to my notice that the term 'dependencies' as used in this connection is considered by your Government to include South Georgia, the South Sandwich and South Shetland groups, and other islands, and also certain Antarctic territories extending to the South pole. In the circumstances, I desire to have it made a matter of record that the acceptance by the Government of the United States of the terms of the pilot arrangement, ... cannot in any way be implied to have any bearing on the question as to what country or countries may validly claim ownership of or title to the various territories embraced within the term 'dependencies'..." ⁴⁵⁸

July 24th, in London, in a further internal Foreign Office memo, John Vyvyan considers the possibility of arbitration.

"... we can have no confidence in our claim to the Falklands succeeding in the event of it being submitted to arbitration and we do not therefore wish to press the question to extremes since this might lead Argentina to appeal to third party arbitration such as the International Court." ⁴⁵⁹

".. it is inevitable that individual officers will have differing and in some cases conflicting views. This is natural, but it is also irrelevant." ⁴⁶⁰

Argentina issues a set of 10 stamps, one of which (right) purports to show the country's borders. Chile, Peru and Britain protest. ⁴⁶¹

July 25th, in Britain's Parliament, Foreign Secretary Anthony Eden is asked whether Britain will make representations to Argentina about Francis Lewis.

Eden responds that the British Ambassador had; *".. raised the matter with the Argentine Ministry for Foreign Affairs at the time, and was informed that the Argentine authorities considered themselves entitled to revoke, for whatever reason, identity cards issued by themselves. ..."* ⁴⁶²

"... this decision of the Argentine Government unfortunately appeared to offer further evidence of their intention to pursue a policy of pin-pricks in connexion with the dispute ..." ⁴⁶³



457 FO 371/20597

458 Memorandum on the Falkland Islands Dependencies 1947 in LCO 2/490. No reply was sent to this note.

459 Quoted in Laver 2001 p.263

460 Foreign Office submission to the Parliamentary Foreign Affairs Committee in 1983. cf. *The Falkland Islands, 5th Report from the Foreign Affairs Committee Session 1983-1984 HC 268 25.10.1984*

461 The stamp was reprinted but still showed the Falkland Islands as Argentine territory.

462 HC Deb 25.7.1935 vol.304 cc.2013 – 4

463 Dispatch to the Embassy in Buenos Aires, dated December 10, 1935

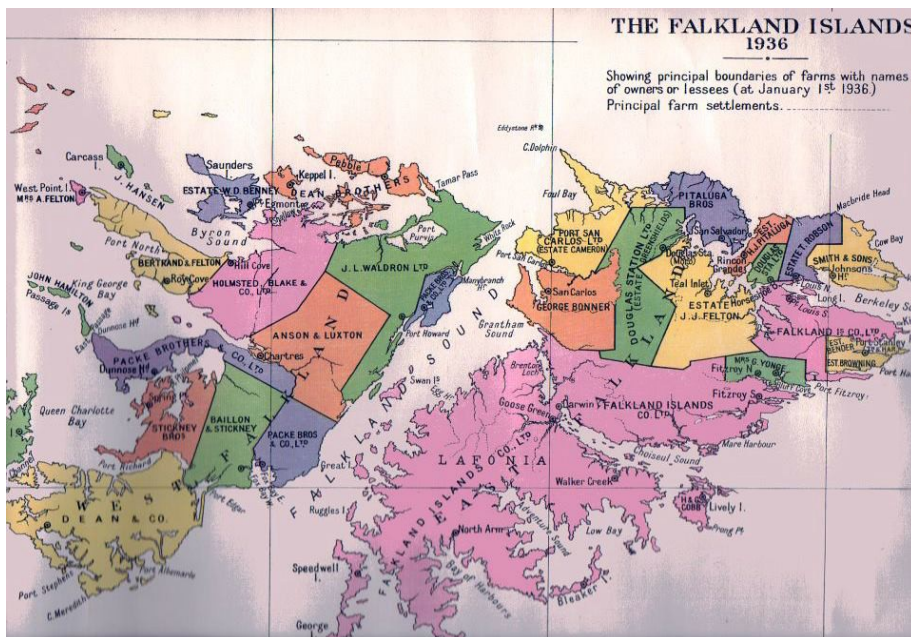
September 25th, in Buenos Aires, an Argentine ministerial resolution determines that income earned in the Falkland Islands is to be considered for income tax purposes as accruing within Argentina.

*“... it was considered that Sir. N. Henderson should not approach the Argentine Government officially in connexion with the ministerial resolution, unless and until an attempt was actually made to tax a British subject, on the basis of the resolution. At the same time Sir Nevile, if he saw no objection, was to take an opportunity of bringing the question informally to the attention of the Minister for Foreign Affairs.”*⁴⁶⁴

December 6th, from Buenos Aires, Ambassador Sir Nevile Henderson writes to Sir Robert Craigie to suggest that Britain should perhaps recognise Argentina's “legal” claim to the Falklands in return for Great Britain's undisturbed occupation thereof.⁴⁶⁵

1936 – February 2nd, in London, Gerald Fitzmaurice, legal advisor at the Foreign Office, is asked for an opinion regarding whether; *“... any international convention exists to prevent the issue of misleading stamps...”*

February 3rd, 'Falkland Islands and Dependencies' is circulated within the FO.⁴⁶⁶



“So far back as 1844 the Argentine Government made a request for arbitration in the case of the Falkland Islands which was categorically refused for the reason that His Majesty's Government are not in any circumstances prepared to envisage the possibility of such an arbitration going against them. The Falkland Islands have been in effective British occupation for nearly a

*century and have a considerable British population together with extensive British fishing and whaling interests. From the naval point of view the islands are also of considerable strategic importance...”*⁴⁶⁷

February 6th, Gerald Fitzmaurice gives his legal opinion regarding postage stamps.

“... there is no general rule of international law which would prevent a country from issuing stamps of this nature if they consider they have a good claim to the territory concerned. The United States did something of the same sort not long ago ... We can of course argue with the Argentine Government for issuing the stamps on the ground that they have no valid claim to the Falkland Islands, but in the last resort the only way in which we could prevent them from issuing the stamps ... would be by going to arbitration and obtaining a decision that their claim was bad in law. But in point of fact we are not

464 Godwin 1936 para.24. Also Foreign Office Memorandum on the Falkland Islands 1947 in LCO 2/490

465 Henderson was transferred to Germany in 1937 where he became known as; “Our Nazi Ambassador in Berlin.”

466 FO 371/122499. See - <https://falklandstimeline.files.wordpress.com/2023/07/falkland-islands-dependencies-february-1936.pdf>

467 Falkland Islands and Dependencies H. Godwin 1936 and FO 371/122499/9 quoted in Greig 1983

particularly anxious to go to arbitration, and I think our correct policy is to sit tight in the Falkland Islands and to refuse to discuss the matter; beyond intimating from time to time that we do not admit the Argentine claim and resent their continued insistence on it. ... *Our case has certain weaknesses. But we have been in effective (...) occupation for over a century; and for strategical reasons we could never give up the islands. So it seems best to take a strong line. ...*"⁴⁶⁸

February 11th, in London, Foreign Secretary Anthony Eden writes to Lord Apsley regarding Argentina's stamp.

"In so far as the issue by the Argentine Government of the stamp in question is based on the assertion of an Argentine claim to the Falkland Islands, I welcome the opportunity of stating that His Majesty's Government cannot admit any such claim to the Islands, which are British territory. ... but His Majesty's Ambassador at Buenos Aires has been instructed once more to draw the attention of the Argentine Government to the fact that no useful purpose can be served by such actions as the issue of the stamp in question, which can only be detrimental to good relations between the two countries."

February 13th, in Buenos Aires, Mr. J. H. Leche, counsellor at the British Embassy, speaks to Sr. Garcia, Under-Secretary of State for Foreign Affairs on the issue of the Falklands. Garcia tells Leche that; *"... in his opinion, too much importance had been attached to the recent issue of Argentine stamps, ... and blamed public opinion in his country for stirring up agitation on this vexed question."*⁴⁶⁹

*"In February 1936 it was officially stated by the Argentine Under-Secretary of State for Foreign Affairs that his Government had reverted to the practice of granting Argentine visas on passports of Falkland Islanders, although the saving clause, which declared that the Argentine claim was not thereby prejudiced, was retained."*⁴⁷⁰

*"... in 1936 another Argentine foreign minister, Ibarra García, had a series of meetings with J. H. Leche, a British embassy official, and said the last thing he wanted was a sovereignty dispute with Britain over the Falklands, adding that Argentina could never publicly abandon its claim because some politicians were able to exploit public opinion on the subject."*⁴⁷¹

February 17th, a coal hulk, *Lady Elizabeth*, breaks her mooring lines and beaches in Whale Bone Cove.⁴⁷²

April 6th, after lodging a complaint with the Argentine Government with regard to the Argentine stamp set, Ambassador Henderson writes to Anthony Eden. He repeats his earlier suggestion of; *"... the recognition by His Majesty's Government of her legal right to the Falklands in return for Great Britain's actual undisturbed occupation thereof."*⁴⁷³

April 13th, from Buenos Aires, Ambassador Henderson sends a further recommendation suggesting; *"... the cession to (Argentina) of the single island of the South Orkney group on which a meteorological station is situated, ... He further proposed a formal reassertion of the British title to the South Orkneys."*⁴⁷⁴

*"(His)... view that British rights to the South Orkneys should be affirmed was endorsed, and he was informed that it was being arranged for the Discovery II to call at some port in the group for that purpose."*⁴⁷⁵

468 FO 371/19763 quoted in Beck 1983 (2). The note appertaining to the asterisk was penned in the margin of Fitzmaurice's typed response. Laver (2001 p.263) misquotes this.

469 A 335/192/2. Foreign Office memo by A. Cairncross dated January 12, 1937

470 Memorandum on the Falkland Islands 1947 in LCO 2/490 citing A 1527/889/2 of 1936

471 Pascoe 2020 p.267

472 During the Falklands War of 1982, an SAS reconnaissance team managed to hide inside the vessel.

473 FO 371/20597

474 Ibid.

475 Memorandum on the Falkland Islands Dependencies 1947 in LCO 2/490

April 22nd, Argentina's Post Office expresses its concerns about changing the stamp set.

*"... the withdrawal of the stamp could lead to the belief that the Argentine Republic was backing off from its rights to the Malvinas Islands."*⁴⁷⁶

May 7th, at Stanley, Ernesto Rowe is confirmed as Consul for Chile with the issue of an *exequatur* by the UK.

August 28th, Eden responds to Ambassador Henderson's letter of April 6th, noting; *"... you should be aware that the legal basis of the (British) claim is far less weak than at one time supposed..."*⁴⁷⁷

"In the first place, 100 years possession, whether disputed or not, should found a perfectly sound title to sovereignty over the islands in international law, and there should be very little danger of such a title failing of recognition by the Permanent Court of International Justice or an international tribunal. Meanwhile, each year that passes, and in addition the celebration of the centenary of British occupation, strengthen His Majesty's Government's case. At the same time there is reason to doubt whether, in fact, Argentina ever had any grounds of claim to the islands at all. In the diplomatic exchanges of 1833 the case would seem to have been argued upon the wrong grounds by both sides. It would seem that the events in the 18th century were irrelevant, that the islands had become completely unoccupied in 1811, and that they had to be considered at that time as 'res nullius' open to the occupation of any State. Further, unless the occupation of the privateer Vernet, whom the Argentine Government tried rather unsuccessfully to clothe with their authority, can be considered to have been an Argentine occupation, the islands were 'res nullius' at the time of the British reoccupation in 1832.

To sum up, His Majesty's Government's case may be considered to rest upon two alternative grounds -

(i) The islands were res nullius at the time of the British occupation in 1832, and therefore it was possible for Great Britain (as for any other State) to obtain a sovereignty there by occupation, which it did.

(ii) If (i) is wrong, and if, in 1832, Argentina had possessed sovereignty, Great Britain has been in peaceable, though not undisputed, possession for 100 years, and has therefore acquired a title by prescription. ...

*The only other method of solution that suggests itself is arbitration. Here too, however, I consider that the risk involved, slight though it may be, would not be justified, since an adverse decision would cost His Majesty's Government no less than their whole strategic position in the south Atlantic. ... The Argentine Government could, of course, bring the matter before the League of Nations, but there is no indication that any such action is likely, nor is it probable that it would be effective even were it to be taken. All they can do, therefore, is to continue creating minor incidents, against which protest can be made as and when necessary, but otherwise there seems to be nothing to prevent the indefinite British occupation of the islands."*⁴⁷⁸

*"... the Argentine Government never brought the matter before the Council of the League of Nations, as being a dispute which, under Article XI or Article XV of the Covenant, would be likely to lead to a rupture or disturb the peace."*⁴⁷⁹

476 Child 2008

477 Foreign Office Despatch No.354 quoted in *Pink Ice: Britain and the South Atlantic Empire* Klaus Dodds 2002.

478 Eden to Henderson August 28, 1936 in FO 371/10763.

479 Memorandum on the Falkland Islands 1947 in LCO 2/490

*“Prescription is a well-recognised concept in international law, deriving initially from principles of Roman Law. There has been no occasion, comparable to that of the making of the unilateral application to the ICJ concerning the Dependencies, when this or other detailed legal arguments have been formally advanced by HMG in relation to the Falkland Islands.”*⁴⁸⁰

November 20th, James Willison Miller, born in the Falkland Islands and the holder of a British passport, is refused a visa by the Argentine Consul at Magallanes. They issue him with an Argentine passport.

*“... stating that applicant was born in the Falkland Islands, Argentine Republic.”*⁴⁸¹

December 31st, at Stanley, HMS *Ajax* anchors in the harbour.⁴⁸²

1937 – January, from Buenos Aires, Ambassador Henderson writes to Eden.

*“The Under-Secretary for Foreign Affairs informed the counsellor to the Embassy that the Ministry for Foreign Affairs had no desire whatever to make an issue of the Falkland Islands question, but that their position was awkward when politicians or the press brought it to the fore, and when Government departments or the judiciary referred to them matters connected with it, they could not avoid taking official notice. They desired, however, as far as possible, to keep the matter in the background, and as a proof of their goodwill they had erased from the forthcoming presidential message to Congress all reference to contentious questions connected with the Falkland Islands.”*⁴⁸³

January 30th, in the Falklands, *Penguin* magazine reports; *“The peoples of the Argentine and of Uruguay have a mistaken conception of the Falkland Islands and of the conditions there. Many know the Islands are inhabited but suppose its port insignificant, the population living poorly and dejectedly without modern comforts, and under icy climatic conditions with tempestuous winds all the year round. Actually the Islands have been a revelation to me. The Falklands are neither joyless nor poor. True there is not much vegetation but its soil is covered with grass and small bushes, (serving as fodder for flocks of sheep and herds of cattle) and the undulating lands, with its many hills crowned with white rocks, gives the Islands an attractiveness all their own, Stanley, cheery and picturesque with its bright white and red painted houses inclining to the lake like harbour of blue tranquil waters, favourably calls attention to its cleanliness and modern conveniences, good buildings and drains, macadamised roads, electric lights and telephones. The modest home is comfortable, the hospital clean as a mirror and friendly as a home, yet as modern as any to be seen in largely populated urban centres. The public administration is excellent. There are no delinquents, no clashing of the classes and no crushing miseries such as plague large cities. Falkland Islanders are frank and kind. All greet each other familiarly in .the street. Those that do not know me greet me kindly. Again it is pleasant to take a walk on Ross Road following the curving beach as far as 'Little Italy' and on to where the young bicyclists ride ends and only to begin the horsemen’s journey into the country An alluring touch to the scene – suggesting to the visitor to spend a month each, year on these far away Islands of the Astral Seas.”*⁴⁸⁴

February 6th, RRS *Discovery II* visits the South Orkney group to emphasise British sovereignty; visiting Signy Island and the Argentine meteorological station on Laurie Island.

A new whaling factory for Deception Island in the South Shetlands is proposed.

480 Foreign Office submission to the Parliamentary Foreign Affairs Committee in 1983. See *The Falkland Islands, 5th Report from the Foreign Affairs Committee Session 1983-1984 HC 268 25.10.1984*. See 1955.

481 FO 371/20597

482 Remaining until January 8, 1937.

483 FO 371/20508

484 Republished in *The Falkland Islands Times* September 4, 1978 p.7. Originally published in *Caras y Caretas* as *My Impressions of the Falklands* by Juan Carlos Moreno

*“Between 1935 and 1939 there were various proposals for establishing a new factory at Deception Island, but none have materialised. In correspondence about one of these applications in 1937, the Governor of the Falkland Islands stated that he was influenced not so much by revenue considerations as by a certain feeling on uneasiness regarding the tenuous hold by the Falklands Government over the South Shetlands area. He submitted that no opportunity should be lost to display control in some wider form than that of leasing a disused whaling station.”*⁴⁸⁵

February 10th, an Islander, W. G. Gleadell, presents his Falkland Islands passport to the Argentine Consul in Magallanes requesting a visa to enter Argentina. He is supplied with an Argentine passport.

*“Mr. Gleadell as an ex-soldier is particularly bitter in his resentment at Argentine nationality being ascribed to him.”*⁴⁸⁶

March 10th, in London's House of Commons, a Parliamentary question concerning Laurie Island is answered.

*“His Majesty's Government ... do not regard the Argentine maintenance of the observatory as constituting any claim to sovereignty over either the South Orkneys or the Falkland Islands,...”*⁴⁸⁷

March 12th, in Buenos Aires, Britain's Embassy reports a re-issue of the 1 peso stamp.

*“The former edition by its shading represented not only the Falkland islands but also territory belonging to Chile in Tierra del Fuego and elsewhere in the south. In the present edition the shading has been removed from the Chilean territory, whose Chilean sovereignty is thereby recognised; but it has been left just as it was in respect of the Falkland Islands, which thus continue to appear as Argentine... I do not know whether you will take the view that this new edition of the stamp constitutes in international law a fresh claim on the part of the Argentine to sovereignty over the Falkland Islands which it is important to impugn, whether by public or diplomatic statement. ... the reply of the Argentine Government would be a forgone conclusion...”*⁴⁸⁸

March 15th, in London, plans by the Falkland Islands Government to produce a new edition of stamps to commemorate the Coronation, provoke a discussion at the Foreign Office.

*“If special Coronation stamps are to be issued to all our colonies, we cannot very well object to one being issued for the Falkland Islands, but it seems most desirable that it should be of as little provocative a nature as possible, and should not embody a map of the Islands.”*⁴⁸⁹

*“Unless... every fresh issue of stamps in respect of the Falkland Islands is to be considered as giving the Argentine Government ground for provocation, I do not see anything in the forthcoming issue which could give any special ground for offence. It is desirable that the Foreign Office should deprecate anything unduly provocative; but on the other hand we can hardly take the line that the Falkland Islands should be precluded from doing those things any normal government is entitled to do merely because it might remind the Argentine Government that they have a theoretical claim to the islands.”*⁴⁹⁰

485 Memorandum on the Falkland Islands Dependencies 1947 in LCO 2/490

486 Governor Henniker Heaton to Secretary of State Ormsby Gore March 19, 1937 in FO 371/20597. See May, 1937

487 HC Deb 10 March 1937 vol.321 cc1150-51

488 Henderson to Eden March 12, 1937 in FO 371/20597. On April 22, 1937, and with an Anglo-Argentine trade agreement awaiting ratification by Buenos Aires, London instructed the Embassy not to protest.

489 Troutbeck to Fitzmaurice March 15, 1937 in FO 371/20597

490 Troutbeck April 5, 1937 in FO 371/20597. This discussion appears to have been based upon either misinformation or a misunderstanding as all the colonies were expected to use the same set of Coronation Stamps, none of which contained a map. There had been, however, a plan for the Falklands to issue its own series of stamps and one of the designs included a map. That design was not subsequently approved.

April 12th, in the Falklands, the wreck of the *SS Great Britain* is beached in Sparrow Cove.

May 24th, from London, Britain's *charge d'affaires* is instructed to take up the matter of visas, and the attitude of the Argentine Consul at Magallanes, with the Foreign Ministry in Buenos Aires. ⁴⁹¹

The *International Conference for the Regulation of Whaling* opens in London to discuss preservation of species and catch limits. In the information provided by each delegation, Argentina includes the catches for the *Compañía Argentina de Pesca*. ⁴⁹² During the opening speeches, Britain's Minister of Agriculture and Fisheries provides a brief history of whaling in the south Atlantic; "*In a short time a prosperous industry was established, based on land stations in the Falkland Islands and their dependencies...*" ⁴⁹³

May 25th, during the 2nd plenary session of the whaling conference, Argentina's Ambassador to London, Dr. Manuel Malbran, makes a statement to the assembled representatives.

"... I should like to make a reservation, which is very important. The Minister of Agriculture, in his opening speech, mentioned in regard to the powers that have been given to the Government for the Falkland Islands, a jurisdiction in all adjacent islands. His Majesty's Government is well aware that my country has always firmly sustained its right of jurisdiction over those Islands.

That is a question that has nothing to do with this Conference, but as I believe the speech of the Minister of Agriculture will be recorded in the Minutes of the Conference, I consider it right and I cannot see any objection to recording it in the Minutes, the statement that I made on behalf of my Government that any agreement reached, or any document signed, or any duty to be paid by the companies working in territorial water should not be considered. My Government will not consider in any way anything prejudicial to the rights firmly sustained by my country.

That is the reservation that I should like to make, and I ask you Mr. Chairman, if the speech of the Minister of Agriculture is recorded, that the statement I have made should be recorded also." ⁴⁹⁴

"The Ambassador had felt that it behoved him at the next meeting to enter a reservation on behalf of his Government to the effect that no document to which the Argentine Government might subscribe as a result of the Conference would in any way prejudice the rights claimed by them to the Falklands and other islands..." ⁴⁹⁵

"It was only in 1937 that Argentina first participated in an international whaling conference and contested the United Kingdom's right to represent the whaling interests of the Dependencies. ... Notwithstanding the United Kingdom's open assumption, and long-standing and peaceful exercise of sovereignty over the territories concerned, and the clear and precise delimitation of the Falkland Islands Dependencies in the... Letters Patent, the Government of the Republic of Argentina formulated pretensions in ... or about 1937 to all the territories of the Falkland Islands Dependencies.... the dispute crystallised when Argentina first asserted her claims..." ⁴⁹⁶

491 FO 371/20597

492 Not unreasonable, considering *Pesca* was an Argentine registered company and the whales had been caught on the high seas by vessels flying the Argentine flag. It was only processing that took place at Grytviken, on land leased from the British government.

493 MAF 41/356

494 *Ibid*

495 FO 371/20597

496 *Agent for the Government of the United Kingdom to the Registrar of the International Court of Justice, May, 1955*

On the same day, G.E.J. Smith and W.J. Hutchinson, born Falkland Islanders, are refused visas to enter Argentina by its Consul-General at Montevideo. They are told to apply for Argentine passports. ⁴⁹⁷

“Passport difficulties occurred in 1922, 1932, 1936 and 1937 as a result of the Argentine attitude towards the Falklands. Argentine Consuls, acting on instructions, refused to visa passports of persons born in the Falkland islands and thus holding British passports. Such persons, it was claimed, were Argentine subjects, to be issued with Argentine passports – after their Falkland islands passports had been impounded.” ⁴⁹⁸

May 28th, following representation by the British Legation in Montevideo, Smith and Hutchinson receive visas in their British Passports. ⁴⁹⁹

“A further refusal of the Argentine consular authorities to grant visas on the passports of Falkland Islanders occurred in May 1937. The British Chargé d’Affaires and the Argentine Under-Secretary of State agreed, however, to avoid so far as was possible all publicity with regard to questions affecting passports.” ⁵⁰⁰

June 1st, in London, Argentine Ambassador Malbran threatens to withdraw from the International Whaling Conference unless Britain's Minister finds a form of words: *“... which would, while reserving our rights, at the same time enable him to remain at the Conference.”* ⁵⁰¹

“... from about 1925 onwards Argentina slowly began to suggest that it was raising a claim to all the Falkland Islands Dependencies, and on 1 June 1937 for the very first time mentioned a claim to them.” ⁵⁰²

June 2nd, at the opening of the 6th plenary session, Britain’s representative addresses delegates.

“... there is one thing that I have to say, which is particularly for the benefit of His Excellency, the Argentine Ambassador, who raised certain points in our second session about the Falkland Islands. I am asked on behalf of His Majesty’s Government to state that the reservation made by the Argentine Delegate concerning the Falkland Islands and recorded in the minutes of the second session, has been noted. His Majesty’s Government consider that the character and the purpose of this Conference are such that it has nothing to do with any question of jurisdiction. Nevertheless His Majesty’s Government must declare in their turn that the reservation made by the Argentine delegate cannot in any way affect the British right to the Falkland Islands and their Dependencies. Equally, I think it will make no difference to the friendship between this country and the Argentine.” ⁵⁰³

June 23rd, in Buenos Aires, Britain's charge d’affaires, Charles Dodd, speaks to Dr. Ibarra Garcia, Under-Secretary of Foreign Affairs, regarding the problems with the issue of visas.

“Garcia explained to me that the instructions issued to Argentine Consular Officers abroad were to the effect that the applications for visas received from persons born in the Falkland Islands presenting British passports were to be referred in each case by telegraph to the Argentine Government. He added that the Consular Officers would be given immediate authority to grant the visa, which would, however, be accompanied by the reserve, written on the passport, regarding the claim of the Argentine Government to sovereignty...” ⁵⁰⁴

497 FO 371/20597

498 Memorandum on the Falkland Islands 1947 in LCO 2/490

499 FO 371/20597

500 Memorandum on the Falkland Islands 1947 in LCO 2/490 citing Confidential memorandum 15978, para.3

501 Ibid.

502 Pascoe 2020 p.272

503 This being the form of words suggested by Dr. Malbran

504 FO 371/20597

*“Dodd stated that Dr. Garcia had remarked to him that the Argentine public had a bee in their bonnet about the sovereignty of the Falkland Islands to which it was unprofitable to supply food gratuitously. His Majesty’s Charge d’Affairs and the Argentine Under-Secretary of State were in agreement that it was desirable so far as possible to avoid all publicity with regard to questions affecting passports.”*⁵⁰⁵

June 26th, Dodd writes to Anthony Eden.

*“For Argentina the question involves her national pride ... in 200 years, when the Argentine nation had become the greatest nation in the world, the question of the Falkland Islands would find its solution.”*⁵⁰⁶

September 18th, in Argentina, a decree is promulgated prohibiting the publication of any maps, official or non-official, that do not show Argentina in its entirety. Existing maps used by official departments, schools and similar institutions which do not meet this requirement must be replaced.

October 15th, from Buenos Aires, Britain's Ambassador forwards a complaint from *charge d'affairs*, Charles Dodd, to the Foreign Office; regarding the need for constant protests to the Argentine Foreign Ministry concerning visas, passports and Argentine identity documents.

*“We cannot expect the Argentine Government to act as if their claim to the islands were invalid. And the F.O. seem inclined to be unable to see the matter from the Argentine Government's point of view. The chief concern of H.M.G., is to maintain de facto and if possible de jure possession of the strategic base consisting in the Islands. I wonder whether it would not be a more practical method to overlook any individual cases, such as are brought to our notice, and on January 1st of each year, instead, to address a formal note to the Argentine Government, in spite of any individual acts during the year which may or may not have come to the notice of H.M.G., the Islands are under the sovereignty of H.M.”*⁵⁰⁷

December 2nd, the Foreign Office responds to Dodd's complaint.

*“The reason for doing so is simply that, in so far as the Argentine dealings in regard to these islanders are based on the Argentine claim to the Falkland Islands, failure by us to protest against these dealings might amount to an implied admission of the validity of the Argentine claim... there can be no doubt that if the matter ever came before a court, and we can by no means exclude the possibility that it some day may, it would be of considerable assistance to the Argentine case if they could show that we had never protested against these acts or had only rarely done so, though well aware of them...”*⁵⁰⁸

December 4th, in Buenos Aires, a statue to George Canning is unveiled in the Plaza Britannia.⁵⁰⁹ A radical political youth group - *Fuerza de Orientación Radical de la Joven Argentina* - promptly issue a statement.⁵¹⁰

“Jorge Canning wrote in 1824: "Spanish America is free, and we Englishmen manage our businesses with skill, it will be English." Under his inspiration and instructions, English diplomacy segregated the Banda Oriental del Uruguay and Alto Perú. The English financiers Baring Brothers indebted us without risking capital. English merchants seized control of currency, land, and foreign trade. One hundred years later, the work of domination has been completed and perfected:

505 CO 78/213/3

506 FO 371/20597 as quoted in Beck 1983

507 FO 371/20597

508 *Ibid*

509 Canning being the first European politician to recognise Argentine independence with a treaty in 1825. cf. 1824, 1825 and April, 1984

510 Radical Orientation Force of Young Argentina

ENGLISH is the means of communication and transportation.

ENGLISH monopolizing companies of foreign trade.

ENGLISH for the most part public service companies.

ENGLISH the largest ranches in the Republic.

ENGLISH the best lands in Patagonia.

ENGLISH all the big stores.

ENGLISH all the companies that make money and are protected by the Argentine Government.

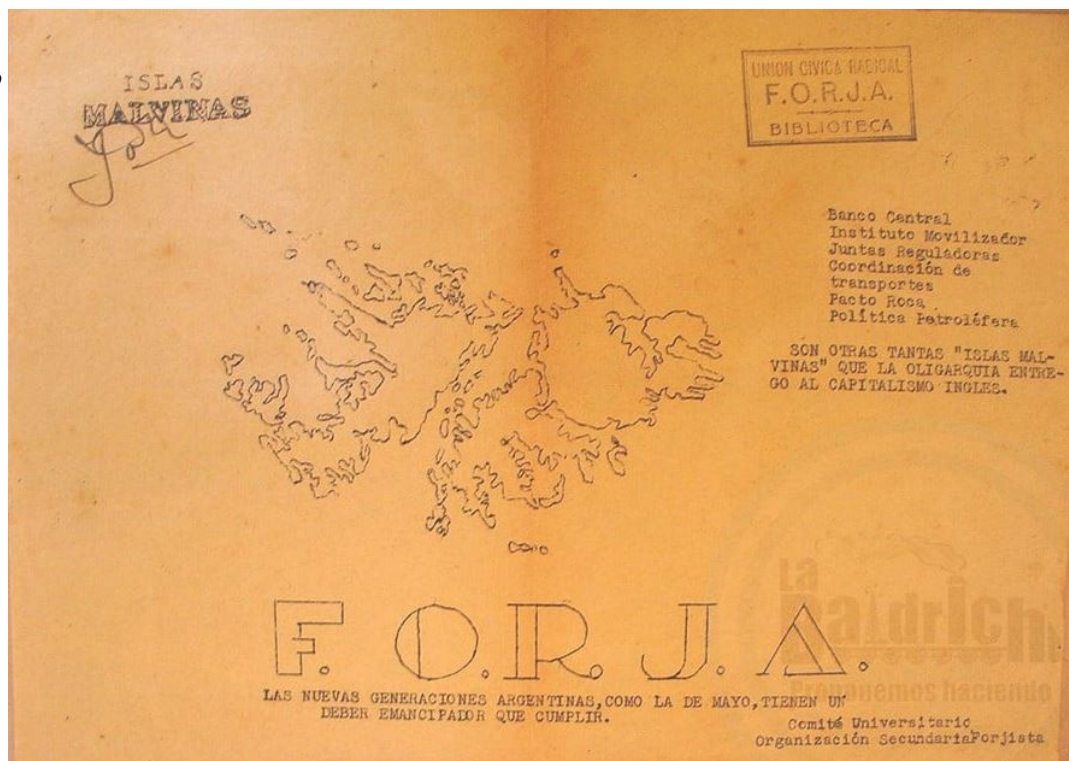
ENGLISH are the wills that manage the currency and credit from the Central Bank.

ENGLISH are the directives to which our foreign and internal policy obeys.

ENGLISH "are" the Falkland Islands and Orkney.

Canning's designs have been fulfilled. English businesses have been conducted and are conducted with "skill". THAT'S WHY CANNING HAS A STATUE IN BUENOS AIRES! CITIZEN: Reflect that such enslavement of a people – typical of any imperialist policy, whatever its flag – operated artfully for a century by Great Britain, has only been possible due to the permanent and treacherous surrender of the country, carried out by our oligarchy.

Consequently, our Argentine struggle must be twofold: against the foreign enemy that invades and against the enemy from within that surrenders. And while fascism tries to replace the British colony with that of other powers, and Marxism works to destroy the National Revolution, the leaders of the Radical Civic Union, stubborn in their electoral opportunism, oppose the line of intransigence and struggle Argentina. FORJA, authentic expression of the Radical Civic Union, from its invariable position of combat, calls on the people to reconquer and defend their sovereignty."



1938 — an Islander, Mr. J. F. Langdon is granted an Argentine passport. ⁵¹¹

February 20th, Roberto Maria Ortiz becomes President of Argentina.

“... not merely a right-winger, like his predecessors ever since the military coup of 1930, but strongly sympathized with the Nazi and Fascist movements in Europe.” ⁵¹²

Aerial surveys of South Georgia are made from HMS *Exeter* using *Walrus* aircraft.

April 10th, in Buenos Aires, a Nazi 'Day of Unity' rally is held at the Luna Park Stadium (right) to celebrate the Anschluss – the annexation of Austria. ⁵¹³

April 13th, Argentina's Foreign Ministry issues an apology to the German *charge d'affaires in Buenos Aires* for the behaviour of protesters outside the Luna Park Rally.



June 14th, in London, a new ten day international whaling conference opens. Statistics are provided by the delegations with regard to their nation's whaling catches. Data from South Georgia's *Compañía Argentina de Pesca* is submitted by both Britain and Argentina. ⁵¹⁴ Norway proposes a further Antarctic conference to discuss a range of issues including questions of sovereignty.

In **July**, the Governor estimates that 2,704,654 acres of Falklands land, out of a total acreage of 2,962,243 are in the hands of absentee landlords. ⁵¹⁵

July 12th, Argentine Consulates around the world are instructed to cease issuing visas to people regarded as 'undesirable' in their own country – as the Jews are in Germany. This prevents Jews fleeing to Argentina.

In **September**, In Buenos Aires, Argentina's Foreign Minister speaks to Britain's *charge d'affaires* drawing attention to; “... a statement that British troops for the Falkland Islands would touch at Buenos Aires en route.”⁵¹⁶

“If this were true, then the Argentine Foreign Ministry deprecated it in the most friendly manner, for they feared a popular outcry over the Falkland Islands question. The report proved incorrect: the "troops" consisted of one British sergeant of marines, accompanied by his family, proceeding, as instructor, to the local militia.” ⁵¹⁷

511 *Evening Standard* newspaper. PRO A 916/916/2. An F. G. Langdon had previously been refused an Argentine visa until representations were made by the British Ambassador.

512 Pascoe 2022 vol.3 p.386

513 Attended by 20,000 'Nazis'. Outside Luna Park, counter demonstrations were held by the Federacion Universitaria Argentina and socialist youth groups. German flags were burned and German businesses were stoned. Two uninvolved bystanders were trampled to death by police horse.

514 The periods were for 1934/5 and 1937/8. During the course of the discussions, Argentina rejected any limitations on “land stations” but did not identify any belonging to Argentina. No issues of sovereignty were raised during the conference. Argentina signed the resulting agreements on June 24th.

515 Ellerby 1990 p.30 citing *Henniker-Heaton to MacDonald, August 10, 1938* in CO78/210/8.

516 *Memorandum on the Falkland Islands* 1947 in LCO 2/490 citing A 7297/916/2 of 1938

517 *Ibid.*

September 22nd, in Buenos Aires, Argentina's President Roberto Ortiz, announces the ratification of postal conventions signed at Cairo in 1934. Included is a reservation.

"... an express categorical reserve reasserting the Argentine claim to the Falkland Islands and their Dependencies, which were described as belonging to the Argentine nation by inalienable right. At the same time the President sent a message to Congress explaining that this reservation had been made, not as a modification of the law, but as a partial rectification of the convention which prejudiced, as a matter of principle, rights of sovereignty which had always been invoked and would ever be maintained. This rectification, it was pointed out by the Argentine press, related to the action of the British Delegation to the Cairo Postal Conference, who had included the Falkland Islands and their Dependencies as British possessions at the time of signature." ⁵¹⁸

"... the possibility of some counter-declaration to the above-mentioned statement had been contemplated by the Foreign Office at the time, but that the conclusion had been reached that such action was unnecessary, since it was not the first time that a reservation of this kind had been made. The President's action ought accordingly to be treated as a matter of routine and ignored..." ⁵¹⁹

"The fact that it had taken four and a half years from Argentina's signing the postal convention to the formulation of that reservation, and that as late as 1937 some Argentine maps continued to omit the Falklands, shows that until the late 1930s Argentina's claim to the islands was still half-hearted..." ⁵²⁰

October 17th, Britain's General Post Office is informed by the government that the Argentine reservation of 22nd September was not considered to have any practical effect.

"His Majesty's Government took the view that no counter-statement was required." ⁵²¹

In **November**, Britain and the USA sign a trade agreement.

"The attitude of the United States Government has been consistently that of desiring to avoid becoming a party to the controversy between the Argentine Republic and Great Britain. During negotiations for the Anglo-United States Trade Agreement of 1938, for example, United States negotiators refused to accept a list of British colonies in which the Falkland Islands appeared, on the ground that acceptance of this list might be interpreted as a United States acknowledgement of the British title; and this would create difficulties with the Argentine Government. Clearly, political considerations dictated this decision." ⁵²²

518 CO 78/213/3

519 Memorandum on the Falkland Islands Dependencies 1947 in LCO 2/490

520 Pascoe 2022 vol.3 p.360

521 Ibid.

522 Memorandum on the Falkland Islands 1947 in LCO 2/490

1939 – January 14th, Norway claims a section of Antarctica – Queen Maud Land..

“Upon hearing of the Norwegian claim, the Government of Chile expressly reserved all and any right that the government of Chile might have upon the Antarctic territories in question.” ⁵²³

April 1st, in Buenos Aires, the 11th international Postal Conference opens.

“... in order to avoid the possibility of any unfortunate incident arising at the Postal Congress at Buenos Aires, when the British Delegation came to sign the convention negotiated thereat, a declaration concerning the colonies should not be appended as had been done at Cairo in 1934, but should be made at the time of ratification. In these circumstances, the Argentine Delegation would have no occasion to present any observations... it would appear that the above procedure was adhered to, and that there was no incident.” ⁵²⁴

“Apparently no incident occurred at the 1939 postal Congress, and when the matter of the Argentine reservation of 1938 was again raised in June 1939, His Majesty's Government determined once more to make no reservation, and the Colonial Office concurred in these views.” ⁵²⁵

April 15th, Britain's Ambassador to the Argentine Republic forwards to the Foreign Office a recently published book, *Nuestras Malvinas*, by Juan Carlos Moreno. ⁵²⁶

“The preface contained an account, written from the extreme Argentine nationalist standpoint of the Argentine-British claims on the islands... In the final chapter, the author suggested the employment of economic sanctions i.e., the confiscation of British property in the Argentine,.. The idea of arbitration was, however, rejected as the Argentine rights were described as being indisputable.” ⁵²⁷

“In the opinion of the Embassy, the publication of Senor Moreno's book was all part of an official campaign to keep the Argentine claim to sovereignty over the islands constantly before the public eye.” ⁵²⁸

June 20th, in Buenos Aires, the National Committee of Homage and Remembrance to the Heroes of the Reconquest in Defence of Buenos Aires appeal to King George VI to “return” the Falkland Islands on the anniversary date of August 12th. ⁵²⁹

June 27th, in London, J. V. Perowne of the Foreign Office's *American Department*, notes; *“... our consistent policy has been to avoid a clash with the Argentine government over this question and we have consistently shown great forbearance in dealing with various provocative actions...”* ⁵³⁰

In **July**, from Buenos Aires, the Government of Agustín Pedro Justo Rolón, announces that it will attend the *International Polar Conference and Polar Exhibition* in Bergen, Norway, to assert its sovereignty over Antarctica. ⁵³¹

523 *Frozen Empires: A history of the Antarctic sovereignty dispute between Britain, Argentina, and Chile, 1939 – 1959*
Adrian John Howkins 2008

524 CO 78/213/3

525 *Memorandum on the Falkland Islands* 1947 in LCO 2/490 citing A 5018/3582/1 of 1939

526 The author had been granted a scholarship by the *Comisión Nacional de Cultura*, a semi-official Argentine body founded in 1933 and, via a 1935 law, funded by an annual Government grant of \$500,000.

527 CO 78/213/3

528 *Ibid.* Publication had been sponsored by the *Comisión Nacional de Cultura*.

529 CO 78/213/3. This organisation, formed in 1938, commemorated annually the attacks of 1806 and 1807; and was itself associated with a small clique of army officers with fascist sympathies and the pro-Nazi newspaper *Crisol*. cf. 1806/07

530 FO 371/22714

531 Following the outbreak of war, the conference was cancelled in January, 1940

*“It was stressed in numerous press articles that this opportunity would be taken to assert Argentine claims to sovereignty in the Antarctic.”*⁵³²

In Argentina, Dagnino Pastore, a popular writer of geography texts for Argentine schools, refers to Britain's 'possession' of more than 8 million square kilometres of the Antarctic.⁵³³

July 8th, following concerns expressed by the Colonial Office, with regard to Argentina's attitude over the Postal conventions, the Foreign Office responds.

*“... the consistent policy of His Majesty's Government to avoid an open controversy with the Argentine Government over this matter. The greatest care had therefore always been shown in the face of the various provocations in which the Argentine Government had seen fit to indulge in the past in connexion with their claim. The Foreign Office saw no advantage in departing from the above mentioned policy. ... Representations would not lead to any withdrawal of the Argentine claim, but were more likely to afford the Argentine Government an opportunity they would otherwise lack to formulate in some definitive manner a claim which it would be embarrassing for His Majesty's Government to receive.”*⁵³⁴

July 15th, in Buenos Aires, a 'Commission' is created to ensure; *“... an adequate participation of the Republic in the International Polar Exposition and in the Congress of Arctic Explorers convoked by the Government of Norway for October of this year.”*

*“Senor Galmarini, a member of the newly-appointed commission... had stated, in a newspaper interview, that the Bergen Congress must settle the political questions of sovereignty before any other business could receive attention.... These claims to polar territory received prominence in the whole Argentine press.”*⁵³⁵

*“Partly in an effort to appease nationalist sentiments, President Ortiz began to investigate and assert Argentina's territorial rights in the region. In 1939 he founded the Argentine Antarctic Commission. Its founding decree noted: ‘That the geographic position of its territory, situated in the most southern part of South America, assigns to Argentina, for both scientific and political reasons, a natural right to participate in the questions surrounding the problems of the Antarctic continent.’ Geographical proximity, the Argentines and other Southern Hemispheric nations believed, assigned to them special rights in relation to the Antarctic.”*⁵³⁶

July 24th, Argentine newspaper *La Prensa* reports:

“If Great Britain considers that by virtue of a geographical extension of the Falkland Islands she has juridical rights over the group of islands situated in the frozen Antarctic Ocean known under the name of South Georgia, South Orkneys, South Shetland and South Sandwich and the territory known under the name of Graham Land, it is obvious that Argentina, which has never recognised Great Britain's sovereignty over the Falkland Islands, reserves its rights in that region by virtue of the same theory as is propounded by the British Government.”

532 Memorandum on the Falkland Islands Dependencies 1947 in LCO 2/490

533 Education, political culture, and foreign policy: the case of Argentina Carlos Escude 1992 cf. May, 1940 & February, 1944

534 CO 78/213/3

535 Memorandum on the Falkland Islands Dependencies 1947 in LCO 2/490. The Bergen Conference was postponed due to the outbreak of war.

536 Howkins 2008 (2). As for the relevance of geography with regard to sovereignty claims, see 1928.

*“On the following day the Buenos Aires Herald was more explicit, stating that Argentina claimed absolute sovereignty to the Antarctic Sector between longitudes 20°W and 68°W, and would strongly contest all British claims within this area ...”*⁵³⁷

*“Apart, then, from the spurious Argentinian claim to succession from Spain, what else might be adduced by Argentina as a basis of title in international law? Firstly, it seems that Argentina might have some tenuous grounds for alleging that its title to the Falkland Islands themselves (presupposing this is valid) could parasitically take in the Dependencies as well on the basis of the latter having been administratively included by the UK in its government of the Falklands, and that consequently the UK is estopped from denying that the Dependencies form part of a "greater Falklands" complex...”*⁵³⁸

August 16th, from Buenos Aires, reports inform the Foreign Office of an anti-British poster by the *Nationalist Youth Alliance*, stating that the UK is attempting to; *“... seize the Antarctic regions which were under Argentine sovereignty...”*⁵³⁹

August 18th, in Argentina, a pamphlet published by the *Alliance of Nationalist Youth* celebrates the 1807 'reconquest' of Buenos Aires.⁵⁴⁰

“132 years ago the native people of this country made the ENGLISH invaders bite the dust of defeat in the streets of Buenos Aires. Today the vanquished of 1806 and 1807 dominate our Islas Malvinas of which they deprived us by violence thus doing honour to their well established fame as PIRATES And now they are endeavouring to take possession of Antarctic Regions under Argentine sovereignty. At the same time they control the essential factors which govern our economic life, and while they wax rich as a result of our Railways, our Urban Transport Systems and our Frigoríficos, the native population of the country suffers hunger and misery.

This is why we now proclaim the necessity for ANOTHER RECONQUEST.”

September 3rd, the United Kingdom declares war on Germany. A volunteer defence force of 300 men is established on the Falkland Islands. Fearing an invasion by German sympathisers in Argentina, Falklands Governor Henniker Heaton requests that the British Ambassador in Buenos Aires send any trained men willing to volunteer.

*“The Islands are claimed by a foreign government, which might, if unfriendly to Great Britain, be tempted to profit by our temporary embarrassment in other parts of the world to throw its lot in with the enemy in order to endeavour to assert its alleged rights.”*⁵⁴¹

September 7th, Chile founds its own Antarctic Commission to study Chilean rights in Antarctic areas.

537 *Memorandum on the Falkland Islands Dependencies* 1947 in LCO 2/490.

538 Symmons 1984

539 CO 78/213/3. Following a complaint by the British Embassy, Argentina's Foreign Ministry reported that no such youth organisation existed and that no importance should be attached to the poster. Private inquiries by the Embassy however suggested that there was a group associated with the anti-British/pro-Nazi newspaper *Crisol*.

540 CO 78/211/9. British diplomats at the time suspected some German influence. In 1806/07 British forces, during a war with Spain, attacked the Spanish Viceroyalty of the Rio de la Plata. The 1806 attack had not been authorised by London, and the 1807 attack was an attempt to rescue the situation created by the first. Neither went well with British forces being defeated by Spanish colonists led by a Frenchman. See 1806 & 1807

541 *Falkland Islands Defence Scheme* 1939 p.6 CAB 120/516. cf. Howkins 2008

September 13th, in Montevideo, thirty-three volunteers from Argentina and Uruguay board the FIC ship *Lafonia* for the journey to Stanley. ⁵⁴²

September 21st, in Panama City, delegates from the American nations attend a conference. Twenty-one countries send their Ministers of Foreign Affairs. Discussions center on the situation in Europe, neutrality, economic cooperation and the maintenance of peace. A maritime security zone is considered, extending 300 nautical miles from the American continents, not including Canada or other European colonies or possessions.

*“The Malvinas should be ours, although they produce nothing. Their value is strategic ... We shall always be dominated by the foreign country that controls them. Today that is Britain, the only country capable of bringing armies to South America and providing them with a powerful base of operations.”*⁵⁴³

September 28th, at Stanley, James Woodgate is appointed commander of the Falkland Islands Defence Force.

October 3rd, in Panama City, the final, *Declaration of Panama*, provides for a provisional security zone.

“As a measure of continental self-protection, the American Republics, so long as they maintain their neutrality, are as of inherent right entitled to have those waters adjacent to the American continent, which they regard as of primary concern and direct utility in their relations, free from the commission of any hostile act by any non-American belligerent nation, whether such hostile act be attempted or made from land, sea or air.” ⁵⁴⁴

Argentina adds a statement in Section XV of the Declaration.

