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Gregory J. Scholten
University of Nebraska at Omaha

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THE BRITISH-ICELANDIC FISHING DISPUTES,
1952-1976

A Thesis

Presented to the

Department of History

and the

Faculty of the Graduate College

University of Nebraska

In Partial Fulfillment

of the Requirements for the Degree

Master of Arts

University of Nebraska at Omaha

by

Gregory J. Scholten

May 1991

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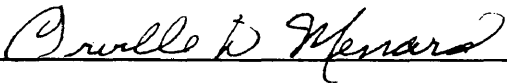


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THESIS ACCEPTANCE

Acceptance for the faculty of the Graduate College,
University of Nebraska, in partial fulfillment of the
requirements for the degree Master of Arts, University of
Nebraska at Omaha.

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| Name | Department |
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|  | HISTORY |
|  | HISTORY |
|  | Political Science |



Chair

April 24, 1991

Date

ABSTRACT

During the period 1948-1975, the Icelandic government enacted six laws to control fishing in its coastal waters. The first statute authorized the Minister of Fisheries to act by decree, and declared that Iceland would gain control over its entire continental shelf fisheries. With the other five laws, either the Althing (Parliament) or the Minister extended Icelandic fisheries jurisdiction to distances of four, twelve, fifty, and two hundred miles. The nation acted with near impunity due to international turmoil over the precise definition of coastal limits where a state might exercise its maritime police powers.

Many governments protested to Iceland over the extensions, but only the United Kingdom and the Federal Republic of Germany defied the declarations, and Germany only on the 50- and 200-mile claims. Although these quarrels with Germany were serious, even resulting in one man's death, Iceland's disputes with Britain were much worse. In the first dispute, British trawlermen refused to allow Icelanders to land their fish in Britain. During the other three disputes, the Icelandic Coast Guard harassed British trawlermen in attempts to arrest the "poachers," then resorted to cutting their fishing gear during the 50- and 200-mile disputes. Such actions induced the British

Cabinet to authorize first civilian support craft, then the Royal Navy to protect national fishing interests in the disputed waters. The result was a state of near war as vessels collided with and rammed each other, Icelanders fired their deck guns at British civilian vessels, and the Royal Navy threatened to respond in kind. Because Britain sent in the Navy, Iceland broke diplomatic relations with Britain on one occasion and threatened to do so two other times. These conflicts were also a principal source of uncertainty among NATO members about Iceland's continuance in the alliance.

While these disputes were taking place, the international community sought to codify sea law in a series of three conferences sponsored by the United Nations. Iceland's unilateral action had a direct bearing on these conferences which ultimately settled the issue in favor of a 200-mile fishery limit. Meanwhile, numerous international organizations attempted to resolve the disputes between Britain and Iceland; although the Organization for European Economic Cooperation succeeded in ending the 4-mile dispute, during the three "cod wars" the two sides ultimately found their own solution, but with the help of the Atlantic Treaty Association in the 50- and 200-mile clashes.

DEDICATION

to the memory of the late Professor

Ert Gum

who taught me the meaning of research, I can only hope
that he would have approved.

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PREFACE

My father, who had suffered during World War II from the stress which we now term battle fatigue, rarely spoke of his experiences in the war. When he did, he invariably told of the time he spent in Iceland while en route to Europe, how he had become enthralled with the natural beauties of the country, and how friendly the indigenous people were. He became most vocal on the subject during the 1950's, at which time I recall his profuse condemnation of "the English" because they were "trying to take fishing away from the Icelanders," and how that would "get our guys kicked out of Iceland." I had heard news reports about closing Keflavik Air Base, but I was too young to comprehend what my father was saying.

In 1972-1973, I was myself in the military, stationed in Germany and England during the 50-mile "cod war." I read a few military reports on the issue, and the newspaper Stars and Stripes carried an occasional report about the crisis, often in terms of how a closure of Keflavik Air Base would effect NATO forces in general and U.S. Forces specifically. In 1975, I was on leave during a move from England to Nebraska when the 200-mile cod war erupted, and I again listened to my father's views about England, Iceland, Keflavik, and fishing.

