

C.S.

Confidential.

19 39

No. 15/39.

British Minister
Buenos Aires

SUBJECT.

19 39

5th October.

Previous Paper.

Proposed 300 mile zone under
Panama Conference on coasts
of North and South America.

Jurisdiction over the River Plate
by the Argentine and Uruguay.

MINUTES.

1. Telegram received from Ambassador, B. Aires
5. x. 39.

2. Telegram from Minister, Montevideo 7. x. 39.

3-6 Copies of correspondence of 27. x. 39 from
Ambassador B. Aires regarding note
from Argentine Govt. concerning use made
by 10th. Ships of waters of the
River Plate

Subsequent Paper.

(1)

No.57. Buenos Ayres estat 106 1802 5.10.39.

To H.E. the Governor, Falkland Islands.

SECRET.

Montevideo telegram 118, and my telegram 231.

Naval Attache reported by air on September 30th. to Naval Intelligence that he considered proposed 300 miles zone might receive our support providing any violation of zone were penalized by recovery by other side of rights to operate and granting to them of benevolent neutrality with unrestricted fuelling privileges.

While it will obviously be impossible for South American Governments to impose respect of zone H.M. Minister at Montevideo and myself feel it would be advantageous as far as this part of the world is concerned that they should commit themselves as far as possible. This would give H.M. Government opportunity to announce clearly that should they be unable to implement their undertaking we should naturally expect above-mentioned benevolent neutrality in order to assist them in their task.

The above telegram also has Code beginning and end, as follows;

BEGINNING.	UBNUK	ZSHWM	LRWRF	ZOMMY	YZJAZ	JAILL
	MGYVW	IRGIR	TJARM	NCYLO		
END.	URZOZ	(probably Code signature of H.M. Ambassador at Buenos Ayres).				

2

78 Monte Video etat 311 14 54 7.10.39.

TO H is Excellency the Governor , Falkland Islands.

FROM The British Minister, Monte Video.

Addressed to the Foreign Office Telegram No.123, repeated to Commodore, figures will be sent by air mail to Washington, Buenos Ayres, Rio de Janeiro, Santiago de Chile, and Lima.

Regarding general results of Panama Conference the Minister for Foreign Affairs while saying that it has shown far greater feeling of effective American solidarity than any other previous conference would not commit himself furnish views of associate Uruguayan delegate who is visiting west coast capitals and returns about October 20th.

I doubt whether Minister for Foreign Affairs has any special information beyond the British, and His Excellency's Press cable service is crippled, probably most other South American Governments are in same position and their full and true reaction can scarcely become apparent until end of month.

As regards Safety Zone Minister for Foreign Affairs while expressing appreciation of supposed British agreement with it appeared a little sceptical - ~~xxxx~~ - theoretically it was a vast extension of territorial sovereignty and speaking jocularly he regarded it as American form of prevailing spirit of aggression. Speaking seriously he said Pan-Americanism in becoming consolidated might be losing its virtues and ideals since this action would necessitate armaments which had been root of Europe's evils.

As regards his recent concern about Statutory Provisions List's effect within Uruguayan jurisdiction I assured him that we had observed locally much voluntary desire to boycott Germans and I cited the attitude of an institution of prestige Banco Commercial which appeared to impress the Minister for Foreign Affairs. At the same time I assured him that the Legation's Commercial Department and the British Chamber of Commerce were most carefully abstaining from publication of List or any overt action which could be construed as an infringement of Uruguayan sovereignty.

Minister for Foreign Affairs when I saw him yesterday evening had previously seen the German Minister who has just returned and who has made a restrained and plausible statement to the Press main theme of which was regret at misunderstanding with England and France. He had made no protest to the Minister for Foreign Affairs.

In view of the Panama declaration regarding ships known to have oiled warships I was expecting a protest from the German Minister or a remonstrance from the Minister for Foreign Affairs regarding Admiralty oiler which had been in ante-port three days. But ^{for} this is rather due to some chance as the Minister repeated his friendly apprehensions and renewed suggestion that H.M. Ships should spread all such visits over Argentine and Brazil as well as Uruguayan ports. Incidentally Minister for Foreign Affairs confirmed that Uruguay Government's claim to territorial waters extended 5 miles but referred to Argentine claim that ~~xxxx~~ whole estuary of River Plate was to be regarded as territorial waters.

As regards draft above I have received your circular telegram of October 7th. regarding fuelling of H.M. Ships in American ports.

UPVOC



*With the compliments of
His Majesty's Embassy.*

H.E. the Governor of the Falkland
Islands,
Port Stanley.

BRITISH EMBASSY,
BUENOS AIRES.
October 27th, 1939.

No.

356

HIS Majesty's at
 presents his compliments to ~~Ambassador~~ Buenos Aires.
 and has the honour to transmit to ~~him~~ ^{His Majesty's Principal Secretary of State} the under-mentioned documents.
~~for Foreign Affairs.~~

British.....
 Embassy.....
 Buenos Aires.