“The Argentine Delegation declares that in waters adjacent to the South American Continent, in that territorial extent of coasts which, in the zone defined as free from any hostile act, corresponds to the Argentine Republic, it does not recognise the existence of colonies or possessions of European countries, and adds that it specifically reserves and maintains intact the legitimate titles and rights of the Argentine Republic to islands such as the Malvinas, as well as to any other Argentine territory located within or beyond the said zone.” ⁵⁴⁵

At Argentina's insistence, the Falklands are included within the preliminary mapping of the zone. South Georgia remains outside it.

“... the Foreign Office considered that it would be politic to ignore the Argentine declaration,...” ⁵⁴⁶



Uncle Sam: This veil must protect down here.
Juan Pueblo: And why doesn't it also protect that part of the coast?

542 Mostly British born or Anglo-Argentines, with the addition of a few from Uruguay. Six were declared as medically unfit and returned to the Rio de la Plata. The remainder called themselves the Tabaris Highlanders after a night club in Buenos Aires. These men remained in the Falklands until 1939.

543 *La Maroma* October, 1939

544 *Declaration of Panama* p.36.

545 Also *Una Tierra Argentina: Las Islas Malvinas* R. R. Caillet-Bois 1982 p.406

546 *Ibid*

October 19th, in Buenos Aires, the *Junta de Recuperacion de las Malvinas* is established at a meeting attended by Senator Alfredo Palacios, Antonio Gomez Langenheim, Juan Carlos Moreno and a dozen more nationalists.

*“Senor Palacios has said that the fact that the Democracies were fighting the battle for liberty and justice and, consequently, had the support of most Argentines was no reason for the latter to be silent about England’s “theft” and that England cannot fight for international law without applying it to her relations with other Powers.”*⁵⁴⁷

*“At Palacio's request, proceedings at the inaugural meeting were opened by Juan Carlos Moreno, who proposed Palacios as president of the committee. Palacios was thereupon unanimously elected as president; Gomez Langenheim and Senor Ford de Halle were elected as vice-presidents, and Juan Carlos Moreno was elected general secretary. After the election the inaugural meeting accepted Palacios's brief programmatic statement of the society's purpose – to promote “propaganda in the national universities and colleges” – and also decided to hold monthly meeting. ... The timing of the new society's foundation was significant – they were taking advantage of Britain's preoccupation with the Second World War.”*⁵⁴⁸

October 21st, from Buenos Aires, Britain’s Minister, writes to London.

*“... German propaganda had been active since the outbreak of the Second World War in trying to exploit the sense of grievance latent in Argentina over the retention of the Falklands group by Britain. A campaign, led by the scurrilous Crisol and the National Youth Alliance, was possibly being aided and abetted by certain Germanophile sections of the Argentine army. But the British Minister concluded that the agitation would never be more than a nuisance value:..”*⁵⁴⁹

October 23rd, in Buenos Aires, the *La Prensa* newspaper outlines Argentina's claim to the Falkland Islands in a major article, but concludes; *“... that the existing world crisis was the worst possible moment for any State to solicit support in order to obtain the triumph of justice over force.”*⁵⁵⁰

October 25th, Britain's Foreign Office considers the implications of war on Falklands sovereignty.

*“In normal times the Argentine Government probably do not regard the satisfaction of their claims to the Falkland islands and their dependencies as a matter of practical politics, but Now we are at war their hopes of acquiring our possessions in the South Atlantic are probably a good deal higher.”*⁵⁵¹

Noticias Graficas publishes an interview with Foreign Minister Honorio Pueyrredón, in which he says that the Argentine claim to the Falklands is “undeniable”, but, in the circumstances, action now would be, “inopportune and unchivalrous.”⁵⁵²

*“The press of the other Latin American countries at the outbreak of the Second World War followed the line set by the Argentine press, namely that the Argentine claim to the Falkland Islands was a just one, but that it was inopportune to press that claim at a time when Britain was engaged in a life-and-death struggle..”*⁵⁵³

547 CO 78/213/3

548 Pascoe 2022 vol.3 p.367. cf. 1966

549 Memorandum on the Falkland Islands 1947 in LCO 2/490

550 Ibid.

551 Perowne in FO 371/22714

552 PRO A/7425

553 Memorandum on the Falkland Islands 1947 in LCO 2/490

November 25th, US President, Franklin D. Roosevelt, sends instructions to Admiral Richard Byrd regarding an expedition that is about to leave for Antarctica. Byrd, the expedition's leader, is instructed to establish bases in Antarctica, and prepare a case for a US claim to sovereignty. ⁵⁵⁴

December 2nd, at Stanley, HMS *Exeter* (Bell) and HMS *Ajax* (Woodhouse) are anchored in the harbour. Commodore Harwood, commanding the South American Division, orders both ships to the Rio de la Plata, it being one of two locations that he expects the German pocket battle ship *Graf Spee* (Langsdorff) to make for. The British cruisers are to rendezvous with HMNZS *Archilles* (Parry). HMS *Cumberland* (Fallowfield) is to follow.

December 13th, near the Rio de la Plata, HMS *Exeter* is sighted by lookouts on *Graf Spee* at 0552am. Twenty-five minutes later, *Graf Spee* commences firing at *Exeter* which is hit amidships, severely damaging the wheelhouse. Capt. Bell returns fire, hitting *Graf Spee* near its turrets. *Exeter* is hit again. At 0631, *Exeter* fires three torpedoes, which miss. *Exeter* is hit again. Commodore Harwood orders *Exeter* to withdraw. *Archilles* and *Ajax* enter the fray. Capt. Hans Langsdorff, inspecting the damage caused by *Exeter*'s hit, orders his ship towards the Rio de la Plata and the neutral port of Montevideo. The battle becomes a pursuit. ⁵⁵⁵

December 14th, *Graf Spee* anchors off Montevideo. *Ajax* and *Archilles* patrol the mouth of the river.

December 15th, badly damaged and with a 7° list, HMS *Exeter* is ordered to make her way back to the Falkland Islands.

December 17th, believing a large British force now awaits him outside the river mouth, Langsdorff orders *Graf Spee* to be scuttled in the Rio de la Plata (right). ⁵⁵⁶

December 26th, HMS *Exeter* arrives back at Stanley for emergency repairs.

A leading member of the *British Union of Fascists*, (Edward) Jeffrey Hamm, moves from Britain to the Falkland Islands to work as a teacher. ⁵⁵⁷



554 Howkins 2008

555 A controversial decision. According to some reports, the German pocket battleship had sustained only light damage although being hit some 17 times with many British shells simply bouncing off. Other reports, suggest that *Exeter*'s hit had penetrated two decks and damaged the ship's raw fuel processing system leaving her with just 16 hours of fuel.

556 The Germans had been fed false intelligence to the effect that an aircraft carrier (*Ark Royal*) and battle cruiser (*Renown*) were assembling near the mouth of the Rio de la Plata. In reality, *Ajax* and *Archilles* had only been joined by *Cumberland*. Langsdorff shot himself at Buenos Aires on December 19, 1939

557 A supporter of Oswald Mosley, Hamm was arrested in 1940, accused of encouraging fascism among his pupils, and deported to South Africa.

1940 – January 3rd, in Argentina, the '*Junta de Recuperación de las Malvinas*,' issues a manifesto.

“... the Junta’s purpose is to arouse the collective conscience of the Argentine people, and especially of the youth of the country, to protest not only against this particular case of aggression but also against the domination of Argentina’s economic life by foreign interests.” ⁵⁵⁸

“Although German propaganda at this time had been allowed to die down in Buenos Aires, it was still active in outlying parts of the country, and was concentrating on inflaming the masses against British “commercial imperialism” ...” ⁵⁵⁹

January 13th, at Stanley, HMS *Achilles* anchors in the harbour. ⁵⁶⁰

January 21st, HMS *Exeter* sails from Stanley, escorted by *Dorsetshire* and *Shropshire*. ⁵⁶¹

January 22nd, three Argentine P2Y-3A seaplanes over-fly the Falklands archipelago.

“The flight was specifically ordered by President Ortiz, ostensibly as a patrol of the Pan-American Security Zone set up by the Declaration of Panama of October 1939. ... they took off around 6.30 a.m. On 22 January 1940 and headed to wards the Falklands, assisted by four torpedo boats, La Rioja, Cervantes, Garay and Mendoza, which were specifically stationed in a line between Argentina and the islands, positioned some 30 miles apart ... The aircraft flew over Mendoza at 8.42 a.m. And duly reached the Falklands; they overflew the Jason Islands, which were visible through heavy cloud, and part of the north coast of East Falkland, but deliberately avoided overflying Stanley, ... then they turned for home,... That flight had no specific aims; it was intended as a test of Argentina's ability to mount such a patrol...” ⁵⁶²

March 6th, in Britain’s Parliament, a statement is made on Falklands defence.

“... the Colony is finding this year a sum of nearly £21,000 for defence purposes which is equivalent to about 30 per cent. of the pre-war revenue. Towards this expenditure fresh taxation which is estimated to provide some £14,000 additional revenue has been imposed... these figures reflect credit on this small Colony whose total population is less than 3,000 persons.”

April 30th, Argentina's National Antarctic Commission becomes permanent under decree 61,852.

“Article 1. A National Commission of the Antarctic, which will centralize and take in charge the consideration of and giving of advice concerning all matters relative to the protection and development of Argentine interests in the Antarctic, shall be created with permanent character and shall be dependent upon the Ministry of Foreign Relations and Worship.

Article 2. The Commission will continue the studies of overall character which it has undertaken concerning the present state of the problems of the Antarctic and their connection with Argentine interests, and will propose to the Executive Power a plan of action which will include all aspects of this matter, both of an internal and international order.

Article 3. The Ministries and Dependencies and the competent Institutes will directly assist the National Commission of the Antarctic with the documentation and advice which it requests of them for the better fulfilment of its task...”

558 Quoted in CO 78/213/3

559 Memorandum on the Falkland Islands 1947 in LCO 2/490

560 Departed again on the 14th.

561 Arrived Plymouth on February 15, 1940.

562 Pascoe 2022 vol.3 p.386 citing *La Nación* February 19, 1977.

In **May**, Argentina's *Antarctic Commission* concludes that the government should claim a sector of Antarctica between 25° and 68° 34' West, south of 60° South.

Argentine author, Dagnino Pastore changes the content of his school geography text of 1939; taking out the word 'possess'. The text now says that Britain "*attributes to itself*" eight million square kilometres of Antarctic. ⁵⁶³

"The thing to note is the use of the word "Falklands" to refer to the Malvinas in texts before 1940. Only after this decade and especially 1945 is the issue of (the) territorial claim over the Falkland Islands introduced into the (education) manuals and reading books, adding (the) disputes over the Antarctic sector." ⁵⁶⁴

June 17th, from Washington DC, US Secretary of State Cordell Hull instructs US envoys to notify the governments of Germany and Italy that; "*the United States would not recognize any transfer, and would not acquiesce in any attempt to transfer, any geographic region of the Western Hemisphere from one non-American power to another non-American power.*" ⁵⁶⁵

June 21st, in Buenos Aires, notified of the details and agenda of an inter-American conference to be held in Havana, Cuba, Argentina responds to the US Ambassador.

"... the Argentine Government, ... agrees in principle to the new meeting which is proposed and does not have any objection to the place suggested, the city of Habana. Nevertheless, in view of the special interests which the Republic must take into consideration, ... this Government desires to consider beforehand the program of the conference, the work of which it is desirable to see in advance in a definite and delimited form. As to questions of sovereignty expressly contemplated in the proposal in question, it may be pointed out that the Argentine Government, which maintains as inalienable the rights of this country over the Falkland Islands, cannot but continue in this definite position, without admitting that that part of the territory, of essential interest to the national defense, be the object of any deliberation within the plan contemplated by the proposal." ⁵⁶⁶

"The German victory in France, the taking of Denmark, Norway, and the Low Countries, and the threatened invasion of Great Britain had brought the war considerably closer to America; politically closer because Danish, Dutch, and French possessions in this hemisphere were no longer controlled by "friendly democracies"; economically closer, because the expansion of the war had created a crisis in Latin American exports." ⁵⁶⁷

June 24th, in Buenos Aires, Antonio Gomez Langheim takes over the *Junta de Recuperacion de las Malvinas* following the resignation of Senator Palacios. ⁵⁶⁸

July 21st - 30th, in Cuba, at the Havana Conference, consideration is given to the possibility that European colonies may fall under Axis control.

"In his address before the Conference on July 22, Hull stated that the United States was in favor of "the establishment of a collective trusteeship, to be exercised in the name of all the American republics," for European territory in America threatened by a change of ownership. The Secretary of State denied that the trusteeship would carry with it any thought of the creation of a special interest by any American republic and

563 Escude 1992. See July, 1939 & February, 1944

564 Garcia 2009

565 Quoted in *Pan American solidarity, 1932-1940* Morton M. Grodzins 1977. Notification was also presented to the British, Dutch and French governments.

566 *Ambassador Armour to US Secretary of State June 21, 1940* in *Foreign Relations of the United States Diplomatic Papers, 1940, The American Republics, Volume V*

567 Grodzins 1977

568 Langheim was formally elected President on September 19, 1940

suggested that "as soon as conditions permit, the region should be restored to its original sovereign or be declared independent when able to establish and maintain stable self-government".⁵⁶⁹

Delegates agree that there should be collective trusteeship of any territory in danger; and that such territories should eventually have the right to determine their own futures – *Act of Havana: Convention on the Provisional Administration of European Colonies and Possessions in the Americas*.

“... when islands or regions in the Americas now under the possession of non-American nations are in danger of becoming the subject of barter of territory or change of sovereignty, the American nations, taking into account the imperative need of continental security and the *desires* of the inhabitants of the said islands or regions, may set up a regime of provisional administration.”⁵⁷⁰

“At the Havana Conference the U.S. and several South American nations agreed to work together to prevent Axis acquisition of British, French or Dutch colonies in the Americas. At the conference the United States agreed to share with other countries in the Americas the responsibility of enforcing the Monroe Doctrine. The Havana Conference marked a change in the use of the that foreign policy.”⁵⁷¹

However, Argentina submits a reservation;

“(Such territory)... does not include the Falkland islands as these do not constitute a Colony or possession of any European nation, being part of (Argentina's) territory and included within its domain and sovereignty...”⁵⁷²

“Excluded from the operation of the Act of Habana (sic) are any "territories or possessions which are the subject of dispute or claims between European powers and one or more of the Republics of the Americas". Presumably this refers to the Argentine claim to the Falkland (Malvinas) Islands and Chile's claim in Antarctica, which were specifically reserved by those two republics at the time of signature of the Act.”⁵⁷³

“Dr. Milo, the Argentine delegate to the Havana Conference, subsequently claimed for Argentina "incontestable rights" to the Falkland Islands and their dependencies, rejecting all and any "stipulations or treaties between Europe or American Countries, because they (the Islands) constitute an integral part of the Argentine soil and only their sovereign, the Argentine people, has authority to make decisions regarding them." This was understood to be an indirect hint to the United States that Argentine nationalists were unwilling to allow, even to the United States, access to Britain's naval base in the South Atlantic (in the manner later arranged between the United States and British Governments).”⁵⁷⁴

“As usual, Argentina supplied the main, and in this case, about the only opposition to the plan of the United States.”⁵⁷⁵

August 8th, Chile's *Antarctic Commission* outlines an Antarctic territorial claim based both on proximity, and an assertion that the Antarctic Peninsula is a geological extension of the Andes mountain range. The rescue of Shackleton's crew in 1917 is also cited as an 'act of sovereignty.' Based upon these, the *Commission* suggests that Chile has rights to Antarctic territory between 60° and 80° West.

569 Grodzins 1977

570 Quoted in Grodzins 1977. My emphasis.

571 Diary of US President Franklin D. Roosevelt July, 1940. For the Monroe Doctrine, see 1823

572 Quoted in Caillet-Bois 1982

573 *The Provisional Administration of European Colonies and Possessions in the Americas* Herbert Wright 1940 in *World Affairs* December, 1940 vol.103 no.4

574 *Memorandum on the Falkland Islands* 1947 in *LCO 2/490* citing *A 4514/2382/2 of 1940*

575 Grodzins 1977

“... both Argentina and Chile were at pains to point out that they were not making new claims, but rather defining longstanding sovereignty rights to the region. These rights, they claimed, dated back as far as the Treaty of Tordesillas in 1494, which had divided the world between Spanish and Portuguese spheres of influence stretching from Pole to Pole. According to international lawyers in Buenos Aires and Santiago, Spain’s imperial rights had been inherited by Argentina and Chile upon independence through the legal idea of *uti possidetis*.”⁵⁷⁶

September 4th, Argentine diplomats express concerns about reports that the US has obtained a naval base in the Falklands from Britain. The reports are denied.⁵⁷⁷

*“The Argentine Ambassador came in today to exchange views on the state of affairs generally. He seemed to think that the British-American agreement regarding naval bases would be well received. In this connection he noted that one newspaper, the Washington Herald, had editorially wondered why we did not include a base in the Falkland Islands; and feared that that might lead to some repercussion in the Argentine press. I said at once that we had recognized throughout the peculiar relationship of the Argentine Government to the Falkland Islands, and that to me it seemed preposterous that under existing circumstances we should endeavor to acquire a base there except after full discussion with Argentina. However, the question was purely hypothetical; the Falkland Islands, so far as I was aware, had not entered into the discussion at any time.”*⁵⁷⁸

September 11th, in Buenos Aires, following receipt of an Australian map of Antarctica, Argentina's Foreign Ministry proposes a conference to consider the 'juridical-political' status of Antarctica.

*“... the Argentine Government understands that the situation created by the unilateral claims to zones of the Antarctic made by various States, to which Chilean claims are now added, can be satisfactorily settled from an international point of view only by means of a conference of the interested States and through an agreement among them on the basis of their just claims and rights.”*⁵⁷⁹

*“It was decided to ignore this suggestion, as it was not put forward in the form of an invitation.”*⁵⁸⁰

November 4th, in Buenos Aires, at a meeting of the *Junta de Recuperacion de las Malvinas*, the lyrics of a song written by poet Carlos Obligado are approved by the members.⁵⁸¹

*Behind its cloak of mist
We must not forget them
The Falklands, Argentina
The wind cries and the sea roars.*

...

576 Howkins 2008 (2)

577 These rumours followed the acquisition of a number of British bases, on lease, by the USA. What is known as the *Destroyers-for-bases* deal which was signed on September 2, 1940. As a result, 50 destroyers were transferred from the American fleet, to the UK and the USA aquired ports in North America and the Caribbean.

578 *Foreign Relations of the United States Diplomatic Papers, 1940, The American Republics, Volume V – Memorandum of Conversation, by the Assistant Secretary of State (Berle), Washington, September 4, 1940.*

579 *Foreign Relations of the United States Diplomatic Papers, 1940, General and Europe vol.II – The Ambassador in Argentina (Armour) to the Secretary of State, Buenos Aires, November 15, 1940*

580 *Memorandum on the Falkland Islands 1947 in LCO 2/490*

581 Asserting Argentine sovereignty over the Falkland Islands, these words were subsequently put to music by Jose Tieri. Now known as the - *Marcha de las Malvinas*'.

*The Falklands, Argentina
In domain already immortal.
And before the sun of our emblem
Pure, clear and triumphant
Shine "Oh, Homeland" on your headband
The lost southern pearl.
In honor of our emblem,
for national pride
Shine "Oh, Homeland" on your headband
The lost southern pearl*⁵⁸²

November 6th, Chile's President Juan Rios issues a decree setting out the limits of Chile's claims in Antarctica.

“CONSIDERING:

*That it is the duty of the State to accurately set its territorial limits;
That the limits of the Chilean territory have not been specified so far in the part that extends to the polar region called American Antarctic;
That this ministry publicly recorded, in 1906, that the delimitation of the aforementioned territory was the subject of initiated studies, but not yet complete;
That the current state of such studies already allows a determination to be taken;
That the special commission appointed by the decree of this Ministry No. 1,541, of September 7, 1939, has established the limits of the Chilean Antarctic territory in accordance with the data provided by the geographical, historical, legal, legal and diplomatic backgrounds and that have been come accumulating to date*

DECREE:

Chilean Antarctic or Antarctic Chilean territory forms

*All lands, islands, islets, reefs of rocks, glaciers (pack-ice), already known, or to be discovered, and their respective territorial waters, in the sector between longitudes 53° and 90° West, constitute the Chilean Antarctic or Chilean Antarctic Territory.”*⁵⁸³

*“The Chilean Government thus claimed a large area of British territory within the Falkland Islands Dependencies, including the whole of Graham Land and the South Shetland Islands, to which Argentina had also made a claim in July 1939. It is to be noted that no northern limit to the area is specified. In justification of this claim the Chilean Press argued that the Spanish conquerors of Chile gave to her undeniable rights rights to all land south of the continental territory...”*⁵⁸⁴

*“From 1940 onwards competing claims were put forward to the South Shetland Islands by other powers; Chile claimed the islands by a decree communicated to the Foreign Office on the 11th November 1940; Argentina also put forward claims, and from about that time the Shetland Islands became a disputed area. In our view, however, before these competing claims were put forward Great Britain did acquire a title which can be maintained to either a part, or the whole, of the South Shetland Islands. We think that Great Britain certainly acquired a title to Deception Island.”*⁵⁸⁵

582 Shortened, obviously. Now the official hymn of the Argentine Province of Tierra del Fuego having been decreed by the Tierra del Fuego Governor, Rosana Bertone, in May, 2017.

583 Chile Decree 1.747 of November 6, 1940

584 Memorandum on the Falkland Islands Dependencies 1947 in LCO 2/490

585 Opinion of the Law Officers 1947 in LCO 2/490. cf. 1819, 1829

*“The limits set by the Decree were almost twice those proposed by Cordovez less than three months earlier. ... On the same day that the Chilean Decree was passed the Chilean Ministry of Foreign relations issued a verbal note to the Argentina Government inviting them to send a delegation... in order to discuss the question...”*⁵⁸⁶

November 12th, Argentina protests to Chile.

“The Argentine Republic has for a long time recognized the importance which must be attached to the problem of the Antarctic and to the national interests bound up with it, which have materialized for the present in the well-known occupation which this Republic has exercised within the zone for the past thirty seven years, by the maintenance of the Observatory of the [South] Orkneys.

Thus, upon the creation on 15 July 1939 of the Antarctic Commission, which was given a permanent character by the Decree of 30 April 1940 "in order to give attention to matters which require the fostering and expediting of national interests in the Antarctic zone and continent," this Government could announce that – without taking account of divers expeditions made by its navy – "Argentina is the only country in the world which maintains a permanent observatory in the antarctic regions, and the work of this observatory, which has augmented for more than thirty years, has come to be of inestimable value in the field of universal science."

By reason of this effective and continuous occupation which has gone on since 1904, the inhabited place which is nearest to the South Pole is Argentine, and our country is the only one "which has lived there for 37 years and the only one, consequently, which maintains in real form the rule of its sovereignty in the lands of the Antarctic."

*Argentine rights, moreover, are not solely dependent upon the principal fact of this occupation. They are also justified under the subsidiary systems admitted for the attribution of those zones. By reason of the geographical propinquity of both the continental territory of Argentina and of the archipelago of the Malvinas [Falklands] which is also part of the national soil, it would be difficult for another nation to take the place of Argentina on the ground that it had better rights with respect to the attribution of the ownership of this zone. Argentina's title also could scarcely be disputed if the question is to be solved on the basis of the sector which is a prolongation of the American continent. ”*⁵⁸⁷

However, Argentina does accept an invitation from Chile, to discuss the matter.⁵⁸⁸

*“It will be observed from the note that Argentina bases its claim to the Antarctic areas in question on – 1) continuous occupation through maintenance of an observatory in the South Orkneys established 37 years ago; 2) certain expeditions made by its Navy, and 3) the geographic proximity of the area to the archipelago of the Falkland Islands, which it asserts, “is also a part of our national territory.”*⁵⁸⁹

November 13th, Britain's Minister to Chile informally hands to the Minister of Foreign Affairs an extract from the *Colonial Office List* showing the limits of the Falkland Islands Dependencies.

*“Senor Bianchi, who seemed ignorant of British claims in the region in question, took these observations in very good part.”*⁵⁹⁰

586 Howkins 2008

587 Julio A. Roca to His Excellency don Conrado Rios Gallardo, Ambassador of Chile November 12, 1940. Contiguity (geography) had been considered in the *Islas de Palmas* arbitration of 1929 with the conclusion that it was not relevant in sovereignty disputes.

588 Now known as the Escudero-Ruiz Moreno negotiation, these were largely ineffective and nothing substantial emerged until 1947. Even today, no formal agreement has been reached.

589 US Ambassador in Buenos Aires to Secretary of State No.1543 November 15, 1940

590 Memorandum on the Falkland Islands Dependencies 1947 in LCO 2/490

December 10th, the USA rejects Chile's claim to a piece of Antarctica.

December 11th, in Buenos Aires. Dr. Pueyrredon, during a conversation with Lord Willingdon, suggests that in exchange for British recognition of Argentine sovereignty over the Falklands, the archipelago would be 'leased-back' to Britain for a *pepper-corn* rent of between one and five pesos per annum for 100 years. ⁵⁹¹

December 19th, Chile's Ambassador in London is instructed to search the British archives for evidence in support of Chile's Antarctic claim.

1941 – January 3rd, in Buenos Aires, a ceremony at the tomb of Luis Vernet is held by the members of the *Junta de Recuperación de las Malvinas*.⁵⁹²

“On this day we think of January the 3rd 1833, when a British warship by an act of force took possession of a piece of Argentine soil.” ⁵⁹³

“The activities of the Junta de Recuperacion de las Malvinas, beginning at a time when Britain faced an existential threat in the Second World War, were crucial in reviving the defunct Argentine claim to the Falkland Islands. ... they succeeded in getting the Falklands made a permanent part of the Argentine school syllabus, which it had not been before, and they induced Argentine governments to pay more attention to the issue and to introduce it into international discussions.” ⁵⁹⁴

January 22nd, at South Georgia, *Queen of Bermuda*, an armed merchant cruiser, arrives. ⁵⁹⁵

January 28th, Allan Wolsey Cardinall is promoted from Colonial Secretary to the position of Governor at the Falkland Islands; replacing Sir Herbert Henniker Heaton. ⁵⁹⁶

February 25th, in a *Note*, the UK rejects Chile's territorial claims over British Antarctica. ⁵⁹⁷

“At the same time a copy of the full text of the Letters Patent of 28th March, 1917 was enclosed for the information of the Chilean Government. This note was acknowledged without comment.” ⁵⁹⁸

“In February 1941 'Transocean' reported that a member of the Argentine Chamber of deputies had urged the Government to request the return of the Falkland Islands from England at the end of the War, by means of a Pact which would grant England naval and air bases at Port Stanley... He further proposed that Argentina should lease the Islands to England for 99 years, ... One Argentine newspaper described this suggestion as "monstrous," as it would result in the existing illegal holding of the Islands becoming a legal one.” ⁵⁹⁹

In **March**, representatives from Chile and Argentina meet to discuss their mutual interests in Antarctica. The two countries agree to present a combined title, whilst still maintaining their individual claims.

591 Beck 1983 (2). Lord Willingdon was head of the *British Economic Mission* in Buenos Aires; while Pueyrredon was the Mayor of Buenos Aires. Nothing appears to have resulted from this conversation.

592 Reported by the German news agency, *Transocean*, the following day.

593 Quoted in *Memorandum on the Falkland Islands* 1947 in LCO 2/490

594 Pascoe 2022 vol.3 p.392. The junta appears to have ceased operating during 1948.

595 Too late to save most of the Norwegian whaling ships which had been operating out of South Georgia. They had been captured on the high seas the week before by the German raiding ship *Pinguin* (Krüder) and despatched with prize crews to Europe. See Pascoe 2022 vol.3 pp.392-394

596 Not gazetted. However, the award of a Knighthood in 1943 refers to him as Governor (*The London Gazette* No.35841). For a biography, see - https://www.falklandsbiographies.org/biographies/cardinall_sir

597 No reply was received until January, 1946

598 *Memorandum on the Falkland Islands Dependencies* 1947 in LCO 2/490

599 *Memorandum on the Falkland Islands* 1947 in LCO 2/490. *Transocean* was a German news agency. Which member of the Chamber of Deputies was not revealed.

March 5th, at Deception Island in the South Shetlands, *Queen of Bermuda* destroys the fuel supplies left by the *Hektor Whaling Company*. To prevent them falling into German hands.

*“This measure, which was taken to deny the use of the oil tanks and fuel stocks to Axis raiders, constituted a most significant display and exercise of British sovereignty over the South Shetlands.”*⁶⁰⁰

Gun batteries are established on South Georgia.

March 14th, diplomats from Argentina and Chile meet once again, to discuss their respective claims in Antarctica.⁶⁰¹

*“The idea of a South American Antarctica... emerged out of the Escudero-Ruiz Moreno negotiations ... Implicit in the idea of a South American Antarctica was the sense that the Antarctic Peninsula region belonged to Argentina and Chile, not just legally and historically, but also environmentally and geographically. Geological continuity, shared weather systems, and Palaeontological evidence of similar flora and fauna provided ‘proof that the Antarctic Peninsula was part of South America.’”*⁶⁰²

March 27th, Buenos Aires newspapers publish accounts of the discussions between Argentina and Chile, suggesting an agreement between the two governments to pursue in common the; *“... indubitable sovereign rights of Chile and Argentina in the Antarctic zone...”*⁶⁰³

May 28th, in Buenos Aires, President Roberto María Ortiz,⁶⁰⁴ mentions Argentina’s claim to the Falklands in his *Message to Congress*. The first time in the 92 years since 1849. Referring to the Havana Conference of July, 1940, Ortiz tells Congress:

*“The signing of those instruments moreover gave the Argentine delegate, Dr. Leopoldo Melo, an opportunity to reaffirm by means of reservations in the case of our rights over the Malvinas Islands, whose status as a colony or European possession we naturally cannot recognise.”*⁶⁰⁵

*“The fact that the islands received no mention in the Messages for almost a century invalidates assertions that Argentina “has never ceased to protest” to Britain over the Falklands.”*⁶⁰⁶

In **August**, the Argentine Government announces that naval wireless operators will, in future, man the station on Laurie Island because; *“... such an act would not normally be tolerated by another owner.”*⁶⁰⁷ Argentina also informs the *International Postal Union* that they are opening a permanent, accredited, post office in the South Orkneys once their navy takes over the meteorological from the civilian staff.⁶⁰⁸

August 14th, Britain and the United States of America sign the Atlantic Charter.

“In August 1941, Prime Minister Winston Churchill sailed across the Atlantic on the British battleship HMS Prince of Wales for a secret rendezvous in Placentia Bay, Newfoundland, with American warships carrying President Roosevelt. The United States had yet to enter the Second World War and it would have stuck in the

600 *Agent for the Government of the United Kingdom to the Registrar of the International Court of Justice, May, 1955*

601 No agreement was reached.

602 Howkins 2008.

603 *Memorandum on the Falkland Islands Dependencies* 1947 in *LCO 2/490*

604 Ortiz appears to be a common link joining the South Georgia claim in 1927 (Minister of Public Works), the South Sandwich Islands claim in 1938 and the resurrected Falklands' claim of 1941, while he was President.

605 *Diario de Sesiones May 28, 1941* quoted in Pascoe 2022 vol.3 p.394

606 Pascoe 2022 vol.3 p.394. Whether such a message to Congress would actually amount to an official protest, is moot..Official protests need to be made country to country, not via a third party such as the Postal Union, or the Argentine Congress.

607 *Memorandum on the Falkland Islands Dependencies* 1947 in *LCO 2/490*

608 *Antarctica Cases: United Kingdom v. Argentine; United Kingdom v Chile* International Court of Justice 1956 p.30

*throat of any properly conscientious American to form an alliance to protect the British Empire:... Yet Churchill and Roosevelt managed to agree a statement, an Atlantic Charter, which laid out eight war aims. The very first of these stated that neither country was seeking any territorial gain from the conflict. The veteran of the battle of Omdurman may not have had his fingers crossed when he agreed to this. But he certainly had anxieties about the third principle to which the men signed up, which claimed that the two governments 'respect the right of all peoples to choose the form of Government under which they will live; and the wish to see sovereign rights and self-government restored to those who have been forcibly deprived of them.' ... Churchill later blithely told the House of Commons that what he'd had in mind was merely self-determination for the peoples of Nazi occupied Europe."*⁶⁰⁹

From Buenos Aires, amid rumours of an attack by Japanese forces, Britain's *military attaché* urges London's War Office to send troops to the Falklands to bolster defences. London argues that Japan is too far away.⁶¹⁰

In **September**, in Stanley and London, issues about greater local representation in the Falklands are raised.

"During the early 1940s the British Government sought to change the appearance of colonialism to win the support of American public opinion for the British war effort. Article III of the August 1941 Atlantic Charter, signed by President Roosevelt and Winston Churchill, stated that all peoples had the right to choose their own form of government. Churchill's failure to restrict the principle to Europe led to a review within the Government of the Empire's future. In September 1941 a Colonial Office memorandum submitted to Churchill referred specifically to the Falklands as a territory which could not be granted self-government, although the growth of local institutions might be a healthy development."⁶¹¹ ... the Reform League raised the question of electoral representation in a petition to the Governor. The Secretary of State's positive reply probably reflected the wider context of countering anti-colonial American sentiment. He stated that, "It should be in accord with general policy and principle that a measure of representation through election of say half of the unofficial members of the Legislature should be introduced, unless there are strong reasons to the contrary ... This is a matter which should be considered now and ... carried through even under war conditions."..."⁶¹²

September 26th, in Buenos Aires, Capt. Ernesto Villanueva of the Argentine Navy, presents a plan to invade the Falkland Islands while the UK is *".. occupied in other world theatres..."*⁶¹³

*"The mission was to "restore the sovereignty of the archipelago to its rightful owner whose strategic location is of vital importance to the maritime defence of the nation..." (the) joint operation was criticized by an Army Officer, Lieutenant Colonel Benjamine Rattenbach who said in a report: "as regard the coup de main.. my opinion is that it will not offer major difficulties... The hard part will be keeping it. Maintaining the islands against an attempt by the UK to recapture..." So the operation was shelved."*⁶¹⁴

*"Due to the global context, the author thought that Great Britain was too busy in other parts of the world to attend to the fate of a few small colonial islands."*⁶¹⁵

"His plan envisaged a landing in two places on the shores of Berkeley Sound, aiming to establish a base at Port Louis before the Argentine force moved to capture Stanley. He did not envisage any role for the airforce; it was

609 *Empire* J. Paxman 2012 p.251

610 See *PRO FO 371/25979*

611 Ellerby 1990 p.38 citing *Imperialism at Bay, 1941-1945: The United States & the Decolonization of the British Empire* William Roger Louis 1977

612 *Ibid.* citing *Memorandum F.I.s Review of Constitutional Reform in CO 78/242/8*

613 *Army and Navy Co-operation: Occupation of the Malvinas Islands* E. Villanueva 1941

614 *El plan para recuperar Malvinas de 1941* Omar Poxequi in *Taringa!* October 4, 2016

615 *A 80 años del plan secreto para recuperar las Malvinas* Juan Bautista Tata Yofre in *Infobae* September 26, 2021

to be a purely amphibious operation by the army and navy, landing in a surprise action at dawn, involving a battalion of Marines distributed in "two heavily armed cruisers, a light cruiser, twelve torpedo boats, a tanker and nine intelligence vessels". After a successful landing, 750 soldiers would move against Stanley." ⁶¹⁶

In **October**, Argentina's *Instituto Geografico Militar* publish maps implying sovereignty over Antarctica.

November 14th, London is informed that Argentina has established a Post Office on Laurie Island.

November 21st, at Port Stanley, HMS *Birmingham*, a light cruiser, anchors in the harbour. ⁶¹⁷

December 7th, at Pearl Harbour, Hawaii, Japanese forces attack the US naval base. Similar attacks take place at Guam, Midway, Wake Island and the Philippine Islands.

December 8th, the United States of America declares war on Japan.

December 11th, the United States of America declares war on Germany.

"The U.S. entry into the war led to the South Atlantic becoming the defence responsibility of the American Atlantic Naval Command. The Chiefs of Staff invited the U. S. to garrison the Falklands, without consulting the Foreign and Colonial Offices or the War Cabinet on the political implications. The Foreign Office described the action as an "unthinking procedure" which could result in the loss of the Falklands. The British dilemma was to find, "... the best means of ensuring that the effect of additional defence of the Falkland Islands under the new conditions does not lead to any diminution of our actual or juridical control over the Islands". The Foreign Office proposed a compromise whereby Britain remained responsible for the Colony's land defences while America gave maritime support." ⁶¹⁸

December 16th, in Argentina, the newspaper *Pampero* claims that it is now "inevitable" that Britain will transfer the Falkland Islands to the USA.

"In 1941 an Argentine military service delegation to the U.S.A. stated that Argentina was willing to cooperate in a South Atlantic defence scheme on the condition that the Americans use their influence to persuade Britain to cede the Falklands." ⁶¹⁹

December 18th, Britain's Embassy in Washington advises London that a joint Argentine Army and Navy Mission is bringing to the United States; "... a plan of defence which includes an area in South Atlantic bounded on the East by a line running straight South from boundary of Brazil and Uruguay to Antarctic. The Falkland Is., are included in this area. Minister insists success of Defence plan is contingent in Argentina securing Falkland Is., and indicates US good offices with British would probably be asked." ⁶²⁰

"These blackmail tactics are what might have been expected of the Government of Acting President Castillo and Sr. Ruiz Guinazu. Either way they have something to gain. If they do not get the Falklands they have an admirable excuse for staying out of the war; if they do get them they at once become national heroes instead of being thoroughly disliked and despised by 90% of the Argentine public." ⁶²¹

December 26th, Britain's Admiralty send a message to the Commander-in-Chief of forces in the Atlantic.

616 Pascoe 2022 vol.3 pp.394-395 citing *Argentina considero invadir las malvinas durante la Segunda Guerra Mundial* Bernardo Veksler in *Diario del Fin de Mundo* November 14, 2013.

617 Remained until the 25th.

618 Ellerby 1990 p.55 citing *FO 371/25979*

619 *Ibid.* p.61 citing *Washington to Admiralty December 18, 1941* in *FO 371/25979*

620 *PRO FO 371/25979*

621 *Ibid* – Foreign Office minute

*“The Japanese have given out that they will shortly be running a convoy to Argentina and that they will capture the Falkland Islands and present them to the Argentinians.”*⁶²²

*“Japan was worried Argentina, then neutral, would host U. S. troops and threatened the country with reprisals, the files show.”*⁶²³

*“... the Japanese Ambassador to Buenos Aires promised the Argentine government that Japan “would see that the Falkland Islands are returned to Argentina”, according to documents emanating from Esmond Ovey, the British Ambassador.”*⁶²⁴

In the Falkland Islands, concerns regarding a Japanese attack, lead to a decision to evacuate the children living in Stanley into the countryside.⁶²⁵

1942 – January 7th, HMS *Birmingham* returns to Port Stanley.⁶²⁶

January 15th - 28th, a third Pan-American Conference of Foreign Ministers is held in Rio de Janeiro (Rio Conference). The purpose to discuss the implications of the Japanese attack on Pearl Harbour and to consider the South American countries either declaring war on Germany, Italy and Japan, or breaking off diplomatic relations.⁶²⁷

During discussions, Argentina demands responsibility for the protection of the Falkland Islands.

*“... which the Japanese had promised them in the event of a successful invasion.”*⁶²⁸

*“Japan's sweep southwards and the sudden threat to Australia and New Zealand meant that the Falklands again became the “key to the whole Pacific Ocean”, as the Earl of Egmont had written to the Duke of Grafton on 20 July 1765.”*⁶²⁹

January 23rd, in Rio de Janeiro, Ministers at the Pan-American Conference agree a final text, including;

*“... (3) The American Republics consequently, following the procedure established by their own laws within the position and circumstances of each country in the actual continental conflict, recommend the rupture of their diplomatic relations with Japan, Germany, and Italy, since the first of these states has attacked and the other two have declared war upon an American country.”*⁶³⁰

Researcher's Comment: Argentina's Government ultimately refused to break off diplomatic relations with Germany and Japan until January, 1944.

622 PRO FO 371/25979. Quoted in Britain's *The Telegraph* newspaper, December 10, 2014.

623 *Japan Times* December 10, 2014

624 Pascoe 2022 vol.3 p.396

625 Ostensibly due to a feared, imminent, Japanese attack. However, the real reason may have been the need to make space for a garrison force – Force 132 – which was being sent to reinforce Stanley. The children returned in September, 1942.

626 Departed the following day.

627 Prior to the conference being called, the Dominican Republic, Haiti, Cuba, Panama, Costa Rica, Nicaragua, Honduras, El Salvador and Guatemala had declared war on the Axis powers. Mexico, Columbia and Venezuela had severed diplomatic relations. Following the conference, Brazil, Ecuador, Peru, Paraguay and Uruguay severed diplomatic relations. Germany and Argentina had already withdrawn their respective Ambassadors but without a formal breach in diplomatic realtions. For an insight into Argentina's attitude, see - <https://history.state.gov/historicaldocuments/frus1942v05/d21>

628 Howkins 2008 p.71 quoting Ovey to Foreign Office December 12, 1941 in ADM 116/5104

629 Pascoe 2022 vol.3 p.396

630 *Foreign Relations of the United States: Diplomatic papers, 1942, The American Republics, volume v.*

*“Two Argentine decrees were issued in Buenos Aires at this time. The first, by the Ministry of Finance, to the effect that Argentine income tax was to be paid by business men and other residents of the Falkland Islands “when it becomes possible for the Argentine Government to enforce its collection”. The second, by the Minister of Agriculture, to the effect that exporters were no longer required to obtain export certificates for agricultural produce exported to the Falklands, the Islands being considered an integral part of the Republic.”*⁶³¹

January 16th, from Buenos Aires, warship, *Primero de Mayo* (Capt. Alberto Oddera), sails with orders to raise the Argentine flag over Deception Island and Graham Land. Inscribed bronze plates are to be put in place asserting Argentina's claim to all lands lying between 25° and 68° 34' West and south of latitude 60° South.

January 18th, at the Falklands, HMS *Birmingham* commences a 10-day patrol of the archipelago.

February 6th, at Deception Island, *Primero de Mayo* raises Argentina's flag over the old whaling station. Painted boards and copper cylinders containing official notices (the marks and signs of sovereignty) – are also set up around the island.

The British Foreign Office comments on Argentina's new Post Office in the South Orkney Islands.

*“...(the) Argentine Government are obviously seeking to build up a claim by occupation to sovereignty over the South Orkneys and... there is some danger that unless we take counter-measures they may establish a claim which it would be difficult to contest. It is desirable to take action...”*⁶³²

February 8th, in the South Atlantic, aboard the *Primero de Mayo*, Captain Alberto Oddera lays claim on behalf of Argentina to territory south of 60° S, between longitudes 25° W and 69° 34' W extending to the South Pole.

*“Until that time Argentina showed no urgency in fixing the borders of the area which it believed should be subject to its dominion.”*⁶³³

*“These acts by Argentina were new; there had been nothing like them before, ... That in itself confirms the primacy of the British claims to all the Falkland Islands dependencies.”*⁶³⁴

February 22nd, from Stanley, the Governor proposes; *“... the construction of a £150,000 road across East Falkland, £3,000 per mile, with new townships either side of the Falkland Sound linked by a ferry.”*⁶³⁵

*“One cannot sub-divide, one cannot colonize, one cannot even improve the present very low standard of economy, unless one breaks down isolation, inaccessibility, the primitive pastoral use of land which ranching entails, and the general backwardness of the country.”*⁶³⁶

March 3rd, Chile protests the publication of Argentina's *Instituto Geografico Militar* maps of October, 1941.

April 1st, in London, PM Churchill orders General Ismay to find sufficient troops to garrison the Falklands.

*“It would be a very serious thing to lose the Falkland Islands to the Japanese and no comfort to say that it would hurt the United States more than ourselves... They would certainly have to be retaken.”*⁶³⁷

631 Memorandum on the Falkland Islands 1947 in LCO 2/490

632 CAB 121/510

633 *La Dispute con Gran Bretaña por las islas del Atlántico Sur* Ernesto Fitte 1968 p.247

634 Pascoe 2022 vol.3 p.403

635 Ellerby 1990 p.33

636 Cardinall to Cranborne February 22, 1942 cited in Ellerby 1990

637 Quoted in *The Telegraph* newspaper, December 10, 2014

June 27th, Argentina's right-wing President Roberto Maria Ortiz is replaced, due to illness, by Ramón Castillo.⁶³⁸

In **August**, in the Falklands, 1,700 men from the 11th Battalion, West Yorkshire Regiment, arrive with a few Royal Engineers and some from the army Ordnance Corps; to be known as the Falkland Islands Force 152. A military camp, employing Nissan huts, is laid out to the west of Stanley.

September 2nd, in Buenos Aires, newly appointed British Ambassador David Kelly, instructed to protest the *Primero de Mayo* expedition, refuses.

*“... this is one political question on which all Argentines are agreed and if (which of course may be untrue) the Minister for Foreign Affairs is really pro-German ... we might be sending him a heaven sent opportunity (to break off relations).”*⁶³⁹

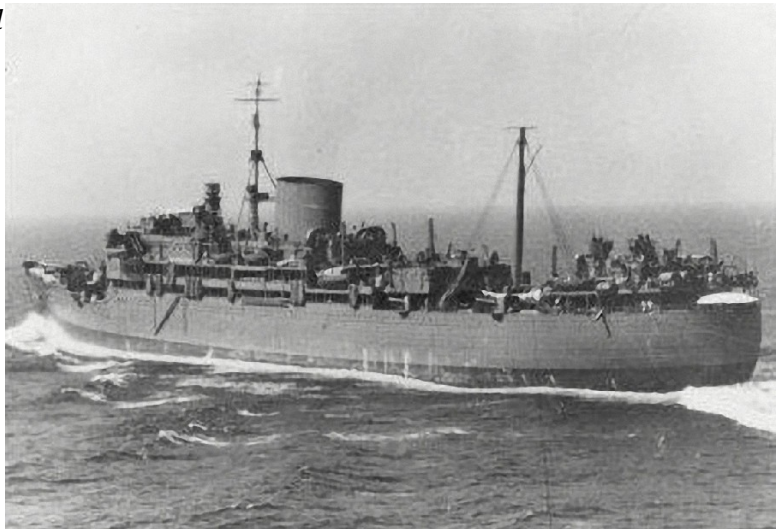
*“He justified his insubordination by resorting to the specter of Nazism in Argentina ... and he clearly regarded the maintenance of good relations as being more important than legal wrangling...”*⁶⁴⁰

*“... he was authorised to defer presenting it for not more than two months. The Foreign Office legal advisers strongly emphasised their opinion that, if the present situation was allowed to continue, the British title to the South Orkneys would become progressively weaker... it was questionable whether the steps which his Majesty's Government had so far taken had done more than create an inchoate title to the Islands.”*⁶⁴¹

September 28th, the children evacuated at the beginning of the year are returned to Stanley.

During **December**, HMS *Carnarvon Castle* is sent on patrol in the South Atlantic (right).

*“... to examine the anchorages in those territories for any signs of use by enemy raiders, and to investigate Press reports of purported acts of sovereignty at Deception Island by the Argentine naval transport *Primero de Mayo*.”*⁶⁴²



638 Even more right-wing and who favoured increased contact with Nazi Germany and the Spanish dictator, General Franco. Argentina's representative visiting Berlin in November, 1942, received assurances that Germany would recognise Argentina's claims to the Falkland Islands once the war was over. See Pascoe 2022 vol.3 pp.408-410.

639 ADM 116/4670

640 Howkins 2008 p.89

641 *Memorandum on the Falkland Islands Dependencies* 1947 in LCO 2/490

642 *Antarctica Cases: United Kingdom v. Argentine; United Kingdom v Chile* International Court of Justice 1956 p.28

1943 – January 27th, in Britain, the War Cabinet are informed of a; “... situation created by Argentine encroachments against certain Antarctic Dependencies of the Falkland Islands Colony. As a result the War Cabinet decided that all possible steps should be taken to strengthen our title to these possessions...”⁶⁴³

“... British officials ... spent the rest of 1943 making preparations for the expedition. These officials.... became so accustomed to working through the night that the expedition became known as Operation Tabarin, after a famous Parisian nightclub.”⁶⁴⁴

January 8th, at Deception Island, troops from *Carnarvon Castle* are sent ashore.