Some ten years later, I received approval to do a research paper on the fishing disputes. I soon realized that the topic was too large for a single paper, and thus concentrated on the 50-mile crisis. During my final semester of class work in 1987, I asked Professor Bruce Garver if he would direct my thesis on the topic. After some discussion, I managed to persuade him to serve and made plans to complete research in one semester and writing in another. When after one semester, I had not begun to scratch the surface, I started to think in terms of four or five semesters. One problem was the large amount of material which I needed to gather, most of which contained only a few scattered details, but all of which were necessary. When I finally began to assemble my notes, the consequences of such piece-meal findings became painfully apparent: I would often use six, eight, or more notes to write just one paragraph.

As soon as I realized I would have a lengthy thesis, I put much thought into how I might cut its length. If I deleted specific background information, I could not give an accurate account of why certain events occurred; an abbreviated discussion of the consequences of these events would preclude my making their context intelligible. My only other option would be to truncate the time frame of my work. The problem was, if I wrote only about the 4-

and 12-mile disputes, their historical consequences could not be revealed; but, if I concentrated on the 50- and 200-mile events, I would still have to discuss thoroughly their origins and developments. This dilemma prompted me to have many conversations with Professor Garver about my final product. But he supported my decision to continue with the full topic.

I have received encouragement, support, and assistance from many people while performing this work. First and foremost, I wish to thank the members of my committee and the staff of the Graduate School for bearing with me during delays in my work, both for research needs, and so that I might attend to my family's medical problems. The 1987 Outstanding Graduate Student Award presented to me by the Committee of the Missouri Valley History Conference was a tremendous aid in financing my research. The staff of University Library responded to my every need; the personalized attention from Barbara Monico and Marilyn Covault was especially helpful in processing and tracking my hundreds of inter-library loan requests. The staff at the Gerald R. Ford Museum was most cooperative in providing information about their holdings, then provided excellent assistance when I used the material. Several people involved in the events took time from their busy professional lives to provide me with information; I am parti-

cularly obligated to Eugene Rostow and Heimir Hannesson for their help. When I ran into problems producing copies of my work, Dennis Hagymasi was a true friend and came to my rescue. Finally, I wish to thank my daughter, Amy. When I sometimes did not go to see her during her during her many days of hospitalization, she understood my need to complete this work. She also wields the best red pen around.

INTRODUCTION

The sources utilized for this work have been extensive, but there is still much room for further research. For example, since I had no knowledge of Icelandic, my ability to use government documents was limited to those printed in the English language. Although I have used many British government documents, there are still many items which need perusal. Government documents from the United States comprises most extant material. Since I did not locate any State Department despatches, these probably have not yet been declassified. An excellent source of material was the White House papers at the Gerald R. Ford Library in Ann Arbor, Michigan. Among the papers were a few letters between the negotiators in the 200-mile settlement, giving proof of U.S. involvement in the outcome. Information in these letters prompted me to initiate direct correspondence with several of the individuals involved, both in Iceland and in the United States. The Eisenhower and Nixon papers, and possibly the Kennedy papers, probably hold further secrets about the cod wars, particularly concerning the relationship between the fisheries disputes and Icelandic membership in the NATO alliance.

The documents from various international organizations contained a considerable amount of information. Although I

did not utilize all documents for the background to, or meetings of the three United Nations Law of the Sea Conferences, I believe that I consulted all documents relevant to this topic. I can not say the same about records from other assemblies. NATO is one very important group totally unrepresented in the bibliography, since I could not locate records for that body. (Consultation with several U.S. armed services historians reveals that NATO has probably not published declassified versions of its documents.) The documents which I cited from the Council of Europe, the Organization for European Economic Cooperation, and its successor, and the Organization for Economic Cooperation and Development, are only the English language volumes. Finally, I did not utilize records from either the Nordic Council nor the European Economic Community. Although the Nordic Council material would be interesting, I do not believe that it would contribute substantial information beyond that located in newspapers. I also believe that the omission of the EEC papers did not detract from the research, but an individual investigating the Community's Common Fisheries Policy should consult the EEC records.

Again due to lack of linguistic expertise, I only used English language newspapers. From England, the Times contributed a wealth of information about daily events in the cod wars. (The Sunday Times was unavailable, but with the

overall amount of primary source material, I do not consider this to be a serious detraction from the overall research.) Reportage in the Times was normally from station correspondents, although I encountered an occasional wire service article. Several secondary sources cited the Manchester Guardian in their notations with information not available in the London paper. From this minimal evidence, I recommend that future research explore the Guardian as a potential source. Further research should also include at least one local or regional paper from Humberside (Grimsby, Hull), and preferably also one from Fleetwood and Aberdeen.