....., 193....
 October 27th, 9

Reference to previous correspondence :

Buenos Aires telegram No. 284 of October 27th, 1939.
Description of Enclosure.

Name and Date.	Subject.
<p>TRANSMITS:</p> <p>Translation and Text of: Note from Argentine Government dated 26th October 1939, addressed to H.M. Ambassador, Buenos Aires. H.M. Ambassador's note No. 181, dated October 27th 1939, addressed to the Argentine Minister for Foreign Affairs.</p> <p>(A copy of this despatch has been sent to H.E. the Governor of the Falkland Islands, and His Majesty's Representatives at Rio and Montevideo).</p>	<p>FUELLING OF HIS MAJESTY'S SHIPS IN RIVER PLATE.</p>

5

NOTE FROM ARGENTINE GOVERNMENT DATED OCTOBER 26TH 1939.

Your Excellency,

It is ascertained from information which has reached this department that His Majesty's Ships "Ajax" and "Master" have carried out, on more than one occasion, fuelling operations in the waters of the River Plate.

As Your Excellency is aware, the Convention regarding the "Rights and Duties of Neutrals in Maritime War" signed at The Hague in 1907 lays down in its various articles that belligerent warships may not remain in neutral waters more than 24 hours - save in exceptional cases - nor use them in order to complete either their provisioning for warlike purposes or their armaments, or to carry out warlike operations.

Moreover, Your Excellency is aware that the Argentine Government has maintained, and continues to maintain, its rights to total jurisdiction over the River Plate, exercised in conjunction with the Oriental Republic of Uruguay, but with the exclusion of every other country.

It is not the intention of this Department, at a time when Great Britain is engaged in a war, to renew a discussion regarding this particular question with a friendly power and to repeat points of view regarding jurisdiction over the River Plate which were fully set out in the note of the 5th July 1928, addressed to Your Excellency's distinguished predecessor, Sir Malcolm ^{Arnold} Roberts. But I cannot but draw Your Excellency's attention to cases such as that described above which may affect our situation as a neutral country in regard to the present European war.

I should be much obliged if Your Excellency would be so good as to bring the contents of this note to the notice of the Government which you worthily represent and if you would accept the assurances, etc., etc.

Signed José María Cantilo,
Minister of Foreign Affairs & Worship.

MINISTERIO DE

RELACIONES EXTERIORES Y CULTO.

Buenos Aires, Octubre 26 de 1939

B. A. P.

Señor Embajador: *Ilustre Señor Embajador*

Noticias llegadas a esta Cancillería hacen saber que los barcos de Su Majestad "Ajax" y "Exeter" han efectuado, en más de una ocasión, operaciones de aprovisionamiento de combustible en aguas del Río de la Plata.

Como V. E. sabe, la Convención sobre "Derachos y Deberes de los Neutrales en caso de Guerra Marítima", firmada en La Haya en 1907, establece en sus diversos artículos que los navíos de guerra beligerantes no pueden permanecer en las aguas neutrales más de 24 horas - salvo casos excepcionales - ni servirse de las mismas para completar sus aprovisionamientos militares ni sus armamentos ni para efectuar operaciones militares.

Asimismo, está enterado V. E. de que el Gobierno Argentino ha mantenido y mantiene siempre sus derechos a la jurisdicción total sobre el Río de la Plata, ejercida conjuntamente con la República Oriental del Uruguay, pero con exclusión de cualquiera otra.

No es la intención de esta Cancillería renovar, en estos momentos en que Gran Bretaña se halla empeñada en una guerra, una discusión sobre el particular con la potencia aliada, reiterando puntos de vista sobre jurisdicción del Río de la Plata que fueron ampliamente expuestos en nota del 5 de julio de 1928 dirigida al distinguido antecesor de V. E. Sir Malcolm Arnold Robertson. Pero no puedo menos de llamar la atención de V. E. sobre casos como el señalado, que pueden afectar nuestra situación de país neutral frente a la actual guerra europea.

Quiera

A S. E. el señor Embajador Extraordinario y Plenipotenciario
de Gran Bretaña, Sir Edmund Gvey,

Quero V.E. dignarse llevar a conocimiento del Gobierno que dignamente representa, el contenido de esta nota y aceptar las seguridades de mi más atenta y distinguida consideración.

Signed: José María Centilo.

Ministro de Relaciones Exteriores y Culto.

El Encargado
de Negocios de Chile en Lima
Don Juan José de Guzmán
Encargado de Negocios

BRITISH EMBASSY

BUENOS AIRES.

October 27th, 1939.

No. 121.

Monsieur le Ministre,

I have the honour to acknowledge the receipt of Your Excellency's courteous communication (D.A.F) of the 26th October.

I hasten to assure Your Excellency that, in accordance with the request in your communication I will not fail to bring the contents thereof to the knowledge of my Government.

I avail myself of this opportunity, Monsieur le Ministre to renew to Your Excellency the assurance of my highest consideration.

(Signed) ESMOND OVEY

His Excellency
Señor Don José María Castillo,
Minister for Foreign Affairs,
Buenos Aires.