“... and there obliterated from the walls of the *Hektor Whaling Company's* factory the national colours of Argentina, which appeared to have been painted on them recently by the *Primero de Mayo*, and also removed the Argentine notice of claim. ... A writ was at the same time affixed to the building proclaiming that the company's lease had lapsed and that the building was the property of the British Government.”⁶⁴⁵

“*HMS Carnarvon Castle*,... collected the bronze tubes deposited by the Argentine and put in place a wooden board with the British flag painted (on) and three (more) with the caption: 'Land of the British Crown.'...”⁶⁴⁶

February 4th, Argentine warship, *Primero de Mayo*, sails again with three Chilean naval officers aboard.

“... with the aim of affirming – without making new claims – the sovereign rights of both countries in South American Antarctica.”⁶⁴⁷

February 8th, at Signy Island, sailors from *Carnarvon Castle* erect flagstaffs carrying the Union Jack.⁶⁴⁸

“On being so informed, the Argentine Foreign Minister replied that the Argentine Government considered its claims, "inherited from Spain".”⁶⁴⁹

February 9th, near Laurie Island, *Carnarvon Castle* anchors.

“The captain of the *Carnarvon Castle* had instructions not to make a demonstration of force if the Argentines showed any disposition to resist a landing, for His Majesty's Ambassador at Buenos Aires had expressed the opinion that any armed clash would do serious lasting damage to Anglo-Argentine relations. The reception at Laurie Island, however, was most cordial, and no references were made to the subject of sovereignty. The Argentine flag was flying over the station.”⁶⁵⁰

“When the auxiliary cruiser *HMS Carnarvon Castle* visited Laurie Island, the Secretary of State for the Colonies cautioned the crew against sending letters while on shore, as doing so would undercut the British position that Argentina had no authority to establish a post office on Laurie Island in the first place.”⁶⁵¹

643 CAB 121/510

644 Howkins 2008 p.92

645 *Agent for the Government of the United Kingdom to the Registrar of the International Court of Justice, May, 1955* p.28.
See - <https://www.icj-cij.org/sites/default/files/case-related/26/026-19550504-APP-1-00-EN.pdf>

646 *The Third Reich and the Antarctic dispute between Great Britain and Argentina during the Second World War and the postwar period* Pablo Fontana 2013 (p.6) presented to the 13th Meeting of Latin American Historians at the Antarctic Maritime Museum of Ushuaia, October 2013

647 *Ibid* p.75

648 See 1947

649 *Agent for the Government of the United Kingdom to the Registrar of the International Court of Justice, May, 1955* p.30.
These Islands had never formed any part of Spain's dominions; nor had they been claimed by Spain. Under the Treaty of Tordesillas between Portugal and Spain, signed in 1494, South Georgia, the South Orkney Islands and the South Sandwich Islands would have fallen within Portugal's sphere of influence.

650 *Memorandum on the Falkland Islands Dependencies* 1947 in LCO 2/490

651 *Argentine Encroachments Against Certain Antarctic Dependencies of the Falkland Islands* PRO CAB 66/33/41

February 11th, in Buenos Aires, the bronze plate recovered from Deception Island is returned to the Argentine Government.

*“His Majesty's Ambassador informed the Argentine Foreign Minister of the visit of the Carnarvon Castle to Deception Island and assured him that His Majesty's Government had no intention of allowing their title to go by default or be challenged. To this the Argentine Foreign minister replies that the Argentine Government considered its claims, inherited from Spain, were absolutely justified...”*⁶⁵²

February 15th, in a responding diplomatic memorandum, Argentina; “... defined her pretensions in the area south of latitude 60' South as covering all Antarctic lands and dependencies between longitudes 25° and 68° 34' West. It also purported to "protest" against jurisdictional acts carried out by British officials.”⁶⁵³

*“... it was the first occasion on which a formal claim to sovereignty over territory in the Antarctic had been put forward by any Argentine Government.”*⁶⁵⁴

February 18th, Argentina's post office, in a note sent to the Universal Postal Union, contests Britain's right to regulate the movement of mail through the Falkland Islands.

In Stanley, Governor Cardinall establishes a *Naming Committee* to assist in the preparation of accurate maps of the Falklands by the Royal Engineers.⁶⁵⁵

Primero de Mayo, accompanied by two transport vessels, *Pampa* and *Patagonia*, arrives back at Deception Island. Members of the crew re-erect the Argentine flag, replace the bronze plate and repaint Argentine colours onto the walls of the old whaling factory.

*“... the Commander was unpleasantly surprised to discover that the Argentine flag which the crew of the transport had painted on her last visit had been obliterated and replaced by the British flag. The British emblems, therefore, were in turn removed and the Argentine flag was repainted. The ship left Deception Island on 11th March (1943): the Argentine Government have not yet (1947) seen fit to avow this act to His Majesty's Government. A full report of the activities of the Primero de Mayo was subsequently obtained confidentially from Captain Cordovez, the senior Chilean officer who accompanied the expedition. This report provides evidence of unsuccessful attempts on the part of the Argentines to enroll Chile's co-operation in presenting a common front to Great Britain... On return of the expedition to Buenos Aires, the Argentine Government suppressed all public announcements regarding the removal of the Argentine emblems from Deception Island and their replacement by British emblems.”*⁶⁵⁶

April 12th, in Buenos Aires, responding to Argentina's memorandum of February, the Ambassador Kelly, presents a UK memorandum reasserting British titles.⁶⁵⁷

*“... while discussing the Falkland Islands Dependencies with the Argentine Foreign Minister, Dr. Guiñazu, reminded him that, as far as the Falkland Islands were concerned the question of title was not purely one of first discovery but also of prolonged occupation.”*⁶⁵⁸

652 Memorandum on the Falkland Islands Dependencies 1947 in LCO 2/490.

653 Agent for the Government of the United Kingdom to the Registrar of the International Court of Justice, May, 1955 p.31

654 Hunter Christie 1951 p.269

655 *The Toponymy of the Falkland Islands as Recorded on Maps and in Gazetteers* Permanent Committee on Geographical Names 2006

656 Memorandum on the Falkland Islands Dependencies 1947 in LCO 2/490

657 The British document was dated April 7, 1943. A footnote to para.112 in *Memorandum on the Falkland Islands*

Dependencies January 12, 1947 (Foreign Office) in LCO 2/490 states; “A considerably stronger British case could have been made than is presented in this document.”

658 Memorandum on the Falkland Islands 1947 in LCO 2/490 citing A /4225/25/2 of 1943

May 27th, in London, a decision is made to organise effective occupation of the disputed Antarctic territories.

*“After protracted discussions it was decided... to send parties of occupation to Deception Island, South Shetland, and to Signy Island, South Orkneys but not to Laurie Island. It was realised that the omission of the latter might result in its loss to the British Empire, but His Majesty's Government were not at that time prepared to remove the Argentines by force,.. The special position at South Georgia, which is permanently inhabited, necessitated separate instructions for the Officer Commanding the South Georgia Defence Force in the unlikely event of an Argentine party landing and attempting to perform acts of sovereignty there. At South Georgia it was considered that the local representatives of His Majesty's Government should use all the force at their disposal to uphold their authority over the island.”*⁶⁵⁹

In Argentina, Alfredo Roberto Lucio Ryan takes a major shareholding in the *Compañía Argentina de Pesca* and its shore base at Grytviken on South Georgia.⁶⁶⁰

June 4th, in Argentina, a military coup ousts the government of Ramon Castillo. After three days, General Pedro Ramirez takes over the Presidency.

*“... the second coup, which occurred in 1943 ... rested upon the decision of the armed forces not to declare war on Germany.”*⁶⁶¹

*“(Colonel Juan Domingo) Perón was the real leader, though he remained a mere colonel; he exerted power from behind the scenes, while "puppet generals" served a figureheads. ... The clearly pro-Nazi tendencies of the new government increased British suspicions of Argentina's intentions...”*⁶⁶²

August 18th, *de-facto* Argentine President Pedro Pablo Ramirez signs *Decree-Law No.5626* placing the Tierra del Fuego and Staten Island under the control of the Argentine Navy.⁶⁶³

October 28th, at Stanley, a trade union – the *Falkland Islands General Employees Union* – is founded to represent the workforce.⁶⁶⁴

During **November**, the Foreign Office, alarmed at events in the Antarctic territories, compile a confidential dossier on the sovereignty issues entitled - *“Territorial Claims in the Antarctic.”*⁶⁶⁵

December 16th, members of shore parties for Britain's Antarctic territories leave the UK (*Operation Tabarin*).

*“It was further decided that no communication should be made to the Governments of Argentina, Chile or the United States until the parties of occupation had reached the islands, and that the substance and timing of any communication which might then have to be made would depend upon developments.”*⁶⁶⁶

659 *Memorandum on the Falkland Islands Dependencies* 1947 in LCO 2/490

660 At some date in 1944, Ryan took full control of *Pesca*. For a biography, see - https://www.falklandsbiographies.org/biographies/ryan_alfredo

661 Mira & Pedrosa 2021

662 Pascoe 2022 vol.3 p.410

663 A further decree (No.8667) of April 5, 1944 established that Tierra del Fuego would be known as a *National Territory and Gobernacion*.

664 Affiliated with the *International Confederation of Free Trade Unions* from 1949

665 Howkins 2008 p.99. Written up by one Brian Roberts, this document is not available at the National Archives.

666 *Memorandum on the Falkland Islands Dependencies* 1947 in LCO 2/490

1944 – January 28th, shore parties for Britain's Antarctic territories, arrive at Stanley.

On the same day, the West Yorkshire Regiment troops garrisoning the Falkland Islands depart on *Highland Monarch*. Replaced by men from the Royal Scots led by a Colonel of the Royal Artillery.

January 29th, HMS *William Scoresby* and SS *Fitzroy* sail from the Falklands, with the *Tabarin* forces.

February 3rd, on Deception Island, a British base is constructed together with Post and Telegraph offices plus; “... a fully equipped meteorological station.”⁶⁶⁷

February 7th, at Hope Bay on the Trinity Peninsula, an attempt to establish a British base is thwarted by sea ice.

February 11th, at Port Lockroy near the Antarctic Peninsula, a base is constructed with Capt. James Marr appointed Magistrate, Post Master and Harbour Master. An Argentine flag and bronze cylinder containing Argentina's claim, are removed. Magistrates⁶⁶⁸ are also sworn in for Graham Land, the South Orkneys and South Shetland Islands. ⁶⁶⁹ Exploration and mapping work commences together with scientific research in the areas of meteorology, biology, glaciology and geology.

February 21st, *Operation Tabarin* visits Signy Island. Britain's 'marks & signs' have not been disturbed.

In Argentina, Dagnino Pastore amends the content of his school geography text for a third time; replacing the section on the Antarctic to claim 'unquestionable rights' for Argentina over a vast Antarctic sector.⁶⁷⁰

February 24th, *Operation Tabarin* arrives at South Georgia.

February 25th, in Argentina, General Edelmiro Farrell becomes President. His Vice President is Juan Peron.

*“It had been agreed that, when the season was well advanced and the British bases firmly established, Sir D. Kelly should notify the Argentine Government of all these developments and protest against the activities of the Primero de Mayo in 1943. However, in view of the confused political situation in Argentina in March 1944, it seemed important that any publicity should be postponed until a decision should be reached regarding recognition or non-recognition of General Farrell's Administration.”*⁶⁷¹

February 29th, *Operation Tabarin* returns to Port Stanley.

March 14th, HMS *William Scoresby* sails from Port Stanley; “.. to convey further stores to the two bases established the previous February at Deception Island and Port Lockroy.”⁶⁷²

April 17th, in Stanley, the Town Hall is lost to a fire which also damages the Museum and Post Office.⁶⁷³

*“For thirty years the Town Hall, built in 1914 had been the central venue for social events in Stanley: bazaars, concerts, amateur theatricals, wedding receptions and of course the ever-popular dances. Its sprung dance floor upstairs, which ran the full width and most of the length of the building, was reputed (by those qualified to judge) to be the best in the whole of the South Atlantic. The building housed the post office, the museum, the library and part of the islands' archives including police records.”*⁶⁷⁴



667 *Ibid*.

668 Lieutenant-Commander J.W.S. Marr and Mr. W. R. Flett

669 *Antarctica Cases: United Kingdom v. Argentine; United Kingdom v Chile* International Court of Justice 1956 p.29

670 Escude 1992. *cf.* July, 1939 & May, 1940

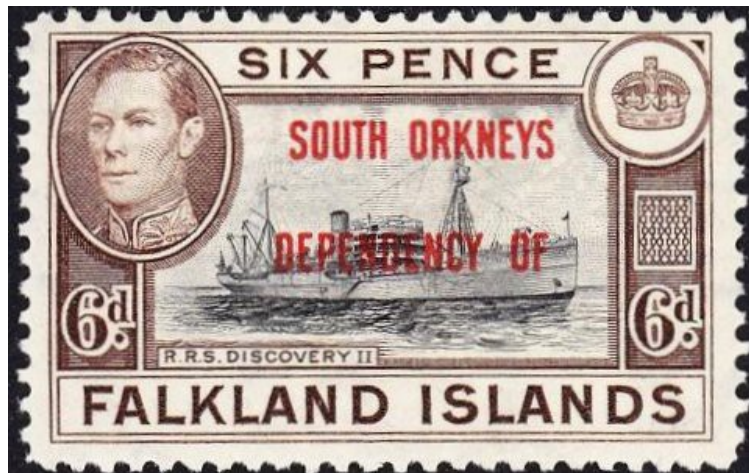
671 *Memorandum on the Falkland Islands Dependencies* 1947 in *LCO 2/490*

672 *Ibid*

673 Rebuilt in 1950.

674 Pascoe 2022 vol.3 p.414

A special series of postage stamps are issued by the Falkland Islands Government.



“... overprinted with the names South Georgia, South Shetland Islands, South Orkney Islands and Graham Land. The Bureau of the International Postal Union at Berne was informed of the issue of these stamps, and... In accordance with the practice which had been followed since the German occupation of southern France, specimens were sent directly from the General Post Office in London, to the postal administrations of non-enemy countries, including Argentina and Chile...”⁶⁷⁵

April 24th, a press release announces that Britain has arranged for scientific and survey work to proceed in the Falkland Islands Dependencies and; “... that the personnel, which included administrative officials, had already arrived; that fully equipped bases had been established; and that the personnel were expected to remain in the Antarctic for a considerable period.”⁶⁷⁶

“No information was received as to the reaction of the Argentine Government to this announcement. ...”⁶⁷⁷

On the same day, the first broadcast of 'London Bridge' is beamed to the Islands from the UK. A music broadcast with messages.⁶⁷⁸

In **June**, the Argentine government offers to negotiate with Chile over disputed islands in the Beagle Channel.

“... in June 1944 the Argentine Government suggested to the Chilean Government that they should endeavour to reach a settlement of their long outstanding boundary dispute relating to the Beagle Channel "as between two friendly countries" and without having recourse to the arbitration which they had agreed upon in 1938. The Argentine Government added that they wished only to insist on recognition of their sovereignty over Isla Nueva (New Island) south of Tierra del Fuego.”⁶⁷⁹

In **July**, Argentina's Ministerio de Marina publishes a chart of Deception Island bearing the title 'República Argentina Océano glacial Antártico Isla Decepción (right).'

“.. this official document may be regarded as a further provocative measure by the Argentine Government.”⁶⁸⁰



675 Memorandum on the Falkland Islands Dependencies 1947 in LCO 2/490

676 Ibid.

677 Ibid.

678 The name was subsequently changed to 'Calling the Falklands' and operated for more than 40 years.

679 Memorandum on the Falkland Islands Dependencies 1947 in LCO 2/490.

680 Ibid.

August 21st, in Washington DC, a secret conference commences at Dumbarton Oaks. Delegates from China, the UK, the USA and the USSR consider proposals for an international body to preserve peace and security.

Chile rejects Argentina's offer of negotiation over the Beagle Channel Islands in favour of formal arbitration.

"In August 1944 the Chilean Government replied stating that they considered the arbitration should take place, since Chile could not, in any circumstances, agree to Argentina's proposal regarding Isla Nueva." ⁶⁸¹

September 29th, in London, Chile's Ambassador, Señor Bianchi, complains that the stamps which had been issued for the Dependencies of Graham Land and the South Shetland Islands cover areas within Chile's territorial limits; as defined by Chile's decree of November 6th, 1940. Bianchi adds that; "... he had been instructed to place on record that Chile reserved full rights in connection with Graham Land and the South Shetland Islands." ⁶⁸² Ambassador Bianchi is referred to the British note of February 25th, 1941 and is given a copy of the Letters Patent 1917.

In **October**, Britain announce its intention to send a second expedition to the UK's Antarctic territories.

"Operation Tabarin did not boast a single high profile geographical objective such as the attainment of the South Pole or the crossing of Antarctica. Instead, ..., it was an expedition designed to reassert British interests in the region in the face of expanding Argentine claims. In addition, in an attempt to mitigate the risks of a diplomatic incident and the resulting potential for an interruption in the substantial wartime imports of Argentine beef, the War Cabinet decided to disguise the expedition as a campaign to prevent German U-boats and surface raiders from using Antarctic and sub-Antarctic harbours for refuelling and re-provisioning." ⁶⁸³

December 7th, at a convention in Chicago, agreement is reached between nations on the regulation of international air travel and the establishment of an *International Civil Aviation Organisation* (ICAO).

"Article 1: Every State has complete and exclusive sovereignty over airspace above its territory.

Article 5: The aircraft of States, other than scheduled international air services, have the right to make flights across a State's territories and to make stops without obtaining prior permission. However, the State may require the aircraft to make a landing.

Article 6: (Scheduled air services) No scheduled international air service may be operated over or into the territory of a contracting State, except with the special permission or other authorization of that State. ..." ⁶⁸⁴

At the end of the year, *Operation Tabarin* personnel erect new bases at Hope Bay and Sandefjord Bay, although there are not enough staff left available to occupy the latter base.

681 *Ibid.* An agreement was signed between the two nations in 1971 which led to arbitration proceedings commencing. The decision, in Chile's favour, was announced in 1977. Argentina rejected that, and subsequent arbitral decisions before putting the last to a plebiscite of the Argentine people. *cf.* 1971, 1977, 1978, 1979, 1981, 1982 & 1984

682 *Ibid.*

683 *The 'Heroic' and 'Post-Heroic' Ages of British Antarctic Exploration: A Consideration of Differences and Continuity* Stephen Haddelsey 2014 (internet published PhD. thesis)

684 Argentina submitted its acceptance on June 4, 1946. Flights to and from the Falklands would become an issue in the years after 1966; continuing to be a political football to this day.

1945 – during **January** and **February**, Britain's Antarctic bases at Deception Island, Port Lockroy, Hope Bay and Sandefjord Bay on Coronation Island (South Orkneys) are resupplied by *Operation Tabarin*.

February 4th, in the Crimea, part of the Soviet Union, a conference is held at Yalta to consider the organisation of Germany and Europe. Attended by the leaders of the Allied nations – US President Franklin D. Roosevelt, the UK's Prime Minister Winston Churchill and the Premier of the Soviet Union, Joseph Stalin. ⁶⁸⁵

February 11th, at the end of the Yalta Conference, Roosevelt, Churchill and Stalin declare their resolve to establish, “... *a general international organization to maintain peace and security.*”

February 12th, at Hope Bay on the Trinity Peninsula, *Operation Tabarin* establishes a British base.

February 21st, twenty-one American states attend the *Inter-American Conference on Problems of War and Peace* in Mexico. The objective is to consider, *inter alia*, the proposals for an international organisation and recognition of human rights. Also to be discussed is the isolation of Argentina; not invited by the hosts. ⁶⁸⁶

March 6th, in Mexico, twenty of the delegates resolve a reciprocal assistance pact to be known as the *Act of Chapultepec*. ⁶⁸⁷

March 8th, at the end of the conference, Argentina agrees to abide by the *Final Act* in order to be eligible to attend the San Francisco discussions scheduled for April.

March 27th, Argentina declares war on Germany.

March 29th, from Stanley, Governor Cardinall writes to London.

“This Colony is so hopelessly unlike any other Crown Colony in that it is entirely peopled by British, most of whom look to retiring to the homeland, that I am even toying with the idea, now air traffic is so speedy and certain, to put forward a suggestion that the Island be incorporated in the U.K.” ⁶⁸⁸

April 25th, 850 delegates from 50 nations gather in San Francisco, California, for a *United Nations Conference on International Organization* to expand on the ideas raised at Dumbarton Oaks and Yalta. ⁶⁸⁹



April 30th, following protracted negotiation over the question of admission to the new United Nations organization, Argentina's membership is finally approved. The Soviet Union, Czechoslovakia, Greece and Yugoslavia vote against.

685 There is a story relating to this conference which is often asserted in Argentina. This claims that Prime Minister Winston Churchill, during the conference, asserted the Argentina should not be permitted to become a power as “... *she will drag behind her all of Latin America.*” The source appears to be an anonymous Argentine author of the 1950s and there is no evidence that Churchill ever said this. However, Argentina was isolated at this time due to its apparent Nazi sympathies and it is likely that the South American nation would have been the subject of some discussion.

686 The US Government considered Argentina to have been an active collaborator with Nazi Germany. Argentine delegates were allowed to attend before the end of the conference however.

687 This would become the *Inter-American Treaty of Reciprocal Assistance* (the Rio Treaty aka TIAR) in 1947.

688 Ellerby 1990 citing *Cardinall to Secretary of State March 29, 1945* in CO 78/221/2

689 Advisers and staff raised the numbers attending to 3,500. See - <https://www.un.org/en/about-us/history-of-the-un/san-francisco-conference>

“World War II thrust Argentina and the entire world into a sea of change. Argentina was forced to confront the existing socioeconomic conditions of 1945: national depression and humiliation due to misguided decision-making during World War II; working-class alienation due to changes from agrarian to industrial modes of production; and the growing lack of prestige and influence of traditional elites.” ⁶⁹⁰

May 7th, in Germany, Generaloberst Alfred Jodl signs the unconditional surrender of all German forces.

May 23rd, in San Francisco, at the 25th meeting of the IV Committee considering questions of trusteeship, Argentina makes a general reservation. ⁶⁹¹

“The Argentine delegation makes the reservation that the Argentine Republic in no case accepts that this Trust system can be applied to/or on territories belonging to Argentina, whether they are subject to claim or controversy or are in possession of other States”

Responding, the United Kingdom submits a similar reservation:

“In regard to the Falkland Islands the delegation of Argentina, at the twenty-fifth meeting of the Committee, made a reservation to the effect that the Argentine Government did not recognize British sovereignty in the Falkland Islands. The delegation of the United Kingdom made a parallel reservation, not recognizing Argentine sovereignty in these islands.” ⁶⁹²

“... the Argentine Delegation had raised the question of Argentine rights in the Falkland Islands.” ⁶⁹³

“The foundation of the United Nations (UN) in 1945 gave Argentina a new forum in which to present a claim to the Falklands, though that claim had been devoid of legal validity for a very long time.” ⁶⁹⁴

June 14th, in Port Stanley, a Victory Parade is held near Government House.

June 24th, in Washington, the *State Department* summarises US policy towards the Falklands.

“(a) The United States accepts and works with the de facto situation; (b) It accepts tacitly but by unmistakable implication the de jure sovereignty of the United Kingdom over the Islands, although there has been a tendency even in intra-departmental statements to avoid clear cut, categorical recognition of British sovereignty; (c) It seeks to avoid exacerbating Argentine sensibilities by refraining so far as possible from public explicit commitment on the dispute.” ⁶⁹⁵

Researcher's Comment: Probably as far as the USA will ever be prepared to go in recognition of British sovereignty over the Falklands archipelago. Its own dispute with Argentina, dating back to the *Lexington* raid of December, 1831 was left in abeyance until such time as the Anglo-Argentine dispute was resolved. Should such a resolution go in Argentina's favour, the USA would find itself paying out compensation plus more than a century of interest. The USA undoubtedly prefers the status quo.

690 *Emotional Actor: Foreign Policy Decision making in the 1982 Falklands/Malvinas War* Nora Femenia 2000

691 Hardly exceptional as nearly all of the delegations made reservations regarding some dispute of sovereignty or territory.

692 Footnote 2 to UN Resolution 66 (1) of 1946. *“To the effect”*? The Falklands were not specifically mentioned.

693 *Memorandum on the Falkland Islands Dependencies* 1947 in *LCO* 2/490

694 Pascoe 2020 p.289

695 *The United States Position Respecting Argentine-British Claims to the Falkland Islands Research Project* No.55 p.8 quoted in Perl 1983

June 26th, the United Nations Charter, a multi-lateral treaty, is signed in San Francisco. ⁶⁹⁶

“Art. 1: The Purposes of the United Nations are:

- 1. To maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace;*
- 2. To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace;*
- 3. To achieve international cooperation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion; and*
- 4. To be a center for harmonizing the actions of nations ...”*

Art. 2 lays out the organisation's principles.

“Art. 2:3 All members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered.” ⁶⁹⁷

“Does the U. N. Charter prescribe, as a matter of conventional international law, a general obligation to negotiate for the ... member states? A number of the stated purposes and principles of the U. N., as stipulated in Articles 1 and 2 of the Charter, support the proposition that member states should settle disputes by peaceful means and resolve common problems through cooperation. It is doubtful, however, that any of these provisions impose general obligations on member states to negotiate in the absence of more specific directives found in other Charter provisions. For instance, Article 2(3) provides that “[a]ll Members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered.” While there is considerable uncertainty concerning the scope and, import of this very general proposition, it is probably safe to say that it does not create an obligation for member states to negotiate.” ⁶⁹⁸

In relation to issues of decolonization, the Charter states.

“Art. 73: Members of the United Nations which have or assume responsibilities for the administration of territories whose peoples have not yet attained a full measure of self-government recognize the principle that the interests of the inhabitants of these territories are paramount, and accept as a sacred trust the obligation to promote to the utmost, within the system of international peace and security established by the present Charter, the well-being of the inhabitants of these territories, and, to this end:

- a. to ensure, with due respect for the culture of the peoples concerned, their political, economic, social, and educational advancement, their just treatment, and their protection against abuses;*
- b. to develop*

⁶⁹⁶ The Charter had to be ratified by all the signatory nations, however it was agreed that the United Nations would come into existence when the Government of China, France, Great Britain, the Soviet Union and the United States and a majority of others had ratified it.

⁶⁹⁷ Art.33 - *“1.The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, inquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice. 2.The Security Council shall, when it deems necessary, call upon the parties to settle their dispute by such means*

⁶⁹⁸ *The Obligation to Negotiate in International Law: Rules and Realities* Martin A. Rogoff 1994 pp.154-155

self-government, to take due account of the political aspirations of the peoples, and to assist them in the progressive development of their free political institutions, according to the particular circumstances of each territory and its peoples and their varying stages of advancement;

c. to further international peace and security;

d. to promote constructive measures of development, to encourage research, and to co-operate with one another and, when and where appropriate, with specialized international bodies with a view to the practical achievement of the social, economic, and scientific purposes set forth in this Article; and e. to transmit regularly to the Secretary-General for information purposes, subject to such limitation as security and constitutional considerations may require, statistical and other information of a technical nature relating to economic, social, and educational conditions in the territories for which they are respectively responsible other than those territories to which Chapters XII and XIII apply. ...

Art. 74: Members of the United Nations also agree that their policy in respect of the territories to which this Chapter applies, no less than in respect of their metropolitan areas, must be based on the general principle of good-neighborliness, due account being taken of the interests and well-being of the rest of the world, in social, economic, and commercial matters.”

*“The rapporteur of the relevant committee of the San Francisco Conference where the Charter was drafted in 1945 recorded that it was there made clear that an essential element of the principle of self-determination 'is a free and genuine expression of the will of the people'.”*⁶⁹⁹

*“The Committee responsible for the drafting of the relevant provision agreed on four points. First, 'this principle corresponded closely to the will and desires of peoples everywhere and should be clearly enunciated in the Chapter [of the UN Charter].’ Second, 'the principle conformed to the purposes of the Charter only insofar as it implied the right of self-government of peoples and not the right of secession.’ Third, it was agreed that the principle of self-determination 'as one whole extends as a general basic conception to a possible amalgamation of nationalities if they so freely choose.’ Fourth, it was agreed that 'an essential element of the principle [of self-determination] is free and genuine expression of the will of the people, ...”*⁷⁰⁰

The Charter of the United Nations also founds a new *International Court of Justice (ICJ)*.⁷⁰¹ This to be a replacement for the *Permanent Court of International Justice (PCIJ)* which had operated under the League of Nations at the Hague from 1922.⁷⁰²

The United Kingdom signs up to the automatic jurisdiction of the court, subject to a time limitation - as it had under the League of Nations' court.⁷⁰³

*“The general acceptance of the jurisdiction of the Permanent Court of International Justice by His Majesty’s Government’s Declaration of 1946 excluded disputes arising out of facts or situations prior to 1930.”*⁷⁰⁴

699 Dunnett 1983 p.417

700 *Self-Determination of Peoples: A Legal Reappraisal* Antonio Cassese 1998

701 This principle judicial organ of the UN has two roles; firstly the settlement of disputes submitted to it by Member States and, secondly, to provide advisory opinions on questions referred to it by duly authorised international organs and agencies – most specifically the UN itself. Only States may be a party to cases before the ICJ.

702 The Statute of the International Court is based upon that of the PCIJ so as to provide continuity. The PCIJ would meet for the last time in October, 1945. Its judges all resigned in January 1946, and new judges were elected in February, 1946. See April, 1946.

703 This is reviewed every decade or so. See – <https://www.icj-cij.org/en/declarations>

704 *TNA LCO 2/4908*. Under the *Permanent Court*, the UK had set the date as that of its creation – 1920.

*“1. The Government of the United Kingdom of Great Britain and Northern Ireland accepts as compulsory ipso facto and without special convention, on condition of reciprocity, the jurisdiction of the International Court of Justice, in conformity with paragraph 2 of Article 36 of the Statute of the Court, until such time as notice may be given to terminate the acceptance, over all disputes arising after ..., with regard to situations or facts subsequent to the same date, other than: ...”*⁷⁰⁵

Researcher's Comment: It is occasionally suggested that Britain's limited acceptance of the automatic jurisdiction of the International Court of Justice is an attempt to avoid scrutiny of Britain's colonial history. Whether there is any truth in that, Argentine commentators are inclined to allege that the UK is avoiding any consideration by the Court of Argentina's claims. What many fail to appreciate, however, is that, while Britain's acceptance of jurisdiction is subject to limitations, Argentina has never signed up to automatic jurisdiction at all. Nor has Chile.

July 9th, a proposal to send senior German military officers, in small groups, to live in remote British colonies such as the Falklands, is considered by senior staff officers of the Allied armies.⁷⁰⁶

July 17th, *Operation Tabarin* is renamed the *Falkland Islands Dependencies Survey* (FIDS). Control of its four manned bases passes to the Colonial Office in London.⁷⁰⁷

With the end of the European war, whaling processing recommences at South Georgia, with shore stations at Grytviken, Husvik and Leith.

August 15th, in Stanley, on the announcement that Japan has surrendered, two days of holiday are declared.

*... the islands had made a contribution to the British war effort out of proportion to their small population: they had donated £71,656 to Britain, including £16,492 towards war charities such as the Red Cross, much of it raised through Bazaars... As in the First World War, the Falklands financed the construction of aircraft for the war effort: in 1940 the Legislative Council voted that £50,000 of the total was to be used to finance the building of Spitfires, and with this money ten were built, which flew into action bearing the name "Falkland Islands (I-X)". After the end of the War, ... a Roll of Honour was drawn up that listed 24 Falkland Islanders who "Died in the Service of the Country"...*⁷⁰⁸

September 11th, in Buenos Aires, Britain's Ambassador presents a note to the Argentine Government regarding the reservation raised by their delegation at San Francisco in May. The British note relates to:

*“... the undisclosed activities of Argentina in the Dependencies in 1943 and the British counter-action; by calling into question the Argentine claim to Deception Island made on an official chart; by protesting against the maintenance of an illegal post office and wireless station on Laurie Island; by reciting the British administrative acts in the Dependencies; and concluded with a statement that His Majesty's Government would continue to take all necessary steps to conserve their sovereign rights over the Colony and the Dependencies.”*⁷⁰⁹

705 In 1945 the date was set at 1930. Any dispute arising after that date would see the UK accepting, automatically, the Court's jurisdiction over that dispute. Reviewed periodically, the last review was on February 22, 2017, which set the limitation date as January 1, 1987. In practice this gives any claimant a decade to submit its complaint to the Court. It must be noted that this is not the only route for a dispute to reach the Court. There can be an agreement by the States to take any dispute to the Hague or, a State can lobby the UN's General Assembly to have a question put to the ICJ. *cf.* 1920. See also – <https://www.icj-cij.org/en/declarations/gb>

706 *The New York Times* July 9 & July 22, 1940

707 See 1948

708 Pascoe 2022 vol.3 p.417. Pascoe notes that the list was inaccurate and should have contained 20 names.

709 *Memorandum on the Falkland Islands Dependencies* 1947 in *LCO* 2/490

October 12th, from London, orders are issued for the construction of new UK bases in the South Orkney Islands and at Marguerite Bay.

The USA declines to sign a military assistance treaty with Argentina saying that it does not trust the regime. ⁷¹⁰

In the UK, the *Colonial Development and Welfare Act 1945* makes available £120 million in funding for the colonies, to be spread over a ten year period.

“Colonial submitted ten-year development plans to the Colonial Economic Development Council (C.E.D.C) which was inaugurated in October 1946 to advise the Secretary of State. Its membership included doctors, academics, and individuals with experience of British commerce and industry. The C.E.D.C. was initially concerned with identifying the fundamental needs of each territory and how to meet them,...” ⁷¹¹

October 24th, the UN Charter comes into force, and with it the United Nations following ratification by 29 of the original 50 signatories.

November 14th, the UK's *Polar Committee* establishes a sub-committee to consider Antarctic place names.

1946 – January 10th, the first session of the United Nations General Assembly is convened in the Methodist Central Hall, London. ⁷¹² 51 member nations attend.

The Argentine Government replies to Britain's note of September 1945, but the response does not touch directly upon the question of the Dependencies, being; *“... devoted to the Falkland Islands themselves.”* ⁷¹³

“From 1946 onwards Argentina also often mentioned its claim to the Falklands, but no moves were made which might have led to an open dispute,..” ⁷¹⁴

During the austral summer, 93 whale catchers operate in the waters of the South Atlantic and Antarctic, feeding 9 factory ships and 3 South Georgia shore stations (Grytviken, Husvik, and Leith). 13,387 whales are taken. ⁷¹⁵

January 23rd, after nearly five years, Chile's Ambassador finally replies to the British note of February 25th, 1941.

“... while the Chilean Government had refrained from reverting to this Note during the war, he had now been instructed to reserve their rights once more to "regions always held to be Chilean, on geographical, juridical, historical, diplomatic and administrative grounds." He added that the Chilean government had never been officially notified of the text of the Letters Patent of 28th March, 1917, defining the Falkland Islands Dependencies, and that the claims of his Government were in accord with Chile's geographical position, which gives her "indisputable sovereignty" over regions indicated in the 1940 Decree. Chile had regarded these regions as being incorporated within the national economy since the settlement of the Chilean-Argentine boundary dispute of 1902, through the arbitration of His Majesty King Edward VII.” ⁷¹⁶



710 *Blue Book* 1946. See below.

711 Ellerby 1990 p.80. *cf.* 1948

712 The second session was in New York, the third in Paris. The UN did not have a permanent home until 1952.

713 *Memorandum on the Falkland Islands Dependencies* 1947 in LCO 2/490

714 Pascoe 2020 p.272

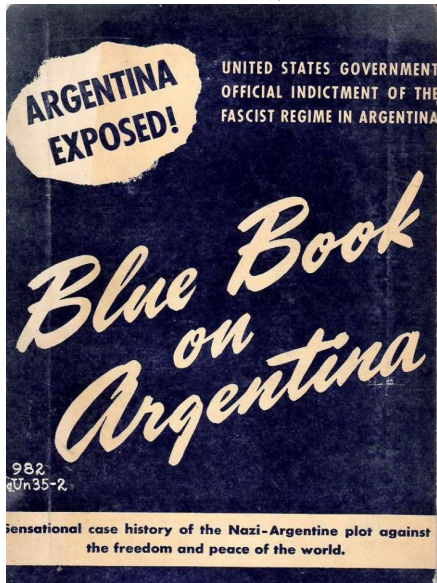
715 Headland 1989

716 *Memorandum on the Falkland Islands Dependencies* 1947 in LCO 2/490

February 1st, a set of Falkland postage stamps are issued with a map of the Dependencies example above).⁷¹⁷

On the same day, a base on Stonington Island, Neny Fjord in south-west Graham Land is established by the Falkland Islands Dependencies Survey.

*“During the southern summer of 1945-46 British relief parties were sent out... Three ships were employed: HMS William Scoresby, Fitzroy and Trespassey. The organisation was now termed the Falkland Islands Dependencies Survey, and its control was transferred from the admiralty to the Colonial Office. The existing bases were maintained, and new bases were set up ...”*⁷¹⁸



From Washington, the USA sends out a consultation document to the other American Republics. This questions Argentina's fitness to be a part of the proposed Rio meeting, which is to discuss a treaty of reciprocal assistance.

*“The question is whether the military regime, or any Argentine government controlled by the same elements, can merit the confidence and trust which is expressed in a treaty...”*⁷¹⁹

February 4th, Trespassey pays a visit to the meteorological station on Laurie Island.

“The visit passed cordially and without mention of political matters. It was noticed that the station had been

*considerably enlarged and improved,... and that the staff had been increased from four to nine men.”*⁷²⁰

February 9th, at the United Nations, the General Assembly adopts resolution 9(1) regarding *Non-Self Governing Peoples* bringing into immediate effect *Articles 73* and *74* concerning the provision of information (right).⁷²¹

February 24th, in Argentina, Juan Domingo Perón is elected President with 56% of the vote.

*“A career army officer, he had been involved in the military coups of 1930 and 1943, and had spent the years 1939-41 in Fascist Italy, where he became an admirer of Mussolini's "corporatist state" system. During his time in office he helped many Nazi and Fascist war criminals, including some high ranking ones, to obtain sanctuary in Argentina. ... Perón pursued a policy initially called "justicialism", soon called simply "Peronism" based on "social justice, political sovereignty, and national independence", ...”*⁷²²

with respect to Chapter XI of the Charter, the General Assembly:

1. *Draws attention* to the fact that the obligations accepted under Chapter XI of the Charter by all Members of the United Nations are in no way contingent upon the conclusion of trusteeship agreements or upon the bringing into being of the Trusteeship Council and are, therefore, already in full force.

2. *Requests* the Secretary-General to include in his annual report on the work of the Organization, as provided for in Article 98 of the Charter, a statement summarizing such information as may have been transmitted to him by Members of the United Nations under Article 73(e) of the Charter relating to economic, social and educational conditions in the territories for which they are responsible other than those to which Chapters XII and XIII apply.

with respect to Chapters XII and XIII of the Charter, the General Assembly:

3. *Welcomes* the declarations, made by certain States administering territories now held under mandate, of an intention to negotiate trusteeship agreements in respect of some of those territories and, in respect of Transjordan, to establish its independence.

4. *Invites* the States administering territories now held under mandate to undertake practical steps, in concert with the other States directly concerned, for the implementation of Article 79 of the Charter (which provides for the conclusion of agreements on the terms of trusteeship for each territory to be placed under the trusteeship system), in order to submit these agreements for approval, preferably not later than during the second part of the first session of the General Assembly.

In conclusion, the General Assembly:

5. *Expects* that the realization of the objectives of Chapters XI, XII and XIII will make possible the attainment of the political, economic, social and educational aspirations of non-self-governing peoples.

Twenty-seventh plenary meeting, 9 February 1946.

⁷¹⁷ *Ibid.* In 1/2d, 1d, 2d, 2 1/2d, 3d, 4d, 6d, 9d, & 1/- cf. June, 1946

⁷¹⁸ *Ibid.*

⁷¹⁹ *Blue Book on Argentina: Consultation among the American Republics with respect to the Argentine Situation.* US memo February 1946. See <https://falklandstimeline.files.wordpress.com/2012/02/blue-book-on-argentina.pdf>

On the Falkland Islands, a population census identifies 2,239 people present in the archipelago.⁷²³

In **April**, the judges of the International Court of Justice meets for the first time.

*“... the PCIJ was formally dissolved, and the International Court of Justice, meeting for the first time, elected as its President Judge José Gustavo Guerrero (El Salvador), the last President of the PCIJ. The Court appointed the members of its Registry (largely from among former officials of the PCIJ) and held an inaugural public sitting on the 18th of that month.”*⁷²⁴

In **May**, Argentina's London Embassy informs Buenos Aires of the issue of the new set of Falklands' stamps.

June 3rd, in Buenos Aires, Ambassador Sir Reginald Leeper is summoned to the Foreign Ministry.

“This Ministry has just been informed by its Embassy in London that the Government of Great Britain has issued a new series of postage stamps of the Malvinas Islands [Falklands] and their geographical dependencies, which have been ordered to be on sale beginning 5 April of this year. The Argentine press has also recently published a reproduction of these stamps, in the part of whose design which corresponds to the Antarctic sector, between the 20° and 80° meridians, the [South] Georgias, [South] Orkneys, [South] Shetlands and other islands appear to be joined to the Malvinas.

*Your Excellency's Government well knows that the Argentine Republic has never at any time surrendered the just right which supports its claim to a portion of territory of its own dominions – the Falkland Islands – by virtue of geographical, historic, and juridical rights which it would be superfluous to set out in detail. To this is added its indisputable right to the lands situated south of the 60th parallel between the meridians of 25° and 68°34' west longitude. ... it is my duty to inform Your Excellency that the Argentine Government has taken steps to inform the Universal Postal Union, as it did in 1943 on the occasion of the issue of British stamps commemorating the centenary of the occupation of the Malvinas, that correspondence coming to the Republic which bears these stamps will be considered as lacking postage, and the appropriate sanctions will be applied to it.”*⁷²⁵

Argentina sends a similar message to the Universal Postal Union.⁷²⁶

Secretary-General of the United Nations, Trygve Lie, writes to all Members asking for their interpretation of the term 'non-self governing territory,' and whether or not they consider themselves as administering such a territory. Countries that consider themselves administering such territories are also asked to submit a list, and indicate what information they will provide under Art.73 of the Charter.

“Members of the United Nations which have or assume responsibilities for the administration of territories whose peoples have not yet attained a full measure of self-government recognize the principle that the interests of the inhabitants of these territories are paramount, and accept as a sacred trust the obligation to promote to the utmost, within the system of international peace and security established by the present Charter, the well-being of the inhabitants of these territories, and, to this end:

720 Memorandum on the Falkland Islands Dependencies 1947 in LCO 2/490

721 See - <https://documents-dds-ny.un.org/doc/RESOLUTION/GEN/NL3/362/54/PDF/NL336254.pdf?OpenElement>

722 Pascoe 2022 vol.3 p.420

723 See <https://falklandstimeline.files.wordpress.com/2021/10/census-report-1946.pdf>

724 From the website of the ICJ, May, 2020.

725 *International Law Documents 1948-49 Navpapers 15031 vol.XLVI Washington 1950* citing *Argentine Republic, Boletín del Ministerio de Relaciones Exteriores y Culto, September 1946, pp. 16-18*

726 Chile registered its complaint regarding the new issue of postage stamps on July 2, 1946

- a. to ensure, with due respect for the culture of the peoples concerned, their political, economic, social, and educational advancement, their just treatment, and their protection against abuses;
- b. to develop self-government, to take due account of the political aspirations of the peoples, and to assist them in the progressive development of their free political institutions, according to the particular circumstances of each territory and its peoples and their varying stages of advancement;
- c. to further international peace and security;
- d. to promote constructive measures of development, to encourage research, and to cooperate with one another and, when and where appropriate, with specialized international bodies with a view to the practical achievement of the social, economic, and scientific purposes set forth in this Article; and
- e. to transmit regularly to the Secretary-General for information purposes, subject to such limitation as security and constitutional considerations may require, statistical and other information of a technical nature relating to economic, social, and educational conditions in the territories for which they are respectively responsible other than those territories to which Chapters XII and XIII apply.”⁷²⁷

June 4th, in Buenos Aires, Juan Domingo Perón is sworn in as President of Argentina.⁷²⁸

“... the Malvinas only emerged as an Argentine cause célèbre in 1946, soon after the charismatic caudillo Juan Domingo Peron had placed the sky-blue sash of the presidency across his chest.”⁷²⁹

“The clearest example of a type of nationalism ... on which Perón drew ... was that of irredentism in relation to the Falkland Islands, or Malvinas. The Argentine claim to the islands was based not on the ethno-cultural traits of the Falklands' population (which wanted to remain within the jurisdiction of the United Kingdom), but on the historical argument that they had first been colonised by Spain, so that Argentina had rightly inherited them as the successor state to the Viceroyalty of the River Plate, before they were illegitimately occupied by the British in 1833. The 'Peronist March' (the party anthem) laid claim to the Malvinas ... But even though nacionalismo may have contributed to the escalation and militarisation of the Falklands problem, it was not a campaign issue of their making ... and Perón did less to escalate the conflict than is commonly believed.”⁷³⁰

“... from 1946 onwards Perón began to use the Falklands issue to distract attention ... from Argentine domestic problems, and he also raised a new Argentine claim to part of Antarctica and escalated the hitherto halfhearted claim to the Falkland Islands Dependencies.”⁷³¹

June 6th, after Britain's Ambassador to Argentina meets with the new President, he reports that Perón made no mention of the Falkland islands.⁷³²

June 8th, in London, at the Victory Parade, fourteen Islanders represent the archipelago.

In **July**, Britain's Foreign Office undertake to review sovereignty over the Falkland Islands and Dependencies.

⁷²⁷ Chapter XI — Declaration regarding Non-Self-Governing Territories art.73

⁷²⁸ Having won the Presidential election on February 24, 1946.

⁷²⁹ *Invasion 1982: the Falkland islanders' Story* Graham Bound 2007

⁷³⁰ *Argentina's Partisan Past: Nationalism and the Politics of History* Michael Goebel 2014

⁷³¹ Pascoe 2020 p.289

⁷³² *Reginald Leeper to Ernest Bevan June 6, 1946 in British Documents on Foreign Affairs: Reports & Papers from Foreign Office Part IV, Series D, vol.1 pp.88-90*

*"It was thought in July 1946 that Argentina might raise the question of the Falkland Islands before the General Assembly of UNO. Preparations were therefore made to undertake a more detailed investigation of the legal situation..."*⁷³³

August 20th, Argentina decrees that goods produced in the Falklands are not to be subject of import duties.

*"In August 1946 the Argentine Government reverted to its pin-pricking policy towards Great Britain on the question of the Falkland Islands. Falkland Island residents in Punta Arenas (Chilean territory in the Magellan Strait) who wished to travel to Argentina were compelled to provide themselves with Argentine passports. One of the passports so issued was endorsed with the following clause: "Valid only for travel to the Republic in order to regularize his military status."..."*⁷³⁴

August 26th, Operation Highjump, an expedition to keep US sovereignty claims alive, sails for Antarctica.⁷³⁵

*"This expedition, part of the Cold War, was organized by Byrd and consisted of 4,700 men and 13 ships, including three aircraft carriers and a submarine."*⁷³⁶

September 2nd, Argentina's Antarctic claims are extended to longitude 74° West.

September 9th, Argentine Law 8,944 prohibits the publication of school maps that do not show the full extent of the nation's claim.

*"Although the Falkland Islands and their Dependencies are not specifically mentioned, it is clear that the Decree is intended to refer to them."*⁷³⁷

*"Under the leadership of Juan Domingo Peron, Argentine public education was increasingly committed to producing a new series of geography textbooks celebrating the fact the Argentine Republic now encompassed the Argentine Antarctic sector. School children were expected to memorize the size of the country and accurately draw Argentina including its South Atlantic and Antarctic Territories."*⁷³⁸

*"President Perón slowly intensified Argentina's territorial disputes with Britain, and by a decree of 2 September 1946 he extended the western boundary of Argentina's Antarctic claim to longitude 74° West."*⁷³⁹

*"Another important milestone in the school construction of the Malvinas as a "national cause" was Decree 8,944 of 1946, which stipulates that the international limits of this country included in school textbooks must be approved by the Military Geographic Institute. Art.2° indicates that the cartographic representation will clearly indicate the Argentine jurisdiction of a set of territories among which the Malvinas Islands are expressly indicated. In this way, the map of the territory constituted an important element in the representation of space, activating feelings of national identification in the collective imagination, from recognizing the territorial cartographic contour as a symbol of the figure of the nation."*⁷⁴⁰

733 Dunnett 1983 p.426

734 Memorandum on the Falkland Islands 1947 in LCO 2/490 citing AS 5141/311/2 of 1946

735 Officially the United States Navy Antarctic Developments Program. Also called Task Force 68. The expeditions' objectives were, at best, obscure. Three men died when an aircraft went down, whilst photographing the landscape. Little appears to have been achieved.