In an attempt to balance this obvious British slant, two U.S. papers were included in the research. In an effort to obtain a broad perspective, I chose the New York Times. I also picked the Christian Science Monitor due to its reputation for reporting global events without bias. Like their British counterpart, both papers generally provided correspondent reportage. A paper known for its coverage of U.S. politics and NATO, such as the Washington Post, might provide a clearer picture of these events in future endeavors.

With regard to secondary sources, very little has been written on the topic of the cod wars. Jurists contributed more journal articles than individuals from other disciplines, writing primarily on the impact of Icelandic actions on the law of the sea. There were, however, other journal

articles written by geographers, political scientists, international affairs specialists, and economists, as well as entries in specialized journals, such as those for the fishing industry.

Most of the cited books provided background material, such as on the state of international law prior to these events, fisheries, the fishing industries of Britain and Iceland, and information about Iceland. One of the doctoral dissertations on fisheries contained an excellent bibliography, and saved many hours of research. But I located only three books actually dealing with the cod wars. Cod Wars and How to Lose Them, by Sir Andrew Gilchrist, is a memoir of the author's time as British Ambassador to Iceland during the first half of the 12-mile cod war. He retrospectively writes with admiration for the Icelanders; some contemporaries blamed him for an intensification of hostilities. Hannes Jonsson, a former Icelandic diplomat, wrote Friends in Conflict: The Anglo-Icelandic Cod Wars and the Law of the Sea. Jonsson shows the role which Iceland's actions had in bringing about the Third United Nations Conference on the Law of the Sea. For the most part, he neglects both the internal and international political aspects of the dispute, including his own role in precipitating the diplomatic break in the 200-mile dispute. The final book on this subject is Jeffrey A. Hart's The Anglo-Icelandic Cod War of 1972-1973:

A Case Study of a Fishing Dispute. This is the best of the three books but, since it is meant as a study in international relations, it misses much of the internal politics on both sides; further, Hart apparently was unaware of the contribution of the Atlantic Treaty Alliance in solving the dispute.

Another book, an analysis of James Callaghan's rise to the Prime Ministership in England, provides some thought provoking insight about U.S. involvement in the 200-mile settlement. Interestingly, Harold Macmillan's memoirs do not even mention the disputes. Finally, in his memoirs, Harold Wilson has not reached the point in time which would include the 50-mile dispute.

Since the cod wars are just as important to modern Icelandic history as the Sagas are to the nation's medieval history, much has apparently been written in Icelandic on the topic. This includes the memoirs by at least one Foreign Minister and one Coast Guard Captain involved in the events. Hans Andersen, who took part in all four disputes as a lawyer, negotiator, NATO, and finally UN ambassador, is preparing his memoirs. Two Icelandic students working in the United States recently wrote their theses on some facet of the topic. One individual is also completing his doctoral dissertation at the University of Iceland. I learned of their work just days before completing my own research, and

thus have not included them in my efforts. Having corresponded with the doctoral student, I do not believe that the authors wrote from an historical perspective.

From my correspondence with various Icelandic participants, I have discovered that a large amount of important information on the topic is only available in Icelandic language material. With that caveat in mind, it is hoped that this thesis will serve as a basis in the English language for the clarification of these important events.

CHAPTER 1

BACKGROUND TO THE COD WARS

On the eve of World War II, the world's combined fishing fleet harvested approximately fifteen million standard tons of food. Following the end of the war, increased fishing produced a meteoric rise in the yield, with growth of six to seven per cent annually in the 1960's. This evolution was so rapid that, by 1950, the world catch was about twenty million metric tons; by 1960 it was nearly forty million; after another decade it had reached an incredible sixty-four million metric tons. There were several reasons for this rapid growth, including the growing dependence upon fishing by some nations; the development of technology with freezer and self-contained factory ships; and the emergence of new nations from former colonies which developed their own offshore fisheries.¹ It should come as no surprise that the development took place, especially for the emerging nations, when one realizes the caloric value of fish. Cod, a so-called "white" fish (i.e. low fat), contains about 770 calories per kilogram. A like amount of herring, a high fat content fish, contains 2200-3100 calories, depending on the specific percentage of fat. This compares with about 1,000 calories for the same quantity of lean meat.

