



Foreign and Commonwealth Office

London SW1A 2AH

13 July 1982

*Type letter as amended.**A.C. 14/5.**Dea Idm,*Antarctic Resources Policy Conference

In your letter of 6 July you asked for advice and a draft reply from the Prime Minister to a letter from Sir Vivian Fuchs asking whether there were any political objections to his accepting an invitation to the conference being organised by the Institute of International Studies of the University of Chile at the Chilean station on King George Island in October.

Sir Vivian Fuchs was Director of the British Antarctic Survey up to 1974 and was leader of the Commonwealth Trans-Antarctic Expedition of 1955-58. Similar invitations have also been received by an FCO Legal Counsellor and the Head of our Polar Regions Section, both of whom have been associated with Antarctic work for many years; by the Director-General of Research of the Department of the Environment who is an Antarctic scientist in his own right; by the Deputy Director of the British Antarctic Survey; and by the Director of the Environmental Control Centre of BP. None of these has accepted his invitation pending advice from us. On this we have been awaiting the return of our delegation from the recent Antarctic minerals meeting in Wellington where they were able to consult the Chileans informally.

The Chileans have invited participants from all Consultative Parties to the Antarctic Treaty and they have told us that they have had acceptances from all countries except the Soviet Union. Some of these acceptances, including those by Argentina, Australia and the United States, have been from Government servants; others have been from academics.

The Chilean Antarctic station in question is in the part of the British Antarctic Territory which is also claimed by both Argentina and Chile. It might therefore seem inadvisable for officials to accept an invitation to a Chilean station on British territory. However, legal advice is that our position is fully protected by the Antarctic Treaty and, indeed, that it is not in our legal interests to cast any doubt on the degree of legal protection provided by the Treaty by invoking legal grounds for refusing the invitation to officials. The Treaty freezes sovereignty claims in the Treaty area: it provides for

/freedom



freedom of scientific activity irrespective of territorial claims: and provides that no activities carried out in the Treaty area can be used to support or deny claims to territorial sovereignty.

The conference itself, although of an ostensibly academic character, is dealing with a subject - Antarctic resources - which is of considerable political importance in the Antarctic context at the present time. It is to be attended inter alia by government servants engaged on Antarctic resource matters. It is in our Antarctic interests that our views about resources, particularly mineral development, in the Antarctic should not go by default.

Over the last few months we have sought to ensure that the Antarctic Treaty system of consultation, and the demilitarised nature of the Treaty area, should be maintained despite events in the Falklands and Dependencies. On this basis our delegation attended the Antarctic minerals negotiations in Wellington, in which the Argentines also participated. This has received some publicity but there is a public and Parliamentary awareness that what goes on in the Antarctic context is played according to special rules.

Against these arguments has to be put the possible objection from the anti-Chile lobby. On balance, however, we believe such criticism would not make much impact and could be relatively easily answered in terms of our positive interest in attending the conference, traditional Antarctic cooperation, the protection of our legal position under the Antarctic Treaty and the need to support the Treaty system. Moreover, for us to refuse the invitations to officials on what could only be seen as political grounds would be inconsistent with our need to do what we can, where we can, to keep our relations with Chile running reasonably smoothly.

Our view is therefore that all those invited, including officials, should be allowed to accept, and that in particular no political objection should be raised to acceptance by Sir Vivian Fuchs of his invitation.

I enclose a draft letter in that sense to Sir Vivian Fuchs.

Yours ever
J E Holmes

(J E Holmes)
Private Secretary

A J Coles Esq
10 Downing Street

DRAFT: ~~memo~~/letter/~~teletype~~/~~despatch~~/~~note~~

TYPE: Draft/Final 1+

FROM:
Prime Minister

Reference

DEPARTMENT: TEL. NO:

SECURITY CLASSIFICATION

TO:
Sir Vivian Fuchs FRS
55 Hans Place
LONDON SW1

Your Reference

- Top Secret
- Secret
- Confidential
- Restricted
- Unclassified

Copies to:

PRIVACY MARKING

SUBJECT:

.....In Confidence

Thank you for your letter about recent events in the South Atlantic and the invitation you have received from the Institute of International Studies of the University of Chile to a conference at a Chilean station in the Antarctic.

CAVEAT.....

I am grateful for your kind remarks about our handling of the Falklands crisis. I particularly value ^{your} ~~them~~ ^{such} coming from ~~such~~ ^{you} yourself who ~~has~~ for so long ^{been} actively involved in the Falklands and the Antarctic. May I, for my part, say how impressed I have been with the manner in which British Antarctic Survey ^{Survey} personnel, particularly in South Georgia, conducted themselves in some very difficult times. ^{Now} ~~you~~ left them in good hands and they did ^{everything} ~~at~~ that could be expected of them.

I am sure it is in the country's interest that you should go.

As ~~to~~ the Chilean invitation, ^I ~~would not wish to put~~ ^{see no political objection to you} any objection of a political nature in the way of your acceptance of the ^{at the Chilean invitation} invitation. ^{As you will be well aware,} we support the Antarctic Treaty system and ^{our} ~~our~~ legal position on our sovereignty ^{to} British Antarctic Territory is satisfactorily protected ^{under} the provisions of the Treaty.

Enclosures—flag(s).....

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