736 Fontana 2013 p.7

737 Memorandum on the Falkland Islands Dependencies 1947 in LCO 2/490

738 Scott of the Antarctic (1948): Geopolitics, Film and Britain's Polar Empire Klaus Dodds 2012

739 Pascoe 2020 p.272

740 Malvinas. La construcción histórica de una causa nacional en el ámbito escolar (1945-1973) Mariano Santos La Rosa 2022

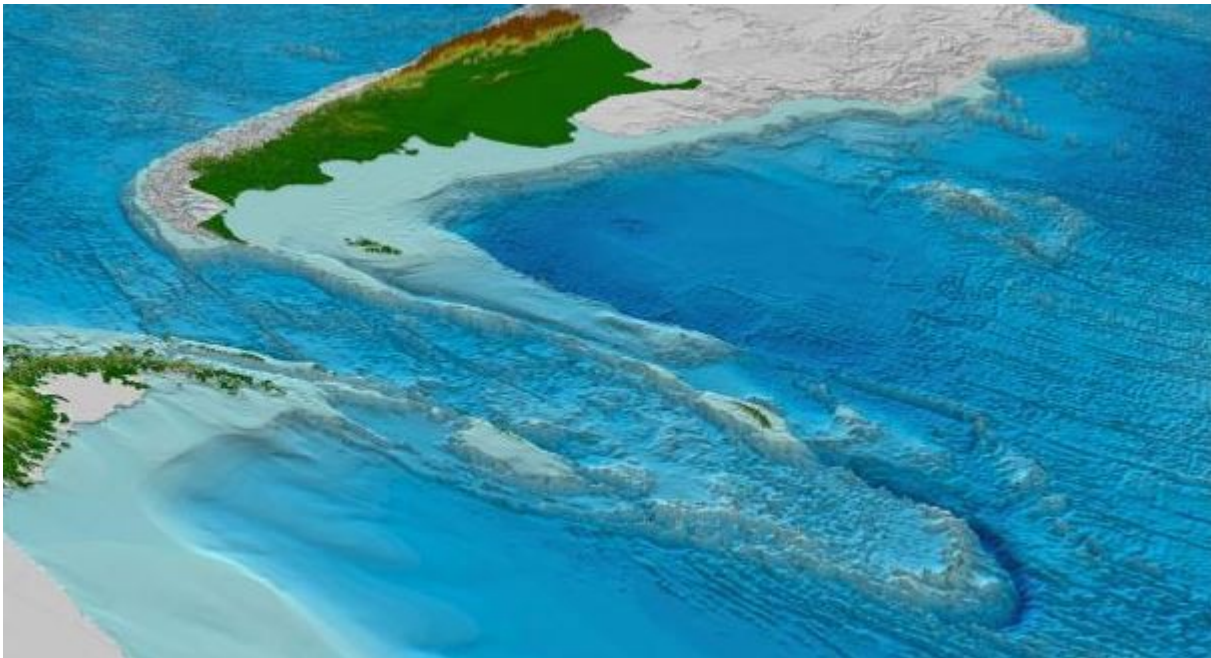
September 17th, in London, a provisional Foreign Office *memo* is prepared regarding Britain's historical claims to the Falkland Islands, for internal use only. ⁷⁴¹

“... Great Britain has been in formal possession and effective occupation of the Falkland Islands since 1833; on that date the Islands were not effectively (ineffectively) occupied by the Government of Buenos Aires; and it can be argued then that they were open to acquisition by the first effective occupying power. In this sense, the British occupation of 1833 was, at the time, an act of unjustifiable aggression that has now acquired the support of rights of prescription. The present population is entirely British.”

September 30th, Geoffrey Miles Clifford is gazetted as Governor and Commander-in-Chief of the Falklands. ⁷⁴²

October 11th, in Buenos Aires, President Peron issues decree 14.708 entitled – *Decree Concerning National Sovereignty Over the Epicontinental Sea and the Argentine Continental Shelf*. ⁷⁴³

“Article 1. It is hereby declared that the Argentine Epicontinental Sea and Continental Shelf are subject to the sovereign power of the Nation: Article 2. For purposes of free navigation, the character of the waters situated in the Argentine Epicontinental Sea and above the Argentine Continental Shelf, remains unaffected by the present Declaration.”



“The full text of this Decree is not yet available and its meaning is not clear. It is evident, however, that the continental shelf of the Falkland Islands Dependencies was included.” ⁷⁴⁴

⁷⁴¹ Research Department, Foreign Office, *Preliminary Memorandum on the Falkland Islands. Secret (17111), September 17, 1946 (FO AS 5728/311/2), p. 6.* A dire piece of research, seemingly done in haste and based, almost in *toto*, upon the 1927 book by the American, Julius Goebel. Stands as an indictment of Foreign Office thinking.

⁷⁴² *The London Gazette* No.37747. For a biography, see - https://www.falklandsbiographies.org/biographies/clifford_sir

⁷⁴³ An early attempt to base a sovereignty claim on a geological feature. It was not generally accepted in 1946, and is still not recognised as a determining facts regarding sovereignty in 2023. Despite Argentina's insistence that the Falklands sit on 'their' continental shelf. See 2016.

⁷⁴⁴ *Memorandum on the Falkland Islands Dependencies* 1947 in LCO 2/490

“... the Argentine,..., was the first state to claim a right of sovereignty over both shelf and superjacent seas.”⁷⁴⁵

“In October 1946 the Argentine Government annexed the continental shelf which surrounded the Falklands without defining its limits. Argentina's additional claim to the fisheries above the continental shelf, although imitated by other Latin American states, was not widely accepted by the international community.”⁷⁴⁶

October 14th, in Stanley, the Victory Bar opens.

October 21st, Britain responds to the UN Secretary-General's request regarding the interpretation and identification of Art.73 territories.

“.. regarding the factors to be taken into account in determining which territories are to be included within the scope of Chapter XI. In the view of H.M.G. it would be difficult to define in detail principles capable of general application, bearing in mind the great variety of conditions in the territories referred to in this Article and the number of different members of the United Nations who have responsibilities for such territories. The terms of Article 73 (e) appear to provide a sufficient and satisfactory guide in practice, and His Majesty's Government feel that the purposes of this Article can be adequately fulfilled without the necessity of any further interpretation. ...”

Britain's list includes the Falkland Islands. Among those not included are South Georgia, the South Sandwich Islands, the sub-Antarctic islands, and British Antarctica, as these have no “inhabitants” or “people”.⁷⁴⁷

At the United Nations, an *ad hoc* sub-committee of the Fourth Committee is constituted by the General Assembly for the purpose of reviewing the information provided: the *Ad hoc Committee on Information from Non-Self Governing Territories*. Membership is made up of all those countries which have provided lists, plus an equal number of others.⁷⁴⁸

November 11th, Britain responds to Chile's note of January 23rd, 1946.

“His Majesty's Government could not share the view that Chilean claims to the Falkland Islands Dependencies were well founded, ... it is not the practice of His Majesty's Government to notify to friendly Governments the publication of Letters Patent which are, by their nature, open for all to see.”

*“The Note rejected Chilean claims on "geographical, juridical, historical and administrative ground." It also disclaimed relevance of British arbitration in the 1902 dispute, since no claim in respect of Antarctic territory was raised then,..”*⁷⁴⁹

⁷⁴⁵ *The Continental Shelf 1910 – 1945* Edwin J. Cosford in *McGill Law Journal* 1958 vol.4 p.245. Argentine interest in the continental shelf can be traced back to 1916/1918 when two jurists, Storni and Suarez, recommended that adjoining states protect their fisheries by asserting jurisdiction over the waters above the shelf. The USA had declared its own rights to the “resources of the sub-soil and sea-bed of the continental shelf” in September, 1945 but Argentina's *Decree* went further, leading Washington to complain in a *Note* of July 2, 1948 that Argentina's position was at “variance with the generally accepted principles of international law.” *cf.* 2016

⁷⁴⁶ Ellerby 1990 p.123 citing *Colonial Office Papers, Series 78, vol. 248/11, henceforth cited as C078/248/11: Carter to Clifford, 22 Nov. 1949 and Stevens to Leche, 6 Jan. 1948.*

⁷⁴⁷ Only eight countries (Australia, Belgium, Denmark, France, Great Britain, the Netherlands, New Zealand and the USA) responded; identifying 74 non-self governing territories. Notably absent from the list were territories under the control of China and Russia which did not view themselves as colonial powers, despite all evidence to the contrary. Argentina did not list Patagonia; colonized in the 1860s.

⁷⁴⁸ At this time, every member of the UN was represented on the Fourth Committee. The *ad hoc* Committee was only supposed to last for 12 months, but had its life extended in 1947 when it became the Special Committee.

⁷⁴⁹ *Memorandum on the Falkland Islands Dependencies* 1947 in *LCO 2/490*

Argentina's *Instituto Geografico Militar* publishes a map which includes the Falkland Islands and South Georgia as Argentine territory. This chart also claims an Antarctic sector lying between the meridians 25° and 74° West; bounded in the north by the 60° parallel (above).⁷⁵⁰

At Port Stanley, Governor Miles Clifford arrives and is sworn in.

*“His first acts were to bring two unofficial members on to the Legislative Council and to establish a Stanley Town Council... The Town Council comprised six elected members and three nominated by government.”*⁷⁵¹

December 14th, the United Nations General Assembly adopt resolution 66(I).⁷⁵²

“The General Assembly, on 9 February 1946, approved a resolution on Non-Self-Governing Peoples. By this resolution the Secretary-General was requested to include in his annual report on the work of the Organization a statement summarizing such information as may have been transmitted to him by Members of the United Nations under Article 73c of the Charter relating to economic, social and educational conditions in the territories for which they are responsible, other than those to which Chapters XII and XIII apply.

The General Assembly notes that information has been transmitted by the Governments of ... the United Kingdom concerning conditions in Barbados, Bermuda, British Guiana, British Honduras, Fiji, Gambia, Gibraltar, Leeward Islands, Mauritius, St. Lucia, and Zanzibar Protectorate; ...

*The General Assembly also notes that the following Governments have declared their intention of transmitting information: ... and the United Kingdom on Aden (Colony and Protectorate), Bahamas, Basutoland, Bechuanaland Protectorate, British Somaliland Protectorate, Brunei, Cyprus, Dominica, **Falkland Islands**, Gold Coast (Colony and Protectorate), Grenada, Hong Kong, Jamaica, Kenya (Colony and Protectorate), Malayan Union, Malta, Nigeria, North Borneo, Northern Rhodesia, Nyasaland, St. Helena and Dependencies, St. Vincent, Sarawak, Seychelles, Sierra Leone, Singapore, Swaziland, Trinidad and Tobago, Uganda Protectorate, and the High Commission Territories of the Western Pacific (Gilbert and Ellice Islands Colony, British Solomon Islands Protectorate, Pitcairn Islands). ...*⁷⁵³

The General Assembly, therefore, 1. Invites the Members transmitting information to send to the Secretary-General by 30 June of each year the most recent information which is at their disposal; ... 4. Invites the Secretary-General to convene, some weeks before the opening of the second session of the General Assembly, an ad hoc Committee composed in equal numbers of representatives of the Members transmitting information under Article 73e of the Charter and of representatives of Members elected, by



750 The South Sandwich Islands did not fall within the area described.

751 Tatham (ed.) 2008 p.156

752 See - <https://documents-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/033/17/PDF/NR003317.pdf?OpenElement>

753 My emphasis.

the General Assembly at this session, on the basis of an equitable geographical distribution; ... 6. Invites the ad hoc Committee to examine the Secretary-General's summary and analysis of the information transmitted under Article 73e of the Charter with a view to aiding the General Assembly in its consideration of this information, and with a view to making recommendation~ to the General Assembly regarding the procedures to be followed in the future and the means of ensuring that the advice, expert knowledge and experience of the specialized agencies are used to the best advantage. ”

December 27th, in Washington DC, Acting-Secretary of State Dean Acheson announces that the USA has not recognised any claims by other nations in the Antarctic, and has reserved all rights which it might have there.

December 31st, in London, an enquiry is addressed to the UK's Law Officers. ⁷⁵⁴

“For 113 years His Majesty has held the Falkland islands as a Colony. During the whole of this period the Argentine has claimed that the islands belong to her as of right. It is probable that the Argentine Government may raise this question in some manner in the United Nations. ... Mr. Secretary Bevin and Mr. Secretary Creech-Jones consider that the Cabinet will desire to be informed of the strength in law of the British title to the Falkland Islands... the Cabinet would wish to know in the case of the Falkland Islands whether... if His Majesty's Government consented to let the Argentine claim to the Falkland Islands go before the International Court, there would be any risk of the Court declaring that His majesty had no valid title to the Islands. We are, therefore, directed to lay the enclosed papers before you and to request that you would be so good as to furnish your opinion upon this matter.”

At the end of the year, a number of Antarctic expeditions are either being planned or are taking place: by the USA, the Argentina Republic and the Republic of Chile.

“In view of these foreign expeditions, the Colonial Office, in consultation with the Foreign Office, decided in December 1946 to establish, and to occupy, for the southern summer only, a British base at Admiralty Bay, in King George Island, South Shetlands, since this and Deception Island... are the only known localities in the Dependencies where a large fleet of naval vessels could anchor in comparative safety.” ⁷⁵⁵

1947 – January 3rd, in Buenos Aires, following newspaper reports of a forthcoming expedition, Britain formally rejects all Argentine claims in a formal note to the Ministry of Foreign Affairs. ⁷⁵⁶

“The Falkland islands have been sustainably under the effective British administration for more than a century. It is true that during that period, from time to time, the Argentine government claimed its sovereignty of the islands and made reservations in that respect. Likewise, during such period, Her Majesty's Government in the United Kingdom in each occasion stated that there had no doubt about Her Majesty's sovereignty rights of these islands.” ⁷⁵⁷

“In a Note of 3rd January, 1947, His Majesty's Ambassador at Buenos Aires once more rejected Argentina's claim to sovereignty over the Falkland Islands, ...” ⁷⁵⁸

754 LCO 2/4908. Submitted on January 12, 1947, authorship was not indicated, but at the top of the document are the words 'Secret Copy No.7' and at the bottom are the numbers 13742 [32858]. Accompanying documents suggest that the memo was by Becket (Foreign Office) and Roberts-Wray (Legal Advisor). Britain's Attorney General in 1947 was Sir Hartley Shawcross; the Solicitor General was Frank Soskice.

755 Memorandum on the Falkland Islands Dependencies 1947 in LCO 2/490

756 HC Deb 12 March 1947 vol.434 cc211-2W

757 Quoted in Kohen & Rodriguez 2017 citing *Territorio actual y división política de la Nación Argentina* Lorenzo Dagnino Pastore 1948 p.228

758 HC Deb 19 June 1950 vol.476 cc857-8

“In January 1947,.. there are British occupation parties at Port Lockroy (Base A), Hope Bay (Base D), Stonington Island, Neny Fjord (Base E), Argentine Islands (Base F), all in Graham Land; at Deception Island (Base B) and Admiralty Bay, King George Island (Base G), both in the South Shetlands; and at Cape Geddes, Laurie Island (Base C), in the South Orkneys.” ⁷⁵⁹

January 4th, from the Rio de la Plata, Argentine transport ships, *Patagonia* and *Chaco*, sail with orders to visit the sub-Antarctic islands.

“.. some three years after the renewal of the British programme of bases, the Argentine Government began a course of systematic encroachment on the British territories of the South Shetlands and Graham Land.” ⁷⁶⁰

January 21st, two Chilean ice-breakers, *Angamos* and *Iquique*, sail for Antarctica.

In Santiago, Chile's Foreign Minister Raul Juliet, informs the Senate of Chile's historical, geographical, juridical, diplomatic and administrative antecedents to sovereignty rights in Antarctica. ⁷⁶¹

“Citing historical works of the period, he affirmed that since 1555 all successive Governors of Chile considered their jurisdiction to extend southward from the Magellan Straits to the South Pole; quoted documents issued by the Emperor Charles V to the conquistadors to show that that monarch considered his sovereignty to extend over "all the lands on the other side of the Magellan Straits", and contended that Chile when she attained her independence of Spain, was the natural inheritor of the frontiers of the Mother Country and automatically came into possession of territory comprising the natural prolongation of her lands in the direction of the South Pole.” ⁷⁶²

January 28th, Britain's Law Officers report with regard to December's request for an opinion.

“That, in our view, whilst it is not easy to express views with confidence in the unsettled state of International Law in relation to acquisition and loss of territory, Great Britain has a reasonably strong claim to have acquired the Falkland Islands by acquisitive prescription in the nature of usucaption consisting in its de facto possession and occupation of the Falkland Islands since the year 1833. ... ⁷⁶³
Between 1841 and 1849 there were spasmodic protests by the Argentine Government to Britain; protests were renewed from 1884 to 1888. From 1908 onwards there have been a series of protests. Since 1833, however, there has not been any manifestation at all of physical control by the Argentine over the Islands. The protests made by the Argentine can be described as paper protests in that they were never followed up by further positive action. Furthermore, they were punctuated by long periods of silence so far as Great Britain is concerned, during which the Argentine showed no animus either way. There was, for example, such a period of silence between 1849 and 1884 (35 years), and between 1884 and 1908 (24 years). ... no positive attempt was made by the Argentine to have the matter referred to any process

⁷⁵⁹ Memorandum on the Falkland Islands Dependencies 1947 in LCO 2/490. It was noted that although a hut had been landed, there was, at the time this document was compiled, no occupation party at Base G.

⁷⁶⁰ Agent for the Government of the United Kingdom to the Registrar of the International Court of Justice, May, 1955. At Ushuaia, these were joined by a tanker, *Minister Ezcurra*, and a whaling ship, *Don Ernesto*. This expedition appears to have visited Deception Island, Port Lockroy, Stonington, Winter Island and Melchior Island; and to have overflown and photographed British bases. cf. Fontana 2013

⁷⁶¹ The full speech can be found here - <https://tribunainternacional.uchile.cl/index.php/RTI/article/view/46059/48063>

⁷⁶² Keesing's Record of World Events vol.VI-VII, February, 1948

⁷⁶³ Usucaption is “The acquisition and possession, undisturbed and uninterrupted of a territory which was formerly under another State's sovereignty or occupation ie., which was not terra nullius” (FCO 76/1892 Annex 3 footnote to p.12.) These Law Officers considered the archipelago to have been *terra nullius* after 1811 but, to support their argument regarding usucaption, that could not have been the position in 1833. Therefore they reluctantly concluded that Argentina had gained a title to East Falkland Island between 1829 and 1833.

on international arbitration (although it is true that Dr. Ortiz suggested arbitration in 1884), even after the establishment of the League of Nations the Argentine did not bring the matter before this body. ... Britain, on the other hand, from 1833, or at least from 1841, ... had had factual occupation of the Islands without physical disturbance of any sort and without adverse claim from any quarter, apart from the Argentine, until the present day. ... in our view by international law Britain has acquired a prescriptive title to the Falkland Islands, and we accordingly think that if the matter were adjudicated upon, Britain would be successful in establishing her case..." ⁷⁶⁴

"Acquisitive prescription ranks among the five modes of acquiring territory in international law. It has been defined as 'the result of the peaceable exercise of de facto sovereignty for a very long period over territory subject to the sovereignty of another'. It does not apply to terra nullius. Doctrine distinguishes three different types of acquisition through lapse of time. First, there is 'immemorial possession'. It involves a situation which has been in place for so long that there is no certainty about its origins. It may be legal or illegal, but it is presumed legal. 'Immemorial possession' is not derived from Roman law. It stems from medieval customary law ... Second, there is a type of acquisitive prescription, which international lawyers have recognized as being close to the Roman usucapio. The conditions for acquisition under usucapio in Roman law were, as Johnson enumerated them: '(a) A thing susceptible of ownership (res habilis); (b) An, albeit defective, title of some kind (justus titulus), such as sale, gift, or legacy; (c) Good faith (fides); (d) Possession (possessio), implying physical control (corpus) and the intention to possess as owner (animus); (e) The possession must be uninterrupted for a period of time defined by law (tempus).' ... Acquisitive prescription serves to affirm the rights of the holder of a defective title. It is supposed to attribute title to the state, which can prove a peaceable or undisturbed possession of the territory over a long period of time. It does not involve an assessment of the claims or titles of other states, which it is supposed to overrule. But in all cases brought before international tribunals or arbitrators, competing acts of sovereignty or possession of different states had to be weighed against one another. In consequence, there is no example of an international adjudication to be cited where 'acquisitive prescription' in the sense of the Roman usucapio served as the sole title." ⁷⁶⁵

January 29th, at Deception Island, Capt. Luis Miguel Garcia, in command of a fleet of 7 ships out of Ushuaia and with orders to construct permanent bases, arrives to find two vessels from the Falkland Islands Dependencies Survey already there. After protesting, his armada retires. ⁷⁶⁶

"The grand matter of Antarctica has one directive: to defend the sovereignty of the Republic and prove to the world, the inalienable rights of the disputed area." ⁷⁶⁷

February 14th, from Stanley, Governor Clifford informs the Secretary of State for the Colonies of the situation with regard to the Grytviken weather station.

"... it appears that the house belongs to the company and that they supply fuel, &ct., but that the instruments are the property of the Argentine Government or Meteorological Department in Buenos Aires. The Company also provides the Observer, although it is understood that part of his salary is paid by the Argentine Government. The stamp of the Director of Meteorology of the Argentine has for many years appeared on the Meteorological Returns furnished by Pesca in accordance with the terms of the lease... It is understood that the Station has been inspected on one occasion at lease by a representation

764 Opinion of the Law Officers in LCO 2/490. See also FCO 76/1892. It seems that the Law Officers were not made aware of Lieut. Smith's arrival in the Islands, as Residential Officer, in 1834.

765 *Argument from Roman Law in Current International Law: Occupation and Acquisitive Prescription* Randall Lesaffer in *The European Journal of International Law* 2005 vol.16 no.1

766 Christie 1951 p.272

767 Juan Perón in *Soberanía Argentina en la Antártida* Ministerio de Relaciones Exteriores y Culto 1947

*of the Meteorological Department at Buenos Aires... It is unlikely that a better exposed site can be found within reasonable distance of Grytviken, and for the present I propose to leave things as they are.”*⁷⁶⁸

*“... the keeping of meteorological records formed part of the terms of the lease. I originally raised this question in 1946 because the company had been extraordinary slack about carrying out the terms of their lease in this respect (When I was in South Georgia before the war the meteorological officer appointed by the Company was almost continuously drunk and made up most of his records without the use of his instruments!) It seemed by 1946 that we must either take over the meteorological station, or enforce the terms of the lease, or expect the Argentine Government to use it as the thin end of their South Georgia wedge.”*⁷⁶⁹

February 26th, asked in the House of Commons regarding the progress towards a; *“... constitution which will give elective representation to the people of the Falkland Islands,”* a Government spokesman responds; *“I await the report of the new Governor, who has recently arrived in the Colony. Meanwhile two Unofficial Members have recently been added to the Executive Council.”*⁷⁷⁰

February 28th, in the *Nottingham Evening Post*.

“Argentina's claims to the Falkland Islands and an Antarctic area are reaffirmed in a Note from Dr. Bramuglia, Argentine Foreign Minister, to Sir Reginald Leeper, British Ambassador in Buenos Aires, in reply to a note from the Ambassador pointing out that the islands have been administered under Britain for 100 years. Sir Reginald offered British aid for Argentine expeditions to the Antarctic. Dr. Bramuglia declined the proposed aid for Antarctic expeditions as "the terms employed do not correspond with the clear position of Argentina on the questions mentioned". Rejecting the British case as one-sided, he claims that the Argentine was "the first effective occupant of the Antarctic zone."... ”

March 2nd, the Foreign Ministers of Chile and Argentina meet to discuss the future of their Antarctic claims.

Argentina's Ministry of Finance appoints an Inspector to verify the presence of distillation equipment at Grytviken and to affix the appropriate customs tags asserting that South Georgia is a; *“... territory over which the Argentine Republic has legal jurisdiction.”*⁷⁷¹

Governor Clifford tours the Dependencies, handing out formal protests to those he finds in charge of Argentine posts on Laurie Island and Gamma Island; and to the Chilean commander of a base on Greenwich Island.

March 12th, Britain's Law Officers provide their advice regarding the Dependencies, for the attention of Cabinet.⁷⁷²

“That the Argentine and Chilean claims are based on the ground (1) of their successors to Spain, and (ii) on geographical contiguity and the circumstance that, as they allege, the areas in dispute are extensions of the South American Continent. These claims, we think, can at the outset be discarded as not maintainable. The partition by the Pope in 1493 and the subsequent treaty of Tordesillas in 1494 allotted to Spain only some of the territories, and in respect of these Spain never acquired any title independently of this partition. Even if Spain had acquired any title by the partition, we think that the

768 FO 371/97376

769 Note signed B.B. Roberts, August 27, 1952 in FO 371/103153/15212/104. The author of this note referred to an internal FO publication entitled ‘Territorial Claims in the Antarctic.’ This may be FO 371/44744/1 which remains closed/retained until 2025. For the take-over of Grytviken meteorological station see 1950.

770 HC Deb 26 February 1947 vol.433 cc288-9W

771 Bologna 1988 p.48. There is no evidence that an inspection of any equipment at the Grytviken site was ever made.

772 FO 371/61290/1

areas subsequently undoubtedly became terra nullius, and that accordingly the requirements of the uti possidetis principle are not fulfilled. With regard to the claim founded on the geographical situation of the areas in question, there is, we think, no authority which can be said to establish such a claim in international law. ... South Georgia can be treated as falling into a separate category. Virtually South Georgia consists of one compact island. It was annexed by Letters Patent in 1908; since 1909 there has been a resident magistrate; and since 1912 there were small Government buildings and a Post Office. Leases and Licences for whaling were granted from time to time. There has been a small settled population since 1905. These circumstances in our opinion are quite sufficient to establish a clear title in Great Britain to South Georgia. With regard to all the other territories, the question is a great deal more difficult and, to put the matter generally, we do not feel in a position to advise that Great Britain has a clear title to these territories. We feel, however, at the same time that with regard to the South Shetland Islands, part of the South Orkneys, and, possibly, to a somewhat lesser extent, to the South Sandwich Islands, Great Britain has an arguable case which can be said to come just within the requirements laid down in the Clipperton Island award and the Status of East Greenland award, ...

*In conclusion, therefore, we can advise with confidence only that Great Britain has acquired a title to South Georgia and to Deception Island in the South Shetlands. We feel fairly confident as to the British title to Signy Island. With considerably less confidence, we feel that Britain can establish a title to the rest of the (South) Shetland Islands and the South Sandwich Islands. As to Graham Land, we feel the British title is confined to the actual areas of the British settlements.”*⁷⁷³

May 16th, in Santiago, the Chilean Government rejects the protests made against it by Britain.

May 24th, Argentine Decree No. 14.062, creates a sub-committee of the National Antarctic Committee. The sub-committee charged with studying all the nation's records; “... regarding Argentina's irrevocable rights over the Falkland and South Georgia ... to protect and recover the territorial estate which legally belongs to the Republic...”⁷⁷⁴

*“In this Decree, South Georgia was for the first time separated by the Argentine Government from the other Dependencies and grouped with the Falkland Islands. The implication appears to be that South Georgia, like the Falklands, is regarded as Argentine territory under de facto British occupation; and as such differs from the other territories in the Dependencies which they regard as Argentine both de jure and de facto. We made no protest about this at the time.”*⁷⁷⁵

In **June**, the Foreign Office proposes an aerial survey of the Dependencies to determine their extent.

July 27th, Chile and Argentina announce a *Joint Declaration* on the Antarctic.

“(Desiring) to arrive as soon as possible at the conclusion of a Treaty between Argentina and Chile, regarding the demarcation of boundaries in the South American Antarctic.”

However, despite extensive negotiations, no decisions as to the territory to be claimed by each is reached although they remain convinced; “... of the indisputable rights of sovereignty of the Argentine Republic and of Chile over the South American Antarctic,...”

⁷⁷³ Opinion of the Law Officers 1947 in LCO 2/490. cf. 1775, 1906, 1959 (*Antarctic Treaty*) & 1966

⁷⁷⁴ Quoted in Note by B.B. Roberts August 27, 1952 American Department A/15212 (FO 371/103153/15212/104). Some sources date this Decree to June 24, 1946.

⁷⁷⁵ *Ibid.*

“Department’s impression is that Argentina and Chile, regarding Antarctic problem as matter of prestige, are prepared to go to great lengths to defend their claims and probably would not accept reference of their claims to an international court for settlement. Department’s impression coincides with British view that the Argentine-Chilean accord on the subject is more apparent than real. However, it seems probable that the accord would be firm against Britain.” ⁷⁷⁶

August 8th, in London, during a meeting of the British Cabinet, Foreign Secretary Ernest Bevin recommends that Argentina and Chile be informed of the UK's intention to maintain its sovereignty claims throughout the Dependencies. Also of Britain's willingness to take the issues to the International Court of Justice.

“(Foreign) Governments were encroaching on certain territories to which we had long laid claim. If we did nothing to check this tendency our claim to the territories in question could go by default. ...” ⁷⁷⁷

August 15th, near Rio de Janeiro, the Inter-American Conference brings together the Foreign Ministers of American states to discuss issues of security amid concerns regarding communism. ⁷⁷⁸

August 26th, at the Conference, a decision is made to define a 'security zone' around the Americas, identifying the geographical areas to which any agreements will apply. At the insistence of Argentina's delegation, led by Dr. Pascual La Rosa, the Falkland Islands, South Georgia, the South Sandwich Islands and the Antarctic areas claimed by his country, are included within the southern section of the zone. ⁷⁷⁹

“The treaty created a defense zone encircling the continents of North and South American and including Greenland and Antarctica. It asserted that an attack on any American state by either an American or a foreign nation would be considered an attack on all of those bound by the treaty and that collective measures would be taken to repel the aggression. Several countries indicated reservations in debate before the signing of the treaty. In one such action, Argentina raised the issue of sovereignty, reasserting its claim to the Falkland Islands over the British. But a United States delegate countered that the treaty had “no effect upon the sovereignty, national or international status of any of the territories” included within the security zone.” ⁷⁸⁰

“Theoretically this would make any British military action in the Falkland Islands Dependencies an act of aggression against the American continent, and would consequently require a combined response from all the countries in the Western Hemisphere, including the United States.” ⁷⁸¹

September 2nd, in Brazil, the Rio Pact is signed. ⁷⁸²

“Art. 3: 1. The High Contracting Parties agree that an armed attack by any State against an American State shall be considered as an attack against all the American States and, consequently, each one of the said Contracting Parties undertakes to assist in meeting the attack in the exercise of the inherent right of individual or collective self-defense recognized by Article 51 of the Charter of the United Nations. ... 3. The provisions of this Article shall be applied in case of any armed attack which takes place within the region described in Article 4 or within the territory of an American State. ...”

⁷⁷⁶ Memorandum by the Acting Chief of the Division of Northern European Affairs (Hulley) December 16, 1947 in *Foreign Relations of the United States. Vol.1 General: The United Nations (Document 536)*

⁷⁷⁷ Quoted in Howkins 2008 p.151

⁷⁷⁸ Originally called for October 20, 1945, the conference was postponed at the request of the USA until March, 1946, and then postponed again on a request from Uruguay.

⁷⁷⁹ *Act of Chalpultepec (Rio Treaty) 1947*. At the time, Argentina considered this something of a diplomatic *coup*.

⁷⁸⁰ *The Rio Pact at a Glance* in *The New York Times* April 21, 1982

⁷⁸¹ Howkins 2008 p.147

⁷⁸² Otherwise known as the Inter-American Treaty of Reciprocal Assistance (TIAR). The relevance of the security zone would become an issue during the 1982 Falklands War. For the full treaty, see -

[https://treaties.un.org/doc/Publication/UNTS/Volume 21/volume-21-I-324-English.pdf](https://treaties.un.org/doc/Publication/UNTS/Volume%2021/volume-21-I-324-English.pdf)

Art. 4: The region to which this Treaty refers is bounded as follows: beginning at the North Pole; thence due south to a point 74 degrees north latitude, 10 degrees west longitude; thence by a rhumb line to a point 47 degrees 30 minutes north latitude, 50 degrees west longitude; thence by a rhumb line to a point 35 degrees north latitude, 60 degrees west longitude; thence due south to a point in 20 degrees north latitude; thence by a rhumb line to a point 5 degrees north latitude, 24 degrees west longitude; thence due south to the South Pole; thence due north to a point 30 degrees south latitude, 90 degrees west longitude; thence by a rhumb line to a point on the Equator at 97 degrees west longitude; thence by a rhumb line to a point 15 degrees north latitude, 120 degrees west longitude; thence by a rhumb line to a point 50 degrees north latitude, 170 degrees east longitude; thence due north to a point in 54 degrees north latitude; thence by a rhumb line to a point 65 degrees 30 minutes north latitude, 168 degrees 58 minutes 5 seconds west longitude: thence due north to the North Pole.”

At the signing of the Final Act, several delegates make “Statements” including Argentina and Chile.

“Argentina: The Argentine Delegation declares that within the waters adjacent to the South American Continent, along the coasts belonging to the Argentine Republic in the Security Zone, it does not recognize the existence of colonies or possessions of European countries and it adds that it especially reserves and maintains intact the legitimate titles and rights of the Argentine Republic to the Falkland (Malvinas) Islands, the South Georgia Islands, the South Sandwich Islands, and the lands included in the Argentine Antarctic sector, over which the Republic exercises the corresponding sovereignty.

Chile: The Delegation of Chile declares that, within the waters adjacent to the South American Continent, in the extension of coast belonging to the Republic of Chile, comprised within the Security Zone, it does not recognize the existence of colonies or possessions of European countries and it adds that it especially reserves and maintains intact the legitimate title and rights of the Republic of Chile to the lands included in the Chilean Antarctic zone, over which the Republic exercises the corresponding sovereignty.

*United States of America: With reference to the reservations made by other Delegations concerning territories located within the region defined in the Treaty, their boundaries, and questions of sovereignty over them, the Delegation of the United States of America wishes to record its position that the Treaty of Rio de Janeiro has no effect upon the sovereignty, national or international status of any of the territories included in the region defined in Article 4 of the Treaty.”*⁷⁸³

*“The "region" set up by Article 4 as a security zone runs in the word of Senator Vandenberg, "from pole to pole. It is a gigantic ellipse – a great oval – encompassing North, Central, and South America and their surrounding seas". It includes not only the continental territories of all the twenty-one American Republics, but also parts of the Arctic Ocean and on Antarctica, and territories outside of the Inter-American System: European colonies, Canada, Greenland, but not Iceland. ... With regard to this "region" several "Statements" were made: by Guatemala, concerning Belice (sic); by Argentina, concerning the Falkland Islands; by Argentina and Chile, renewing the claims of sovereignty over the respective "Antarctic Zones". But it is clear, as the United States expressly stated, that the Rio Treaty "has no effect upon sovereignty or national or international status of any of the territories included in the region defined in Article 4 of the Treaty".*⁷⁸⁴

783 For the full Final Act, see - https://treaties.un.org/doc/Treaties/1948/12/19481220_07-23_PM/volume-21-I-324-Final-Act-English.pdf

784 *The Inter-American Treaty of Reciprocal Assistance* Joseph L. Kunz in *The American Journal of International Law* vol. 42, no. 1 (Jan.uary 1948) pp.111-120

“... at the signing of the final act of the 1947 Rio treaty, the U.S. delegation, headed by Secretary of State George C. Marshall, made clear our view that the Rio treaty is without effect upon outstanding territorial disputes between American and European states – and explicitly refused to endorse Argentina’s claims.”⁷⁸⁵

Argentina's delegate, Dr. Atilio Bramuglia, tells a press conference that; “... the Treaty does not imply recognition of sovereignty to anyone, but it is understood that (a claim) exists, otherwise (the Falklands) would not be included. ...”⁷⁸⁶

“US Secretary of State George C. Marshall urged both parties to settle the dispute peacefully and stated that the United States would not favor the outcome to the advantage of either party. This signified a departure from a tacitly pro-UK stance to one of neutrality.”⁷⁸⁷

Researcher's Comment: 1947's Rio Conference marked a change in attitude by the USA which had, before that, been generally cognizant of British sovereignty over the Falklands archipelago. Switching to a neutral position suited Washington's perception of a future role as leader of the Americas. Afraid of Russian influence in its 'back-yard', the USA was prepared to abandon a longstanding position, even if that meant offending an ally.

On the same day, Uruguay and Britain sign an agreement for flights between the Falkland Islands and Montevideo.⁷⁸⁸

October 26th, at Deception Island, an Argentine minesweeper, *Bouchard*, anchors.⁷⁸⁹

HMS *Snipe* is posted to the Falklands to facilitate Governor Clifford's visits to the Dependencies.⁷⁹⁰

November 3rd, at the United Nations, Argentina complains about the use of the name 'Falkland Islands', rather than 'Malvinas'.

*“The Argentine Delegation also states for the record that the correct name of the islands mentioned under the name Falkland in the reports from the United Kingdom is Malvinas, which is amply justified by numerous widely known historical precedents, and that it is not possible to misrepresent or destroy.”*⁷⁹¹

December 7th, in Buenos Aires, Britain's Ambassador, Reginald Leeper, presents a note expressing “anxiety” at Argentina's activities in Antarctica and requests that Argentine nationals evacuate bases on Deception and Gamma islands.⁷⁹²

December 8th, the US Government sends instructions to its Embassies in the UK, Chile and Argentina.

“... it is not impossible that during the coming Antarctic season, Argentine and Chilean expeditions might establish temporary bases in UK territory and if called upon to depart or recognize UK sovereignty their governments might claim this was British intervention in the Western Hemisphere. The position of the United States is clearly that the sovereignty or the national or international status of any

785 *The South Atlantic Crisis: Background, Consequences, Documentation* US Dept of State, Bureau of Public Affairs August 5, 1982 (evidence of Assistant Secretary Enders)

786 Caillet-Bois (6th ed.) 1982 p. 407

787 *The United States role in the Origins and Development of the Malvinas Dispute: Implications for the 1982 Conflict* David Lewis Feldman in *Peace Research* vol.19 No.1 (January 1987) pp.37-48

788 *The New York Times* October 29, 1952

789 Fontana 2013 p.8

790 Christie 1951 p.258

791 *Consejo Argentino para las Relaciones Internacionales (CARI)*. I am unable to confirm this.

792 *Keesing's Record of World Events* vols.6-7, February, 1948 p.9133

territory is not affected by its inclusion in the hemisphere defense area, and thus that the status of the British, Argentine and Chilean claims in Antarctica are not affected by the inclusion of portions of Antarctica in that area. ... It is the Department's view that, until such time as a course calculated to bring about a full settlement of the Antarctic problem is determined, more decisive action might serve only to inflame the issue without affording any compensating advantage...

The Department has no information that would indicate directly the possible Chilean reaction to a British proposal to submit their conflicting Antarctic claims to an international court. However, in view of the general situation it is not illogical to suppose that Chile would be very reluctant to do so. As previously indicated (Department's A-865, September 8, 1947), the Department believes that Argentina would go to great lengths to avoid such a proposal. The American Government has not altered its position with regard to Antarctica, but in view of increasing British, Argentine and Chilean interest and tension, has come to the conclusion that a change in policy may be necessary and has initiated a study of the situation which may lead to an altered position within the course of the next few months, possibly along the lines suggested in the Department's cable No. 4090 of September 22, 1947 to the Embassy.

*The Falkland Islands may be made the subject of a separate instruction, should any useful information become available. However, at this time the Department sees no advantage to be gained by including the Falkland Islands in the Antarctic problem. On the contrary, such inclusion would appear calculated to complicate greatly and unnecessarily both problems.”*⁷⁹³

December 12th, at Deception Island, five vessels of the Argentine Navy arrive with sufficient stores and material to set up a permanent base next to the British building.⁷⁹⁴

December 13th, a C-54 airplane of the Argentine air force overflies British bases on Deception Island and the Melchior Islands group. Papers are dropped, claiming those islands as Argentine territory.⁷⁹⁵

December 17th, the UK invites Argentina to take its sovereignty claims regarding the Falkland Islands Dependencies, to the International Court of Justice (ICJ).⁷⁹⁶

“If.. the Argentine Government are unwilling to admit the validity of His Majesty's Government's title to Gamma Island or any other region included in the Falkland Islands Dependencies and consider that their own title is a good one, it is suggested that their correct course is not to maintain without the consent of His Majesty's Government an occupied post in a territory to which His Majesty's Government's claim of title is universally known and which His Majesty's Government have for long actively administered; but, to invoke the jurisdiction of the International Court of Justice at The Hague. ...”

In Santiago, Britain's Ambassador extends a similar invitation to Chile.⁷⁹⁷

“H. M. Ambassador in Santiago, Sir John Leche, had similarly protested to the Chilean Government on Dec. 17, 1947, against acts of trespass in the Falkland Dependencies during the summer of 1947; and in particular

⁷⁹³ *The Acting Secretary of State to the Embassy in the United Kingdom* December 8, 1947 in *Foreign Relations of the United States. Vol.1 General: The United Nations (Document 534)*. This would indicate that the USA had prior knowledge that the UK was about to send invitations to the Argentine and Chilean governments to take the disputes to the International Court of Justice.

⁷⁹⁴ *Granville, King, Pampa, Charrúa, Ministro Ezcurra, Muratore and Esiv Brunt*

⁷⁹⁵ Fontana 2013 p.8

⁷⁹⁶ *HC Deb 02 July 1951 vol.489 cc1899-901*

⁷⁹⁷ *Ibid.*

against the action of the Chilean Navy in setting up permanent post on Greenwich Island (South Shetlands), proposing, as in the Note to Argentina, that the matter be referred to the International Court.”⁷⁹⁸

“Britain sent official Notes to both Argentina and Chile on 17 December 1947, inviting them to challenge Britain’s sovereignty by invoking the International Court of Justice (ICJ), and stating that Britain would accept the decision of the Court.”⁷⁹⁹

In Washington DC, Counsellor Hadow from the British Embassy, calls on Benjamin Hulley, Acting Chief of the Division of Northern European Affairs to discuss the British notes to the Argentine and Chilean Governments relative to Antarctica. Hulley mentions something under consideration within the US Government.

*“I mentioned that one idea we were studying is the possibility of establishing a special United Nations trusteeship. He took strong exception to this thought, asking how it would be possible to keep the Soviet Union from being one of the trustees since the Soviets have a claim based on the voyage of a Russian ship to the area over a hundred years ago. He expressed his personal opinion as being absolutely opposed to a trusteeship. Among other objections, he mentioned the strategic value to us of control of passage around Cape Horn in the event that the Panama Canal proved vulnerable...”*⁸⁰⁰

Researcher's Comment: Having just agreed a treaty of reciprocal assistance, the last thing the USA wanted was to end up in a war with the UK started by Argentina's pretensions in Antarctica. The notion of a trusteeship arrangement for the white continent was the forerunner of what would become the Antarctic Treaty. That would take another dozen years to negotiate.

December 23rd, in Buenos Aires, Britain's Ambassador Leeper presents a further protest to Dr. Bramuglia expressing surprise at continued violations of British territory and territorial waters by Argentine vessels.⁸⁰¹

1948 – during **January**, a Stanley Town Council is formed.

*“The Executive Council, which meets approximately monthly, consists at present (besides the Governor) of two ex-officio members, namely, the Colonial Secretary and the Senior Medical Officer, an official member and two non-officials appointed by the Governor. The Legislative Council, which meets once or twice a year, has the same composition with the exception that it has three non-officials instead of two. Proposals are now under consideration to increase unofficial representation in a reformed Legislative Assembly. A first step towards extending representative institutions has already been taken by the establishment at the beginning of this year of a new Town Council for Port Stanley consisting of six members elected by popular vote and three members (two of whom are officials and one a nonofficial) appointed by the Governor.”*⁸⁰²

“(Clifford) embarked on a policy of bringing the colony into the twentieth century. His first acts were to bring two unofficial members on to Legislative Council and to establish a Stanley Town Council, two acts alone which are at odds with the public perception of him as being autocratic. The Town Council comprised six elected members and three nominated by government. ... As the new governor he was faced with a multitude of problems upon his arrival following the end of World War II which had necessarily resulted in the Colony being run down and neglected through lack of resources. Faced with budget deficits Clifford scorned past

798 *Keesing's Record of World Events* vols.6-7, February, 1948 p.9133

799 Pascoe 2020 p.272

800 *Memorandum of Conversation, by the Acting Chief of the Division of Northern European Affairs (Hulley) December 17, 1947 in Foreign Relations of the United States. Vol.1 General: The United Nations Document 538*

801 *HC Deb 02 July 1951 vol.489 cc1899-901*

802 Mr. Rees-Williams *HC Deb 12 February 1948 vol.447 c132W*

*policies of playing for time and introduced measures to increase revenue which antagonised the population and led to his unpopularity. He increased taxes and introduced ad valorem duties, which, while common elsewhere, were new to the Islands. Not all the much-needed funds could be raised in this way and the governor proved adept at securing grants from Britain, mainly from the Colonial Development and Welfare Fund, which were used on public works.”*⁸⁰³

In the South Shetland Islands, Argentine sailors build a base on King George Island – *Refugio Ensenada Martel*.

January 25th, on Deception Island, an Argentine expedition establishes a new base.⁸⁰⁴

*“In January 1948 Argentina held naval manoeuvres close to the Falklands after Britain had announced that five battleships would be scrapped. The Admiralty despatched H.M.S. 'Sheffield' to "show the flag." ..”*⁸⁰⁵

January 28th, Argentina's Government responds to Britain's December 7th invitation to the ICJ.

*“Were Argentina, which exercises sovereignty de jure and de facto over its Antarctic sector, to petition the International Court, she could appear in the position of a state requesting something which belonged to her but over which she did not exercise effective possession. And the situation is otherwise, as is shown by the permanent installations which consolidate our rights.”*⁸⁰⁶

*“... the Argentine Government had replied to the effect that both the Falkland Islands and the Falkland Dependencies were considered Argentine national territory by right, no formal declaration of annexation being considered necessary; had rejected the British request for the evacuation of Deception and Gamma Islands; and had likewise rejected the proposal to refer the matter to the International Court, suggesting instead that the political status of the territories concerned should be discussed at an international conference in Buenos Aires by Argentine, Chilean, and British representatives.”*⁸⁰⁷

*“No Argentine will ever recognize any sovereignty over the Malvinas Islands other than that of the country itself. With these words, which appear in the note addressed on January 28, 1948 by the chancellor of our country to the British ambassador, the thought of the Nation on this matter is conclusively expressed, in which all men of good will have to admit that Argentina defends the cause of truth and justice.”*⁸⁰⁸

*“... Argentine Foreign Minister Atilio Bramuglia sent to the British embassy an extensive note in which (he) considered British sovereignty over the Falkland Islands and the Argentine Antarctic sector illegitimate. ... (he) proposed an international conference to identify the legal and political status of the region.”*⁸⁰⁹

*“In its reply of 28 January 1948 the Argentine government stated that it was convinced of the unquestionable rights of Argentina and Chile (!) over the disputed areas, adding that it would not be right for Argentina to appear before the ICJ as a country requesting what already belonged to it.”*⁸¹⁰

January 31st, Chile also declines to submit a case to the International Court of Justice.