Indeed, cod is often called "the beef of the sea." Cod is also easily cured through salting or drying.² Thus coastal nations have a self-sustaining source of protein readily accessible with a minimal investment of resources and technology. Consequently we might expect to see large increases in total world production when developed nations employ their technology for harvesting.

The entire ocean area does not provide available fisheries, however. Only the continental shelf areas produce fish in exploitable numbers. The reason for this fact is that marginal regions are the locales where either upwellings from the ocean floor or run-off from the land-mass brings the necessary nutrients to sustain the phytoplankton which is the basis of the entire ecosystem.³ The El Niño which began in 1972 demonstrated the total dependence upon phytoplankton: when this phenomenon warmed the waters of the southeast Pacific, the phytoplankton died, thus upsetting the entire food chain; the end result was the loss of the Peruvian anchovy, a disaster for the entire fishing industry of the South Pacific.⁴ Referring to the fact that the phytoplankton occurs only in the coastal regions, Dr. John Rither of the Woods Hole Oceanographic Institute said, "[t]he deep sea beyond the edge of the continental shelf is, for practical purposes, a biological desert." Consequently we find that ninety per cent

of the world's fish comes from that ten per cent of the oceans which comprise coastal regions.⁵

As one might expect, fishermen have placed the various types of fish into broad categories. The two primary groups located in the Icelandic region are the pelagic and the demersal species of fish. This latter group, are fish which live at or near the ocean floor, including cod, haddock, redfish (ocean perch), skates, rays, flounders, and other related species. The pelagic group, which includes herring, ranges between the floor and the surface.⁶ It is the commercial exploitation of the demersal group, however, with which we are concerned.

For thousands of years, fishing was a localized activity. With the advent of steam power, this fact changed, with many nations dividing their efforts between the in-shore (local) industry and the distant water fleet. But the growth of distant water enterprises has also brought about problems.

One of the most important effects of these technological improvements has been the emergence of intensive distant water fisheries. Fishermen are now able to operate efficiently for extended periods of time in areas far away from their home ports. This development . . . greatly increased the total world catch, but it also led to the depletion of several stocks and to a greatly intensified confrontation between the nations involved in such distant water fisheries and the coastal States.⁷

The British used the new technology to expand their distant water fleet and fishing efforts in the Icelandic region. According to the Icelanders, the increased British pressure prompted a depletion of the stocks in that region, which spurred them to take unilateral action in an effort to control the exploitation. The result was dangerous confrontation on several occasions.

One of the reasons for the confrontation stems from the use of the term "overfishing." Because fish produce vast numbers of eggs, overfishing can occur for a period, but the stock will rejuvenate after a time of conservation measures. The exception to this replenishment occurs when another species fills the ecological niche formed by the reduction of a species.⁸ Consequently, two nations competing for the resources may have a confrontation over the ecological methods to employ. An even more fundamental problem occurs when competing nations attempt to determine exactly what constitutes overfishing. In one instance, overfishing might be said to occur when the average fish size diminishes, that is overfishing is defined through biological arguments. This hypothesis has a certain fallacy because the size decreases with any exploitation. Competitors thus need to determine the minimum, safe harvesting size to ensure stock continuation. A second definition of overfishing is based upon economics. Ac-

According to this theory, overfishing occurs when the catch rate per unit of effort decreases below the economic break-even point. This argument's critics say that the two variables are unrelated.⁹ During the British-Icelandic fisheries disputes, Iceland used, and Britain rejected, both arguments.

Within the world fisheries, Icelandic waters are considered to be some of the best. The reason is that Iceland lies at the point where the warm Gulf Stream mixes with the cold Polar Front waters. This causes an upwelling of nutrients to feed the plankton, and the long hours of summer daylight also encourages plankton growth. The results are proper conditions for the complete bio-chain, thus allowing "[t]he banks off Iceland [to] contribute the largest contingent to the European cod fisheries."¹⁰ Because of this richness, many nations increased their trawling fleets following World War I with the explicit intention of exploiting the Icelandic grounds. During the decade of the 1920's there were several technological improvements in the efficiency of trawling, a trend which continued through the early 1950's.¹¹ Consequently, numbers of more foreign vessels increased, and their catch rose to a total approximating seventy per cent of the Icelandic demersal catch in 1937. The effect was to create at least localized conditions of overfishing. For

example, despite recommendations from the International Council for the Exploration of the Sea, overfishing occurred in Faxa Bay. During World War II, conditions improved because Iceland was virtually the only nation which fished the waters. However, after the war, renewed foreign effort posed an even greater threat to the stocks. Once again the result was a steady decrease in yields during the years 1948-1952.¹²

