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U.S. Naval War College (Editor)

The thoughts and opinions expressed are those of the authors and not necessarily of the U.S. government, the U.S. Department of the Navy or the Naval War College.

(vi) King George V Land.

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The representatives of the Governments concerned studied the information available concerning these areas with special reference to their possible utilisation for further developing exploration and scientific research in the Antarctic regions.

### 9. Norway: Bouvet Island

NOTE. In 1911 Captain Roald Amundsen, the first explorer to reach the South Pole purported to take possession of the area in the name of the King of Norway, but this claim has not been followed by any official action on the part of the Norwegian Government.

The first official Norwegian assertion of sovereignty with respect to lands in the far South was a royal decree of 23 January 1928 concerning Bouvet Island, (3°24' E. long., 54°26' S. lat.), sanctioning a proposal by the Ministry of Foreign Affairs of the same date which requested

"1. That Your Majesty will confirm and approve that Bouvet Island in the Island in the Southern Atlantic Ocean has been taken into formal possession in Your Majesty's name and that the Island is thus laid under Norwegian Sovereignty.

"2 That the Ministry of Justice be authorized to issue regulations regarding the police authority on the Island" (Norway Collection of Laws & c., 1926-1930, p. 343).

The British Government when informed of this decree at first took the position that a valid British title to Bouvet Island existed as the result of a landing and taking of possession in 1825 by the captain of a British sealer, but finally waived its claim in favor of Norway (1 Hackworth, Digest of International Law, pp. 469-470).

By a note of 12 December 1928 the Norwegian Minister in Washington informed the United States Secretary of State that Bouvet Island had been placed under Norwegian sovereignty. The Secretary of War and the Secretary of the Navy, when consulted by the Secretary of State, said they knew of no American interest that would be jeopardized by a recognition of Norway's action, and consequently the Secretary of State acknowledged receipt of the Norwegian note without making any reservation of the rights of the United States (Foreign Relations of the United States, 1929, III, pp. 716-718).

#### LAW CONCERNING BOUVET ISLAND, 27 FEBRUARY 1930

(Translation from Norway, Collection of Laws & c., 1926-30, p. 685.)

[Translation]

§ 1. The Bouvet Island is placed under Norwegian Sovereignty.

§ 2. Norwegian Common Law and Penal Law as well as the Norwegian legislation concerning judicial proceedings apply to Bouvet Island. The King decides to what extent other laws shall be applied. The King may amend such laws as well as the legislation concerning judicial proceedings, when the local conditions demand amendments.

The regulations in Law regarding Svalbard (Spitsbergen) of July 7, 1925, §4 are applied correspondingly.<sup>9</sup>

§ 3. All land which is not sold to private persons belongs to the Crown.

A property right in land belonging to the Crown or usufructs on such land may not be gained by prescription.

When the Crown holds special rights on land which has been sold, these rights may not cease by prescription.

§ 4. The present law comes into force at once.

### 10. Norway: Peter I Island

#### ROYAL PROCLAMATION, 1 MAY 1931

(*Norsk Lovtidende*, No. 15, 4 May 1931; translation from 134 British and Foreign State Papers, p. 1010.)

[Translation]

We, Haakon, King of Norway, make known:  
Peter I Island is placed under Norwegian sovereignty.

Done at the Castle, Oslo, the 1st May, 1931.

Under our hand and the Seal of the Kingdom.

(L. S.) HAAKON.

JOH. LUDW. MOWINCKEL. B. ROLSTED.

### 11. Norway: Norwegian Antarctic Territory

NOTE. When informed of the following royal proclamation of 14 January 1939, the United States Government reserved all rights which it or its citizens may have in the area. (1 Hackworth, *Digest of International Law*, p. 460.) Norway is the only State making official territorial claims in Antarctica which apparently rejects the sector principle. *ibid.*, p. 463.

#### A. RECOMMENDATION OF THE MINISTRY OF FOREIGN AFFAIRS, 14 JANUARY 1939

(Translation from 34 *American Journal of International Law*, Supplement (1940), pp. 83-85.)

By Order in Council of the 23rd January, 1928, Bouvet Island in the Antarctic Ocean was brought under Norwegian sovereignty, and by Order in Council of the 1st May, 1931, the same thing was done with Peter I Island in the same ocean.

Bouvet Island lies in 3°24' E. Long. and 54°26' S. Lat., *i.e.*, in that part of the Antarctic region often called the Atlantic

<sup>9</sup> This section gives the King power to establish general regulations with respect to such matters as public order, expulsion, safety of navigation and air traffic, working of mines, and hunting and fishing (Norway, *Collection of Laws &c.*, 1921-1925, p. 837). [Ed.]