803 Frank Mitchell in Tatham (ed) 2008

804 Headland 1989

805 Ellerby 1990 p.122 citing *P. Calvert, The Falklands Crisis (London, 1982), p. 23*

806 Copy in Christie 1951 Appendix C. Also *Antarctica Cases: United Kingdom v. Argentine; United Kingdom v Chile* International Court of Justice 1956 p.35

807 *Keesing's Record of World Events* vols.6-7, February, 1948 p.9133

808 *Historia universal y argentina: para los grados superiores de la escuela primaria* Arturo Vinardell 1950 quoted in Santos La Rosa 2022

809 Fontana 2013 p.9

810 Pascoe 2020 p.272

*“While we have always maintained the principle that controversies of a juridical nature which may arise between states should be subject to international jurisdiction ... I cannot in this case share the point of view of Your Excellency's Government since, in the first place, there would be no logical justification in Chile having to approach the International Court of Justice, before effecting acts of sovereignty, within a territory over which she holds irrefutable juridical, political, historical, geographic, diplomatic and administrative titles;...”*⁸¹¹

*“... no matter how "irrefutable" Argentina's and Chile's titles may have been, they conflicted with each other as well as with Britain's, and neither country had a title anything like as good as Britain had.”*⁸¹²

February 4th, at Deception Island, HMS *Snipe* arrives with the Governor on board. A protest regarding “provocative behaviour” is lodged with the Argentine base.⁸¹³

February 11th, in Britain, the *Overseas Resources Development Act* establishes the Colonial Development Corporation (CDC).

*“The CDC's purpose was to bridge the gap between the development activities of governments and the commercial operations of private enterprise for the benefit of colonial peoples... The Falkland Government had four sources of capital for development – the (Colonial Development & Welfare Act 1945) allocation of £150,000, the Colony's reserves, taxation and assistance from the CDC (Colonial Development Corporation) for suitable projects. Clifford appealed for the £150,000 allocation to be raised in line with Saint Helena, which was granted £200,000, The Colonial Office replied that Saint Helena had twice the population, a revenue of £14 per head and an allocation of £40 per head compared to the more prosperous Falklands which had £40 per head revenue and an allocation of £60 per head... Clifford was forced to trim his objectives by abandoning four plans. These included a road across East Falkland from Stanley to a suitable site for a ferry to Vest Falkland, a weaving project to produce woollens and high quality tweed, a fishing scheme and an Agricultural Institute to improve farming techniques.”*⁸¹⁴

February 14th, from Cape Town in South Africa, HMS *Nigeria* is deployed to the Falklands, with orders to patrol the Dependencies and investigate reports of Argentine landings. Informed, the USA expresses its reservations.

*“I told Lord Inverchapel that speaking off the record, I had been somewhat puzzled at the action of the British Government in sending a cruiser to the area and that I had been wondering just what the cruiser would do when it got there. In view of spectacular action, of Chilean President and dramatic departure of so-called Argentine fleet, I wondered if the British cruiser decision did not put them in an undignified position. I stressed the fact that in saying this I was speaking entirely as an individual and not as Secretary of State.”*⁸¹⁵

February 16th, Chilean President, Gabriel Videla, visits Chile's base on Greenwich Island, one of Britain's South Shetland Islands. There, he announces a decree renaming Graham Land as, Tierra de O'Higgins.

811 Don German Vergara to John Hurleston Leche 31st January 1948

812 Pascoe 2020 p.272

813 Fontana 2013 p.9

814 Ellerby 1990 pp.79-81. cf. 1949

815 George C. Marshall to the British Ambassador in *Foreign Relations of the United States, 1948. general; The United Nations, Vol.1, part 2 – Memorandum of Conversation, by the Secretary of State, Washington, February 18, 1948*

“We would deny our glorious history, we would deny our past, if we were to renounce a single piece of our territory, only because there are those who believe that acts of imperialism today constitute a title of sovereignty.”

Videla tells the press that the; “... *British Empire's active assertion of sovereignty ... was in direct contravention of the terms of the recently signed Pan-American Treaty of Reciprocal Assistance, the boundaries of which stretched all the way to the South Pole. He called upon the other republics of America to assist against this external aggression, conveniently forgetting that Chilean claims also conflicted directly with those of neighbouring Argentina.*”⁸¹⁶

In Britain, Foreign Secretary McNeil is asked a parliamentary question as to whether Argentina has now ceased its acts of trespass in the Falkland Islands Dependencies.

“No, Sir. Argentine and Chilean naval forces are at present operating in British waters in the Falkland Island Dependencies, with the declared object of enforcing claims to sovereignty in this area. They have also landed parties, and purport to have set up military commands in British Territory. His Majesty's Government consider the British title to the Falkland Islands Dependencies to be well founded, and have been willing that it should stand the test of international arbitration. In the protests which we made to the Argentine and Chilean Governments in December last, we made it plain that we would accept the decision of the International Court. This offer has been rejected by both Governments, and we can only regard this as evidence that they have no confidence in their ability to dispute our legal title...”

February 18th, Australia's Prime Minister, Ben Chifley, states during an interview that, if asked, he would consider sending a cruiser in support of British sovereignty over the Falkland Islands.

*“As things are, His Majesty's Government in the United Kingdom do not, however, see any necessity to ask the Australian Government to send a cruiser to the Falkland Islands. H.M.S. "Nigeria" is now due to arrive at the Falkland Islands very shortly and will then visit the Dependencies in company with H.M.S. "Snipe." ...”*⁸¹⁷

On the same day, an Argentine naval squadron consisting of *Almirante Brown*, *Veinticinco de Mayo* and the destroyers *Entre Rios*, *San Luis*, *Misiones*, *Santa Cruz*, *Mendoza*, and *Cervantes*, leave Ushuaia, for manoeuvres in Antarctic waters. Under the command of Vice-Admiral Juan M. Carranza

*“Operated around the South Shetland Islands in February; conducted some hydrographic survey, made an aerial photographic survey of Deception Island, and visited some Argentine Antarctic stations.”*⁸¹⁸

February 19th, near Cape Legoupil, Trinity Peninsula, Chile's President Gabriel Videla opens a new base.

In Washington DC, the Chilean Ambassador is told that the USA does not consider that the *Treaty of Reciprocal Assistance* of 1947 covers Antarctica.

February 20th, in Glasgow, Scotland, Lord Tedder, Marshall of the Royal Air Force, refers to jackals which, if the British lion appeared to be weakening, would come; “... *yapping and snapping round his flanks.*” Chilean President Videla takes the remarks personally.⁸¹⁹

816 Howkins 2008 p.158

817 *HC Deb 23 February 1948 vol.447 cc1600-1*

818 Headland 1989 p.324

819 Christie 1951 p.260

February 21st, in the South Atlantic, HMS *Nigeria* arrives ready to confront Argentina's squadron; reported to be on 'manoeuvres' near Deception Island. ⁸²⁰

“The Argentine fleet carrying five Admirals is now, I understand, off Deception Island. His Majesty's representative in Buenos Aires has been assured by the Argentine Minister for Foreign Affairs that these vessels have been sent with no intention of asserting any rights or taking possession of any territory but merely to carry out routine exercises in that area...” ⁸²¹

February 23rd, the *Washington Post* newspaper criticises the Chilean misinterpretation of the *Rio Treaty* regarding the South Atlantic and Antarctica. The newspaper also complains that Argentina has yet to ratify the treaty. ⁸²²

*“Mr. Attlee, questioned in the House on Feb. 23 by Mr. Eden, gave an assurance that the British Government would not be "checked or chivied out of British territory anywhere in the world," and added that the *Nigeria*, after her arrival at Port Stanley, would visit the Falkland Dependencies.”* ⁸²³

February 24th, published in the *Edmonton Journal*.

“Reports from Argentina indicate that public opinion is aroused to something approaching hysteria, and it seems that the same is true of Chile. Newspapers demand that the inter-American treaty be enforced to protect the southern part of the hemisphere against British intruders. Secretary of State George C. Marshall, however, has declared at a press conference that the United States is "interested in the controversy" but did not believe that the treaty could be applied...”

Chile's President accuses Britain of “aggression” in sending *Nigeria* to Antarctica, describing the act as a; “... threat against all the nations of the Americans.”

February 25th, in London, Foreign Secretary Ernest Bevin makes a statement in Parliament. ⁸²⁴

“The policy of His Majesty's Government is that the question of rival claims in the Falkland Islands Dependencies should, in the first instance, be brought before the International Court of Justice. This is based on our belief that international discussions could scarcely be profitable until the question of title has been subjected to international legal examination. This, of course, in no way precludes the possibility of discussions at a later stage. It has been suggested from the Chilean side that our offer to accept the opinion of the Court was not a fair one because we were asking the other parties to appear as plaintiffs. I wish to point out that the sole reason for presenting the matter in this form was that neither Argentina nor Chile had accepted the Optional Clause of the Statute of the International Court of Justice and that consequently it is impossible at present for His Majesty's Government to bring this dispute before the Court by themselves proceeding as plaintiffs. His Majesty's Government desire, however, to reaffirm that if the Argentine and Chilean Governments are willing to make an agreement with us under which the Court shall pronounce upon the title to these territories, we shall be glad to collaborate in the negotiation of such an agreement. ...”

March 4th, despite being unable to reach an agreement on demarcation, Chile and Argentina announce a further *Joint Declaration on the Antarctic*.

820 Fontana 2013 p.9

821 *HC Deb 25 February 1948 vol.447 cc1931-3*

822 Ratified by Argentina August 21, 1950. Ratified by Chile February 9, 1949. The USA had ratified in December, 1947.

823 *Keesing's Record of World Events vols.6-7, February, 1948*

824 *HC Deb 25 February 1948 vol.447 cc1931-3*

“Until a friendly agreement is concluded concerning the common boundary line of the Antarctic territories of Chile and the Argentine Republic, in the names of their respective Governments – Senores Vergara Donoso and La Rosa declare:

First: That both Governments will act in common accord in the juridical protection and defense of their rights in the South American Antarctic, which is included between the 25th and 90th meridians of longitude west of Greenwich, and in these territories Chile and the Argentine Republic mutually recognize indisputable rights of sovereignty.

Second: That they are in agreement to continue their action of administration, exploitation, supervision, and development in the undefined frontier region of their respective Antarctic zones, in a spirit of reciprocal cooperation.

Third: That as soon as possible and in any event in the course of the present year they will carry on negotiations until they arrive at agreement on a Chilean- Argentine treaty of demarcation of boundaries in the South American Antarctic.”

On the same day, at Deception Island, an Argentine mine-sweeper, *Parker*, warns *Brategg*, a Norwegian fishing vessel, that she requires Argentine permission to anchor there; a warning written into the ship's log.⁸²⁵

March 7th, at Greenwich Island in the South Shetlands, HMS *Snipe* arrives at the Chilean base and issues a warning to the Chilean commander there.⁸²⁶

March 10th, from Buenos Aires, US Ambassador James Bruce telegrams the US State Department in Washington DC concerning the 9th International Conference of American States due to meet in Bogotá, Colombia, on March 30th.

“Foreign Minister Bramuglia told us yesterday Argentina would have to bring up at Bogotá questions of European colonies in America with specific reference to Falkland Islands. We explained Department's position and Bramuglia said it was what he expected. Bramuglia said Argentine claim (to) Falkland Islands perfectly valid; British have no reason other than pride for wanting islands; costing British money and British unable defend them. Bramuglia said he and Perón convinced war with Russia probably near future inevitable and Argentine possession Falkland Islands indispensable since Argentina would join with the United States on first day of war and Falklands would be only base on which Russia could direct operations against Argentina, one of (the) food supplying centers (of the) world. He said Argentina considers Falkland question entirely separate (to the) Antarctic region; Argentina is prepared argue Antarctic question but matter (of) real importance is Falkland Islands.

*He assumed relations England-Argentina would not reach state (of) violence but emphasized Argentine determination. Bramuglia dwelt considerable length on his hope United States would give Argentina some support. Remarked England is in such sad state today, run by Socialist Government, contrary to all our principles, dependent for existence on generosity United States Government, and (a) word from United States would determine final British position. It seems to us that Argentine arguments make considerable sense and we urge Department give them every possible consideration.”*⁸²⁷

825 The warning was subsequently struck out by the Harbour Master at Whalers Bay as “illegal.”

826 Fontana 2013 p.9

827 Document 228 in *Foreign Relations of the United States 1948 vol. 1 pt.2 General: The United Nations*

March 17th, in Washington DC, an *aide-mémoire* from the British Embassy to the Department of State suggests that the USA host a four-power, round-table discussion on the conflicting claims to sovereignty in the Falkland Islands Dependencies.

*“As result talks with Brit. Emb. this week, we decided, pending further consideration of subject, to postpone inquiry to other interested Govts as to their willingness to enter diplomatic discussion on possibility of Antarctic solution. Brit. Emb. on its side agreed Brit would not now issue invitation to UK US Chile Argentine round table on area of Brit Antarctic claims. We feel we could not assume responsibility in such round table to participate in discussing division of sovereignties. If it dealt with Antarctic Continent as distinct from islands north of Palmer Peninsula all eight interested countries should be included and whole area considered. We would not be averse to Brit Arg Chilean settlement of overlapping claims in islands on mutually satisfactory basis which would safeguard essential points of Brit interest. We informed Brit we do not object their proposal tell Arg Chile informally Brit will confer with them on Antarctic Islands after Bogotá if they do not press matter at Bogotá.”*⁸²⁸

March 23rd, in London, Foreign Secretary Bevan informs Parliament as to the situation in the Dependencies.

*“Occupied posts have been established, in defiance of our protests, by the Argentines on Laurie Island in the South Orkneys group, on Gamma Island in the Palmer Archipelago, and on Deception Island in the South Shetlands group; and by the Chileans on Greenwich Island in the South Shetlands group and on South Graham Land. ...”*⁸²⁹

March 30th, in Bogotá, Colombia, the 9th International Conference of American States opens.⁸³⁰

*“... the Government of Guatamala requested that the topic of European colonies in America be included in the program of the Conference, and a draft declaration was prepared reciting that the historical process of the emancipation of America would not be concluded "so long as there remain in the Continent regions subject to the status of colonies" and declaring: "That it is a just aspiration of the Republics of America that the status of colonies that subsists in the Continent be terminated".”*⁸³¹

Argentina's delegation complains that the local British Embassy has distributed a four page document outlining Britain's title to the Falkland Islands.

April 21st, at the Bogotá conference, the head of Chile's delegation proclaims that his nation's sovereignty rights over Antarctica go back to the Spanish colonial period.

April 26th, in Bogotá, Argentina's Foreign Minister, Atilio Bramuglia, calls on the other American countries for support in ending colonialism or “*de facto occupation*” by foreign nations over territory in the Americas.

“With regard to the Malvinas Islands, there is no need for me to outline all the historical facts. It is sufficient to say that the Malvinas Islands were discovered by the Spanish in 1520; that they were held first by the French, then by the British, and lastly by the Spanish. And it is from the Spanish, Mr. President, that we inherited them, only to be violently divested of them by Great Britain in 1833; that is

828 *Foreign Relations of the United States Diplomatic Papers, 1940, General; The United Nations, vol.1 part 2 – The Secretary of State to the Embassy in the United Kingdom March 25, 1948*

829 *HC Deb 23 March 1949 vol.463 cc342-3*

830 March 30 to May 2, 1948. The conference was attended by delegates from 21 American States. Ten Foreign Ministers were there including the US Secretary of State.

831 *The Ninth International Conference of American States* Charles G. Fenwick in *The American Journal of International Law* vol. 42, No. 3 (July 1948), pp.553-567.

to say, force prevailing over law. ... this is not a problem of colonies. It is a problem that is related to de facto possession, to illegal possession exacted violently. And we hold that Great Britain must return our Malvinas Islands. ... In consequence, Mr. President, we came to this Conference to call for American solidarity. ..."⁸³²

*"... he was confident the dispute over the Falkland Islands could be settled. "The British are gentlemen. I think it will be settled in that spirit." He hoped that a "mutually satisfactory agreement" would emerge from the talks now taking place with Britain in Buenos Aires, but insisted that Argentina's right to the territories would not be submitted to an international court or conference. "The Falkland islands are no possible use to Britain, but they are of the very greatest strategic and moral importance to us." He repeated that Argentina supported the Guatemala resolution now before the Pan-American conference, calling for an end to all European colonial possessions in the Western hemisphere. Dr. Bramuglia said Argentina's policy favoured a process of self-determination for **other** colonies, such as British Honduras and the Guianas, by means of plebiscites."*⁸³³

*"When the Argentine Foreign Minister asked the US to support the Argentine claim at the Bogota conference of 1948, we informed him that the US did not support either the British or the Argentine claims and that in the opinion of the US the dispute should be settled by peaceful means under the recognized procedures of international law. While Argentina did bring up the Falklands at Bogota in connection with its support of a general resolution regarding colonies and occupied territories, it is believed that Argentina made less of an issue of the question at Bogota as a result of our pre-conference talks with the Foreign Minister."*⁸³⁴

April 27th, in Buenos Aires, President Peron talks to the US Ambassador.

*"He blamed the British for provoking the recent disagreements over the Falkland Islands and the Antarctic regions. He said that the naval maneuvers which had drawn British ire were nothing new but were maneuvers which Argentina had engaged in before for many years. He said the British, were to blame for making too much out of these routine maneuvers ... He described the Falkland Islands question as being a matter of "life and death" for Argentina and said that British possession of the Falkland Islands might be described as a fish-bone in the throat of every Argentine and the irritation would not be removed until the fish-bone was disgorged;..."*⁸³⁵

May 2nd, at the conclusion of the conference in Bogatá, resolution *XXXIII* declares that it is the aspiration of the American Republics that colonialism and the occupation of American territories by "extra-continental countries" should be ended. These territories are listed as Belize, the Falkland Islands, the South Sandwich Islands, South Georgia and what is described as the "American zone of Antarctica."⁸³⁶

832 Quoted in *Argentine Sovereignty over Malvinas: 50 Years after the Ruda Statement* Argentine Foreign Ministry, September 2014. Historically inaccurate as Spain did not see the Islands before 1767. See - <https://falklandstimeline.wordpress.com/1480-1762-discovery/>

833 Reuter's correspondent William Hardcastle. My emphasis. Quite what talks were taking place is unclear.

834 *Foreign Relations of the United States, 1951, The United Nations, The Western Hemisphere: vol.2 – Policy Statement Prepared in the Department of State October 26, 1951*

835 *Ambassador Bruce in Buenos Aires to Secretary of State Washington April 28th No. 331 in Foreign Relations of the United States, 1948. The Western Hemisphere, vol.IX*

836 The conference had also settled upon a new name – the Organization of American States (OAS).

"... the resolution... goes no further than to create an American Committee on Dependent Territories "to centralize the study of the problem of the existence of dependent and occupied territories in order to find an adequate solution to that question". ⁸³⁷

May 5th, in London, Vice-Admiral Sir William Tennant writes to the First Sea Lord, Sir John Cunningham.

"... I would hold onto the Falkland Islands and South Georgia at all costs, even to the extent of going to war. But for the rest, would it not be a good idea to form an Antarctic club of those countries interested ... and discuss the question of nationalising the whole of the Antarctic. ..." ⁸³⁸

May 6th, in the Falklands, a meeting is held in Stanley to protest about Governor Clifford.

"... there were too many highly paid officials, inefficiency, discrimination against Islanders, squandering of public funds on ill advised schemes and vacations for civil servants. It also said the administration has failed to provide any works of public benefit and asserted that increased taxation, to which the Governor is immune, chiefly affected the lower wage groups. The petition appealed for an increase in wages to cover the rising cost of living..." ⁸³⁹

"Sir Geoffrey Miles Clifford, Governor from 1946 to 1954, was responsible for guiding post-war development in the Falklands. Clifford had no experience of settler colonies having served for sixteen years between 1921 and 1937 in Nigeria followed by several short appointments in Gibraltar and Cyprus. Clifford's development proposals were prepared within a framework of limited funds, the need to introduce modern social services (because the Colony had changed little since the nineteenth century), and the requirement to balance benefits between the scattered economically productive half of the population and Stanley's residents." ⁸⁴⁰

May 27th, the *Compañía Argentina de Pesca*, based at Grytviken on South Georgia, negotiates a 21 year lease over 500 acres of the island at £250 per annum.

"... (c) Will equip and maintain a meteorological station and a trained observer who shall take and record such meteorological observations and submit to the Governor such meteorological reports and returns as the latter may from time to time require and shall not, without the Governor's consent first obtained, submit such or any similar meteorological reports or returns to any third party whatsoever and the lessees shall at any time on demand surrender the said meteorological station together with its records and such equipment as may be the property of HMG to the Governor for operation and maintenance by his own agents." ⁸⁴¹

June 4th, from Stanley, a petition with 1,200 signatures is sent to London.

"... a petition was sent to the Secretary of State signed, "... by more than 1,200 Falkland Islanders (pop.2,300)." The petition demanded Clifford's removal from office and the appointment of a Royal Commission to investigate seven complaints. First, the administration was too expensive for the size of the population. Secondly, the development proposals were a, "... squandering of public funds on ill-advised schemes." Thirdly, native born civil servants were discriminated against. Fourthly, inflation had increased since 1939 by approximately 100 percent while wages had risen by only 15 percent. Fifthly, Clifford's higher tax rates were

837 Fenwick 1948. Brazil and the United States declined to sign the resolution.

838 ADM 1/21126. Quoted in Dodds 2002

839 *The Chicago Daily Tribune* July 7, 1949. Clifford had raised the maximum rate of income tax from 2/6d in the £ in 1947, to 3/6d in 1948. Taxation on wine, spirits and tobacco had also risen sharply.

840 Ellerby 1990 p.81

841 FO 371/97376 (A15212/1). Also Bologna 1988 p.48

too severe. Sixthly, health care was inadequate. Finally, the Government was too dictatorial. The petitioners demanded the introduction of democracy, "It is significant that after 115 years the Colony is still without representative Government and it is evident that under the present Administration elected representation on the Executive Council is a necessary preliminary to self administration." ...⁸⁴²

June 9th, Argentine decree 17,040 establishes the *División Antártida y Malvinas*, to deal with matters pertinent to the Falkland Islands, South Georgia and the British Antarctic territories.

*"Peron's chief propaganda drive is directed against Great Britain .. It centers on the Antarctic ... and also includes the Falklands and their dependent islands ... Recently, the Peronist press has been full of demands that the Malvinas and a part of Antarctica shall be recognised as Argentinean territory. In this demand, Argentina has allied itself with Chile, which is also to get its slice. At present, however, it seems very doubtful that Peron really wants the Malvinas, much less the Antarctic. He is simply whipping up nationalist sentiment and making an inexpensive bid for Chilean friendship."*⁸⁴³

June 11th, in Washington DC, a Department of State Policy Statement is circulated within the department.

*"With regard to the Falkland Islands, the US, while **not** questioning British possession, has in recent years avoided such public references to the subject as might be offensive to Argentine sensibilities. The British Antarctic claim is related to the general problem of an Antarctic settlement. The British have suggested to Chile and Argentina that their conflicting claims be submitted to the International Court of Justice, which proposal has been refused. We are now formulating a proposal for a trusteeship arrangement for the continent, which we plan to discuss with the British."*⁸⁴⁴

June 16th, in London, Secretary of State for Foreign Affairs, Ernest Bevin, informs the House of Commons on the situation in the Falkland Islands Dependencies.

*"... my information is that there is an Argentine base on Gamma Island, consisting of one officer, one doctor, one meteorologist, and seven naval ratings. There is a precisely similar base at Deception Island, but I have reason to believe that a smaller detachment at Admiralty Bay was evacuated before the ice closed. There is a Chilean base at Greenwich Island, consisting of one officer and five men, but Trinity Peninsula is now believed to be unoccupied."*⁸⁴⁵

June 19th, in London, at the Colonial Office, a *minute* notes the Islanders' complaints regarding the Governor.

*"The people are virtually of UK stock, and it is easy to understand their desire for that measure of control over their own affairs which they would enjoy in the UK itself through urban district councils or county councils."*⁸⁴⁶

June 25th, in Washington, an *aide-memoire* is handed to British Minister, Sir John Balfour.

"The following considerations, in briefest outline, have led us to the conclusion that the establishment of an international status for the Antarctic area is the most practicable and preferable method of solving

842 Ellerby 1990 p.89. Also *The Inhabitants of the Falkland Islands* Juan Carlos Moreno in *La Nacion*, May 2, 1965. Translation in CO 1024/434

843 *The Condor and the Cows* C. Isherwood 1949. At this time, it was already against the law in Argentina to produce any maps that did not include all of Argentina's claimed territory. cf. *Geopolitical Traditions: Critical Histories of a century of geopolitical thought* Klaus Dodds 2000

844 *Foreign Relations of the United States 1948 Western Europe: vol.3 – Dept. of State Policy Statement, June 11, 1948.* My emphasis.

845 *HC Deb 16 June 1948 vol.452 cc403-4*

846 *PRO CO 78 24/1*

the problem of conflicting and potentially conflicting claims in that area. In view of the engagement in the area of the prestige of various nations; in view of the very difficult problems which would be posed, should a division among the various national sovereignties be sought through the International Court; in view of the fact that the foreseeable values of Antarctica are scientific rather than strategic or economic; and because an international regime would be well calculated to promote the exploitation of these scientific values: internationalization appears to present the best possibility of removing the area from the field of present or potential future contention, at the same, time preserving to the most interested nations control over the strategic use and possible economic value of the area.

Strategic Significance: Strategic interest in the area centers on the Drake Passage between Tierra del Fuego on the north and the South Shetland Islands on the south. In the event of the closing of the Panama Canal, this Passage would become an important sea route and hostile naval or air units based on either side of it could interfere with passage of naval or commercial shipping. Chile and Argentina are the recognized sovereigns over Tierra del Fuego and islands adjacent thereto. Whatever the attitude of Argentina and Chile under war conditions, it is hardly likely that they would voluntarily give up control of their territories to the north of the Drake Passage. Exclusive control of the Drake Passage by Argentina and/or Chile would be prevented if Great Britain, Argentina and Chile share control of the South Shetland Islands or, preferably, if those islands were made part of an international area administered jointly by the several interested powers, including the United States and Great Britain. It will be noted that under the proposal, no additional nations could be included without the consent of all the original signatories.

Need for a Settlement: The conflict of interests, the friction and disagreement generated by the conflict of claims, and the unsettled status of Antarctica perturbs otherwise amicable relations and is susceptible of exploitation by the USSR to the disadvantage of the interested nations.

Values of a Settlement: An international administration for the Antarctic continent and sub-Antarctic islands would promote the further systematic scientific exploration and investigation of Antarctic phenomena. It would facilitate the correlation of meteorological observations of practical significance in long range weather forecast, particularly for countries of the Southern Hemisphere.”⁸⁴⁷

July 3rd, from Stanley, Governor Clifford telegrams London regarding the petition.

“The root of the present discontent ... is the absence of popular representation and, as such, I must say at once that it has my entire sympathy.”

From London, Britain’s Colonial Office acknowledges Islander concerns and requests that the Governor address the issue of democratic reform with the local population.

“The Colonial Office remained loyal to Clifford and sympathized that he had, “... a thankless job to do governing this lonely, bad-weathered and bad-tempered Colony.”...”⁸⁴⁸

On the same day, Britain responds to the US *aide-memoire* of June, 25th. Britain accepts the initiative in principle but prefers an eight-power condominium rather than UN trusteeship. The USA agrees to reconsider.

July 21st, Argentina is handed a copy of the USA's June 25th proposals. The reaction is noted in a telegram to the Secretary of State in Washington.

847 *The Department of State to the British Embassy, June 25, 1948 in Foreign Relations of the United States, 1948, General, The United Nations, vol.1, Part 2. Document 240*

848 Ellerby 1990 p.90

*“Larosa emphatic and voluble in personal conviction that internationalization totally unacceptable as basis discussion: question is one of national sovereignty on which Argentina, Chile and US could easily agree. However, it is utterly inadmissible that countries outside western hemisphere should be given voice within American quadrant. If US would cease backing illegal British retention of Falklands (about which Argentine feelings profound), Antarctic problem would be easy. US should not make mistake of considering Argentina too lightly in the general picture...”*⁸⁴⁹

Argentine maps are published showing South Georgia as Argentine territory.

*“Until 1948, official Argentine maps usually made lat. 60°S the northern limit of their claims. None showed a claim to South Georgia. From that year all official Argentine maps started to show South Georgia (in lat. 54°S) as Argentine. We have ignored this.”*⁸⁵⁰

August 18th, in the UK, Governor Miles Clifford registers the purchase of two light aircraft – an Auster Mk.4 and an Auster Mk.5 at a cost of £700 each.

August 28th, in Washington DC, the Department of State issues a press statement on the subject of Antarctica.

*“It is the viewpoint of the Department of State that the solution should be such as to promote scientific investigation and research on the area. The Department of State has suggested that this can perhaps be done most effectively and the problems of conflicting claims at the same time solved through agreement upon some form of internationalisation.”*⁸⁵¹

During **September**, Washington circulates the idea of an 8-member condominium to consider questions relating to Antarctica.⁸⁵²

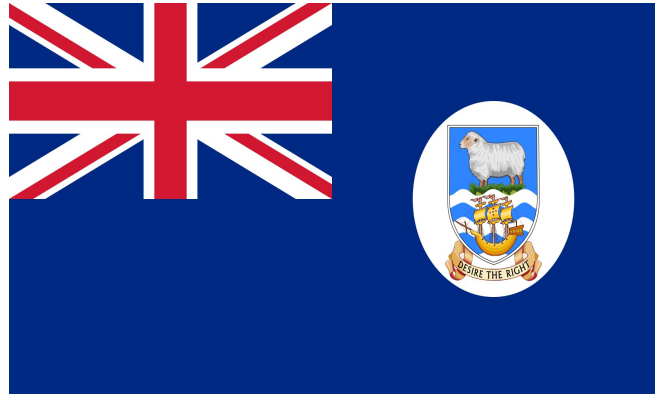
In **October**, in Stanley, following consultations by Governor Clifford; it is proposed to reform the constitution of the Legislative Council. To provide for a fairer mix of appointed and elected members.

*“It is distressing for loyal subjects to hear spoken openly, what was once whispered by the few, in public places 'Would we not be better off under the Argentines.'”*⁸⁵³

Control over the *Falkland Islands Dependencies Survey* passes to the Falkland Islands' Governor.

A new flag is adopted for the Falkland Islands.⁸⁵⁴

October 6th, in Paris, unaware of the USA's change of tack, Argentina's Ambassador, M.R. Varela speaks to the United Nations Trusteeship Committee with regard to the UN's listing of non-self governing territories; *“Argentina cannot agree that the Falkland Islands can be anything but Argentine. We cannot take into consideration this report, which includes the islands among the non-self-governing territories.”*⁸⁵⁵



849 *The Chargé in Argentina (Ray) to the Secretary of State, July 21, 1948 in Foreign Relations of the United States, 1948, General, The United Nations, vol.1, Part 2. Document 248*

850 *Note by B. B. Roberts August 27, 1952 American Department A/15212 cf. FO 371/97376*

851 *Dept. State Bulletin, vol.19, no.479, September 5, 1948 p.301*

852 *Howkins 2008 p.172*

853 *Quoted in Ellerby 1990 p.90 citing Petitioners to Creech Jones 30 Sept. 1948 in CO 78/241*

854 *See 1999.*

855 *The New York Times October 7, 1948*

October 7th, Chile responds to US proposals on a condominium for Antarctica. In a *Note Verbale*, Chile argues that the proposal constitutes a “lack of harmony” with the Rio Treaty of 1947.⁸⁵⁶

“... note rejects US Antarctic proposal as unacceptable on basis Chilean supreme decree November 6, 1940 and Article 4 inter-American Treaty Reciprocal Assistance, signed Rio September 3, 1947. Cites Spitsbergen as example failure condominium’ pointing out its relationship to Norway (to which Spitsbergen finally ceded) same as that of South American Antarctic to Chile.

Chile suggests agreement whereby interested nations will exchange scientific data and believes first step in avoiding international friction would be issuance declaration that establishment bases expeditions, etc., in area south of parallel 6th, would not constitute basis strengthen future claims. Agreement to last five or more years would provide opportunity give careful study to final solution and embody advantages of US proposal without its disadvantages.

In handing me (the) Chilean note, Riasco said Chileans are positive as to their claims which no Chilean government abandon without serious collision with public opinion. At same time said Chile not eager push matter as is Argentina, and believes Chile’s plan leaving settlement until after world crises is over is, in best interest all concerned. He again said Chile not at all interested in Argentina’s claim to Falkland.”⁸⁵⁷

October 13th, in Buenos Aires, decree 31.813 declares a “flame of the Argentine spirit” which is to be lit in Ushuaia for transport to the Falklands archipelago when the time is right, and; “... defines a new extension of Argentine ‘security zones’ to include (among other Antarctic territories) South Georgia and the South Sandwich Islands.”⁸⁵⁸

October 20th, from Argentina, Britain's *naval attaché*, Tony Lincoln, writes to the Foreign Office with regard to Argentine attitudes towards the Falkland Islands.

“... a belief in the justice of their claims is one conviction common to all Argentines; irrespective of class and party; it is perhaps the only reliable key to national unity.”

Reporting rumours of a, “general mobilization in the middle of December to coincide with the occupation of the Falkland Islands,” he adds that he does not believe a ‘*coup de main*’ is likely unless the UK is otherwise occupied in a distant war. A symbolic act is more likely. Lincoln advises that HMS *Sparrow* should be warned.⁸⁵⁹

November 1st, Argentina rejects US proposals regarding Antarctica.

“(The) Government rejects proposals advanced even as basis (for) discussion. Reason given is national territory such as Argentine Antarctic could in no case be incorporated into international regime. Adds that Government desirous collaborating solution general problem and will omit no effort (to) assist (a) definitive friendly settlement.”⁸⁶⁰

856 *The Antarctic Treaty 1959* John Hanessian 1960 in *The International and Comparative Law Quarterly* vol.9, no.3 (July 1960) pp.436-480

857 *The Ambassador in Chile (Bowers) to Secretary of State October 8, 1948* in *Foreign Relations of the United States, 1948, General, The United Nations, vol.1, Part 2. Document 259*

858 *Note by B. B. Roberts August 27, 1952 American Department A/15212. cf. FO 371/97376. Roberts added – “We also ignored this.”*

859 *CO 537/4023*

860 *The Ambassador in Argentina (Bruce) to the Secretary of State November 1, 1948* in *Foreign Relations of the United States, 1948, General, The United Nations, vol.1, Part 2. Document 261*

November 4th, Britain's Postmaster-General, Onesimus (Ness) Edwards, lodges a complaint with the Director of the International Bureau of the Universal Postal Union with regard to the surcharging by the Argentine Government of correspondence bearing stamps of the Falkland Islands. ⁸⁶¹

November 7th, in London, Argentina's Foreign Minister Bramuglia arrives for talks on economic relations. Minister Ernest Bevan proposes that both countries should avoid “*naval displays*” in waters south of 60° south latitude. ⁸⁶² Bramuglia reaffirms his country's claim to the Falkland Islands.

*“Our leaders have sent letters of protest to Britain to assert our rights. The last presented in 1948 and 1949, are bright summaries of solid grounds on which our claims are based. We hope that the traditional friendship Argentina with the British (will) allow one day soon (for us to) again raise our flag in the Falkland Islands.”*⁸⁶³

November 11th, the Universal Postal Union acknowledges Britain's protest against Argentina of November 4th.

November 19th, in the Falkland Islands, the *Weekly News* reports.

“The Falkland Islands and the Dependencies have been in the news of late, owing to the action of Argentina in advancing yet another claim for their possession. This 'claim' is of true comic opera pattern. The 'argument' is that, because Spain was once in possession of all South American territories, therefore Argentina, having assisted in expelling the Spaniards from the continent, the Falkland Islands are now the property of Argentina!”

November 26th, in London, at a meeting of the Privy Council, King George VI approves the *Legislative Council (Elections) Ordinance No.16 1948*; introducing elections to the Falklands for the first time.

“Although this change to the Constitution allowed for an equal balance of official and unofficial members (six of each) on LegCo, elected members were still in a minority for four to eight. The Governor had no normal vote in Legislative Council, but if the other members were evenly divided, he could exercise a casting vote.” ⁸⁶⁴

On the same day, Joseph Lynch, a member of HMS *Nigeria*'s crew, rescues leading seaman Hughes who had fallen overboard in Stanley harbour while disembarking from a ship's cutter. ⁸⁶⁵

The two Auster light aircraft purchased in London in August, arrive in the Falkland Islands.

November 30th, in London, Foreign Secretary Bevin warns Minister Bramuglia that any attempt by Argentina against the Falklands would result in “*hostilities*.” Agreement is reached between Bevin and Bramuglia with regard to the avoidance of naval encounters



⁸⁶¹ *HC Deb 05 July 1950 vol.477 cc447-8*

⁸⁶² *The Ambassador in the United Kingdom (Douglas) to the Secretary of State, November 24, 1948 in Foreign Relations of the United States, 1948, General, The United Nations, vol.1, Part 2. Document 263*

⁸⁶³ Grade IV Argentine school book of 1953 quoted in Garcia 2009

⁸⁶⁴ *Development of the Falkland Islands Constitution 1843-2006* Jane Cameron 2006. See - [https://nationalarchives.gov.fk/jdownloads/Legislative Council Minutes/Development of the FI Constitution by Jane Cameron.pdf](https://nationalarchives.gov.fk/jdownloads/Legislative%20Council%20Minutes/Development%20of%20the%20FI%20Constitution%20by%20Jane%20Cameron.pdf)

⁸⁶⁵ Lynch was invested with the Albert Medal in 1951 and re-invested with the George Cross in 1973.

during the forthcoming austral summer, by reducing the number of warships, from both nations, sailing south of 60°. ⁸⁶⁶ Chile also signs up to this agreement. ⁸⁶⁷

On the same day, the UK informs Washington that it is prepared to accept, in principle, US proposals for Antarctica as a basis for further discussions. ⁸⁶⁸

December 1st, in a speech to the House of Lords, the Earl of Perth refers to the claims of Chile and Argentina.

“Clearly, cases of this kind ought to be referred to the International Court of Justice at The Hague, as His Majesty's Government have expressed their willingness to refer them, for a decision on legal ownership. The claimants, however, are showing themselves reluctant to adopt this procedure, and I cannot but deduce from their hesitation that in fact the claims are not legally sound.” ⁸⁶⁹

December 13th, in Stanley, a new Legislative Council is constituted, consisting of the Governor, two *ex-officio* officers (the Chief Secretary and the Financial Secretary) and elected members. ⁸⁷⁰ *Royal Instructions* provide for the constitution of an Executive Council consisting of two *ex-officio* members (the Chief Secretary and the Financial Secretary), two unofficial members appointed by the Governor and two elected members of the Legislative Council. The Governor is required to consult the Executive Council before making decisions. Although not obliged to take their advice, if he does not do so then the Governor must report the reasons to the Foreign Secretary in London. The Governor retains the power – (a) to make laws for the peace, order and good government of the Dependencies, (b) to appoint judges and other officers, (c) to dismiss any person holding public office, (d) to make grants and dispositions of land within the Colony. ⁸⁷¹

The Dependencies remain legally distinct from the Falkland Islands, albeit administered from Stanley.

December 24th, the Falkland Islands Government Air Service (FIGAS) commences operations from Port Stanley with an emergency flight to North Arm in Lafonia to retrieve a 9-year old girl, Sandra Short, suffering with life-threatening peritonitis. ⁸⁷²

1949 – January 7th, Governor Clifford, in a radio broadcast, speaks to the Islanders.

“There has been..., a certain measure of idle but quite natural speculation locally as to the possibility of an attack upon us by a certain neighbour... For myself I will say only that it is a possibility which need not cause us the loss of five minutes sleep at present. I repeat, at present.”

January 18th, the agreement not to send warships below 60° S is confirmed in the *Tripartite Naval Declarations* between Chile, Argentina and the UK.

“Being anxious to avoid any misunderstanding in Antarctica which might upset the friendly relations between the United Kingdom, Argentina and Chile, the governments of these three countries have informed each other that in present circumstances they foresee no need to send warships south of latitude 60° during the 1948-49 Antarctic season...”

The USA welcomes the statement. Adding that it is “*not contemplating sending any vessels to Antarctica.*”

866 CO 537/4940 Bennet to Dodds June 28, 1949

867 This agreement would be renewed every year until 1959.

868 *Foreign Relations of the United States, 1948, General, The United Nations, vol.1, Part 2. Document 264*

869 HL Deb 1.12.48 vol.159 c707 Hansard

870 *Falkland Islands (Legislative Council) Order 1948*

871 *Falkland Islands Letters Patent 1948*. Came into force on March 4, 1949

872 See Pascoe 2022 vol.3 pp.424-425

Britain's Foreign Office responds to the US initiative on Antarctica in a press statement.

*“In August last, the United States Government made proposals to the seven governments claiming Antarctic territory which were designed to settle conflicting claims to sovereignty by the establishment of a limited form of international regime. These proposals have been accepted in principle by His Majesty's Government in the United Kingdom but most of the other governments to which they were addressed have not felt able to return equally favourable replies to the United States Department of State...”*⁸⁷³

On the same day, South Georgia's weather station is given an international index number.

*“... the International Meteorological Organisation (whose President was then an Argentine) allotted an Argentine index number to this South Georgia station, thus implying international recognition that it was an integral part of Argentina. It was agreed inter-departmentally in London that this constituted an infringement of British sovereignty and that a formal protest should be made, but for various reasons it appears that nothing was done ...”*⁸⁷⁴

February 10th, in Leningrad, Russia's Geographical Society hears a report from its President entitled, '*Russian Discoveries in the Antarctic and Present-Day Interest in that Area*'.

*“Russia looks like joining the band of nations claiming a voice, if not a share, in the partition of the last continent. According to the Tass report the Russian geographers, led by their president, academician Leo Berg, and supported by a number of distinguished polar scientists, notably Professor V. V. Vise of the Arctic Institute, have made an “insistent appeal” to the Soviet Government to see to it that no decisions about the future of Antarctica are made without the participation of the Soviet Union. ... Russia, the geographers insisted, had never renounced her Antarctic rights or agreed to the disposal of Antarctic lands discovered by Russian navigators.”*⁸⁷⁵

*“A resolution in February 1949 by the All-Soviet Geographical Society stressed that in the light of the early explorations by the Russian Fabian G. Von Bellingshausen, the USSR should have had a say in future partition or joint administration of the continent.”*⁸⁷⁶

In the Falkland Islands, the first representative election is held.

*“The Legislative Council formerly consisted of the Governor, three official and five nominated members who were appointed for five years. It was henceforward composed of the Governor, three ex-officio, three nominated official, two nominated unofficial and four elected members. This constitutional reform was preceded by other changes and an extensive debate.”*⁸⁷⁷

Researcher's Comment: It is really quite remarkable that it took until the mid-point of the 20th century before the people of a British territory were allowed a soupçon of representation; albeit still balanced against the electorate. This attitude of the British Government, or more accurately its Foreign Office, would allow Argentina to depict the people of the Islands as third-class citizens, with some justification.

March 11th, Argentina adopts a new Constitution.

873 Foreign Office Press Statement quoted in Hanessian 1960 pp.436-480

874 Note by B. B. Roberts 27 August, 1952 American Department A/15212 cf. FO 371/97376

875 *Russia and Antarctica* L. P. Kirwan in *The Spectator* February 18, 1949 p.8

876 *On thick ice: scientific internationalism and Antarctic affairs, 1957-1980* Simone Turchetti, Simon Naylor, Katrina Dean & Martin Siegert 2008 in *History and Technology* 24:4 pp.351 – 376

877 Ellerby 1990 p.91

*“Perón did not enshrine the Falklands as Argentine territory in the 1949 constitution, and although he was clearly behind the new policy of raising the profile of the Falklands issue, he left others to carry that policy out, generally avoiding overt personal commitment.”*⁸⁷⁸

In Washington, America's State Department reviews the responses from foreign governments with regard to its proposals for Antarctica, circulated in September, 1948.⁸⁷⁹

*“By late March all the replies had been received. Argentina categorically rejected the proposal on the grounds of her “uncontestable (sic) sovereignty” over Antarctic territory, Chile,... asserted strong objections to any attempt at internationalisation on similar grounds of national sovereignty. France and Australia, although welcoming the US proposal for scientific co-operation, saw no need to include the question of sovereignty. New Zealand alone stated that it was not adverse to the US plans, though Norway indicated that it might be persuaded to agree. Thus, the US reluctantly concluded that their plan was not likely to be accepted.”*⁸⁸⁰

March 23rd, in Britain's House of Commons, Mr. Mayhew, Secretary of State for Foreign Affairs, is asked; *“... how many aliens have established posts on British territory in the Falkland Islands or their dependencies.”* Mayhew responds.

*“Occupied posts have been established, in defiance of our protests, by the Argentines on Laurie Island in the South Orkneys group, on Gamma Island in the Palmer Archipelago, and on Deception Island in the South Shetlands group; and by the Chileans on Greenwich Island in the South Shetlands group and on South Graham Land. The House will be aware that His Majesty's Government have, on more than one occasion, offered to refer this question to the International Court of Justice at The Hague, but the Argentine and Chilean Governments have not seen fit to avail themselves of this offer.”*⁸⁸¹

March 31st, in Argentina, Judge Robert Palmieri rules that children born in the Falkland Islands can be listed in Argentina's public records as if they are Argentine. Following this ruling, Argentina refuses to recognise the validity of birth certificates issued in the Falkland Islands.⁸⁸²

*“The refusal of the Argentine authorities to recognise the validity of documents issued in the Falkland Islands is believed to be based on the Argentine Government's claim to sovereignty over these islands. The Falkland Islands are, and have been for over 100 years, governed by the United Kingdom and the Argentine claim has no foundation. Our position has been made clear to the Argentine Government in numerous diplomatic notes. The action of the Argentine authorities can affect neither the British title to the islands nor the position of the persons concerned as citizens of the United Kingdom and Colonies, and it is therefore not proposed to take further diplomatic action.”*⁸⁸³

In **April**, the North Atlantic Treaty Organisation (NATO) is founded.⁸⁸⁴

“The North Atlantic Alliance was founded in the aftermath of the Second World War. Its purpose was to secure peace in Europe, to promote cooperation among its members and to guard their freedom – all of this in the context of countering the threat posed at the time by the Soviet Union. The Alliance's founding treaty was signed in Washington in 1949 by a dozen European and North American countries. It commits the Allies to

878 Pascoe 2022 vol.3 p.423

879 *Foreign Relations of the United States, 1949, National Security Affairs, Foreign Economic Policy, Vol.1 Document 313*

880 Hanessian 1960 pp.436-480

881 *HC Deb 23 March 1949 vol.463 cc342-3*

882 *HC Deb 11 April 1949 vol.463 cc2453-4*

883 *Ibid.*

884 Founding members were Belgium, Canada, Denmark, France, Iceland, Italy, Luxembourg, the Netherlands, Norway, Portugal, the United Kingdom and the United States.

democracy, individual liberty and the rule of law, as well as to peaceful resolution of disputes. Importantly, the treaty sets out the idea of collective defence, meaning that an attack against one Ally is considered as an attack against all Allies. The North Atlantic Treaty Organization – or NATO – ensures that the security of its European member countries is inseparably linked to that of its North American member countries. The Organization also provides a unique forum for dialogue and cooperation across the Atlantic.”⁸⁸⁵

June 29th, in London, concerned about rumours of an Argentine invasion of the Falklands, the Foreign Office urges the Ministry of Defence to send troops to bolster the Falkland Islands Defence Force.⁸⁸⁶

In Buenos Aires, Britain's Embassy issues a bulletin outlining the history of the Falklands from 1764 to 1833.

“There have been Argentine protests, it is true... but it should be noted that there were long periods – 35 years between 1849 and 1884, and 20 years between 1888 and 1908 – when no protests were made.

Their early protests were all based on an alleged succession to the supposed title which Spain claimed, a claim which Britain has consistently rejected. In any case the Buenos Aires government was far from representing either territorially or politically the whole of the vice-royalty of La Plata within whose jurisdiction, even if the Spanish titles were admitted, the Falkland islands were claimed to come.

It was not until 1884 that their protests put forward a doctrine of contiguity as a basis for their claims.”⁸⁸⁷

“Although states have in certain circumstances maintained that islands relatively close to their shores belonged to them in virtue of their geographical situation, it is impossible to show the existence of a rule of positive international law to the effect that islands situated outside territorial waters should belong to a state from the mere fact that its territory forms the terra firma (nearest continent or island of considerable size).”⁸⁸⁸

July 8th, from Argentina a *Chicago Tribune* reporter notes:

“The United States is still blamed here for Argentina's loss of the Falklands more than a century ago. Pending in the foreign office is a claim for nearly 300,000 pesos for damages caused in 1831 when Comdr. Silas Duncan of the sloop Lexington wiped out the Argentine colony on the islands. ...”⁸⁸⁹

August 8th, in Washington DC, further proposals for Antarctica are considered at the US State Department.