We might actually break the Icelandic waters into three distinct fisheries. The first would be the upper waters containing the pelagic fish feeding on shoals of small crustaceans known as calanus and krill. Next would be the banks generally inhabited by the bottom feeders, including cod, haddock, catfish, and the various flatfish. Finally there are the seasonal spawning grounds where fishermen find cod, haddock, saithe, and whiting from February to May.¹³ Much of the fishing takes place along the irregular edge of the continental shelf, making fishing within the fjords insignificant by 1963. The most important location is the southwest coast, an area of shallow water where turbulence continually moves the nutrients off the bottom; about two-thirds of all cod taken in the Icelandic waters comes from this area during the first five months of the year. To the west of the northern peninsula, is the region which marks the boundary

zone for the southward flowing East Greenland Current and the northward flowing Atlantic water. As a result, this area has an upwelling of nutrients and corresponding proliferation of life. Finally, the north coast is the region where the Arctic and Atlantic waters mix, again causing an upward nutrient flow. Fishing also occurs at various locations around the entire coast throughout the year.¹⁴

Most of the cod spawning takes place off the southwest coast. In these warm waters, the fish may spawn as early as three to four years of age, but the norm is at six to seven years. In other waters, primarily off the north coast, the average age for spawning maturity is eight to nine years, but may be as long as thirteen years in the cold waters off the northeast coast. Wherever the location, "[t]he cod spawns in water less than 30 fathoms deep and apparently in fairly restricted areas."¹⁵ Consequently, cod swarming in shallow water to spawn makes for easy exploitation.

During this century, the international community established several organizations to assist in fisheries conservation. The first organization was the International Council for the Exploration of the Seas (ICES), established in 1902, and revised in 1950. Its area of interest is the North Atlantic, including the waters off

Greenland and Iceland. The organization promotes research, determines which research programs to conduct, and publishes research results for members. Although Iceland never officially joined the organization, that nation probably received membership status on September 7, 1951 when it ratified the "Convention for the Regulation of Meshes of Fishing Nets and the Size Limits of Fish (1946)." ¹⁶

The 1951 convention had its origins before World War II when several nations met and signed the "International Convention for the Regulation of the Meshes of Fishing Nets and the Size Limits of Fish," in 1937. Although Iceland, Germany, and the United Kingdom ratified the agreement, World War II broke out before complete adoption. The group's work continued at the London Overfishing Conference, from which the Convention emerged in 1946. Due to problems with ratification again, members established the Permanent Commission of the 1946 Fisheries Convention in 1954. The Commission met in 1959 and established the North-East Atlantic Fisheries Convention (NEAFC), with its headquarters in London. The Convention finally became operative after ratification in June 1963. According to article six of its charter, the purpose of the NEAFC is to recommend fisheries conservation actions as advised by ICES. Each member has two delegates, and

may also send experts to meetings; the body adopts regulations by a two-thirds vote. However, if a proposal receives the required number of votes for adoption, a nation's delegates may object to the measure, thus exempting that nation from adherence. Three such objections will veto adoption.¹⁷ (See Appendix 11 for members.)

In 1949 the United States hosted a group of delegates who signed the International Convention for the Northwest Atlantic Fisheries (ICNAF). A sufficient number of the participating nations ratified the Convention for it to become operative in July 1950. Although this body's work covers the Greenland shelf (which includes the Icelandic region), through at least 1957, Iceland did not participate on any of the five regional subcommittees. The ICNAF relies upon data presented to it, often from ICES, but directs and coordinates programs and establishes regulations. In the early 1970's the members took steps to strengthen their regulatory power so that the organization began to realize some successes in conservation.¹⁸ (See Appendix 11 for members.)

