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IMPERIAL CONFERENCE, 1937

SITUATION IN THE ANTARCTIC

Memorandum prepared by His Majesty's Government in the
Commonwealth of Australia

I.—ADÉLIE LAND

The French claim to Adélie Land, which constitutes an enclave to the Australian Antarctic Sector, was reviewed at the Imperial Conferences of 1926 and 1930, and the narrative is continued in the document E (37) 6 prepared for the present Conference, up to the time when the French proposal of October, 1936, was referred to the Commonwealth Government for consideration in November, 1936.

The draft Note embodying the views of the Commonwealth Government was communicated to the United Kingdom Government in January, 1937, copy of which is attached as Appendix "A."

It will be seen from this draft Note that the Commonwealth Government resists the proposal of the French Government that the western boundary should be 136° W. and the eastern boundary somewhere between 136° and 147° E., and are prepared to accept the following limits of Adélie Land:—

- (a) 136½° E. as the western boundary;
- (b) 142° E. as the eastern boundary;
- (c) The 60° parallel of south latitude as the northern limit, but not a sector extending to the South Pole.

In regard to these limits, the whole case of the French Government rests on the basis of discovery only, which can hardly be sustained in international law. At the 1926 Conference it was clearly indicated that the necessary requirements for valid title would be discovery and formal act of annexation, followed by effective occupation and control.

The various memoranda on Adélie Land show conclusively that d'Urville sighted only a coastline whose most liberal limits were between 136½° and 142°, that he never landed on the mainland, and that no further French discovery has been made or even attempted.

In regard to (a), the Commonwealth Government feels, therefore, that the western limit should be 136½°, as shown by d'Urville's own chart, as being in consonance with the view of the Hydrographic Department of the Admiralty, and as submitted in the report of the Committee at the Imperial Conference of 1926.

The French Government assume that there is now no controversy about 136° as the western limit, but such assumption is not in accordance with fact, as no limit other than 136½° has been accepted by the Commonwealth Government. The Commonwealth Government might, however, as an act of grace, and not as a matter of right, be prepared to concede that the western limit be 136°.

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