“A year ago the US proposed to the Antarctic claimant countries that a solution for the Antarctic territorial problem be discussed on the basis of internationalization. This proposal was unacceptable to the majority of the claimant countries. It is, therefore, now recommended that we accept the substance of the Chilean proposal for a modus vivendi, amending it so far as possible to bring it into harmony with our views on the desirable eventual solution.

As we would seek to amend it, the modus vivendi would be a declaration or agreement by the eight claimants to freeze the status quo with respect to territorial rights as between the signatories for a

885 From the NATO website. Action is limited to Europe and North America, and does not include a signatory's overseas territories

886 CO 537/4940

887 Quoted in *The Chicago Tribune* July 8, 1949. Contiguity is geographical connection (adjacency).

888 *US v. Netherlands 2R. Int'l Arb. Awards 829 (1928)*. See 1928

889 Historically inaccurate. Commander Duncan, in December 1831, did not “wipe out” the Buenos Aires settlement at Port Louis on East Falkland (Soledad) Island. He arrested eight suspected 'pirates', spiked the settlement's guns and burned its gunpowder (so they couldn't be used against him) before persuading a majority of the few settlers to leave. *cf.* 1831, 1832, 1884, 1885 & 1887

*period of 5, 10 or more years; to promote scientific investigation; and to cooperate for the advancement of their common interests. (It is far from certain that this proposal will be accepted by Argentina, which has taken an extreme nationalistic position.)”*⁸⁹⁰

September 13th, the latest proposals are passed to the British Embassy in Washington.⁸⁹¹

In **October**, in London, a confidential *Committee of Enquiry into the Constitutional Development in the Smaller Colonial Territories*. Tasked to look at the prospects of 21 dependencies, including the Falkland Islands.

*“Any hint which might reach the Colonies that such an enquiry was proceeding could only raise speculation and lead to political agitation.”*⁸⁹²

*“Sir Frederick Rees, the Principal of University College, Cardiff, was appointed Chairman. The Colonial Office was represented by a Deputy Under-Secretary of State and a legal adviser. Other members included the Deputy Chairman of the Local Government Boundary Commission, Miss Margery Perham, Professor Vincent Harlow and Conservative and Labour M.P.s with colonial experience.”*⁸⁹³

In Stanley, the Chilean Consulship falls vacant. Foreign Office advice is that the Colonial Office should find a suitable candidate among the Islanders.

*“... by accepting an exequatur ... (Chile) to some extent officially recognises our sovereignty over the Falkland Islands.”*⁸⁹⁴

November 18th, Britain's agreement with Argentina and Chile, not to send warships south of 60° S, is renewed.

*“... UK would be pleased if US would, "do the same as last year", and issue statement welcoming Chilean-UK-Argentine understanding re naval demonstration in Antarctica...”*⁸⁹⁵

November 19th, in London, the effects of compromise in Antarctica and the South Atlantic are considered.

*“The possibility of territorial compromise raised the question of which areas should be retained. (Governor) Clifford saw the issue from a Falkland perspective. He recommended the incorporation of, "South Georgia and the excepted units, whichever they may be, as an integral part of the Falkland Islands administration; I want the whaling revenues for the latter for it would solve most of the Colony's material problems". In 1949 the revenue of the Falkland Islands Dependencies Government was £218,917. The revenue of the Falkland Government was £6,169,811.”*⁸⁹⁶

December 2nd, at the United Nations, the General Assembly adopts resolution 334 (IV).

890 Memorandum by the Assistant Secretary of State for European Affairs (Perkins) to the Under Secretary of State (Webb) August 22, 1949 in *Foreign Relations of the United States, 1949, National Security Affairs, Foreign Policy, Vol. I Document 317*

891 *Foreign Relations of the United States, 1949, National Security Affairs, Foreign Policy, Vol. I Document 319*

892 Quoted in Ellerby 1990 p.113 citing P.R.O., *Cabinet Office Papers, 1949, Memorandum 62, henceforth cited as CP(49)62: 'Constitutional Development in Smaller Colonial Territories', 10 Mar. 1949.*

893 Ellerby 1990 p.113. cf. 1951

894 Fordham to Bennett, November 25, 1949 in F0371/74758.

895 *Foreign Relations of the United States, 1949, National Security Affairs, Foreign Policy, Vol. I Document 320.* Chile had shown some reluctance and it was hoped the US statement would prod them into signing the agreement. It did, as they did.

896 Ellerby 1990 p.136 citing Clifford to Bennett, 19 Nov. 1949, F0371/74757; *Colonial Office Annual Reports, Falkland Islands and Dependencies. 1950/1951 (H. M. S. O., London), pp. 9-32.*

“The General Assembly, ...

Having noted the information supplied by certain Members concerning the constitutional changes which have led to the cessation of the transmission of information under Article 73 e in respect of certain territories which were enumerated in resolution 66 (I),

1. Considers that it is within the responsibility of the General Assembly to express its opinion on the principles which have guided or which may in future guide the members concerned in enumerating the territories for which the obligation exists to transmit information under Article 73 e of the Charter;

2. Invites any special committee which the General Assembly may appoint on information transmitted under Article 73 e of the Charter to examine the factors which should be taken into account in deciding whether any territory is or is not a territory whose people have not yet attained a full measure of self-government.”

In the Falklands. work starts on a new freezer plant at Ajax bay.

“The final objective of Clifford's development plan was to diversify the economy. This was an unmitigated disaster due to mismanagement. ... The aim was to utilize the annual surplus of 40,000 sheep carcasses which could not be consumed locally. The C.D.C. (Colonial Development Corporation) agreed to fund the estimated cost of £242,000 because the project would diversify the economy, encourage pasture improvement and stock breeding, and increase meat supplies to Britain. Work began ... despite opposition from Islanders who were not consulted. The antagonism probably reflected a belief that the undertaking was too ambitious and had not taken local problems into account.”⁸⁹⁷

1950 – January 1st, at Stanley, a Falkland Islands Dependencies Survey Meteorological Service is established; encompassing the observatory on South Georgia. Equipment belonging to Argentina is repatriated.

“The C.O. have confirmed that the Governor of the Falkland Islands invoked his rights under the terms of the renewed lease of 1948 to demand the surrender of the station by the Pesca Whaling Company. The Governor has been operating the station with FIDS personnel since January 1950.”⁸⁹⁸

“... on 1 January 1950 England took a (further) step to claim the islands by seizing the Argentina weather station. The old instruments (were taken) to Montevideo aboard the steamship Ernesto Tornquist ...”⁸⁹⁹

“Falkland Islands and Dependencies Meteorological Service established as an integral part of the Falkland Islands Dependencies Survey, with headquarters at Stanley, Falkland Islands, to provide forecasting services for the whaling fleets, local forecasts in the Falkland islands, and collective broadcasts (FICOLS) for interception in other parts of the Southern Hemisphere. The meteorological station at King Edward Point, South Georgia, was transferred to the Service, 1 January, from the Compania Argentina de Pesca; Daniel Borland became senior meteorologist.”⁹⁰⁰

January 10th, still pursuing its aim of reaching some settlement over Antarctica, the US State Department forward a proposal to the Chilean Embassy. This envisages the formation of an international scientific committee, with representation from all the claimants; sovereignty issues being set aside.⁹⁰¹

897 *Ibid.* pp.84-85. The facility was not completed until 1953 and at a cost of £500,000. Poorly designed and fitted out, it closed in 1956

898 FO 371/97376

899 Bologna 1988 p.48. It would be two years before Argentina protested. cf. 1952

900 Headland 1989 p.332. The requirement to maintain the station had been deleted from the company's lease in 1948

901 *Foreign Relations of the United States, 1950, National Security Affairs, Foreign Economic Policy, Vol.1 Document328*

In Santiago, Chile's Foreign Ministry approves a private visit by the Falkland's Governor to Punta Arenas. Commenting, Minister German Riesco tells Britain's Ambassador, Bertrand Jerram, that Argentina is going through; "... a phase of pathological sensitiveness." ⁹⁰²

In **May**, Governor Sir Miles Clifford tours the Falklands Dependencies in HMS *Veryan Bay*.

June 8th, in a memorandum addressed to the Antarctic Consultative Parties,⁹⁰³ the Soviet Union demands that it be included in any Antarctic talks. ⁹⁰⁴

"The Government of the USSR cannot agree that such a question as that of the regime of the Antarctic be decided without its participation. In this connection the Soviet Government considers it necessary to call to memory the outstanding contributions of Russian seamen in the discovery of Antarctica. It is a generally recognized fact that the Russian seamen Bellingshausen and Lazarev at the beginning of the 19th century, first reached the coasts of Antarctica, circumnavigated this continent and thus showed the falsity of the widely held view of that time that there was no land at the south polar circle. ... the Soviet Government cannot recognize as legal any decision regarding the regime of the Antarctic taken without its participation." ⁹⁰⁵

June 9th, Argentina's Postmaster General serves a further notice that any mail arriving in the country bearing a Falkland Islands, or Dependencies, stamp, will be treated as *unfranked*.

At the United Nations, Argentina argues that the name '*Malvinas*' should be used on all documents referring to the Falkland Islands.

"... a 1950 attempt by the New York Mission to insert the name 'Islas Malvinas' in all UN documents referring to the archipelago obtained no support." ⁹⁰⁶

June 19th, in London, in the House of Commons, Sir John Mellor asks the Secretary of State for Foreign Affairs if he will protest the Argentine Government's refusal to accept stamps bearing the words 'Falkland Islands', and also that Government's issue of postage stamps emphasising Argentina's pretensions to the Falkland Islands and Dependencies. ⁹⁰⁷

"In a Note of 3rd January, 1947, His Majesty's Ambassador at Buenos Aires once more rejected Argentina's claim to sovereignty over the Falkland Islands, on which is based their action in surcharging correspondence bearing stamps of the Falkland Islands. In the same Note it was also stated that they regarded such action as a breach of the Universal Postal Convention. Subsequently, the Postmaster-General registered a protest with the Director of the International Bureau of the Universal Postal Union. As regards the second part of the Question, there is no international convention which forbids the issue of stamps designed to promote territorial claims and, while His Majesty's Government deplore this practice, we do not wish to exaggerate its importance by making a diplomatic protest." ⁹⁰⁸

902 Jerram to Foreign Office February 28, 1950 in F0371/81326.

903 Those nations consulted by the USA in 1948.

904 Copies were also sent to the governments of the United Kingdom, France, Norway, Australia, New Zealand and Argentina. Published on the 10th in the Russian newspapers *Pravda* and *Izvestiya*.

905 *Foreign Relations of the United States, 1950, Nat. Sec. Affairs, Foreign Economic Policy, Vol.1 Document 328*. For the full memo, see - <https://history.state.gov/historicaldocuments/frus1950v01/d331>

906 *The Genesis of the Falklands (Malvinas) Conflict* M. A. Gonzalez 2014 p.31. See also 1944.

907 *HC Deb 19 June 1950 vol.476 cc857-8*

908 *Ibid*. Statement by Mr, Ernest Davies replying on behalf of the Foreign Office. Davies went on to refer to Argentina's actions as a "petty gesture".

In **July**, a suggestion is received to the effect that the Falkland Islanders should swear an oath of allegiance to the Crown in an attempt to inform Argentines of the Islands' true status.

“Britain considered asking Falkland Islanders to swear loyalty to the king in 1950 in a bid to defuse the territorial dispute with Argentina, writes The Daily Express. According to the article, former First World War airman Harold Taylor, living in Buenos Aires, wrote to George Labouchere, the charge d'affaires at the British Embassy, in July 1950. “I am convinced” that it is a fact that very few Argentines know that the inhabitants of the Falkland Islands are of British descent and have no desire to be anything but British”. He said the Government should urge the Islanders to formally declare allegiance to the British Empire saying he felt the declaration would, “...come as a shock to the average Argentine and might shake the faith of many in the justice of their cause”. The proposal was eventually rejected however when, in September 1950, the governor of the Islands advised a policy of “dignified silence”.”⁹⁰⁹

July 12th, in Buenos Aires, a motion is tabled in the Chamber of Deputies:

“The Honorable Chamber of Deputies of the Nation

DECLARES

That in view of the request in the House of Commons for a protest to be sent to Argentina over the refusal by its government to accept British stamps bearing the inscription 'Falkland Islands', it reaffirms the sovereignty of the Argentine Republic over those territories, which, by history, tradition and geographical configuration, belonged, belong and will belong to our country.

Likewise, the Chamber of Deputies applauds the firm and decided policy of the President of the Republic, General Juan Perón, who at all times has unceasingly maintained the right of the Nation of Argentina over the Malvinas Islands, and as a consequence the rejection of the British stamps which purport not to recognise the inalienable rights of the Argentine people.

Finally, the Chamber of Deputies categorically rejects the proposal of the British Parliament, considering it an unfriendly act damaging to Argentine sovereignty, and requests the Argentine government to give no countenance to the intended British protest.”⁹¹⁰

“Deputy Jose Visca presented the motion on July 12, saying it concerned a matter of national interest, and it was duly discussed in a major debate over parts of four days: 12, 14, 19 and 20 July 1950. The result was a forgone conclusion (the motion was passed unanimously)...”⁹¹¹

July 19th, in Argentina's Chamber of Deputies, continuing the debate commenced on the 12th, Deputy Absalón Rojas accuses the long deceased General Rosas of losing sovereignty over the Falklands by failing to make any reference to the Islands in the 1850 treaty with Britain; *“... a concession to Britain or a culpable oversight?”⁹¹²*

“Apart from being culpable by commission, as the causer of chaos, Rosas bears another responsibility, much more serious, more direct, by omission, ... On 27 August (sic) 1849 Rosas signed his famous treaty of friendship with Great Britain,⁹¹³ with the aim of putting an end to the differences existing

909 *Penguin News* January 19, 2001 p.5

910 Translation in Pascoe 2022 vol.3 p.427

911 Pascoe 2022 vol3 p.427

912 *Diario de Sesiones de la Cámara de Diputados, Año del Libertador General San Martín, 1950, Tomo II, Período Ordinario, 6 de julio-10 y 11 de agosto*, Buenos Aires 1951 pp. 1095-1096. Quoted in Burnet-Merlin 1974.

913 Actually signed November 24, 1849.

*between the two countries. It was a sort of general settlement of accounts with Britain, since all problems are about to be settled. ... However, in that treaty nothing is said about the Malvinas islands, which is odd, since Rosas especially remembered the island of Martin Garcia, which might have reminded him of those other unredeemed islands, at least by association of ideas. It is obvious that in treaties it is not always possible to obtain everything desired but what is serious is that in the treaty Rosas accepts our "perfect friendship" with Britain is restored, and does not formulate at least a reservation in respect of the Malvinas islands... What was the reason behind Rosas's omission of all references to the Malvinas islands? There are two hypothesis: the first that he was leaving them for a later negotiation; the second that Rosas was so devoted to Britain that he could not even allude to the issue, not in the treaty nor even in the preliminary discussions of it. In the discussions he had with Mr. Hood there is sufficient documentation to confirm that Rosas did not remember to claim the Malvinas in the preliminary negotiations either. ... The first hypothesis, relating to a possible later negotiation, might be acceptable, but in that case it should at least state a reserve of rights. For that reason I reject that first hypothesis ... the question relating to the negotiations on the islands, is not of great importance in my view... By contrast, the lack of reference to the Malvinas islands in the treaty of 1849 is of great importance. That treaty, at any rate its silence on that point, was a concession to Britain or a culpable oversight..."*⁹¹⁴

*"Rosas is, for me – and I will prove it – the culprit of the situation of the Malvinas Islands; guilty by his actions and guilty by default."*⁹¹⁵

Deputy Rojas also calls for an approach to the International Court of Justice.

*"I argue that we must go to that court. Not to discuss sovereignty, but to ask for the repair of dispossession, applying universal principles of private law; we would raise – technically speaking – an interdict. ... a judicial action on the fact of the dispossession, so that ... things are restored to their previous state."*⁹¹⁶

*"My opinion is that the Government should study the possibility and the opportunity of bringing a case before the International Court of Justice at The Hague to demand that England hand over the Malvinas islands to the Argentine Republic ... free of all occupation ... thus repairing the outrage and restoring things to the state they were in before the dispossession... That would not prevent England from discussing afterwards, if it wants to, the titles and rights of each side to sovereignty over the Malvinas Islands. But it should begin by handing them over."*⁹¹⁷

*"On the third day of debate, ... the first speaker was Deputy Absalón Rojas, member for Santiago del Estero, who began by saying he was going to treat the question of the Malvinas as if he were a lawyer defending a case in court, and pointed out that one of the most important things for a lawyer defending a case, or for a general defending a military position, is to know the weak points of one's own position. That weak point, he said, was the actions of General Manuel Rosas, whom he accused of being responsible in two ways for the loss of the Malvinas by Argentina to Britain: first, Rosas's machinations in 1833 had caused the chaos in Argentina that made the British takeover possible (which was entirely untrue), and secondly Rosas had failed to reserve Argentina's sovereignty in the Convention of Peace."*⁹¹⁸

914 Translation in Pascoe 2022 vol.3 pp.428-429. Deputy Rojas appears to have been shouted down shortly after.

915 *Rosas y las Malvinas* Absalón Rojas 1950 p.7

916 *Ibid.* p.21. The *previous state* being 1832

917 Rojas quoted by Pascoe 2022 vol.2 pp.627-628 citing *Diario de Sesiones de la Camara de Diputados, Año del Libertador General San Martin, 1950, Tomo II, Periodo Ordinario, 6 de julio-19 y 11 de agosto 1951.*

918 Pascoe 2022 vol.3 p.428

August 28th, at Stanley, Ernesto Rowe is confirmed as Consul for Uruguay with the issue of an exequatur.

*“... which he remained until at least 1966, and presumably until his death in 1975.”*⁹¹⁹

August 30th, Argentina publishes a rejection of Russia's memorandum of June.

*“The Argentine note asserted that the "Argentine Antarctic" and neighboring archipelagos were Argentine national territory not subject to any general regime which might be set up for the Antarctic continent, that the "Argentine Antarctic" forms part of the "South American Antarctic" which belongs exclusively to the jurisdiction of Argentina and Chile, and that the claim of the USSR was unacceptable.”*⁹²⁰

*“... (Chile and Argentina) categorically rejected any "right" of the USSR to claim territory or to participate in a discussion of Antarctic problems, and reaffirmed the validity of their own territorial claims.”*⁹²¹

October 16th, at South Georgia, *Ernesto Tornquist* sinks in a storm in the bay that now bears her name.

November 6th, in Britain's House of Commons, Ernest Davies, representing the Government and in answer to a number of Parliamentary questions regarding the Falkland Islands Dependencies, addresses the House.

“The position as regards Argentine and Chilean posts on British territory in the Falkland Islands Dependencies has not changed since the statement made in the House on 23rd March, 1949, by the then Under-Secretary, of which I am sending the hon. Member a copy.

*The Argentine base at Laurie Island was founded in 1904, that on Gamma Island was founded on 31st March, 1947, and that on Deception Island on 27th January, 1948; the Chilean base on Greenwich Island was established on 22nd February, 1947, and that on Cape Legoupil in Grahamland on 18th February, 1948. It is known that Service personnel are employed at some of these posts, but I have no information to show whether all foreign parties are armed. His Majesty's Government have on various occasions protested through the diplomatic channel against the establishment of these posts and have rejected Argentine and Chilean claims to sovereignty over any part of the Falkland Islands Dependencies. The last Note on this subject was communicated to the Argentine Government on 23rd December, 1947, and to the Chilean Government on 1st March, 1948. In addition, local protests have been delivered by the leaders of British parties to intruders in British Antarctic territory. The most recent protests of this nature were made during the 1949–50 Antarctic season. Furthermore, His Majesty's Government have signified their willingness to accept the decision of the International Court, but Argentina and Chile have not availed themselves of this offer. None the less, His Majesty's Government are convinced that the problem can be solved by peaceful settlement and will let slip no opportunity which may lead to that end.”*⁹²²

November 20th, Britain, Chile and Argentina renew their agreement not to send warships south of 60° S.

December 21st, a British Order in Council extends the boundaries of the Falkland Islands' colony to include the adjacent continental shelf.⁹²³

*“The boundaries of the colony of the Falkland Islands are hereby extended to include the area of the continental shelf being seabed and its subsoil contiguous to the coasts of the ... Islands.”*⁹²⁴

919 Pascoe 2022 vol.3 p.331

920 *Foreign Relations of the United States, 1950, National Security Affairs, Foreign Economic Policy, Vol.1 Doc.335*

921 Hanessian 1960 pp.436-480. None of the other claimant states responded to USSR. Nor did the USA.

922 *HC Deb 06 November 1950 vol.80 cc598-600*

923 Headland 1989 p.333. *The Falkland Islands (Continental Shelf) Order in Council 1950, No. 2100, 21 December, 1950, Statutory Instruments 1950, Vol.1, H.M. Stat. Off., London, 1951. cf. 1958 & 2016*

924 *International Law Quarterly vol.4, no.2 (April, 1951) pp.245-252*

“... under the terms of the Continental Shelf Convention of 1958 and the applicable rules of international law, the United Kingdom has exclusive jurisdiction over the exploration and exploitation of the continental shelf areas adjacent to the Falkland Islands. Certain powers to licence exploration and exploitation are conferred on the Governor of the Falkland Islands under the Falkland Islands (Continental Shelf) Order in Council 1950 and the Falkland Islands Mining (Mineral Oil) Regulations of 1964.”⁹²⁵

“... it stated that an area of 85,000 square kilometers covered by the islands and the continental shelf were declared British and taken away from our sovereignty.”⁹²⁶

“The Islands lie on the southern end of the South American tectonic plate, separated from the main part of the plate by the Falklands Fracture Zone and from the much smaller Scotia Plate by the Falkland Thrust ... The Falkland Islands lie on a part of the Falklands Plateau known as the Falklands Microplate ...”⁹²⁷

“The Falkland islands and Argentina are situated on the same continental shelf. Argentina claimed all of this. A 1950 Order of Council extended the 'boundaries' of the Falkland Islands to include an area of continental shelf bounded by the 100 fathom line. This did not cover the Dependencies where the UK had not claimed continental shelf rights. At that time the Islands' territorial sea was only three miles, sufficient for inshore fishing and the development of an alginate industry from seaweed.”⁹²⁸

1951 – February 12th, Argentina's 'First Scientific Expedition' sails to Antarctica in Santa Micaela.

“Time offers the best form of justice. We must, therefore, confidently wait because, if at this point what justly belongs to us is not acknowledged as ours, the progressively greater power of Argentina and time will form the undisputable basis of our rights. Some day, probably, if justice does not prevail, we shall make Argentine rights prevail, if necessary by the use of force. ... Argentine scientific expeditions, which will successively and progressively occupy the Antarctic, will be the only force we will use, for the time being...”⁹²⁹

“The difference between this expedition and such disinterested scientific expeditions as have visited the poles for the purpose of meteorological and other research ... was thus clearly established.”⁹³⁰

March 15th, Kenelm Somerset Pierce-Butler is appointed magistrate at King Edward Point, South Georgia.⁹³¹

April 3rd, Britain protests Argentine and Chilean establishments at Paradise Harbour in Graham Land.

“There are an Argentine and a Chilean post on two islands in this harbour. Protests at these actions of trespass on British territory have been delivered locally to the leaders of both parties. ... The protests were delivered by the "John Briscoe," when it was relieving British posts in the Dependencies. The Chileans have been there rather longer than the Argentinians. The Chileans set up their post during the Antarctic season, which is just ending.”⁹³²

April 17th, in Buenos Aires, a Presidential decree (7.338) creates the *Instituto Antártico Argentino*.

925 *HL Deb 17 June 1981 vol.421 cc630-1*

926 Destefani 1982 p.106

927 *The Geology of the Falkland Islands – British Geological Survey Technical Report D. T. Aldiss & E. J. Edwards 1999.*

See - <https://falklandstimeline.files.wordpress.com/2021/03/geology-of-the-falkland-islands-1999.pdf>

928 Freedman 2005 vol.1 p.68

929 Peron quoted in *La Nacion*, February 13, 1951

930 US Embassy memo dated February 14, 1951

931 For a biography, see - https://www.falklandsbiographies.org/biographies/pierce-butler_kenelm

932 *HC Deb 18 April 1951 vol.486 cc1810-1*

April 27th, in Argentina, the National Court of La Plata orders the seizure of all copies of the Italian Touring Club's *International Atlas*, as it implies that Argentina does not exercise sovereignty over the Falkland Islands.⁹³³

April 30th, the UK again offers to take the Antarctic disputes to the ICJ in Notes presented to Argentina and Chile.⁹³⁴

May 1st, in Buenos Aires, Juan Perón presents the annual Presidential Mensaje (Message) to Congress.

*"The Argentine Republic wants to maintain solidarity with all the nations of America, but demands that America show solidarity too, at least with respect to our true, inalienable right."*⁹³⁵

*"Perón went on to add that Argentina does not favor fighting in far away lands, but will defend her own frontiers to the death. Her policy is oriented on the basis of collaboration with the American States in a spirit of solidarity. But solidarity is a two-way street, and the Americas should begin by remembering that Argentina has some unredeemed territory (Falkland Islands) still in the hands of a non-American power, and they should show some solidarity with her by helping her get it back."*⁹³⁶

Perón makes a further announcement.

*"... for the first time the truth about the Falklands and "Argentine sovereignty over the Antarctic" was being taught in the schools."*⁹³⁷

*"All the Peronist textbooks contained maps of Argentina with all its provinces and "national territories", accompanied by another little map of the Malvinas (Falkland) Islands and Antarctica, which according to the text, "were, are, and will be Argentine".*⁹³⁸

May 7th, in London, answering a question in the House of Commons, the Government spokesman informs the House that; *"There are five Argentine and three Chilean posts in the Falkland Island Dependencies. I do not know whether all these are manned by armed forces..."*⁹³⁹

May 25th, Chile responds to the British protest of April 3rd and the Note of April 30th.

*"The fundamental Chilean thesis is that installation of the new base is nothing more than an act of the Chilean Government in the exercise of its sovereignty within the jurisdictional limits of the Republic of Chile. The note declares specifically that the site of the base – Isla Pingüino, Puerto Paraíso, en la Costa de Danco, en la Tierra de O'Higgins – lies in what it calls the "Chilean Antarctic". With regard to the British suggestion that the problem be referred to the International Court of Justice, the Chileans state that they could not participate in such action because it would signify a surrender of sovereignty on Chile's part, since the disputed act (i.e., establishment of the base) occurred within the borders of the Republic. Furthermore, the Chileans continue, such a procedure could not lead to a satisfactory resolution of the Antarctic "pretensions" of other countries, however much merit they might contain."*⁹⁴⁰

933 Caillet-Bois 1982 p.406

934 Bologna 1988 p.49. Also *HC Deb 11 June 1951 vol.488 cc161-2W*

935 *The New York Times* May 2, 1951

936 *The First Secretary of Embassy in Argentina (Pool) to the Secretary of States, May 3, 1951 in Foreign Relations of the United States, 1951, National Security; Foreign Economic Policy, Vol.1 Document 762*

937 *Ibid.*

938 *Politics and Education in Argentina, 1946 – 1962* Monica Rein 1998. In relation to the Falkland islands, the phrase *"The Islas Malvinas were, are, and will be Argentine"* (*Las Islas Malvinas fueron, son y serán argentinas*) has become, without doubt, the most repeated sentence in Argentina.

939 *HC Deb 07 May 1951 vol.487 c179W*

940 *The Ambassador to Chile (Bowers) to the Secretary of State May 25, 1951 in Foreign Relations of the United States, 1950, National Security Affairs, Foreign Economic Policy, Vol.1 Doc. 763*

June 1st, Argentina responds to the British Note of April 30th with a rejection.

*“The islands of South Georgia, the South Sandwich Islands and the Argentine sector of Antarctica are subject to our authority ... My government regard as acts violating their sovereignty the unauthorised British administration, establishments, scientific and exploratory expeditions in the Falkland Islands, South Georgia, the South Sandwich Islands and the Argentine sector of Antarctica.”*⁹⁴¹

*“This is the earliest specific official communication to HMG of the Argentine claim to South Georgia. ... This also constituted the first official intimation that Argentina lays claim to the South Sandwich Islands. No rejoinder was sent to this.”*⁹⁴²

Researcher's Comment: Despite nigh on 50 years of complaining to other organisations, this was the first time that Argentina made a specific claim to South Georgia and the South Sandwich Islands directly to the British Government. Complaints to third parties have no legal merit, although the conversation in 1927, following Argentina's assertions to the International Postal Union, alerted the UK to its pretensions.

In 1938 Argentina's President had made an announcement of the ratification of postal conventions during which he asserted his country's claim to the Falkland islands and their *Dependencies*. Use of the term *dependencies* is taken by some historians to amount to a claim to the South Sandwich Islands rather than anywhere else. Legally, the Americans are correct, and Argentina's claims to these territories should date from 1951.

June 13th, in London, asked for information about the strength of the Argentine and Chilean bases inside British territory, the Government publishes a report.

*“Chilean parties: Greenwich Island (South Shetland Group)—six men. Cape Legoupil (north-west tip of Grahamland)—six. Paradise Harbour (west coast of Grahamland)—personnel not yet installed at time of visit; likely estimate ten to twelve. Argentine parties: Laurie Island (South Orkney group)—eleven. Deception Island (South Shetland group)—ten. Paradise Harbour (west coast of Grahamland)—four. Melchior Islands (Palmer Archipelago, off west coast of Grahamland)—uncertain. Marguerite Bay (west coast of Grahamland)—the establishment of this party was announced by the Argentine Government late last Antarctic summer; independent confirmation is not yet available.”*⁹⁴³

June 19th, from Stanley, Governor Clifford notifies London that Argentina has established a base at Marguerite Bay on the west side of the Antarctic Peninsula.

June 20th, in London, announced in the House of Commons; *“There are at present four permanently manned British posts in the Dependencies, in addition to South Georgia, which is permanently inhabited and administered territory. Plans for the coming season will involve an increased scale of activity in these territories...”*⁹⁴⁴

At South Georgia, a British registered ship, *Polar Maid*, drops a cargo off before sailing to Argentina, where the owners are charged an import tax on the goods delivered to South Georgia.

*“The ‘Polar Maid’ incident of 1951 is the worst example of slow Argentine infiltration. Having discharged a cargo in South Georgia, this British-owned vessel went direct to an Argentine port. The Argentine Government claimed payment of import duty and Inland Revenue tax on the cargo discharged in South Georgia.”*⁹⁴⁵

941 Quoted in Note by B. B. Roberts August 27, 1952 American Department A/15212 cf. FO 371/97376

942 *Ibid.*

943 HC Deb 13 June 1951 vol.488 cc2270-1

944 HC Deb 20 June 1951 vol.489 cc489-90

945 PRO FO 371/90453 1951 File 15225

July 30th, Britain protests regarding *Polar Maid*.

An Argentine court asserts that British income tax cannot be deducted from employees on South Georgia. ⁹⁴⁶

During **August**, on Deception Island, the Falkland Islands Dependencies Survey (FIDS) begin ionospheric observations. ⁹⁴⁷

In London, the report of the *Committee of Enquiry into the Constitutional Development in the Smaller Colonial Territories* is submitted to the Secretary of State for the Colonies.

“Its chief recommendation was to transform the Falklands and other small colonies into a new category of 'Island States' and 'City States' which would be granted internal autonomy. Municipal government would replace the trend towards the Westminster model, and representation in London would be through a central consultative 'Council of Island and City States' associated with the Privy Council. The State Council in each territory would be elected and carry out executive functions similar to a local authority. The Commonwealth Relations Office and the Colonial Office would be divided into three departments under a Minister for Commonwealth Affairs. The stress on 'Commonwealth' emphasized the end of colonial status. The Rees Report failed to offer a viable solution for the future of the Falklands because opinion in the Colonial and Commonwealth Relations Offices was unfavourable. The Report was not circulated in Cabinet. The most pertinent criticism was that a single solution was unsuitable for colonies composed of diverse cultures, races and economies.” ⁹⁴⁸

At South Georgia, Elephant seals and the sealing industry are subjected to study. ⁹⁴⁹

October 25th, Winston Churchill returns to Downing Street as Prime Minister, confirming his predecessor's commitment to expand activities in the Dependencies. Alan Lenox Boyd is appointed Colonial Secretary and immediately raises the question about more forceful measures against Argentine and Chilean encroachments. ⁹⁵⁰

October 26th, from Washington DC, the US Department of State issues a Policy Statement.

“Argentina claims sovereignty over the Falkland Islands which have been held and administered by the British since 1833. The question of determining to whom the islands legally belong is at best a difficult one. The US is in no way a party to this dispute. However, we have used our influence to prevent the problem from being made an issue which would create friction on the question of European possessions in the western hemisphere at a time when solidarity among the world's anti-communist forces is sorely needed. When the Argentine Foreign Minister asked the US to support the Argentine claim at the Bogota conference of 1948, we informed him that the US did not support either the British or the Argentine claims and that in the opinion of the US the dispute should be settled by peaceful means under the recognized procedures of international law.” ⁹⁵¹

November 1st, On South Georgia, a survey party, led by Verner Duncan Carse, and sponsored jointly by *The Royal Geographical Society* and the *Scott Polar Research Institute*, lands. ⁹⁵²

November 11th, at South Georgia, *Don Samuel* is wrecked outside Queen Maude Bay.

946 PRO FO 371/90457 1951 File 15232

947 Headland 1989

948 Ellerby 1990 pp.113-114 citing *D.J. Morgan, The Official History of Colonial Development (London, 1980)*.

949 *Ibid*.

950 Howkins 2008 p.197

951 *Foreign Relations of the United States, 1951, The United Nations, The Western Hemisphere: vol.II – Policy Statement Prepared in the Department of State October 26, 1951*

952 This was the first of four survey expeditions between 1951 and 1957. Carse was better known as the voice of *Special Agent Dick Barton* for BBC Radio from 1949.

November 19th, Britain's agreement with Chile and Argentina not to send warships south of 60° S is renewed.

*“Being anxious to avoid any misunderstanding in Antarctica which may affect the friendly relations between the United Kingdom, Argentina and Chile, the Governments of these three countries have informed each other that, in present circumstances, they foresee no need to send warships south of latitude 60 degrees during the 1951 to 1952 Antarctic season, apart, of course, from movements such as have been customary for a number of years.”*⁹⁵³

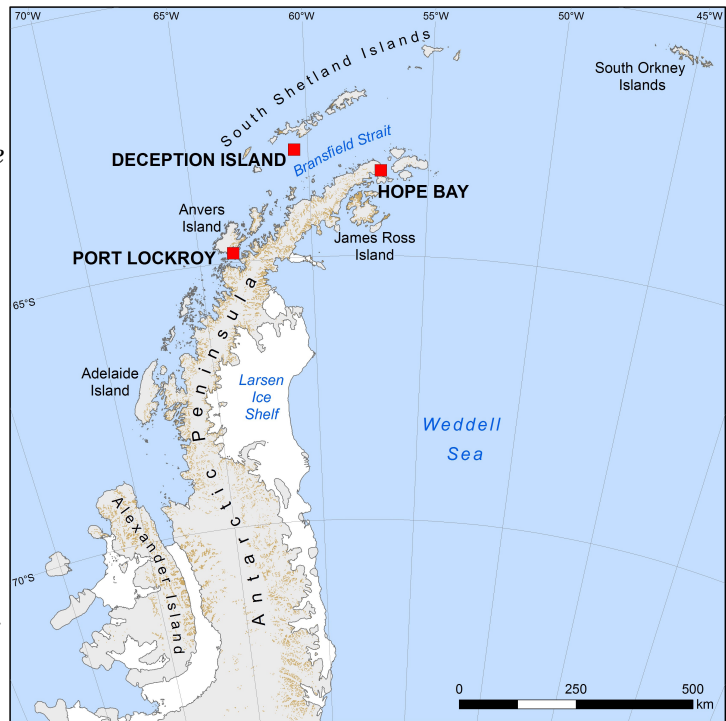
Following discussions between the Colonial Office, the Admiralty and the Cabinet, it is decided to rebuild the Hope Bay base at Trinity Peninsula which had been destroyed in a fire on November 8, 1948.

In **December**, from Buenos Aires Britain's Embassy confirms to London that the FIDS intention to rebuild its Hope Bay base is; *“common knowledge.”*

December 17th, from Punta Arenas, the British Consul writes to inform the Embassy in Santiago of problems being experienced with Argentina.

*“A letter from Chancery, British Embassy Santaigo, dated 31 December 1952, enclosed a letter (17 December 1952) from the British Consul in Punta Arenas in southern Chile, referring to the day-to-day problems experienced. There was an appreciable Falkland Islander community in the Punta Arenas area, and “for some time” those wishing to go to Argentina had been required to hold Argentine passports and documents: “Generally speaking this is taken in good part, causing amusement more than anything else. There are no more patriotic people in the British Empire the Falkland Island people.” ...”*⁹⁵⁴

*“Regretfully HM Government have no weapon ready to their hand with which they might enforce better treatment of the Falkland Islanders within Argentinian jurisdiction. Protests alone will do nothing. We shall merely elicit the flat assertion that the Falkland Islands are manifestly Argentinian territory, albeit under foreign occupation and that the inhabitants are Argentinian citizens. Retaliation offers no prospect of advantage.”*⁹⁵⁵



December 31st, in clear breach of the warships agreement, six armed Argentine Navy vessels arrive at Hope Bay. Their crews commence construction of a base.

During the austral summer, five British weather stations, established in the Dependencies, submit weather reports to Stanley. These are analysed and the resulting forecasts' broadcast to whaling ship in the area.

953 *HC Deb 03 December 1951 vol.494 cc2022-4*

954 Armstrong & Forbes 1997

955 A *minute* to Anthony Nutting, Parliamentary Under-secretary at the Foreign Office dated March 14, 1953 quoted in Armstrong & Forbes 1997

1952 – in **January**, from the Falklands, a group of FIDS scientists and workers, with building supplies, sail for Hope Bay.

January 18th, at the UN, resolution 567 (VI) is adopted by the General Assembly.

“The General Assembly,

*Recalling that, in resolution 334 (IV) adopted on 2 December 1949, the General Assembly invited any special committee which might be appointed on information transmitted under Article 73e of the Charter to examine the factors which should be taken into account in deciding whether any territory is or is not a territory whose **people** have not yet attained a full measure of self-government,...*

1. Decides to take as a basis the list of factors drawn up at the sixth session of the General Assembly, which list is annexed to the present resolution;...

Annex

*1. The territories which are covered by Chapter XI of the Charter are those territories whose **people** have not yet attained a full measure of self-government...*

*3. The condition under which the provisions of Chapter XI of the Charter cease to apply will be that the **inhabitants** of the territory have attained, through political advancement, a full measure of self-government. The fulfilment of this condition may be achieved by various means, involving in all cases the expression of the free will of the **people**. The two principal means are (a) the attainment of independence and (b) the union of the territory on a footing of equal status with other component parts of the metropolitan or other country or its association on the same conditions...”⁹⁵⁶*

Researcher's Comment: In this resolution there is a clear association between a NSGT (non self-governing territory) listed at the United Nations, and a people. If there are no people, a territory is not covered by Chapter XI of the Charter. The UN lists the Falkland Islands as a NSGT under Chapter XI. Therefore, the Falkland Islands must have a people recognised by the United Nations. If, as some Argentine lawyers claim, the Falklanders do not constitute a people, then the territory cannot fall under Chapter XI and should be de-listed. An argument employed by at least two Chairs of the Decolonization Committee. De-listing has never been formally proposed or debated. So, let there be no doubt – the United Nations recognises that the Falkland Islands have a people and has done so since 1952.

“The points on which the main administering powers were generally agreed (as conveniently summarized for example in the report on the Third Committee discussions in the United Nations Yearbook for 1952) were: 1. The right of self-determination must be subordinate to the maintenance of world peace. 2. There was discrimination against certain states, i.e. the administering powers, in the text proposed. 3. Obligations were imposed which were not laid down in the Charter. 4. The Charter, while imposing a 'sacred trust' on administering powers, recognized the need to take into account a people's capacity for full government, i.e. for gradual advance. 5. The administration of non-self-governing territory fell within the domestic jurisdiction of the state responsible. 6. No definition had been established of such terms as 'peoples', 'nations' and 'the right of self determination'.”⁹⁵⁷

⁹⁵⁶ My emphasis. In 1952 the United Nations recognised 5 official and 3 working languages; the latter being English, Spanish and French. The draft of resolution 567 was submitted to the General Assembly by a sub-Committee comprising Australia, Cuba, Denmark, France, Guatemala, Iraq, the United States and Venezuela with the term *people* used in English; *pueblo* in Spanish and *population* in French. It was voted through without opposition. This document can be viewed here – [https://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/567\(VI\)](https://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/567(VI))

⁹⁵⁷ Dunnett 1983 pp.419 & 420

January 29th, in London, Argentina's Embassy submits a memorandum to the Foreign Office regarding the FIDS take-over of the Grytviken meteorological station in January, 1950. ⁹⁵⁸

"The Embassy of the Argentine Republic has the pleasure to address itself to the Foreign Office in connection with the measure adopted by the British Government, by virtue of which it was disposed that the meteorological observatory installed at Port Grytviken, Cumberland Bay, Islands of South Georgia, should cease to operate. In this connection, the Argentine Embassy points out that the said observatory, maintained by the Directorate General of the National Meteorological Service through a company established in Argentina, kept up a connection of a scientific and informative character with the Argentine official technical organizations. As the said activity constitutes an expression of the sovereignty which the Argentine Nation exercises over the Islands of South Georgia, the measure adopted in this respect signifies, beside the interruption of a technico-scientific (sic) task of general interest, a disregard for the legitimate titles of the Republic over the Archipelago referred to, facts which move the Argentine Government to present through the medium of this Embassy, the most formal reserve of their rights over the said Islands, which are an integral part of Argentina's territorial patrimony."

Researcher's Comment: So much Argentine sovereignty was being exercised over South Georgia that they failed to notice the change for two years.

"The meteorological station was erected and maintained by an Argentine Company, Compania Argentina de Pesca, and not the Argentine Government, solely because they were required to do so by the terms of their lease, and similar requirements were imposed on other whaling companies." ⁹⁵⁹

"As regards our title to South Georgia in general, Argentine policy has been to "infiltrate" so gradually that we should not react violently or make any specific protest; but we have repeatedly protested in general terms about Argentine encroachments in the "Falkland Islands Dependencies"..." ⁹⁶⁰

January 31st, in Stanley, Governor Clifford receives a radio message to the effect that the Hope Bay party have arrived to find Argentine sailors some 400 yards from the site of the British base. The Governor orders the civilian FIDS staff to continue with the task but also to make a formal protest to the Argentine commander.

"It looks very much as if the Argentines knowing our intention to re-establish the base at Hope Bay made sure to be there before the British party." ⁹⁶¹

In sending the Argentine memorandum of January 29th, to the Embassy in Buenos Aires, Britain's Foreign Secretary, Anthony Eden, notes.

"Senor Hogan emphasised that his approach by no means implied a protest, but merely recorded Argentine reservations within the framework of international discussions which had continued over many years. His Excellency agreed that I might assume that it was his Government's wish that these international discussions should continue rather than be cut short." ⁹⁶²

February 1st, at Hope bay, while unloading stores for the erection of the new building, shots pass over the heads of unarmed FIDS staff. Fired by Argentine sailors from the *Buen Suceso*. Notified by radio, the Governor seeks instructions from London.

958 FO 371/103149/15212/3. cf. 1946, 1950 & November, 1952

959 Telegram MED 52/53/02 Governor of the Falklands to Sec. of State for the Colonies 14 June, 1952

960 FO 371/103149/15212/3

961 FO 371/97375

962 Mr. Eden to Sir H. Mack (Buenos Aires) January 31, 1952 in A 15212/1



*“At noon a few bursts of machine gun fire were fired over our shore party's heads and Argentines, armed with rifles, commenced surrounding base party. At 1400, armed Argentines closed our party and ordered us into their launch, which came to our landing beach. Our party obeyed Argentine officer's cocked pistol and are now all on board. Have now received official protest that any further attempt at landing stores will be fired on. Request instructions ... this presumably constitutes an act of war.”*⁹⁶³

*“On 1st February the Falkland Islands Dependencies Survey vessel "John Biscoe" landed a civilian party with stores at Hope Bay in order to re-establish the British base there. An Argentine party already on shore forced them to re-embark. The Argentine Ministry of Foreign Affairs immediately informed Her Majesty's Embassy at Buenos Aires of the incident and explained that the Argentine commander had acted in error and that his instructions had been rectified.”*⁹⁶⁴

*“Captain Diaz recalls ... it was clear that a base of some sort was about to be built, given the material being unloaded. Diaz ordered that the captain of the John Biscoe should be informed that he was on Argentine territory and that the new installation would not be tolerated. For two days work came to a halt; Diaz speculates that this was probably while instructions were being sought. Then work resumed and consequently Diaz resolved to inform the British, through an officer, that unless building was stopped, force would be used. Captain Diaz, who, having been on five Antarctic expeditions, one with Admiral Byrd, was no newcomer to the area, ordered some of his men on shore, and, once again, had an officer request the termination of building activities. Only then, remembers Diaz, were shots fired, and these were well above the heads of the British men; the latter then withdrew, leaving the Union Jack flying. Diaz says he had it brought down and returned to the British ship.”*⁹⁶⁵

Researcher's Comment: The first, and only, military action recorded in the Antarctic.

February 2nd, in Buenos Aires, Argentina's Foreign Ministry tells the British Embassy that the action; *“... was taken in error and due to an over-literal interpretation by the Commander of his instructions..”* Also that they; *“... had not anticipated the landing of civilian personal from a British vessel.”* The Ministry adds that their explanation; *“... should not be regarded as modifying in any way their attitude with respect to to sovereignty over these territories.”*⁹⁶⁶

February 4th, from Stanley, Governor Clifford sets out for Hope Bay to investigate the incident.

*“... the Governor of the Falklands, Sir Miles Clifford, at once left Stanley for Hope Bay in the frigate HMS Burghead Bay with six British Royal Marines aboard, and landed scientists without further incident.”*⁹⁶⁷

963 Clifford to Sec. Of State for Colonies Feb 1, 1952

964 HC Deb 20 February 1952 vol.496 c21W

965 Argentine Approaches to the Falklands/Malvinas Guillermo A. Makin 1983

966 FO 371/97375

967 Pascoe 2022 vol.3 p.441

In Buenos Aires, the Argentine Ministry of Foreign Affairs is handed a protest *Note*.⁹⁶⁸

In London, Winston Churchill calls for a review of defence plans for the Falkland Islands.⁹⁶⁹

February 5th, at the United Nations, General Assembly resolution 545 (VI), resolves that an article shall be included within the International Covenant on Human Rights. In the following terms; *“All peoples shall have the right of self-determination.”*

February 20th, in Britain's House of Commons, a statement is given.

*“On 1st February the Falkland Islands Dependencies Survey vessel "John Biscoe" landed a civilian party with stores at Hope Bay in order to re-establish the British base there. An Argentine party already on shore forced them to re-embark. The Argentine Ministry of Foreign Affairs immediately informed Her Majesty's Embassy at Buenos Aires of the incident and explained that the Argentine commander had acted in error and that his instructions had been rectified. On 4th February Her Majesty's Embassy at Buenos Aires, acting under instructions from my right hon. Friend, handed a Note of protest to the Argentine Minister for Foreign Affairs. The Governor of the Falkland Islands has since visited Hope Bay in Her Majesty's frigate "Burghead Bay" and the base has been re-established without further incident.”*⁹⁷⁰

February 27th, Argentina responds to Britain's protest regarding the Hope Bay incident.

*“Her Majesty's Embassy at Buenos Aires received a reply on 27th February. I have not yet received the full text but I understand that the Argentine Note, while re-asserting Argentine claims to sovereignty over the Falkland Islands and the Dependencies, confirms that fresh instructions have been given to the Argentine commander. The Argentine Government say that they are making inquiries in order to decide whether further measures are required. But they have expressed their conviction that there will be no recurrence of the incident.”*⁹⁷¹



968 HC Deb 20 February 1952 vol.496 c21W

969 Official History of the Falklands Campaign, Volume 1: The Origins of the Falklands War Lawrence Freedman 2005

970 HC Deb 20 February 1952 vol 496 c21W

971 HC Deb 03 March 1952 vol.497 cc3-4W

During **April**, an experimental return flight, Southampton to Stanley via Lisbon, Cape Verde Islands, Rio de Janeiro and Montevideo, is made by *Aquila Airways Ltd* (above).⁹⁷²

April 19th, Argentina responds to the British protest of July 30th, 1951, regarding *Polar Maid* rejecting the assertion that South Georgia is British territory, and reiterating its own claim to sovereignty.