One problem associated with these organizations has been their lack of enforcement authority. The International Whaling Commission (IWC), founded in 1945 as a conservation group, illustrates this problem. Despite the passage of regulations by the IWC, the member nations are

free to adopt the restrictions or not, as they see fit. As a result, the IWC has had little success in implementing conservation measures.¹⁹ Iceland often cited such lack of authority by these groups as the reason why it acted unilaterally to extend its police powers.

Various sources state that England was the first foreign nation to fish in the Icelandic waters. Exactly when this industry began is unclear, but one source said that ships from both Britain and the Hanseatic League began to visit the waters during the Fourteenth Century. By 1416 the British undertaking there had increased to the level that, in a single day, the nation lost twenty-five vessels in a storm. During the reign of Henry VIII, the town of Lowestoft near the Suffolk - Norfolk border on the North Sea coast had a thriving Icelandic fishing fleet which utilized the long line technique to obtain its catch.²⁰ During these centuries, the Icelanders enjoyed convivial relations with foreign fishermen for two reasons. First and foremost, the foreigners represented an important trade opportunity for the indigenous people, although in an age of mercantilism, the Danish government would have preferred that its colony not continue the practice. Secondly, the Icelanders learned much about fishing from these far travellers.²¹

One innovation which revolutionized fishing occurred in the late Victorian period, namely the development of the steam-powered trawler. The first such British vessel to ply the Icelandic waters sailed from the Humberside port of Grimsby in 1891. Although they returned with a heavy catch, fish prices were so depressed that few, if any trawlers visited these far northern waters until 1902. From that year until the start of the First World War, Britain continued to pioneer steam trawling and was the world leader in total catch.²²

Britain was not the only nation fishing in the Icelandic waters. At the turn of the century, France, Norway, Denmark, the Faeroes Islands, the United States, and Germany all had vessels in the area. Following World War I, many other nations increased their trawling fleets specifically to reap the Icelandic bounty. There were several advances in the fisherman's equipment during the 1920's which served to further the increase so that by 1939, vessels from Spain, Portugal, Belgium, Holland, Sweden, and Finland joined those which had been there previous to the war. Following the Second World War, several of these nations did not return to the grounds; only Britain, Norway, Denmark, the Faeroes, the United States, the Federal Republic of Germany, and Belgium remained, but the Soviet Union also began to send its bur-

geoning fleet. Despite the large number of flags to be found in the area, during the period 1932-1939 and 1945-1962, Germany (the F.R.G. after the war), Britain, and Norway took ninety per cent of the foreign catch. The Icelandic share rose from forty per cent of the total catch in the 1930's to about sixty per cent in 1962.²³

By the start of the cod wars, the overall British fishing industry was well advanced. The number of distributors in 1954 approximated 3,300 wholesalers, with 2,300 of these at port and the rest inland, and the number of retailers was about 12,000. Another estimate for 1957 placed the number of wholesalers at 1,500, with ten per cent of that number handling fifty per cent of the trade; the number of retailers was around 29,000, about half of those being fish and chips shops.²⁴

The total number of vessels in the British distant water fleet was 218 in 1952. By 1956 that number had risen to 256, with 143 at Hull, 83 at Grimsby, and 30 at Fleetwood.²⁵ Shortly after this, the port of Aberdeen in Scotland also acquired a few distant water trawlers. But the distant water fleet soon began to diminish in numbers from the effects of the cod wars, a trend that continued until the late 1970's.

Another probable reason for the diminution of the distant water fleet was its uncertain profitability. For

example, using average figures from 1953/54 for a catch consisting primarily of cod on a trip of 22 days for a trawler of 180 feet and costing £200,000, the cost of the voyage including the vessel's depreciation) worked out to about 46 shillings per hundredweight of catch, but the average price of cod was less than 43 shillings per cwt.²⁶ In fact, the actual profitability was £2,650 per vessel in 1957, £1,329 in 1958, and £1,897 in 1959. In this latter year, only 107 vessels realized a profit, and 141 operated at a deficit.²⁷ One reason why the voyages turned any profit was due to the high prices commanded by other types of fish. Whereas the price obtained in 1953 per hundredweight for cod was 42s/2d, haddock brought 54s/2d, plaice realized 97s/4d, and 137s/7d for hake.²⁸

