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4. French Republic

A. PRESIDENTIAL DECREE, 27 MARCH 1924

(*Journal Officiel*. 29 March 1924, p. 3004.)

[Translation]

The President of the French Republic, in view of Article 18 of the senatus-consult of 3 May 1854, on the proposal of the Minister of Colonies,

DECREES:

ARTICLE 1. In the Crozet Archipelago and Adélie or Wilkes Land, mining rights, the right of hunting, and the right of fishing in territorial waters are reserved to French citizens.

ARTICLE 2. Land establishments, the installation of floating factories in territorial waters, the exploitation of factories, and every concession of any nature whatever must be the object of a decree issued on the proposal of the Minister of Colonies.

ARTICLE 3. The details of the application of the dispositions of the present decree will be the object of later regulations.

ARTICLE 4. The Minister of Colonies is charged with the execution of the present decree.

Done at Paris, 27 March 1924.

A. MILLERAND.

By the President of the Republic:

The Minister of Colonies,

A. SARRAUT.

B. REPORT OF THE MINISTER OF COLONIES, 21 NOVEMBER 1924

(*Journal Officiel*, 27 November 1924, p. 10452.)

[Translation]

PARIS, 21 November 1924.

MR. PRESIDENT: I have the honor of submitting for your approval a draft decree which administratively attaches Saint Paul and Amsterdam Islands, the Kerguelen and Crozet Archipelagos, and Adélie Land to the Government General of Madagascar.

These far-off parts of our colonial domain have not up to the present been the object of any permanent administrative organization. In the ignorance which long prevailed of the economic value of these uninhabited lands, situated apart from the great maritime routes, it did not appear indispensable, in truth, to confirm by the establishment of an effective authority the rights of sovereignty which France had long ago acquired over the archipelagos and the parts of the antarctic continent which were discovered by our navigators.

Scientific missions carried out at the beginning of this century in the southern seas have shown that these long-neglected dependencies of our overseas dominions could offer extremely precious resources to the heavy fishing industry; whales, seals, and sea-elephants are very abundant in those localities, and the great industrial value of the products furnished by those species of animals soon brought about the creation of fishing and hunting enterprises whose first seasons were extremely fruitful.

With a view to exercising the effective and continuous control which is necessary over the exploitation of these national riches, it appears necessary to provide for the administrative organization of these southern islands and lands, and to envisage, for this purpose, their attachment to an already established colonial government; and that of Madagascar appeared to me to be naturally designated, by reason of the geographical situation of that colony and of the means of action which it possesses, to assure the sovereign authority of France over this part of our colonial domain. The Governor General of Madagascar, when consulted concerning the principle of this attachment, declared that he favored this measure and has recently informed my department that he has decided to enter an initial credit in the budget of the colony, representing the participation of Madagascar in the expenses of the organization of these new dependencies of the Great Island.

In these conditions, I have the honor to request you, Mr. President, to sign the attached draft decree, which places Saint Paul and Amsterdam Islands, the Kerguelen and Crozet Archipelagos, and Adélie Land under the authority of the Governor General of Madagascar and confides to this high functionary the task of organizing, under the control of my department, the effective administration of these territories.

Please accept, Mr. President, the assurance of my profound respect.

The Minister of Colonies,
DALADIER.

C. PRESIDENTIAL DECREE, 21 NOVEMBER 1924

(*Journal Officiel*, 27 November 1924, p. 10452.)

[Translation]

The President of the French Republic, in view of the senatus-consult of 3 May 1854; on the report of the Minister of Colonies,

DECREES:

ARTICLE 1. Saint Paul and Amsterdam Islands, the Kerguelen and Crozet Archipelagos, and Adélie Land are attached

to the Government General of Madagascar and constitute one of the administrative dependencies of that colony.

ARTICLE 2. Orders of the Governor General of Madagascar submitted to the approval of the Ministry of Colonies will fix the conditions of application of the present decree.

ARTICLE 3. The Minister of Colonies is responsible for the execution of the present decree, which will be published in the *Journaux Officiels* of the French Republic and of the Colony of Madagascar and will be inserted in the *Bulletin des lois* and the *Bulletin Officiel* of the Ministry of Colonies.

Done at Paris, 21 November 1924.

GASTON DOUMERGUE.

By the President of the Republic:

The Minister of Colonies,

DALADIER.

D. PRESIDENTIAL DECREE, 1 APRIL 1938²

[*Journal Officiel*, 6 April 1938, p. 4098.]

[Translation]

Limits of French Territories in the Antarctic Region called "Adélie Land."

The President of the French Republic,

In view of the senatus-consult of 3 May 1854;

In view of the decree of 21 November 1924 attaching Saint Paul and Amsterdam Islands, the Kerguelen and Crozet Archipelagos, and Adélie Land to the Government General of Madagascar;

On the report of the Minister of Foreign Affairs and the Minister of Colonies,

DECREES:

ARTICLE 1. The islands and territories situated south of the 60-degree parallel of south latitude and between the 136-degree

² The title given to this decree in the *Journal Officiel* was *Limites des territoires français de la région antarctique dite "Terre Adélie."* The text of the decree was communicated to the United States, which in its reply declined to admit that sovereignty accrues from mere discovery. 1 Hackworth, *Digest of International Law*, p. 460. By an exchange of notes of 25 October 1938, with the United Kingdom, Australia and New Zealand, France recognized the free right of passage of British Commonwealth aircraft over Adélie Land on the understanding that reciprocal rights would be accorded to French aircraft over British Commonwealth territories in the Antarctic. *British Treaty Series*, No. 73 (1938). Informed of this exchange of notes, the United States reserved its rights. 1 Hackworth, *op.cit.*, p. 459.

and 142-degree meridians of longitude east of Greenwich are under French sovereignty.

ARTICLE 2. The Minister of Foreign Affairs and the Minister of Colonies are charged, each as to what concerns him, with the execution of the present decree, which will be published in the *Journal Officiel* of the French Republic, in the *Journal Officiel* of the Colony of Madagascar, and inserted in the *Bulletin Officiel* of the industry of colonies.

Paris, 1 April 1938.

ALBERT LEBRUN.

By the President of the Republic:

The Minister of Foreign Affairs,

PAUL-BONCOUR.

The Minister of Colonies,

MARIUS MOUTET.

5. Great Britain: Falkland Islands Dependencies³

A. LETTERS PATENT, 21 JULY 1908

(Statutory Rules and Orders, 1908, p. 1042.)

Edward the Seventh, by the Grace of God of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas King, Defender of the Faith, Emperor of India: To all to whom these Presents shall come, Greeting.

Whereas the groups 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 fiftieth parallel of south latitude, and lying between the twentieth and the eightieth 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 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 said groups of islands known as South Georgia, the South Orkneys, the South Shetlands, and the Sandwich Islands, and the said territory of

³ Claims to South Georgia, to the South Orkneys, and to other polar territories included in the Falkland Island Dependencies, were advanced by the Argentine Republic in 1925 and 1927. Argentine Republic, *Memoria del Ministerio de Relaciones Exteriores y Culto*, 1927, pp. 83-88.