April 26th, President Perón tells the Argentine press; “... *sovereignty will have to be re-stated every year...*”⁹⁷³

In **May**, on their return to Buenos Aires, the men from the *Buen Suceso* are fêted by President Peron.

*“Soldiers and sailors when they are carrying out so sacred a duty as that of serving their country are permitted to err through displaying too much energy, but they are never permitted to err by displaying too much weakness. For this reason the attitude of these sailors of Hope Bay can be an example for every Argentine... Thanks to such efforts our sovereignty is now firmly established over the Antarctic sector.”*⁹⁷⁴

Britain's Ambassador to Argentina protests.

May 22nd, Perón is reported in *La Nacion* as saying; “*We defend our rights and time will confirm them. We must therefore wait with confidence and launch generations of Argentines towards the Antarctic...*”

September 27th, in London, an internal Foreign Office memo notes.

*“The question whether we should reply to the Argentine protest of last January has been considered carefully in light of the Government's recommendation. It is the view of our legal team that a reply should be made for the record. Except incidentally in our note of protest over the Polar Maid incident in July 1951, HMG have never made their position clear about the status of South Georgia as part of the Falkland Island Dependencies in a communication to the Argentines. Conversely several administrative actions of the Argentine Govt. in the last four years implying a separate status for South Georgia from that of the rest of the FID have been allowed to pass without comment. The present occasion therefore gives us an opportunity for a general refutation of Argentine claims...”*⁹⁷⁵

October 21st, in Buenos Aires, Argentine Foreign Minister, Dr. Jerónimo Remorino summons Uruguay's Ambassador, Dr. Mateo Marques Castro. During a two hour meeting, Remorino protests Uruguay's 1947 agreement to form an air-link with the Falklands. Also, the 1924 appointment of a consular agent at Stanley.

*“I present the most formal protest to the Government of Uruguay against the disregard for Argentine sovereignty in the Malvinas Islands implied by the agreement on aviation signed with the government of the United Kingdom of Great Britain and Northern Ireland, and against the violation of that sovereignty involved in the appointment of a consular official to act within those territories...”*⁹⁷⁶

*“In using the Falkland Islands as the basis for their protest they appear to have decided to brave the risk of ridicule inherent in raking up the terms of an agreement five years old; and in complaining about a consular appointment far older still.”*⁹⁷⁷

972 Headland 1989. return flight May 2, 1952 Nothing came of this experiment.

973 *La Nacion* April 16, 1952

974 Quote from an Argentine Grade 5 School text book of 1953 in Garcia 2009

975 *G.H.S. Jackson to C.M.H. Harrison (Colonial Office)* in FO 371/97376. The Colonial Office responded on October 13, 1952 to say that they had no objection to a response to Argentina. See below.

976 *Formulo la Argentina una protesta Ante el Uruguay* in *Noticias Graficas* October 23, 1982.

977 *Allen to Eden, November 15, 1952* in F0371/97383.

*“In 1952 the Argentine government protested sharply against the presence of a Uruguayan consulate in Stanley, making it clear that Argentina did regard the existence of a consulate as relevant to the question of sovereignty.”*⁹⁷⁸

*“Significantly, the official Uruguayan reply did not state in so many words that Uruguay recognised Argentine sovereignty over the Falklands; the Uruguayan consulate in Stanley remained open for many more years and its coat of arms may now be admired in the Historic Dockyard Museum.”*⁹⁷⁹

October 28th, Argentina prohibits her own shipping from calling at Uruguay's ports.

November 12th, in London, to a question in the House of Commons, the Government responds:

“(a) Argentine parties are established at the following localities: (i) Laurie Island (South Orkney Group); (ii) Deception Island (South Shetland group); (iii) Hope Bay (Trinity Peninsula); (iv) Paradise Harbour (West coast of Graham Land); (v) Gamma Island (Palmer Archipelago); (vi) Marguerite Bay (West coast of Graham Land).

*(b) Chilean parties are established at the following localities: (i) Greenwich Island (South Shetland group); (ii) Cape Legoupil (Trinity Peninsula); (iii) Paradise Harbour (West coast of Graham Land).”*⁹⁸⁰

November 20th, from Argentina, secret orders are issued to Task Force 8, led by the commander of the *Bahia Buen Suceso*, Silvio Casinelli, identifying the purposes of the force; *“To relieve and provision detachments, to install detachments and services, to give support to other Forces, and to carry out hydrographic and scientific work ...”*⁹⁸¹ More specifically, the Task Force is to; *“... transport relief personnel and supplies for the detachments; it will occupy (Bahia Luna and Dundee Island), will construct two new detachments at (Bahia Luna and Mikkelsen Island), and a new dwelling-house at Esperanza; it will set up a forecast station at Melchior, will occupy temporary positions and will make scientific observations...”*

A certificate is provided for issue to foreign vessels.

“To the highest ranking person on

It is my duty to inform that you, together with all the personnel under your command, are in waters which belong to the territorial domain of the Argentine Republic. The nation recognises no rights except those of her own dominion in this territory. No foreign country can issue permits or authorisations of any nature whatsoever...

The presence of foreign personnel who state that they have official representation in this territory, the erection of installations of any type and the carrying out of any activities whatsoever, amount to an illicit act not permitted by the principles and fundamental regulations of International Law.

*I accordingly reject and consider as not having been received any verbal or written statements which you may make as regards your ignorance of the unquestionable rights of dominion held by the Republic in these territories and territorial waters and in which the operations carried out by the Argentine Navy constitute jurisdiction acts which admit of no discretion. ...”*⁹⁸²

978 Pascoe 2020 p.228

979 Pascoe 2022 vol.3 p.438

980 *HC Deb 12 November 1952 vol.507 cc59-60W*

981 *ADM 1/27598*. A copy of these orders were seized in February, 1953 from the Argentine base on Deception Island.

982 *Ibid*

November 28th, Britain responds to Argentina's January protest, regarding the Grytviken weather station.

*"The observatory referred to was maintained until January 1950 by the Compania Argentina de Pesca, in its capacity as a private company, because it was required to do so under the terms of the lease from the Government of the Falkland Islands... Mr. Eden therefore wishes to place on record Her Majesty's Government's formal refutation of the pretensions of the Argentine Government..."*⁹⁸³

December 10th, in Britain's House of Commons, asked why £47,000 is being spent on "additional bases in the Falkland Islands Dependencies", Colonial Secretary Oliver Lyttleton responds:

*"Her Majesty's Government consider it essential to maintain British sovereignty in the Falkland Islands Dependencies."*⁹⁸⁴

On the same day at the United Nations, resolution 648 (VII) is adopted by the General Assembly, giving provisional approval to a further list of factors which should be taken into account in deciding whether a territory has attained a full measure of self-government.⁹⁸⁵

December 16th, at the UN, resolution 637 (VII), entitled – *The right of peoples and nations to self-determination* – is adopted by the General Assembly. The resolution places a duty on member states to uphold the principle of self-determination. As regards the Non-Self Governing Territories listed by the UN, the resolution requires that:

*"... States Members of the United Nations shall recognize and promote the realization of this right of self-determination of the peoples of Non-Self-Governing and Trust Territories who are under their administration and shall facilitate the exercise of this right by the peoples of such Territories according to the principles and spirit of the Charter of the United Nations in regard to each Territory and to the freely expressed wishes of the peoples concerned, the wishes of the people being ascertained through plebiscites or other recognised democratic means, preferably under the auspices of the United Nations;..."*⁹⁸⁶

*"Since the war we have become more and more dependent on Argentina as a source of meat and the growth of nationalism all over the world and anti-colonial feeling has made it more desirable than ever that we should refrain from bringing disputes over colonial territories to a head with the likely consequence of suffering some setback or rebuff at the UN. There are therefore stronger reasons than ever for refusing to make an issue of the dispute."*⁹⁸⁷

Argentina and Chile erect new base stations on Deception Island in the South Shetland Islands. Both nations site their building next to the British runway which had been constructed in 1928.⁹⁸⁸

*"... we have started to do what should have been done fifty years ago."*⁹⁸⁹

*"Argentinian and Chilean landings in Deception Island appear to be deliberately provocative, and ones we should not tolerate."*⁹⁹⁰

983 No. A 15212/3 in FO 371/97376. This was addressed to the Argentine Embassy in London.

984 HC Deb 10 December 1952 vol. 509 cc450-1. Also

985 See [https://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/648\(VII\)](https://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/648(VII))

986 My emphasis. See [https://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/637\(VII\)](https://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/637(VII))

987 Foreign Office *Minute* quoted in Armstrong & Forbes 1997

988 Howkins 2008 p.210

989 Perón quoted in Garcia 2009

990 Colonial Office Telegram of January 30, 1953 quoted in Armstrong & Forbes 1997

1953 – January 7th, the *New York Times* reports;

“Under the pretext that Uruguay has impinged upon the sovereignty of Argentina by maintaining for more than twenty years a consul in the Falkland (Malvinas) Islands, the Argentine Government brought tourist traffic with this country to a halt last year. Uruguay has for many years enjoyed the title of "America's Switzerland". In normal years 100,000 of the 150,000 tourists who visited this country were Argentines. Last year only fifty Argentines had permits to come here. ... Uruguay is now concentrating on attracting United States tourists.”

*“In view of Argentina's sharp protest against the existence of an Uruguayan consulate in the Falklands, and the punitive measures adopted by Argentina as a reaction to it, it would seem hard for Argentina to deny the diplomatic and political relevance of the consulates maintained in the Falklands by a number of countries for many years.”*⁹⁹¹

January 19th, at Deception Island, Acting-Governor Colin Campbell delivers a protest note to the Argentine party there.

*“Campbell also played a key role in countering Argentine expansion in the Falkland Islands Dependencies. Between December 1952 and January 1953 an Argentine party landed at the British base at Port Foster, on Deception Island, erected two buildings and raised the Argentine flag. Campbell, as the acting governor, visited Deception Island on 19 January 1953 to deliver a protest note. On his return to Stanley, Campbell sent a paper on the situation to the Secretary of State for the Colonies in London, and this was discussed at a meeting of the British Cabinet on 31 January 1953. The decision was made to eject the Argentines and to dismantle their illegal base.”*⁹⁹²

February 6th, in the United Kingdom, King George VI dies. Succeeded by his eldest daughter, Elizabeth.

February 11th, at Port Stanley, HMS *Superb*, Vice-Admiral Sir William Andrewes's flagship, arrives with instructions to assist in the removal of Argentines from Deception Island. The flag-ship's marine contingent transfer to HMS *Snipe*.

February 15th, on Deception Island, a magistrate and constables from the Falkland Islands Police detain two Argentine soldiers. Buildings erected by Argentina and Chile are demolished.

*“At the beginning of this month Her Majesty's Government were informed that Argentina and Chile had established naval parties on the airstrip adjoining the British base at Port Foster, Deception Island, which is British territory, and that permanent buildings had been erected. These encroachments represented not merely an infringement of our sovereignty on the Island, but a nuisance and an obstruction to those who were maintaining our base. Instructions were accordingly given to the Acting Governor of the Falkland Islands to dismantle the buildings which had been erected and to arrest and deport under the Falkland Islands Aliens Ordinance any occupants found in them. These instructions were carried out on February 15, by the British magistrate, assisted by constables of the Falkland Islands police. The party travelled to Deception Island in Her Majesty's Frigate "Snipe," and Royal Marines were available, if needed, in support of the civil power. Two occupants of the Argentine hut were arrested, without resistance, and the Argentine and Chilean huts were dismantled. The Chilean hut was unoccupied...”*⁹⁹³

991 Pascoe 2022 vol.3 p.438

992 Stephen Palmer in Tatham (ed) 2008. See - https://www.falklandsbiographies.org/biographies/campbell_colin

993 *HL Deb 23 February 1953 vol.180 cc609-11.*

February 16th, in Buenos Aires, Britain's Ambassador informs the Argentine Government of the arrests at Deception Island and registers a formal protest regarding their presence.

*“... the Government have been concerned to dispel any doubt about their attitude to encroachments of this type on British territory. At the same time they have repeated the offer made to both countries by the late Government to refer the conflicting claims to territory in the Antarctic to the International Court of Justice...”*⁹⁹⁴

*“Personal congratulations were sent to those involved in the arrest by Sir Anthony Eden, then the British Prime Minister. An attempt was made to hush the whole event up (with the connivance of the Argentinians and Chileans), but the matter leaked out. There was a very real fear at the time that there might be reprisals against other British bases in Antarctica or the Falkland Islands themselves.”*⁹⁹⁵

February 18th, at South Georgia, the two Argentines detained at Deception Island are; “... handed over ... to the master of an Argentine vessel bound for Buenos Aires.”⁹⁹⁶

February 20th, both Chile and Argentina reassert their conflicting claims to Deception Island. Chile mobilizes its navy, and threatens to take its case to the *Organisation of American States* (OAS). Argentina demands that Britain rebuild the huts and issue a formal apology. Both also threaten to invoke the *Rio Treaty* and demand reciprocal assistance from other American States.⁹⁹⁷ With regards to the British offer to take the question to the ICJ, both countries decline.

February 21st, Britain deploys a Royal Marines detachment to Deception Island for 3 months.

February 23rd, in Britain's House of Lords, the Marquess of Reading makes a statement:

*“At the beginning of this month Her Majesty's Government were informed that Argentina and Chile had established naval parties on the airstrip adjoining the British base at Port Foster, Deception Island, which is British territory, and that permanent buildings had been erected. These encroachments represented not merely an infringement of our sovereignty on the Island, but a nuisance and an obstruction to those who were maintaining our base. Instructions were accordingly given to the Acting Governor of the Falkland Islands to dismantle the buildings which had been erected and to arrest and deport under the Falkland Islands Aliens Ordinance any occupants found in them. ... Two occupants of the Argentine hut were arrested, without resistance, and the Argentine and Chilean huts were dismantled. The Chilean hut was unoccupied. ... In taking the steps I have described, the Government have been concerned to dispel any doubt about their attitude to encroachments of this type on British territory. At the same time they have repeated the offer made to both countries by the late Government to refer the conflicting claims to territory in the Antarctic to the International Court of Justice. I am sorry to say that both countries, in their Notes, have seen fit once more to reject this offer.”*⁹⁹⁸

Asked whether Argentina has given any reasons for the rejection of ICJ adjudication, the Marquess replies; “No, my Lords, no reason has been given. So far as I recollect the terms of the replies, they are a bare refusal to contemplate that particular form of procedure.”⁹⁹⁹

994 *HL Deb 23 February 1953 vol.180 cc609-11*

995 Armstrong & Forbes 1997

996 *HL Deb 23 February 1953 vol.180 cc609-11*

997 Howkins 2008

998 *HL Deb 23 February 1953 vol.180 cc609-11609*. Also *HC Deb 23 February 1953 vol.511 cc1729-31*

999 *Ibid*

In Stanley, a population census identifies 2,230 people present in the archipelago.

Off Stromness Bay, South Georgia, *Southern Wave*, a whale-catcher owned by *Christian Salvesen*, is scuttled.

March 23rd, in considering what action to take against the British, Chile's Government concludes that it cannot cooperate with Buenos Aires, as the Argentines have; "*no rights to sovereignty in Deception Island.*"¹⁰⁰⁰

March 24th, Chile again demands that the UK restore their hut on Deception Island, destroyed in February.

*"It is the natural wish of Her Majesty's Government that the Chilean Government's action at Deception Island in January should not impair the generally friendly relations between the two countries. They cannot, however, regard the Chilean memorandum as holding out a prospect of a mutually satisfactory solution, and the Chilean Government are being so informed."*¹⁰⁰¹

March 31st, in Santiago, Chile's Foreign Minister threatens to boycott the forthcoming coronation in London. He erroneously claims that Chile is sending a "*fully munitioned*" fleet to Deception Island to rebuild its base there.

April 1st, in Chile, Britain's Embassy sends a letter to the Foreign Ministry described as "*stiff.*" Chile's Government promptly dismiss their Foreign Minister.

*"The threat that Chile might "declare war" on Great Britain lingered for a couple of weeks after the dismissal of Olivarria, but the Chilean government was gradually able to let its public threat to raise the matter at the OAS drop quietly without losing face."*¹⁰⁰²

June 2nd, in England for the coronation of Queen Elizabeth II, Argentina's representative, Admiral Alberto Teisaire, asks for a "*private and unofficial*" meeting with Foreign Office representatives concerning "*certain matters affecting Anglo-Argentine relations.*"¹⁰⁰³

June 5th, in London, at the Park Lane Hotel, Admiral Teisair greets Gerald Isaacs, Lord Reading, Parliamentary Under-Secretary of State for Foreign Affairs who is accompanied by Roderick Barclay, Under-Secretary of State at the Foreign Office. Also present is a Counsellor from the Argentine Embassy, Señor Bengolea.

"After a few preliminaries the Admiral said that he wished to bring up the question of the Falkland Islands. His Government had received hints from a number of different quarters that H. M. Government might be glad to discuss this matter, which had long affected Anglo-Argentine relations. The Argentine Government wished to see Anglo-Argentine economic relations put on a firm long-term basis, and their proposal was that, as part of some long-term arrangement, H. M. Government should surrender all their rights and claims to the Falkland Islands. He did not see that there should be any great difficulty about this, since we had sold a number of islands to the U.S. Government. (We pointed out that if he was thinking of the U.S. Bases in some of the West Indian Islands this was an entirely different matter.)

Lord Reading replied that as far as the Falkland islands themselves were concerned our position was quite clear. The inhabitants of the Islands were British, and if a plebiscite was held would vote practically unanimously to remain under the British Flag (The Admiral agreed that this was probably true). Lord Reading said that in the circumstances it was inconceivable that any British Government should consider the sale of the Islands. If they were to do so there would at once be a tremendous outcry from the public, and the Government would certainly be overthrown. He could only advise the

1000 *US Embassy to State Department March 23, 1953 USNA 702.022/3-2353*

1001 Selwyn Lloyd in the Commons – *HC Deb 01 April 1953 vol.513 cc1195-6*

1002 Howkins 2008 p.217

1003 *PRO FO A/1051/9*

Admiral that this was a matter on which it was impossible to change our attitude, and the Argentine Government had better resign themselves to accept things as they were.

Lord Reading then went on to refer to the Falkland Islands Dependencies. He said that here we were faced with an entirely different situation, since there were conflicting Argentine, Chilean and British claims, and in our view the only way to make progress was to get an authoritative judicial ruling. For this reason we had favoured a reference of the dispute to the Hague Court, and we still considered that this would be the best way of reaching a settlement. He hoped that the Argentine Government would come round to the same point of view. Admiral Teisaire was non-committal, but did not appear to reject this idea. ...Admiral Teisaire's attitude throughout was most friendly, and he appeared to take in good part the firm rejection of his proposal about the Falkland Islands. He mentioned more than once the desire of President Peron to have good relations with the United Kingdom, and referred also to Argentine dislike of the United States.”¹⁰⁰⁴

“Argentine President Juan Domingo Perón tried to buy the Falkland Islands from the Government of London in 1953, as revealed yesterday by official documents from that time made public in the British capital. Perón made his firm offer of purchase through a special envoy, who attended the coronation of Queen Elizabeth II of England as Argentine representative on June 2, 1953. The British Government rejected the offer – which did not materialize in a price – for fear that the government of Sir Winston Churchill would fall. ... The 1953 document details the conversations that the then president of the Argentine Senate had in a central London hotel. Perón's offer was answered with the same arguments that the London authorities use today, 30 years later: Her Majesty's Government considers the sale of the Falkland Islands (British name for the islands) inconceivable because its inhabitants are British. Lord Reading also commented to the Argentine representative that if a referendum was held in the Falklands at that time, its inhabitants would decide to continue under the British flag, to which Teisaire agreed saying that yes, that would probably be true. ... Lord Reading ... made it clear that "the Government, with all certainty, would be overthrown" if such a sale operation was allowed.”¹⁰⁰⁵

“... it was inconceivable that such a sale should be considered because there would at once be a tremendous outcry from the public and the government would certainly be overthrown.”¹⁰⁰⁶

“In 1953, on the occasion of the coronation of Queen Elizabeth II, the Peronist government sent a mission headed by the senate president (who later became the nation's vice-president), Alberto Teisaire, in order to offer to buy the Falkland Islands from the United Kingdom as the state had done with the railroads. After conversations at the highest level, the Argentine proposal was rejected by Winston Churchill's government. The decision took into account the negative repercussions that it would bring to the then prime minister. The British argument was based on the fact that the inhabitants of the Islands were British, which shows that from that moment this issue was already a central axis of British policy towards the Islands.”¹⁰⁰⁷

“Teisaire took advantage of the days of his stay in London to carry out "a secret and extremely delicate process": he had a proposal that his interlocutors at the Foreign Office received with surprise: a purchase of the Malvinas Islands. He conveyed the idea during the conversations he held in a central London hotel with the Under-Secretary for Foreign Affairs, Lord Reading, who had responsibility for Latin American affairs.”¹⁰⁰⁸

1004 *F/O Minute Mr. Barclay A 1051/9 June 8, 1953. See also August, 1993 & May/June 1995*

1005 *Perón quiso comprar las Malvinas al Reino Unido en 1953 in El Pais January 3, 1984*

1006 *Foreign Office under-secretary Lord Reading quoted in The New York Times January 3, 1984*

1007 *Mira & Pedrosa 2021*

1008 *La 'misión Teisaire' a la coronación de Isabel II y la negociación por Malvinas Mariano Caucino in Infobae September 8, 2022 citing Detrás de Perón. Historia y leyenda del almirante Teisaire Fabian Bosoer 2013*

*“According to official British documents declassified in January 1984, the Mendoza man stated that the Government “wanted Anglo-Argentine economic relations to be established on a firm basis, and that his proposal was that, as part of some arrangement (and) in the long run, Great Britain should renounce all rights and claims to the Falkland Islands”. Although no specific figure was offered, the UK official rejected such a proposal, ...”*¹⁰⁰⁹

Researcher's Comment: An attempt to purchase would indicate recognition of the right of the possessor to sell. However, quite what offer was being made is not clear from the British document, despite most newspapers seeing an offer to buy. Interesting that the Argentine Admiral referred to British rights but perhaps not as intriguing as Lord Reading's acknowledgement that the Falkland Islanders had a say in the future of the Islands, some seven years before the United Nations would reach a similar decision with UN Resolution 1514.

In Argentina, schools promote the country's Falklands claims.

*“... the recovery of the Malvinas Islands, as the dream of the whole country, inculcated especially in formal education, especially in early childhood. Take for example the text Obreritos, a second grade reading book used in the year 1953: “The Malvinas are Argentines, they always were. They are part of our territory. Below the sea they continue naturally with our soil. In 1833, however, English troops were installed by force in that part of our territory. Today and always, the children of the New Argentina must say: The Falklands are ours! And it will be a day of joy for all when the blue and white flag flutters over them! ...”*¹⁰¹⁰

August 20th, Sir Oswald Raynor Arthur, Clifford's replacement, is gazetted Governor of the Falklands.¹⁰¹¹

*“The most outstanding achievement of Clifford's governorship was perhaps the improvement of social services. The public works were concentrated in Stanley. They included a new Town Hall, electric power station, hospital extension, a broadcasting transmitter and studio. New services included local teacher training courses, Queen's Nurses being posted on East and West Falkland and a travelling cinema for the Camp. Clifford justified this concentration on social amenities by claiming that they were a prerequisite for economic growth. ... Clifford is possibly unique as a Governor who was accused by a colonial population of being a spendthrift. Islanders considered the Falklands' economy could not finance further expenditure on development.”*¹⁰¹²

In **October**, on South Georgia, a British survey expedition lands, led by Verner Duncan Carse.

*“In four southern summers, between 1951 and 1957, he organised and led the South Georgia Survey. This was a formidable enterprise requiring dogged determination and the ability to traverse mountainous, crevassed and mostly untrodden terrain in weather which was frequently atrocious. Not himself a qualified topographic surveyor, Carse recruited well-qualified men for all the work. The survey produced the first proper map of the whole of South Georgia...”*¹⁰¹³

October 25th, Chile's Antarctic Commission meet to decide upon what future action they should take regarding Deception Island. Their decision is to quietly rebuild their base in a less provocative location.

November 17th, at the Hague, the International Court of Justice considers the *Minquiers and Ecrehos* case. This concerns sovereignty over islets lying between the British Channel Islands and France.

1009 *Cuando Perón le quiso comprar las Malvinas a Isabel II* in *Nuevos Papeles* September 8, 2022

1010 *Malvinas, los muertos que (no) tenemos* Alejandra Diaz Biglia 2015

1011 *The London Gazette No. 40090*. For a biography, see - https://www.falklandsbiographies.org/biographies/arthur_sir

1012 Ellerby 1990 pp.82 & 89

1013 Geoffrey Hattersley-Smith in Tatham (ed) 2008

*“Judge Alvarez, ... made a declaration expressing regret that the Parties had attributed excessive importance to mediæval evidence and had not sufficiently taken into account the state of international law or its present tendencies in regard to territorial sovereignty.”*¹⁰¹⁴

November 26th, Chile, Britain and Argentina renew their agreement regarding warships in Antarctic waters.

November 27th, the UN adopts resolution 742 (VIII) which identifies factors to be taken into account in deciding whether a territory is, or is not, a territory whose people have not yet attained a full measure of self-government. At the top of the annexed list entitled *Second Part: Factors indicative of the attainment of other separate systems of self-government* (ie. not independence) is Art.1 which states: - 1. *Opinion of the population. The opinion of the population of the Territory, freely expressed by informed and democratic processes, as to the change in status which they desire. ...*¹⁰¹⁵

Researcher's Comment: In 2013 the Falkland islanders held a referendum. Turnout was in excess of 90% and almost all of those opted to retain their links to the United Kingdom. If the United Nations was committed to its own resolutions, the Falkland Islands should have been delisted in 2014. That the UN chose to do nothing, suggests that the only option for a NSGT that the UN will accept is independence. Three British territories have now held referendums and each has chosen the status quo. None have been delisted. In claiming to be acting on behalf of the peoples of the NSGTs, the UN says one thing, but does another. On that basis alone, the decolonization process, as viewed by the United Nations will never be complete.

In **December**, it is reported that Argentina intends to establish an air base on Dundee Island.

Before his departure for England, Governor Miles Clifford inspects the dependencies on board HMS *Nereide*.¹⁰¹⁶

1954 – January 20th, reports that Argentina intends to set up an air base on Dundee Island is mentioned in Britain's House of Commons.

*“On inquiry by H.M. Ambassador, the Argentine Government categorically denied that they had any intention of establishing such a base at Dundee Island. H.M. frigate "Nereide" paid a routine visit to the Dependencies at that time, and the Royal Research Ship "John Biscoe" landed a party on Dundee Island. The only intruders found were three Argentine personnel, to whom a protest was handed at their unauthorised presence there.”*¹⁰¹⁷

February 5th, in London, the US Embassy considers Britain's ICJ invitations to Chile and Argentina.

*“A decision by the International Court ... would be saleable to Commons and the press. The Foreign Office believe that this would be true regardless of whether a defeat might be suffered at the hands of the Court on a number of British claims, and the Foreign Office in fact recognise the possibility of adverse decisions on some points.”*¹⁰¹⁸

In **March**, HMS *St. Austell Bay* shadows Argentina's *Les Eclaireurs*, throughout the Minister of Marine's voyage to visit Argentine Antarctic stations.¹⁰¹⁹

1014 *Minquiers and Ecrehos Case: Judgment of 17 November 1953.* <https://www.icj-cij.org/files/case-related/17/2025.pdf>

1015 See [https://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/742\(VIII\)](https://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/742(VIII))

1016 Headland 1989

1017 *HC Deb 20 January 1954 vol.522 cc166-7W*

1018 *Zimmerman to State Dept. Feb 5, 1954 USNA 702.022/2-554*

1019 Headland 1989 p.347

April 8th, Argentina's President Perón announces that he intends to increase Argentine activities in Antarctica until his country's 'sector' is “saturated” with Argentines.¹⁰²⁰

April 20th, Robert Spivey is appointed magistrate at King Edward point to oversee, *inter alia*, sealing activities. “...the 1954 and subsequent licences specified that “the licensee shall ensure the seals are killed in the most humane way that is practicable, i.e. they shall not be clubbed or lanced to death, but shall only be shot.” The sealing inspectors exercised vigilance.”¹⁰²¹

April 28th, in London, Secretary of State for the Colonies, Henry Hopkinson, is asked to make a statement to the House of Commons regarding the “present position in the Falkland Islands Dependencies.”

*“At the settlement and whaling station in South Georgia, a number of improvements have been made to buildings and communications. In other parts of the Dependencies, work has continued at the six established scientific bases on an extensive programme of scientific and meteorological work planned by the Falkland Islands Dependencies Survey. The Royal Research ship “John Biscoe” is just completing her annual relief of these bases. The number of unauthorised foreign settlements is eleven.”*¹⁰²²

Off Stromness Bay in South Georgia, *Southern Shore*, a whale catcher owned by *Christian Salvesen*, is scuttled.

The South Sandwich Islands are visited by the Falkland Islands Dependencies Survey.¹⁰²³

July 15th, at a meeting in Washington DC, attended by President Dwight D. Eisenhower, the Vice-President and Secretary of State, the USA's interest in a claim of Antarctic territory is considered.

*“Mr. Allen Dulles said... We ought, he believed, in the first instance to talk to the Governments of Chile and Argentina at the time we asserted our claims, to see if it were not possible to reach an amicable agreement with these two Latin American states. Secretary Smith said that he was strongly opposed to this course of action because of the fact that a British claim conflicted with the claims of Chile and Argentina in this area. He much preferred the President’s suggestion that we simply reassert our rights in Antarctica. The President said that he would rather offend the British than our Latin American friends regarding issues in Antarctica.”*¹⁰²⁴

It is decided that, at an “appropriate time,” the USA will assert its rights.

*“... which have been ours as the inherent results of discovery and exploration, and unofficial claims made in behalf of the U.S.”*¹⁰²⁵

August 25th, Argentina promulgates a new law to identify its national territories.¹⁰²⁶

In **September**, following proposals and invitations sent out in 1952/53, the International Council of Scientific Unions announce plans for an *International Geophysical Year* in 1957, to commemorate the 25th years since the last *Polar Year* of research in 1932/33.

1020 *Ibid.*

1021 Dickinson 2007 p.146

1022 *HC Deb 28 April 1954 vol.526 cc1600-1*

1023 Headland 1989

1024 *Memorandum of Discussion at the 206th Meeting of the National Security Council on Thursday, July 15, 1954 in Foreign Relations of the United States, 1952–1954, General: Economic and Political matters, vol.1, part 2 Doc.304*

1025 *Ibid*

1026 See November, 1954 and June, 1955 below.

*“Toward the end of 1952, in consideration of the scientific aspects outlined above, ICSU deemed it of value that the International Geophysical Year program be pursued in order that advantage be taken of the period of maximum solar activity in 1957-58 and of the concurrent eclipses. ICSU accordingly established a Special Committee for planning on an international scientific level, and adhering bodies of the various nations were called upon to establish National Committees for the planning and undertaking of the program of specific nations. ... The cognizance of ICSU in scientific matters on an international level go back in time to the Inter-Allied Conference on International Scientific Organizations, London, October, 1918.”*¹⁰²⁷

*“In contrast to the United States and Great Britain, Argentina and Chile were less enthusiastic about IGY research in Antarctica. The proposals for open scientific access to all parts of the continent appeared to undermine their sovereignty claims.”*¹⁰²⁸

November 22nd, the United Nations adopts resolution 850(IX).¹⁰²⁹

“2. Considers that, in order to evaluate as fully as possible the opinion of the population as to the status or change in status which they desire, a mission, if the General Assembly deems it desirable, should, in agreement with the Administering Member, visit the Non-Self-Governing Territory before or during the time when the population is called upon to decide on its future status or change in status.”

November 24th, in Buenos Aires, the British Embassy registers an official protest with regard to the Argentine law promulgated in August.¹⁰³⁰

*“Last August the Argentine Government promulgated a law which implied that the Falkland Islands and Falkland Islands Dependencies are under Argentine jurisdiction. On the 24th November Her Majesty's Government protested to the Argentine Government about this law,...”*¹⁰³¹

During **December**, Britain reoccupies six of its bases on the Antarctic Peninsula.

December 15th, from Buenos Aires, responding to Britain's protest of November, the Argentine Foreign Ministry states; *“.. neither directly nor indirectly can British occupation of the Malvinas be considered lawful because it derived from an act of force.”*¹⁰³²

*“... on 15th December the Argentine Government replied with a Note in which they repeated their pretensions to our territory.”*¹⁰³³

December 21st, the UK again invites Argentina and Chile to refer the Dependencies disputes for adjudication.

“Her Majesty's Government believe that the most satisfactory way of settling the dispute concerning the sovereignty over the Falkland Islands Dependencies would be for Her Majesty's Government and the Government of Argentina together with the Government of Chile to refer the question to judicial

1027 Memorandum attached to Bronk (President National Academy of Sciences) to Adams (Assistant to the President of the United States) April 21, 1954 in the Dwight D. Eisenhower Presidential Library. By June, 1954, some 29 nations had agreed to part in the IGY, including the UK and Argentina. Chile had expressed an interest.

1028 Howkins 2008 p.253

1029 Titled – *Consideration of communications relating to the cessation of the transmission of information under Article 73e of the Charter*. This resolution is often misquoted by Argentina as prohibiting visits to NSGTs subject of a dispute. See [https://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/850\(IX\)](https://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/850(IX))

1030 See June 15, 1955 below

1031 *HC Deb 20 December 1954 vol.535 c211W*.

1032 *The New York Times* December 16, 1954.

1033 *HC Deb 20 December 1954 vol.535 c211W*

settlement and they have many times invited the Argentine Government to submit their claims to the adjudication of the International Court of Justice. Her Majesty's Government regret that the Argentine Government have taken up this position and they wish to enquire whether as an alternative to adjudication by the International Court of Justice, the Argentine Government would be prepared, jointly with the Government of the United Kingdom, to submit to an independent ad hoc arbitral tribunal the adjudication of their respective rights under International Law in the territory designated the Falkland Islands Dependencies by Letters Patent of 1908 and 1917. Her Majesty's Government trust that the above proposal will meet with an early and favourable response from the Argentine Government. If, however, this is not the case, Her Majesty's Government will consider themselves free to avail themselves of any means that may be open to them to seek a determination of their legal rights by the International Court of Justice.” ¹⁰³⁴

“On 21st December last Her Majesty's Government repeated this offer in identical Notes addressed to the Argentine and Chilean Governments...” ¹⁰³⁵

“One of the steps open to the United Kingdom is to bring the dispute before the Court by a Unilateral Application under Article 40 (1) of the Statute and Article 32 (2) of the Rules...” ¹⁰³⁶

“... neither Argentina nor Chile had accepted the Optional Clause of the Statute of the International Court of Justice and that consequently it is impossible at present for His Majesty's Government to bring this dispute before the Court by themselves proceeding as plaintiffs.” ¹⁰³⁷

“... the International Court of Justice seemed to offer a way to end, one way or the other, the unwanted dispute in the Falkland Islands Dependencies. An unfavorable decision could not be portrayed as an imperial "cave in," but rather a demonstration that Great Britain upheld the principle of international law, while a favorable decision would settle the question of sovereignty once and for all in the eyes of the international community. The prospect ... appealed much less to the two South American countries than it did to Great Britain.” ¹⁰³⁸

“On 21 December 1954 Britain invited Argentina and Chile to join Britain in referring the dispute to an independent ad hoc tribunal for a ruling, but both countries rejected the offer.” ¹⁰³⁹

1034 Attached to *Foreign Service Despatch Am Embassy Buenos Aires to Department of State May 17, 1955* in *CIA-RDP08CO1297R000800090016-0 Declassified and Approved for Release 2012/10/03*

1035 *HC Deb 06 May 1955 vol.540 cc178-80W*. Also *Bologna 1988 p.49*

1036 *Antarctica Cases: United Kingdom v. Argentine; United Kingdom v Chile* International Court of Justice 1956 p.36. *Art. 40(1)* states: “Cases are brought before the Court, as the case may be, either by the notification of the special agreement or by a written application addressed to the Registrar. In either case the subject of the dispute and the parties shall be indicated.”

1037 Foreign Secretary Ernest Bevin speaking to the House of Commons, February 25, 1948 in *HC Deb 25 February 1948 vol.447 cc1931-3*. Britain had signed the 'optional clause' recognising automatic ICJ jurisdiction in 1946 albeit for cases arising after 1930; the issue of the Antarctic territories being deemed such a case. See 1920 & 1946

1038 Howkins 2008 p.230

1039 Pascoe 2020 p.273

1955 – January 2nd, in the Weddell Sea, an Argentine squadron consisting of ARA *Bahia Buen Suceso*, ARA *Bahia Aquirre*, ARA *Punta Loyola*, ARA *Chiriguano*, ARA *Sanaviron*, ARA *Yamana* and an ice-breaker ARA *General San Martin*, search for a suitable site for a base.

January 3rd, a suitable site is identified and stores are unloaded, including enough fuel for four years. Five buildings are constructed at what is now called - *Belgrano I Base*.

January 25th, in order to reinforce its claims to the South Sandwich Islands, Argentina establishes a summer station named *Teniente Esquivel* at Furguson Bay on Thule (aka Morrell) Island. The base is staffed by a midshipman and two radio operators (right).¹⁰⁴⁰



At Deception Island, South Shetland Islands, Chile sets up another base – *Aguirre Cerda* – at Pendulum Cove.¹⁰⁴¹

*“The new settlement, which consists of a hut occupied by a small party of Chilean naval personnel, is being kept under close observation by the British authorities at Deception Island. Her Majesty's Charge d'Affaires in Santiago has protested to the Chilean Government at this infringement of British sovereignty.”*¹⁰⁴²

Governor Sir Oswald Raynor Arthur, tours the Dependencies in HMS *Veryan Bay*.

HMS *Burghead Bay* visits the South Shetland Islands and the South Orkneys.

March 29th, in Washington DC, the State Department once considers its position in relation to Antarctic claims.

“... 4. The U. S. is the only country of the eight primarily interested in the Antarctic which does not have an official claim dating back one or more decades. In any controversy over the significance of an early statement of claims, the seven friendly claimants would tend to be arrayed against the U. S. (and the USSR, if it should make a claim).

5. It has thus far been considered impossible, from a foreign relations and psychological viewpoint, to announce a U. S. claim extensive enough to include all existing U. S. rights. Such rights virtually circle the continent and undoubtedly will be extended by future U. S. expeditions; it may, however, be doubted whether we will ever find it desirable to announce a claim to all.

6. Irrespective of prospects for an official U. S. claim, the relative strength of all existing U. S. rights can be maintained only by matching the Antarctic activities of each of the seven countries with which we presently compete for Antarctic rights. ...

*12. The Department of State proposes to enter into bilateral negotiations with the seven Antarctic claimant countries (Argentina, Chile, the U. K., Australia, New Zealand, Norway and France) to obtain their recognition of superior U. S. rights in certain areas (indicated on the map attached to this report) in return for U. S. agreement not to contest their individual claims in the remaining areas...”*¹⁰⁴³

1040 The station was closed after 12 months following a volcanic eruption on nearby Bristol Island. See 1976.

1041 Destroyed by volcanic eruptions in 1967 and 1969.

1042 *HC Deb 02 March 1955 vol.537 cc2033-4*

1043 *Staff Study prepared by the Operations Coordinating Board, March 29, 1955 in Foreign Relations of the United States, 1955–1957, United Nations and General International Matters, vol.11, Doc.299.* The proposal regarding negotiations of a US claim appear not to have been adopted, although the exact date that the decision was made is not clear.

April 16th, from Buenos Aires, the US Embassy reports upon attitudes within Argentina.

*“The idea of Argentine sovereignty in the special piece of pie Argentines have claimed for themselves in the Antarctic is upheld by all political parties. Moreover, the people have been so indoctrinated with the idea that they believe it as a matter of natural right ...”*¹⁰⁴⁴

April 30th, in London, the British Government decides to try a unilateral approach to the International Court of Justice (ICJ) regarding Chilean and Argentine pretensions to the Falkland Islands Dependencies.

*“If the two governments do not see fit to accompany us to the Court we shall at least have acquainted the Court of the facts of the case and have placed on record before the Court and world opinion generally the grounds on which we consider our title to the United Kingdom sector of the Antarctic to be firmly rooted in international law.”*¹⁰⁴⁵

*“Her Majesty's Government therefore decided to make a direct application to the International Court and lay their case before it. They prepared two documents relating to encroachments by Argentina and Chile, respectively,...”*¹⁰⁴⁶

May 4th, at the Hague, in the Netherlands, Britain presents its cases against Chile and Argentina to the ICJ.¹⁰⁴⁷

*“1. Application Instituting Proceedings Against the Argentine Republic.”*¹⁰⁴⁸

Differences have existed between the Governments of the United Kingdom and of the Republic of Argentina for a number of years, concerning pretensions advanced by the Republic in 1925, and at various dates thereafter, to the sovereignty of certain Antarctic and sub-Antarctic territories which belong to the United Kingdom under prior, long-standing, and well-established legal titles, dating from, at latest, the period 1775-1843. The territories in dispute between the two countries form part of the Falkland Islands Dependencies,.. The Government of the United Kingdom, in submitting this application to the Court, accordingly contends:- ...

The Government of the United Kingdom therefore, asks the Court to declare -

(1) that the United Kingdom, as against the Republic of Argentina, possesses, and at all material dates has possessed, valid and subsisting legal titles to the sovereignty over all the territories comprised in the Falkland Islands Dependencies, and in particular South Sandwich Islands, South Georgia, the South Orkneys, South Shetlands, Graham Land and Coats Land;

(2) that the pretensions of the Republic of Argentina to the territories comprised in the Falkland Islands Dependencies, and in particular South Sandwich Islands, South Georgia, the South Orkneys, South Shetlands, Graham Land and Coats Land, and her encroachments and pretended acts of sovereignty in or relative to any of those territories are, under international law, illegal and invalid;

*(3) that the Republic of Argentina is bound to respect the United Kingdom's sovereignty over the territories comprised in the Falkland Islands Dependencies, and in particular South Sandwich Islands, South Georgia, the South Orkneys, South Shetlands, Graham Land and Coats Land, to cease her pretensions to exercise sovereignty in or relative to those territories ...”*¹⁰⁴⁹

1044 Quoted in Howkins 2017 p.126

1045 Foreign Secretary Harold Macmillan to the House of Commons quoted in *HC Deb 06 May 1955 vol.540 cc178-80W*

1046 *HC Deb 06 May 1955 vol.540 cc178-80W*. The case had been prepared by Sir Humphrey Waldock

1047 *Antarctica Cases: United Kingdom v. Argentine; United Kingdom v Chile* International Court of Justice 1956. Worthy of note, that an Argentine Judge, Lucio Manuel Moreno Quintana, was a member of the panel at this time.

1048 See - <https://www.icj-cij.org/public/files/case-related/26/026-19550504-APP-1-00-EN.pdf>

1049 *Antarctica Cases: United Kingdom v. Argentine; United Kingdom v Chile* International Court of Justice 1956

2. *Application Instituting Proceedings Against the Republic of Chile...*¹⁰⁵⁰

Differences have arisen between the Governments of the United Kingdom and of the Republic of Chile since November 6, 1940, concerning pretensions advanced by the Republic in a Presidential Decree of that date, to the sovereignty of certain Antarctic and sub-Antarctic territories which belong to the United Kingdom under prior, long standing, and well established legal titles dating from, at latest, the period 1775-1843. The particular territories in dispute between the two countries, namely the South Shetland Islands and Graham Land, form part of Falkland Islands Dependencies. ... The Government of the United Kingdom, in submitting this application to the Court, accordingly contends:- ...

The Government of the United Kingdom therefore, asks the Court to declare -

(1) that the United Kingdom, as against the Republic of Argentina, possesses, and at all material dates has possessed, valid and subsisting legal titles to the sovereignty of the South Shetlands and Graham Land;

(2) that the pretensions of the Republic of Chile to the South Shetlands and Graham Land and her encroachments and pretended acts of sovereignty in or relative to those territories are, under international law, illegal and invalid;

(3) that the Republic of Chile is bound to respect the United Kingdom's sovereignty over the South Shetlands and Graham Land, to cease her pretensions to exercise sovereignty in or relative to those territories ... ”

*“It is not clear what the British Government hopes to accomplish by its application to the International Court of Justice. It can have no illusions about the acceptance of the jurisdiction of the Court by either Argentina or Chile. ... The British would seem to have no prospect of achieving anything more than a tactical and propaganda result...”*¹⁰⁵¹

On the same day, in Buenos Aires, Argentina's Foreign Minister sends a note to the British Embassy responding to the UK's letter of December 21st, 1954.

“... 2. The Letters Patent of 1908 and 1917, on which the British Government rely so much to support the rights which they invoke are, from the point of view of international law, acts or measures totally ineffective as a basis of sovereignty because they were exclusively unilateral and did not in any way have the concurrence of the Argentine Government.

3. Furthermore the foundation of the said documents is absolutely false because the territories which they mention and declare to be British are under the sovereignty of the Republic. The Falkland Islands are Argentine as are the lands which fall within out Antarctic Sector; as well as the South Georgia and Sandwich Islands. This, as Her Majesty's Government will know, rests upon unquestionable legal bases. Known historical reasons and geographical factors also support and give evidence to this. These apart from forming the incontrovertible basis for its material and permanent condition, are beyond all possibility of being invoked by Great Britain. Nevertheless, Her Majesty's Government avoid the fundamental question and, as though everything were reduced to one factor alone, mention as the only problem requiring solution, that which refers to the Antarctic territories to which they presume and which they class as dependencies of the Falkland Islands. On the other hand, nothing is said about the fundamental problem of sovereignty regarding the latter. ...

1050 See - <https://www.icj-cij.org/files/case-related/27/027-19550504-APP-1-00-EN.pdf>

1051 *Foreign Service Despatch AmEmbassy Buenos Aires to Department of State May 17, 1955 in CIA-RDP08CO1297R000800090016-0 Declassified and Approved for Release 2012/10/03*

6. *In consequence, while the question referred to above is not settled in the sense indicated, it is not suitable to propose, as has Great Britain, the submission of the matter to the International Court of Justice at The Hague or to any ad hoc arbitral tribunal.*

7. *... No judicial or moral principle forces States to submit to the decision of external powers or entities their territorial rights based on legitimate titles such as are those which underlie the unquestionable sovereignty of the Republic over the Antarctic sector and adjacent islands...*" ¹⁰⁵²

Argentina's rejection goes on to claim that acceptance of the British invitation to the court is also excluded by the, "*Treaty of Mutual Assistance of Rio de Janeiro*", being; "... incompatible with the aspirations of the peoples and Governments of this Continent who have confirmed in the Tenth Inter-American Conference at Caracas their desire finally to eliminate colonialism and who have confirmed their solidarity with the just claims to territories occupied by extra-continental countries." ¹⁰⁵³

"It was a foregone conclusion that the Argentine Government would reject any proposal which in any way involved an admission of British sovereignty over the *Islas Malvinas (Falkland Islands)*. Such a recognition was implicit in the British proposition to arbitrate the conflicting Antarctic claims in the form of an adjudication of rights to the "*Falkland Islands Dependencies*."..." ¹⁰⁵⁴

"South Georgia has its own history, and the basis for the Argentine claim to it appears to be merely succession to British administrative powers exercised from the *Falkland/ Malvinas*." ¹⁰⁵⁵

"In Argentina, the southern continent mattered more to President Peron as an anti-imperialist "*irrendenta*" ... Peron believed that Argentina was winning the contest for Antarctic sovereignty, and saw no reason why the glory should be taken away at the stroke of a judge's pen. ... In Chile there was a genuine fear that their country would lose a case at the International Court of Justice. While most officials believed that Chile had excellent historical and geographical claims to the Antarctic Peninsula region, they realized that their efforts to "*effectively occupy* " the region had been less successful than those of Great Britain and Argentina." ¹⁰⁵⁶

"Without giving any evidence, the Argentine rejection of the proposal for a tribunal stated baldly that: "*The Malvinas islands, together with the lands situated in our Antarctic sector, are Argentinian, as are the South Georgias and the South Sandwich Islands*." It went on to say that since the Malvinas islands were Argentinian, the islands which were associated with them, by repeated British declarations, were Argentine territory too." ¹⁰⁵⁷

May 6th, in London, Foreign Secretary Harold Macmillan makes a statement to the House of Commons regarding Britain's submission to the ICJ. ¹⁰⁵⁸

"Our Ambassadors at Buenos Aires and Santiago have since been informed by the Argentine and Chilean Governments that they reject the offer of arbitration which we made last December. The

1052 Attached to *Foreign Service Despatch Am Embassy Buenos Aires to Department of State May 17, 1955* in CIA-RDP08CO1297R000800090016-0 Declassified and Approved for Release 2012/10/03

1053 *Ibid.* Chile would repeat the same arguments, almost to the letter. See *US Embassy, Santiago to State Dept. May 16, 1955 USNA 702.022/5-1655*

1054 *Ibid.*

1055 *Historical and Legal Background of the Falkland/Malvinas Dispute* Alfred Rubin in *The Falklands War: Lessons for Strategy, Diplomacy and International Law*, Alberto R. Coll & Anthony C. Arend (eds.) 1985 p.20 footnote.