The fishermen in the British distant water fleet received higher overall earnings than either their near or mid-water counterparts. In 1957, crewmen from Hull received basic daily wages ranging from 23s/6d to 30s/6d, a poundage bonus between 12s/9d and 24s/9d per £100 gross catch, plus a share of the oil money. Skippers and mates did not receive a basic wage; rather they received ten per cent and seven-and-one-half per cent of the net respectively, plus a share of the oil money.²⁹ Two years later, crewmen from Grimsby averaged £3-3s/10d to £4-

14s/2d daily; the skippers and mates averaged £14-16s/7d and £10-16s/7d respectively.³⁰

By 1948 the British distant water fleet was again attaining its pre-war catch levels in Icelandic waters. In that year, the fleet topped 100,000 metric tons. Two years later it surpassed 150,000 tons, and from then until 1971 dipped below that mark on only two occasions. In terms of the total Icelandic catch, this take represented roughly twenty to thirty per cent, averaging about twenty-six per cent. (See appendix 8.) Many sources equate this figure to about half of the total British distant water catch. The Icelandic bounty helped to maintain the annual fish consumption throughout Britain at nearly nineteen pounds per person in the 1950's.³¹

It is difficult to ascertain the exact number of men who found employment in Britain's distant water fishing industry. Not even the most comprehensive source on the industry was able to do so, citing the fact that many of the men often moved between the distant and mid-water fleets, and some even transfer from the near water fleet during that sector's off-season. Some of the men are also part-time seasonal workers, although there is no information as to the normal occupation for these men, or seasons when they seek employment with the fishing fleet.³² But it might be possible to estimate the number of men

employed on the distant waters, which may prove to be useful when assessing the effects of the cod wars on the British fishing industry.

Based on the preceding figure and statements, we will place the average size of the fleet at 220-250 vessels. Next, let us assume that each vessel spent half of its time at sea, the other half in port for maintenance and repair, equipment refitting, and outfitting for its next voyage. This gives us a total of 110-125 concurrently manned vessels. Regarding crew size, an average size vessel which went aground in 1973 contained a crew of eighteen. From these figures, we arrive at a total of 1,980-2,250 men at sea simultaneously. Since various sources stated that the men remain in port for about one week after a three week voyage, these figures represent three-fourths of the regularly employed number, the total estimate is 2,640-3,000 men. Even if the approximation is merely half of the actual figure, it is clear that the distant water fishermen represented a small fraction of the total British work force. On a local level, however, the numbers were significant. It must be remembered, too, that the economies of Hull, Grimsby, and Fleetwood centered around the work of these few thousand men. Such was not (and indeed is not) the case with Iceland, however.

Following World War II, Iceland experienced an economic boom. By the mid 1950's cultivated land had increased by sixty per cent; hydroelectric plants built with money received through the Marshall Fund were generating a half billion kilowatt hours; a fertilizer plant produced an export surplus; a cement factory was under construction; textile, shoe, and glass factories had been modernized, expanded, or built; the merchant fleet had tripled in tonnage; the fishing fleet had doubled in tonnage with nearly the entire fleet consisting of new vessels; and three airlines were in operation.³³ Even with this expansion, ". . . agriculture [was] limited to sheep raising and dairy farming and the products [were] barely sufficient for local consumption."³⁴ Despite a continuation and expansion of this growth, by 1972 "[o]nly about 1% of the country [was] developed, 23% contain[ed] grazings whereas the other 76% consist[ed] of uninhabitable country of mountains, glaciers, lavafields, lakes, sods and other wasteland."³⁵ Because of its limited economy, Iceland is totally dependent upon the fishing industry for survival. "Without the fishing banks Iceland would be barely habitable and certainly could not sustain a high standard of living." The export of fish and fish products finances as much as ninety to ninety-five per cent of the economy, giving this tiny nation "one of the highest per capita

rates of foreign trade in the world." During the 1960's and 1970's the industry comprised about fifteen to nineteen per cent of the gross national product.³⁶ Because of fishing's importance to Iceland's survival, the industry is inextricably linked with the nation's political system.