1056 Howkins 2008 p.232

1057 Pascoe 2020 p.273

1058 *HC Deb 06 May 1955 vol.540 cc178-80W*

Ambassadors have been instructed to express to the two Governments our disappointment at their replies and our hope that, in the light of the action which we have taken before the International Court, they will reconsider their attitude and accept the jurisdiction of the Court. If they do this the Court will be enabled to hear the case and give judgement. ... I hope that Argentina and Chile will accept the jurisdiction of the International Court of Justice and that this issue, which has impaired our relations with two countries with whom we desire to be on terms of friendship, may be resolved by a judgement of that Court."

May 13th, a Foreign Office spokesman is reported in the Argentine press as saying that the ICJ, under its rules, now have no option but to formally ask if Argentina and Chile are willing to accept its jurisdiction.

May 27th, Chile agrees to participate in the International Geophysical Year planned for 1957.

June 15th, in Argentina, the proposal promulgated in August, 1954, to designate the Falkland Islands and the Dependencies as a part of one of its Provinces, is approved by the Senate.

*"My Lords, an Argentine Law was promulgated on August 25, 1954, which gave to certain parts of the Argentine Republic together with what were described as "the Antarctic sector and the Islands of the South Atlantic" the status of "National Territories". Her Majesty's Government protested against that Law at the time. The Bill to which the noble Lord refers raises such "National Territories" to the status of provinces. It has now become law. The Falkland Islands and the Falkland Islands Dependencies are not specifically designated in the new Law, but are implicitly included in one of these provinces under the heading of "the islands of the South Atlantic and the Argentine Antarctic Sector."..."*¹⁰⁵⁹

June 17th, in Chile, the country's claimed Antarctic Territories are placed in the Province of Magallanes.¹⁰⁶⁰

June 28th, Argentine law no. 14408 states that national territories, including Tierra del Fuego, are to become Provinces.

*"Art. 1° ... c) Another province will be constituted, limited to the north by the parallel 46°S; to the East, by the Atlantic Ocean; to the West, by the dividing line with the Republic of Chile, and to the South, with the Pole, including Tierra del Fuego, South Atlantic islands and the Argentine Antarctic sector."*¹⁰⁶¹

July 1st, at the United Nations, the General Assembly notes that it; *"... had already recognized the right of peoples and nations to self-determination; the next step was to formulate an appropriate article by which States would undertake a solemn obligation to promote and respect that right."*¹⁰⁶²

In Paris, France, representatives of twelve nations meet to discuss the proposed International Geophysical Year.

*"Throughout the meeting ..., the Chilean delegation, along with that of Argentina, sought to establish a clear distinction between IGY scientific research and politics in Antarctica. ... The meeting therefore established a "Gentleman's Agreement" by which none of the research and activity of the IGY would have any bearing on the question of Antarctic sovereignty."*¹⁰⁶³

¹⁰⁵⁹ *HL Deb 20 July 1955 vol.193 cc909-10*. This became an Argentine law on June 15, 1955.

¹⁰⁶⁰ Both Chile and Argentina passing almost identical laws within days of each other could not be a coincidence.

¹⁰⁶¹ This does not appear to have been implemented. A further decree (No.11429) of July 20, 1955 renamed the national territory of Tierra del Fuego as the Province of Patagonia but that was followed in 1956 by yet another decree (No. 21178) which limited the Province of Patagonia to Santa Cruz. The reasons behind these changes are not clear.

¹⁰⁶² United Nations General Assembly, Tenth Session: *Annotation on Draft International Covenants on Human Rights, UN doc. A/2929*, 1 July 1955, Chap. IV, p. 40, para.4.

¹⁰⁶³ Howkins 2008 p.257

July 12th, Britain protests against Argentina's law of June 15th.

July 15th, at the Hague, Chile formally indicates to the International Court of Justice that it refuses to recognise its jurisdiction in relation to the British case.

In Argentina, President Perón declares; *“The Perónist Revolution has ended; now begins a new constitutional stage without revolution ... I have ceased to be the leader of the National Revolution in order to become President of all the Argentines.”*¹⁰⁶⁴

August 1st, in Holland, Argentina’s Ambassador formally declines to accept the jurisdiction of the Hague court.

*“... the Argentine Government has several times had occasion to indicate in notes addressed to Her Britannic Majesty's Embassy in Buenos Aires that it cannot consent to the question of sovereignty over the Antarctic Territories of Argentina which it is sought to raise being referred for decision to any International Court of Justice or Arbitration Tribunal. By this present note, my Government reaffirms its refusal in the most express way with regard to the jurisdiction of this Court and with regard to any possibility that it should be seised as such to deal with this case.”*¹⁰⁶⁵

*“... the Agent for the Government of the United Kingdom stated that it regarded the letter of August 1st, 1955, from the Argentine Ambassador to the Netherlands as amounting to a rejection of the jurisdiction of the International Court of Justice for the purposes of the present case;..”*¹⁰⁶⁶

*“... Argentina rejected the British suggestion to bring the dispute to the International Court of Justice in accordance with (the) fundamental principle that territorial sovereignty could not be subject to discussion or put into question.”*¹⁰⁶⁷

*“... there was nothing to stop Argentina from taking the Falklands dispute to the ICJ, with or without the Dependencies – the lack of any such move suggests that Argentina was not optimistic that the Court would uphold the Argentine claim.”*¹⁰⁶⁸

In September, a military coup in Argentina forces Juan Perón from power.

September 25th, Juan Perón sails into exile.¹⁰⁶⁹

*“After the overthrow of Perón as a consequence of the 1955 coup d'état, the policy of peronization of the educational sphere was put to an end, Peronist school books were prohibited and references to the "National Doctrine" were eliminated, but the policy deployed by the deposed government around the Malvinas issue not only remained but also strengthened, while academic production on the subject continued. At the primary level, the school discourse on the islands established in the previous decade remained without great variations,...”*¹⁰⁷⁰

October 6th, at the meeting of the UN's *Trusteeship Committee*, Argentina's representative protests Britain's transmission of information regarding the Falklands, as required under Article 73 of the *Charter*.¹⁰⁷¹

1064 See September, 1955 below.

1065 *Antarctica Case (United Kingdom v. Argentina) Order of March 16, 1956*

1066 *Ibid.*

1067 Bologna 1988 p.50

1068 Pascoe 2020 p.274

1069 At first to Paraguay, then eventually to Spain where he spent the next 18 years.

1070 Santos La Rosa 2022

1071 A Charter obligation placed upon the Administering Power, which was the UK.

1956 – January 12th, in Washington DC, at a meeting of it's National Security Council, the USA determines an Antarctic policy.

“Seek to reach an agreement among the U.S. and free world claimants to Antarctic territory which will (1) reserve their respective rights pending future solution of the territorial problems, (2) reduce international friction among them, and (3) permit freedom of exploration and scientific investigation in the Antarctic by free world nationals and maximum interchange of Antarctic mapping and scientific data.” ¹⁰⁷²

“The USA did not pursue its geopolitical interests in the region by claiming specific sectors as this would have meant leaving other strategic areas under the exclusive control of other countries. Instead, its activities were part of a broader effort to ensure a panoptical control over the whole continent.” ¹⁰⁷³

January 26th, Argentina's 'Antarctic Institute' is established by Presidential Decree. ¹⁰⁷⁴

Argentina's summer Antarctic station - *Teniente Esquivel* - on Thule (aka Morrell) Island, is abandoned due to volcanic activity. ¹⁰⁷⁵

February 17th, at the United Nations, India's envoy asks that the issue of Antarctica be raised as a provisional item at the next session of the General Assembly so that some form of trusteeship could be discussed.

“This is quite a good selection since it will cause the maximum amount of irritation to the largest possible number of countries.” ¹⁰⁷⁶

February 22nd, in London, the British Foreign Office considers India's UN proposal.

“HMG has steadfastly refused for several years to accept the idea that territories over which they have sovereign rights should be submitted to UN control...”

In Santiago, Chile, the newspaper *La Union* reports; *“Chile would not accept the Indian proposition.”*

February 27th, Chile formally protests to the Indian Government. France and Norway also raise objections.

February 29th, in the *Latin American Caucus* both Chile and Argentina seek support against India's proposals.

March 16th, at the Hague, the International Court removes the *Antarctica* cases from its list.

“... the Court finds that it has not before it any acceptance by the Government of Argentina of the jurisdiction of the Court to deal with the dispute which is the subject of the Application submitted to it by the United Kingdom Government and that therefore it can take no further steps upon this Application;...” ¹⁰⁷⁷

1072 *Foreign Relations of the United States, 1955–1957, United Nations & General International Matters, vol.11, Doc. 313.* The USA had considered making its own claim to parts of Antarctica; but the proposal foundered on the unknown nature of any advantage to be gained – political or financial. The President had been very concerned as to costs; *“... before he bought a horse he wanted to know what he was going to do with him besides feed him.”*

1073 Turchetti, Naylor, Dean & Siebert 2008

1074 Headland 1989

1075 See 1976 & 1982

1076 *FO 371/119835*

1077 See http://www.worldcourts.com/icj/eng/decisions/1956.03.16_antarctica1.htm and http://www.worldcourts.com/icj/eng/decisions/1956.03.16_antarctica2.htm

In Argentina, a children's author of fiction, Martiniano Leguizamón Pondal, in his book *Toponimia Criolla en las Islas Malvinas*, creates the legend of Antonio Rivero as a 'revolutionary hero' who resisted British rule in the Falklands in 1833.¹⁰⁷⁸

*"... Buenos Aires did not hear Rivero's appeal, the gallop of his colts [sic], the crackle of his camp fire, the shudder of the anticolonialist idea, and the Buenos Aires squadron did not go to the unhappy islands... On the verge of trance, Antonio Rivero, in a superb expression of life and spontaneity, without hesitating, ordered the uprising... The English flag on the flagpole in front of the Irishman's store... was visible some five hundred metres to the south; towards it, with a sort of gigantic, epic energy, the rebels made their way. Dickson... emerged from the store shooting, and received a shot that stopped him. The gauchos, carried almost to frenzy, with patriotic fury, pulled down the English flag and, delirious, raised that of Belgrano, and, certainly rejoicing, pulled more than one cork..."*¹⁰⁷⁹



*"Attempts have been made to create a legend about courageous gauchos who attacked and defeated the British, but this is just imagination."*¹⁰⁸⁰

*"Sprung from the imagination of a jingoistic writer, a cowardly thief and murderer who went by the name of Rivero and who was endowed with the undeserved virtues of a gaucho, rose to the Hall of Heroes."*¹⁰⁸¹

*"... Leguizamón Pondal's book led to the foundation of a new organisation, the "Comisión pro Monumento a Antonio Rivero", on 11 November 1965, which agitated for a monument to be raised to Rivero as a patriotic Argentine hero."*¹⁰⁸²

Researcher's Comment: A book for children. The problem, of course, is that children grow up convinced of falsehoods. Back in 1833, Rivero was recognised as a murderer by Buenos Aires and, in particular, Luis Vernet, whose managers Rivero murdered. He was no revolutionary hero, but lies told to children stick.

March 22nd, Chile protests the existence of British bases within its claimed Antarctic Territories. Immediately rejected by Britain.¹⁰⁸³

June 1st, in Buenos Aires, distribution of the United Nations magazine *'World Communications'* is banned due to it listing the Falkland Islands as a British possession.

November 5th, at the UN, India's request for a General Assembly discussion regarding Antarctica is opposed by the USA.

"While we have not undertaken formulate detailed comments on Indian memo we would like to make certain general observations at this time. We can see no need to raise Antarctica in UN at this juncture and believe it politically unwise to do so. While GOI apparently wished avoid raising question territorial claims we doubt if this can be avoided entirely. This could lead to exacerbation existing

1078 *False Falklands History at the United Nations: How Argentina misled the UN in 1964 – and still does* G. Pascoe & P. Pepper 2012 p.6

1079 *Toponimia Criolla en las Islas Malvinas* Martiniano Leguizamón Pondal 1956. cf. August, 1833, November, 1965, January, 1966, April, 1966, August, 1972, April 1982, August 2012 and March 2015

1080 Destefani 1982

1081 *Falklands or Malvinas: Myths & Facts* M. P. Peña & J. A. Peña 2018

1082 Pascoe 2020 p.165

1083 *Antarctica in International Law* Ben Saul & Tim Stephens (eds) 2015

rivalries among countries having claimed Antarctic territory making even more difficult an eventual solution problem. Moreover, we doubt whether any constructive result likely be obtained. There is freedom of exploration and scientific investigation in Antarctica as evidenced by extent of voluntary cooperation by countries currently participating IGY activities there. We fail see legitimate basis for what we understand to be Indian concern over possible use Antarctic region for nuclear testing.” ¹⁰⁸⁴

At South Georgia, *Busen 8*, a whale-catcher owned by *Tonsbergs Hvalfangeri*, is scuttled off Stromness Bay.

November 14th, India abandons its proposals regarding trusteeship for Antarctica.

“In withdrawing the item Mr. Krishna Menon explained that his Government was doing so in order to have time to prepare the item better and to persuade other governments of its importance. It may be assumed, therefore, that the Indians may well re-introduce the subject at a subsequent meeting of the General Assembly.” ¹⁰⁸⁵

“The fact that the “Antarctic Question” was not raised at the United Nations General Assembly in 1956 had other important implications for the future of Antarctica. It is difficult to imagine that the members of the United Nations would have allowed twelve countries to sign the Antarctic Treaty of 1959 and form an “exclusive club”, if they had already had experience of debating Antarctica.” ¹⁰⁸⁶

November 21st, Argentina, Chile and the UK renew the agreement not to send warships into Antarctic waters.

1957 – January 1st, HRH Prince Phillip tours the South Atlantic in *HMY Britannia*, visiting FIDS bases.

January 7th, Prince Philip, Duke of Edinburgh, arrives at Stanley for an official visit. ¹⁰⁸⁷



Edwin Porter Arrowsmith becomes Governor of the Falkland Islands. ¹⁰⁸⁸

January 12th, HRH Prince Phillip visits South Georgia.

1084 *Foreign Relations of the United States, 1955–1957, United Nations & General International Matters, vol.11, Doc. 315*

1085 *Ibid. Doc 317*

1086 Howkins 2008 p.275

1087 For details of the visit see – <https://www.falklandsbiographies.org/biographies/165>

1088 Not gazetted, but Arrowsmith is referred to as Governor on his Knighthood. *cf. The London Gazette No.41727*. For a biography, see - https://www.falklandsbiographies.org/biographies/arrowsmith_sir

In **February**, in London, Anthony Hurd, a Conservative MP and a Director of the *Falkland Islands Company*, meets with Britain's Foreign Secretary to discuss an expansion of the Company's activities.

"Hurd reminded the Foreign Secretary of the restrictions on Falklanders visiting Argentina. He then said that, "If relations with Argentina were normal the Falkland Islands Company would probably re-route their monthly steamship service to Argentina. In addition, they would welcome an extension of the (Argentine) Patagonian air service to the Falkland Islands (it was not an economic proposition for the Company to run an air service to Montevideo). ... He asked for consideration of an "outright solution" whereby, "... the Argentine claim to sovereignty could be recognized by us in return for an Argentine undertaking to accept the permanence and legality of our administration of the Islands." ..." ¹⁰⁸⁹

February 28th, under *Decree 2191* Argentina re-establishes the 'National Territory of Tierra del Fuego, Antarctica and South Atlantic Islands'. ¹⁰⁹⁰

"Art. 2. The National Territory of Tierra del Fuego, Antarctica and South Atlantic Islands includes: The eastern part of the Isla Grande and other Islands of the archipelago of Tierra del Fuego and Islas de la Estados and Año Nuevo., according to the limits set by the Treaty of July 23, 1881, the Islands Malvinas, South Georgia Islands, the South Sandwich Islands and the Argentine Antarctic sector between the meridians 25° West and 74° West and the parallel 60° South"

"... it is worth noting the decree of Decree 2,191 of 1957 by which the national territory of Tierra del Fuego, Antarctica and the South Atlantic Islands is reestablished, referring to the 1881 treaty. Indeed, in its article 2, said decree established the jurisdiction of the new territory comprising the eastern part of the Big Island, other islands of the archipelago of Tierra del Fuego and islands of the States and New Year, the Falkland Islands, the Georgias Islands, the South Sandwich Islands and the Argentine Antarctic Sector." ¹⁰⁹¹

April 4th, John Matthew is appointed magistrate at King Edward Point, South Georgia.

In **May**, in London, the British Foreign Office produces an internal report on the future of the colonies. This suggests that the Falkland Islands can be given an independent government with no loss to British prestige, however, the danger from Argentina is recognised.

"Provided withdrawal of UK jurisdiction did not also involve withdrawal of UK protection, there would be no vacuum to be filled by an outsider. If however, protection were also withdrawn, the Falkland Islands would be in danger of occupation by Argentina, and the abandonment of a racially British population to such a fate would be discreditable and severely damaging to prestige." ¹⁰⁹²

May 22nd, in Washington DC, the Director of the National Security Council submits a memorandum to the National Security Council Planning Board.

"The existing U.S. policy on Antarctica, adopted in July, 1954 and amended in January, 1956, provided that the United States would not make a formal claim to any Antarctic territory, but would reserve and at an appropriate later time reassert all its rights therein. At that time, and in subsequent

1089 Ellerby 1990 pp.102-103 citing FO 371/126165

1090 *Who Owns the Falkland Island Dependencies in International Law? An Analysis of Certain Recent British and Argentinian Official Statements* C. R. Symmons in *International and Comparative Law Quarterly*, Vol.33, No.3 (Jul., 1984), pp.726-736. Tierra del Fuego had first been designated as a national territory in 1862, but this had been followed by a number of reorganisations involving the territory. Tierra de Fuego would finally become a province in 1990.

1091 Argentine Congress August 3, 2006 Document 4302-D-06

1092 *Future Constitutional Development in the Colonies* CAB 134/1551

reconsideration of the policy by the National Security Council in 1956, the major emphasis of U.S. programs in Antarctica was placed upon scientific activities in support of the International Geophysical Year. ...

In 1948, the United States explored unsuccessfully with the claimant powers the possibility of placing the Antarctic under some form of international administration. The United States has neither reaffirmed nor rejected, publicly or to the present claimant powers, the position it took publicly in 1948 favoring the establishment of an international regime in Antarctica. Conversations with the other friendly governments who have advanced claims to portions of Antarctica have produced no agreement. Argentina and Chile take a pronounced nationalistic and emotional attitude toward their prospective and sometimes conflicting claims, which cover the Drake Straits and the Palmer Peninsula, and from a purely strategic point of view constitute most important areas in Antarctica. Argentina and Chile contest the claims of the United Kingdom to the same area, and their quarrel with Great Britain is exacerbated by Argentine sensitivity over the Falkland Islands dispute. ... it would seem desirable, on balance, that the United States, ..., make a formal claim to portions of Antarctica and be prepared to recognize claims by friendly Free World claimants. ...

*It is recommended that, keeping in mind the need for action before or on the tentative target date of January 1, 1959 for putting forth a U.S. claim to Antarctica, and having due regard for the possibilities analyzed in the preceding paragraph, the United States commence forthwith diplomatic conversations among the seven Free World claimant powers.”*¹⁰⁹³

July 1st, Antarctica sees the commencement of the International Geophysical Year involving scientific projects from 67 countries. Antarctic projects are initiated by twelve countries.¹⁰⁹⁴ British scientists are specifically tasked to consider the economic worth of the UK's claims in the Antarctic Peninsula so that the advantages, or otherwise, of holding onto sovereignty can be assessed.

*“Rather than embracing the IGY whole-heartedly, Argentina and Chile were somewhat reluctant collaborators in a global scientific project that they viewed as potentially damaging to their political claims in the southern continent. They feared that an unfettered movement of scientists would undermine their sovereignty claims, ...”*¹⁰⁹⁵

October 4th, officially listed as part of its contribution to the IGY, Russia launches *Sputnik* into space. This forces the USA to bring forward its own plans; starting the “space-race.”

*“Just four days before the meeting, the launch of the first artificial satellite, *Sputnik*, demonstrated emphatically Soviet technological prowess and prompted concerns among the meeting’s participants about the role Russia was going to play in the southern hemisphere.”*¹⁰⁹⁶

*“The two superpowers had a very similar approach to Antarctic sovereignty: both refused to recognise any existing claims and reserved their own rights over the entire continent. But throughout the IGY, there was constant speculation that one or both of the superpowers would make formal sovereignty claims.”*¹⁰⁹⁷

1093 *Foreign Relations of the United States, 1955–1957, UN & General International Matters, volume 11, Doc.330.* The proposal was rejected on June 26, 1957 (*Doc. 332*)

1094 Britain, USA, Australia, France, Norway, New Zealand, Russia, Chile, Argentina, Belgium, Japan and South Africa.

1095 Howkins 2008 (2)

1096 Turchetti, Naylor, Dean & Siegert 2008

1097 Howkins 2008 (1) p.298

October 7th, in Washington DC, an unannounced meeting is held attended by Britain's Viscount Samuel Hood. Britain proposes the internationalization of the Antarctic continent as a basis for discussion. The USA repeats its suggestion of an 8-power *condominium*.¹⁰⁹⁸

*“A condominium could be established whereby claims over all or part of the Antarctic would be merged, provided the United States and all or certain of the other friendly claimant powers were to agree on the advisability and desirability of taking such action. To the extent disputed area is involved, such an international administration would obviate the necessity of negotiating out rival claims as between the claimant powers. The United States, as one of the joint sovereigns over areas in which the Soviets are located, would have a better basis for opposing objectionable Soviet activities or claims in those areas. It is expected, however, that both Argentina and Chile would strenuously resist the concept of a condominium.”*¹⁰⁹⁹

*“On 7–8 October 1957, when the IGY was in full swing, a secret meeting was organized at the US State Department in Washington DC, including high-ranking officials from the Foreign Offices of Britain, Australia and New Zealand. One of the points on the meeting's agenda was Australia's growing concern over the establishment of Soviet bases in Australian Antarctic Territory. It was not just sovereignty at stake – the Australians believed that the bases could be used as launch sites for nuclear weaponry. ... The convenor of the Antarctic meeting was the US Department of State's adviser on Antarctic affairs, Paul C. Daniels,... However, years later, John Heap, a leading British diplomat and Antarctic scientist, claimed that it was the British Foreign Office that had been responsible for organizing the meeting. The fact that the British delegation, in contrast to the other parties, presented a document setting out a proposal for an international regime in Antarctica seems to confirm this claim.”*¹¹⁰⁰

October 8th, at the Washington meeting, the British delegation present a paper.

*“The present current of opinion in many countries, fomented partly by public interest in the IGY, is favourable to international co-operation in the Antarctic. The cold war has not yet been extended to the Antarctic. This favourable climate of opinion and absence of conflict may not last for long after the end of the IGY and therefore the present moment offers an opportunity which may not recur for considering a change in the status quo.”*¹¹⁰¹

*“The UK document went on to suggest the possibility for claimant states to retain territorial sovereignty in name, but in practice to hand the continent's governance over to an international governing body. ... The meeting was concluded by indicating as common objectives of Antarctic policy the demilitarization of the continent; the encouragement of scientific research; and the possibility of exploiting its resources. ... it was agreed that US diplomats would exert some pressure on Chile and Argentina in order to make them accept the invitation for a meeting on Antarctic affairs.”*¹¹⁰²

December 11th, at the United Nations, resolution 1188 (XII) reaffirms that; *“Member States shall, in their relations with one another, give due respect to the right of self-determination.”*

1098 Not so secret as, on October 3rd, South Africa requested to be included. In the first instance, it had not been the USA's intention to invite Britain either, owing to the dispute with Argentina over sovereignty of the Falkland Islands.

1099 *Foreign Relations of the United States, 1955–1957, UN & General International Matters, volume 11, Doc.333*

1100 Turchetti, Naylor, Dean & Siegert 2008

1101 *Summary report of informal talks held among officials of Australia, Great Britain, New Zealand and the United States, Annex I – UK Document, Secret, 2–3. Copy in FCO 7/3248, NA* quoted in Turchetti, Naylor, Dean & Siegert 2008

1102 Turchetti, Naylor, Dean & Siegert 2008

“.., between 1950 and 1957, the General Assembly adopted eight resolutions on the right of peoples and nations to self-determination and independence. Each resolution was adopted by a majority of the membership of the United Nations ... The General Assembly was unrelenting in the attention that it paid to the development of the right to self-determination. The resolutions adopted in the seven-year period instilled confidence in peoples under colonial domination. Between 1957 and 1960, and prior to the adoption of 1514 on 20 December 1960, 18 countries under colonial domination became independent. It is arguable that the analysis of the flurry of General Assembly resolutions over the seven-year period 1950 to 1957 shows that State practice and opinio juris combined to establish the right to self-determination as a rule of international law by 1957 ...”¹¹⁰³

December 31st, at Deception Island, whale-catcher *Southern Hunter* is wrecked whilst attempting to avoid an Argentine naval vessel entering the harbour at Neptune's Bellows.¹¹⁰⁴

1958 – January 3rd, in London, Government spokesman Ian Harvey, addresses the House of Commons on the situation in the South Atlantic.

“Argentina now occupies eight and Chile five posts in the Falkland Island Dependencies. Only one of these, the Chilean station on Trinity Peninsula, has been established since 1956. Both Governments have also erected navigational beacons and refuge huts in the area. Her Majesty's Government have made formal protests when each installation was set up, the last being in March, 1957, at the end of the 1956–57 Antarctic season.

The International Geophysical Year opened on 1st July, 1957. Her Majesty's Government welcome scientific exploration in the Falkland Island Dependencies during this period and do not regard this as affecting sovereignty in any way.

*All the above-mentioned Argentine and Chilean posts are participating in the scientific programme of the International Geophysical Year. In the case of activities which are not connected with the International Geophysical Year such as the Argentine tourist cruise to Deception Island in January, Her Majesty's Government have made their attitude on the question of sovereignty clear to the Governments concerned.”*¹¹⁰⁵

Governor Sir Oswald Arthur, visits the dependent islands aboard *RRS Shackleton*.

Argentine tourists aboard *Les Eclaireurs*, sail to the South Shetland Islands.

At South Georgia, an Argentine customs officer arrives aboard a *Compañía Argentina de Pesca* transport ship from Buenos Aires.

*“He rather naively said he had come to assume duty ashore in South Georgia. However he was required to remain on board ship while he was there, except once when he was escorted ashore by the policeman/handyman in uniform to the dentist's surgery at Grytviken for treatment and back on board again.”*¹¹⁰⁶

February 16th, an editorial in Chile's *El Mercurio* asserts that the government cannot consent to any discussion of the internationalisation of Antarctica.

1103 Separate Opinion of Judge Robinson in *Advisory Opinion of the International Court of Justice regarding the Legal Consequences of the Separation of the Chagos Archipelago from Mauritius in 1965* February 25, 2019

1104 Headland 1989

1105 *HC Deb 03 February 1958 vol.581 cc137-8W*

1106 John Matthew in Tatham (ed) 2008

February 18th, Chile's Foreign Minister, Alfredo Sepulveda Contreras, tell the press that, “*there is an American Antarctic,*” and that Chile, “*holds the oldest rights of sovereignty on this territory.*”¹¹⁰⁷

March 10th, in Washington DC, a further secret “*conversation*” takes place at New Zealand's Embassy.

*“Representatives of the United Kingdom, Australia, New Zealand, and the United States, as indicated above, met informally at the New Zealand Embassy to discuss the present status of developments in regard to Antarctica. Ambassador Daniels stated that the United States had had talks with the Governments of Chile and Argentina and their reaction to proposals for an international solution to the Antarctic problem was as anticipated. Both countries, he stated, though opposed to any solution involving sacrifice of claims, seemed to be interested in the concepts of scientific cooperation and peaceful uses of Antarctica. Ambassador Daniels also stated that the United States is planning to make an approach soon to all claimant powers in order to determine whether or not there is a generally agreed basis for going ahead with plans for Antarctica. Lord Hood ... stated that the United Kingdom favored bringing in the widest range of countries in the general agreement, at the same time was interested in limiting the number of countries involved in the actual administration. He felt that the whole arrangement would be open to less criticism in the UN if we went ahead "full steam" taking into consideration all the factors which might cause question or opposition in the UN. An effective, well-rounded program would impress members of the UN and the UN would then be more likely to leave "hands off."...”*¹¹⁰⁸

*“... there was a gradual realisation that Antarctica would not prove to be the frozen El Dorado of popular imagination... (which) contributed to Britain's growing desire to resolve the question of sovereignty in Antarctica. ... The advantages of maintaining exclusive sovereignty in the Falkland Islands Dependencies increasingly seemed to justify neither the diplomatic headaches it caused, nor the expense it incurred.”*¹¹⁰⁹

March 24th, the USA seeks the views of the IGY countries in respect of the political future of Antarctica.¹¹¹⁰

April 29th, following two months of general debate, the United Nations opens a number of agreements for signature by members.

*Convention on the Territorial Sea and the Contiguous Zone (CTS)*¹¹¹¹

*Convention on the High Seas (CHS)*¹¹¹²

*Convention on Fishing and Conservation of the Living Resources of the High Seas (CFCLR)*¹¹¹³

*Convention on the Continental Shelf (CCS)*¹¹¹⁴

*Optional Protocol of Signature concerning the Compulsory Settlement of Disputes (OPSD).*¹¹¹⁵

1107 Hanessian 1960 pp.436

1108 *Foreign Relations of the United States, 1958-1960, United Nations and General International Matters, vol.2 Doc.270*

1109 Howkins 2008 p.307

1110 In the form of an *aide-memoire* handed to representatives from the Embassies of Argentina, Australia, Belgium, Chile, France, Japan, Norway, New Zealand, the Union of South Africa, the Soviet Union, and the United Kingdom. The inclusion of the USSR was a controversial decision within the US Government; also raising some objections from other western powers. Copy of the *aide-mémoire* in *Foreign Relations of the United States, 1958-1960, United Nations and General International Matters, vol.2 Doc.271*

1111 Came into force September 10, 1964

1112 Came into force September 30, 1962

1113 Came into force March 20, 1966

1114 Came into force June 10, 1964

1115 Came into force September 30, 1962

The *Convention on the Continental Shelf* considers islands:

*“Article 1: For the purpose of these articles, the term "continental shelf" is used as referring (a) to the seabed and subsoil of the submarine areas adjacent to the coast but outside the area of the territorial sea, to a depth of 204 metres or, beyond that limit, to where the depth of the superjacent waters admits of the exploitation of the natural resources of the said areas; (b) to the seabed and subsoil of similar submarine areas adjacent to the coasts of islands.”*¹¹¹⁶

Article 2: 1. The coastal State exercises over the continental shelf sovereign rights for the purpose of exploring it and exploiting its natural resources. ...

*Article 6: 1. Where the same continental shelf is adjacent to the territories of two or more States whose coasts are opposite each other, the boundary of the continental shelf appertaining to such States shall be determined by agreement between them. In the absence of agreement, and unless another boundary line is justified by special circumstances, the boundary is the median line, every point of which is equidistant from the nearest points of the baselines from which the breadth of the territorial sea of each State is measured.”*¹¹¹⁷

Researcher's Comment: Worthy of note that Islands have their own continental shelves. That an island sits on a larger shelf claimed by another country is of no relevance to questions of sovereignty.

*“Islands generate their own territorial sea and continental shelf. Furthermore, the principle that islands should be treated as any other land territory for the purpose of delimiting the territorial sea, contiguous zone and continental shelf was expressly recognised in Article 10(1) of the 1958 Convention on the Territorial Sea and the Contiguous Zone, and Article 1 of the 1958 Convention on the Continental Shelf. In so far as the continental shelf is concerned, the Convention on the Continental Shelf 1958, at Article 1(b) provided that the term 'continental shelf' is used as referring inter alia 'to the seabed and subsoil of similar submarine areas adjacent to the coasts of islands'. Any insular formation, which is above water at high tide, therefore possesses a territorial sea and a continental shelf.”*¹¹¹⁸

*“In 1950 Britain approved the Falkland Islands (Continental Shelf) Order in Council, which established full sovereignty over the seabed and subsoil contiguous to the colony's coasts. Even more worrying from Buenos Aires' perspective was the ominous turn taken by the Geneva negotiations. When the Philippines' proposal to grant an explicit continental shelf status to islands was accepted and included in the 1958 Convention, the Falklands Order in Council suddenly acquired a firmer standing in international law and a more dangerous meaning for Argentine pretensions. Now Britain... could claim that, as the sole UN-recognised administering power of the South Atlantic Islands, it had a legitimate title to the rights prescribed by the conventions. Moreover, in its Article 6 the convention outlined the process whereby a continental shelf adjacent to two or more states could be divided between them and provided that, in the absence of an agreement, the boundary would be the median. This last proviso suggested that the convention applied even to those states, like Argentina, which had refrained from signing it.”*¹¹¹⁹

May 2nd, the US government invites a select group of nations to a conference on Antarctica. Chile accepts the invitation whilst asserting that its own position is distinct from other nations with “colonial” possessions.

1116 Effectively giving islands their own continental shelf for the purposes of international law. Argentina declined to sign.

1117 Britain only ratified this convention in May, 1964; a month before it was due to come into force.

1118 *Islands* Andrew J. Jacovides in *Peaceful Order in the World's Oceans: Essays in Honor of Satya N. Nandan* Michael Lodge & Myron Nordquist (eds) 2014

1119 González 2014 p.109

*“On 2 May 1958 the US ambassadors of 11 countries (seven claimant states plus Japan, Belgium, Germany and Russia) delivered to their foreign ministers a letter inviting them to participate in a conference on Antarctica. The letter referred to the ‘splendid example of international cooperation’ set by the IGY and its importance for mankind. The US letter then indicated the need to find a political solution for Antarctica that would allow ‘a continuation of the international scientific cooperation which is being carried out so successfully during the IGY.’...”*¹¹²⁰

May 3rd, in Washington DC, US President Eisenhower makes an announcement.

“The United States for many years has had, and at the present time continues to have, direct and substantial rights and interest in Antarctica... my Government reserves all of the rights of the United States with respect to the Antarctic region, including the right to assert a territorial claim or claims... the interests of mankind would be best served, in consonance with the high ideals of the Charter of the United Nations if the countries which have a direct interest in Antarctica were to join together in the conclusion of a treaty which would have the following peaceful purposes:

A. Freedom of scientific investigation throughout Antarctica...

B. International agreement to ensure that Antarctica be used for peaceful purposes only.

*C. Any other peaceful purposes not consistent with the Charter of the United Nations.”*¹¹²¹

June 2nd, the USSR informs the USA of its general agreement with the Antarctic proposals.

*“The USSR put up no resistance to article VII of the Treaty, which reserved unlimited rights of inspection of installations, ships or aircraft by any other signatory nation.⁴¹ Indeed, this decision was consistent with Nikita Khrushchev’s policy of strengthening the Soviet nuclear capability and at the same time favouring compromises in the management of international affairs. ... The USSR was going to stay in Antarctica, wanted to participate in its governance and was willing to compromise to do so.”*¹¹²²

June 13th, in Washington DC, informal discussions regarding the proposed Antarctic conference are held.

“... informal meetings have been held once or twice a week, for the most part in the Board Room of the National Academy of Sciences building, among representatives of the Embassies in Washington of the eleven countries and the U.S. to reach mutual agreement on time and place of the conference and on other procedural matters. It was the hope of most of the representatives, except the Soviet, that in these meetings preliminary agreement could be reached on some of the substantive questions pertaining to the treaty. The Soviet representative has consistently refused to discuss substantive matters except in the conference itself. He has also insisted at every occasion that all other countries which desire to do so be invited to participate in the conference. This position is opposed by all the other countries invited by the U.S. The group has tentatively agreed upon Washington as the site of the Conference.

Efforts to agree upon a date, however, have been unsuccessful mainly because of Australian insistence that more preparatory work must first be accomplished before a conference date can be set. Both the U.K. and Australia also insist that an understanding must first be reached with the USSR that participation be limited to the 12 invited by the U.S. Both fear that if the Conference convenes during the U.N. General Assembly the USSR will walk out of the Conference and immediately bring up the question of participation before that assembly

1120 Turchetti, Naylor, Dean & Siegert 2008

1121 *Department of State Bulletin*, vol.38, no.988, pp.910-912

1122 Turchetti, Naylor, Dean & Siegert 2008

(India has already placed the subject of Antarctica on the provisional agenda of the General Assembly but later indicated it would not press for inclusion of the item in the agenda). The Chilean and Argentine representatives have insisted that if the informal working group now meeting does not agree on an early date for the Conference (October 23 has been proposed) this failure will surely cause the General Assembly to take up the question. Chile and Argentina, which would both consider U.N. discussion of Antarctica as interference in their domestic affairs, would likely refuse to participate in any U.N. discussion of Antarctica." ¹¹²³

August 30th, Argentina voices its opposition to any internationalization of the Antarctic.

"..., the Chilean and Argentine delegations set out their positions with long diatribes on their right to the southern continent. ... Enrique Gajardo, the Chilean representative, made it clear that Chile considered Antarctica part of its metropolitan territory... adding once again that the Antarctic Peninsula was a geological extension of Chilean territory..." ¹¹²⁴

In Cambridge, England, Britain's *Scientific Committee on Antarctic Research* (SCAR) is founded. Established at the Scott Polar Research Institute, it is to operate with the co-operation of the IGY.

In Buenos Aires, proposals to transfer the assets of the *Compañía Argentina de Pesca*, following its sale to the British based *Albion Star*, are vehemently opposed by the Argentine government. ¹¹²⁵

November, the USA produces a series of informal working papers on Antarctica for discussion.

"Despite the differences emerging during the preliminary conversations, considerable optimism prevailed among the participants, ..." ¹¹²⁶

Falkland Governor, Sir Oswald Arthur, inspects the Dependencies aboard HMS *Protector*. ¹¹²⁷

In **December**, the United Nation's *Economic and Social Council* propose a resolution concerning the attainment of self-government by Trust Territories.

"In 1958 the United States had managed to secure approval in the Economic and Social Council for a proposal to establish an ad hoc commission to conduct a thorough survey of the concept of self-determination. But this proposal was rejected when it came before the Third Committee. Various grounds were given by the anti-colonialists for rejecting this proposed study, for instance that it would serve only to delay still further the active exercise of the right to self-determination. A more subtle objection was voiced by the Pakistani representative and constitutes a continuing strand in anti-colonialist thought -

"The international community has reached a sufficient degree of maturity to be able to distinguish between genuine self-determination and self-determination used as a cloak for secession. In the last analysis could it not be said that the expressions 'people' and 'nations' are purely legal concepts independent of political, social and economic factors? Could it be said that any attempt at definition might prove dangerous to subject peoples by providing those who govern them with pretexts for denying them self-determination?"

Thus the anti-colonialists wished to reserve it for the 'mature' judgement of the international community, whether in any particular case a group is to be recognized as a people entitled to self-determination." ¹¹²⁸

1123 *Foreign Relations of the United States, 1958-1960, United Nations and General International Matters, vol.2*

1124 Howkins 2008 p.322

1125 FO371/131892; *Colonial Office Records; Public Record Office*, October 17, 1958

1126 Hanessian 1960 pp.436-480

1127 Headland 1989

1128 Dunnett 1983 pp.423 & 424

1959 – January 20th, in Washington DC, an internal US Department of State memo records progress regarding talks on the Antarctic.

“... thirty-one meetings of preparatory talks on Antarctica have been held, attended by representatives of the United States and of the Embassies in Washington of the eleven countries to whom our note of May 2, 1958, was addressed. It has been agreed that the conference should be held in Washington but no announcement of this will be made until there is a decision on the date of the conference... Except for differences as to formulation there is general agreement for the provisions that Antarctica be used for peaceful purposes only and that there be freedom of, and continued international cooperation in, scientific research in Antarctica. The differences as to formulation are related in most cases to other points which have either not yet been discussed as fully or on which agreement will be difficult.

The problems on which there may be difficulty in reaching agreement include:

*(1) The inclusion of a provision setting aside the question of rights and claims ("freezing the legal status quo"). The USSR has expressed opposition to the inclusion of this provision and France, for other reasons, has also expressed a difference of view regarding its formulation. (2) There is a difference of opinion as to whether high seas should be included in the area of application of the treaty. (3) The USSR and Australia have opposed a provision which would expressly reserve the right to use military personnel and equipment for peaceful scientific uses. (4) Provisions for an adequate inspection or observation system in order to assure compliance with the principle of peaceful use remain to be discussed among all twelve. (5) For some time now the Soviet representative has not repeated his suggestion that participation in the conference be broadened, which all of the other eleven oppose. Beyond this, the question of the relationship of the treaty to states other than signatories has not been threshed out as yet among the twelve.”*¹¹²⁹

At South Georgia, Busen 10, a whale catcher owned by Tonsbergs Hvalfangeri, is scuttled off Stromness Bay.

May 28th, an Antarctic Conference is announced by the US government.

*“... on May 28, 1959, the Department of State announced that the Antarctic Treaty Conference would be held in Washington commencing on October 15.”*¹¹³⁰

June 24th, at South Georgia, Dennis Joseph Coleman arrives magistrate at King Edward Point.

October 15th, the Washington 'Conference on Antarctica' convenes in formal session with the US representative elected as conference chairman. Delegates form two committees to consider the various substantive proposals that have arisen from the informal “conversations.” Argentina, Chile and France remain particularly sensitive to any suggestion of a dilution of their territorial claims in Antarctica.

*“... (Argentina & Chile) made themselves thoroughly unpopular by obstructive practices and long speeches.”*¹¹³¹

*“Argentine Ambassador Adolfo Scilingo emphasised that the Conference had been called primarily to provide for the "exclusive peaceful use of Antarctica" and for the development of "scientific co-operation" in the region, and did not neglect to refer to Argentina's strong feelings regarding the maintenance of the status quo.... The Chilean Delegate reaffirmed that "Chilean Antarctic Territory does not have the character of a colonial possession, but is part of its metropolitan territory and forms part of its southernmost province,"...”*¹¹³²

1129 *Foreign Relations of the United States, 1958-1960, United Nations and General International Matters, vol.2 Doc.281*

1130 Hanessian 1960 pp.436-480

1131 Britain's Brian Roberts quoted in Howkins 2008 p.329

1132 Hanessian 1960 pp.436-480

Britain's representative, Sir Esler Dening, speaks to delegates.

“... recognising the need to ensure that knowledge of the Antarctic and freedom of access to it should not be limited by political considerations, and while fully maintaining the indisputable rights to sovereignty to which the United Kingdom is entitled, we are nevertheless prepared to subscribe to a clause in the Treaty which will maintain the legal status quo throughout the are of the Antarctic.” ¹¹³³

October 20th, in Washington DC, Argentina’s delegation demand a closed session of the Antarctic conference.

“... any obligation stronger than an agreement to cooperate would not be acceptable to Argentina and, if insisted upon, would force Argentina to withdraw. Various language formulations were suggested in an attempt to meet the Argentine position but were not acceptable.” ¹¹³⁴

“South American officials never believed that ‘scientific goodwill’ was ever more than a facade for the political interests of the great powers, and Britain in this context was conceptualized as a ‘great power.’ ... Argentine and Chilean participation in the negotiation of the Antarctic Treaty can be explained as a direct continuation of their reluctant collaboration with the IGY.” ¹¹³⁵

November 20th, at the Antarctic conference, some issues that delegates had thought resolved, return.

“... there had been a misunderstanding when Article IV was approved. The French, Belgian and Argentine delegates believed that the French version had been approved, whereas the U.S., Soviet, UK, Australian and other delegations had believed that the English text was what was approved. All agreed that the fundamental purpose of the Article was to preserve everybody’s positions regarding the recognition or non-recognition of claims and that the treaty under no circumstances would be interpreted as prejudicing any party’s position on this question. ...” ¹¹³⁶

November 30th, a final conference session agrees on the issue of nuclear testing in Antarctica. The way is now open for a treaty, despite Argentine and Chilean doubts.

“I am a skeptic, in each of these accords we are losing rights. In Antarctica the weapon is science. There is a war for dominion and the weapon is science.” ¹¹³⁷

“Right until the end of November, it remained uncertain whether any agreement could be reached. ... In the nature of all compromises not everybody was happy ...” ¹¹³⁸

December 1st, in Washington DC, an Antarctic Treaty is signed, covering the globe south of latitude 60°S. ¹¹³⁹

Article 1 deals with the limitation on the presence of armed forces within the Antarctic region.

“1. Antarctica shall be used for peaceful purposes only. There shall be prohibited, inter alia, any measure 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 weapon.”

1133 Quoted in Hanessian1960 pp.436-480

1134 Memorandum From the Head of the U.S. Delegation to the Conference on Antarctica (Phleger) to the Secretary of State, October 20, 1959 in Foreign Relations of the United States, 1958-1960, United Nations and General International Matters, vol.2 Doc.296

1135 Howkins 2008 (2)

1136 Foreign Relations of the United States, 1958-1960, United Nations and General International Matters vol.2 Doc.319

1137 General Cañas, head of Chile's IGY committee on his resignation. Quoted in Howkins 2008 (2)

1138 Howkins 2008 (1) p.337

1139 The treaty came into force on June 23, 1961. Argentina ratified it, reluctantly, on April 25, 1961.

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

Article IV (2) deals with sovereignty claims.

“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.”

“The Treaty revives the principle of unanimity in that it requires unanimous ratification and cannot be amended unless all parties consent... As no termination date is given, the Treaty remains in force indefinitely”¹¹⁴⁰

“The Antarctic Treaty did not, as is frequently asserted, solve the Antarctic territorial question. It provided only for a modus vivendi as between the players.”¹¹⁴¹

“By signing the Treaty, Argentina and Chile effectively suspended their rights to the exercise of normal sovereignty over their claims to the Antarctic Peninsula region. For the duration of the Treaty, they could not, for example, prevent any country from establishing a scientific base in their claimed territories, and had no legal jurisdiction over nationals from other signatory nations.”¹¹⁴²

“Its convoluted wording indicated that the signatory states agreed chiefly on their disagreements.”¹¹⁴³

After 60 years of tussle an agreement was reached that left all claims to Antarctica in suspension. Pretensions literally 'frozen'. Not included were the Falkland Islands, South Georgia and the South Sandwich Islands as they lay above 60°S.

Meanwhile, at the United Nations, the concept of self-determination was alive and well although as yet too ill-formed to have been generally recognised. Certainly not by the United Kingdom. Viewed rather more as a principle, than a human right. An idea. A concept. It would need time to grow.

Paper 10 will consider the development of self-determination and its acceptance within those norms and theories labelled as international law; a great body of unenforceable legal theory. Also considered is Great Britain's initial resistance to self-determination as a right. The 1960s would see the United Nations flexing its muscles on decolonization and seeking diplomatic solutions to real problems involving real people.



Bibliography <https://falklandstimeline.files.wordpress.com/2019/04/bibliography-1.pdf>

1140 Hanessian 1960 pp.436-480

1141 John Heap quoted in *The Polar Regions and the Development of International Law* Donald Rothwell 1996

1142 Howkins 2008 (2)

1143 Turchetti, Naylor, Dean & Siegert 2008