Initially one individual in the government held all ministerial portfolios. This situation changed in 1922, at which time the Minister of Fisheries, Agriculture, and Industries came into being. In 1969, there was a further refinement which established the Ministry of Fisheries as a separate function, a post which the Prime Minister fills from among the elected Members of the Althing (Parliament). The Fisheries Minister may employ an assistant, and he has thirteen staff members and sixteen field inspectors. This staff oversees the work of four subordinate agencies: the Marine Research Institute; Fisheries Laboratories; Icelandic Fish Quality Institution; and the Fisheries Association. This latter agency began in 1911 with the formation of the Fisheries Association of Iceland. The agency currently has a twofold purpose: to represent all aspects of the fishing industry, and to perform a liaison role between the government and the fishing industry. It performs this second function through consultation and informational services to various

governmental bodies, in particular to the Ministry of Fisheries.³⁷

In order to expand the industry in 1945, the Icelandic government ordered forty new trawlers from foreign shipyards. The government then offered low interest, short term loans to individuals and communities not only to purchase the trawlers, but also to construct processing plants.³⁸ In this way the trawling fleet moved from twenty-four small, old vessels in 1945, to a mix of forty-eight old and new vessels in 1961, and finally to twenty-four modern deep-sea craft in 1972. Decked motor vessels followed a similar course until 1968, when a resurgence of growth occurred, increasing that fleet from 399 in 1945 to 839 in 1972. Although the numbers of small motor launches began to decline in 1945, no figures are available until 1964. From then until 1972 the number of these vessels dropped from 1,320 to 1,054.³⁹

The motor launches make up the "small boat" or "fishing boat" industry. The crew of two or three men fish close to shore, normally by long line, a weighted rope having as many as several hundred baited hooks placed at intervals, with their catch normally going to the local markets. These men also have part time jobs, and never fish during the entire year.⁴⁰

The motor vessels, also described as "fishing vessels" or "cutters," are larger, decked vessels which can range further from shore, but are not made to withstand lengthy periods at sea. The vessels see duty in both the demersal and pelagic fisheries. Since the vessels normally make a one-day voyage, the crew does not take on ice to preserve the catch, which they obtain by long line and gill net.⁴¹

Trawlers stay at sea for periods of one to two weeks. Most of their landings are in Iceland for processing into frozen fillets, but some fish are sold fresh on ice in Britain and Germany. If these vessels remain at sea too long, the fish begin to deteriorate despite the icing. Processors dry these fish of poorer quality, making what is known as "stockfish." Although the trawler fleet provided as much as half of the catch in the 1950's and early 1960's, the crews had considerable conflict with the cutters' crews.⁴² The friction led to an imposition of restrictions on the trawlers, the constraints often as severe as those placed on foreign vessels. The conflict was probably one of the factors contributing to the decreased number of trawlers in 1972.

The best figures located for the Icelandic fish processing industry are for 1957-58. At that time, there were about 4,600 workers throughout the industry, an

increase from 3,800 employees in 1950. Perhaps the largest sector consisted of the eighty-eight freezer plants capable of producing 975 tons per twelve-hour day, with a storage capacity of forty tons. The 1958 production was 76,000 tons, up from 50,000 tons in the previous year. Stockfish are made from cod, haddock, and coal fish (coal-ey) hung on racks to dry, either in the sun or in geothermally heated plants built since World War II. The production capacity for the plants in 1958 was 10,000 tons. Salt fish come mainly from the waters off Greenland. During the voyage, the crew splits and salt packs the fish; after landing, the packing plant washes and dries the semi-cured fish in the same manner as stockfish. The 1954 salt fish production was 20,000 tons. In 1958 there were forty-five meal and oil factories. These plants process the offal, as well as fish which are unsalable due to excesses, spoilage, or the casual catch of undesired species. Production in 1945 was 45,000 tons of meal and 14,000 tons of oil.⁴³ Because of increased landings, it is reasonable to assume that the overall processing industry continued to expand during the course of the cod wars from the figure cited here.

Despite the extent of Icelandic fish exports, the government spent large sums in subsidizing both the fishing and fish processing industries. In 1956, the esti-

mated total for subsidies was 137 million kronur. By 1963, the allotment still amounted to nearly a third of the value.⁴⁴ Another method which the government used to protect the industry was to prohibit foreign fish landings. The government also hoped that the measure would help protect the fishing grounds from over-exploitation by foreign fleets.⁴⁵ It is not known if this law is still in effect, but it probably became a moot point when the 200-mile zone came into effect.

There is little data on the number of men involved in fishing. One source places the total at 10.8 per cent of the population in 1950. Assuming this to mean the working population, we can use the number of workers in the processing industry above to calculate the total at about 6,800. If so, the number had decreased in 1957 to about 6,200 men.⁴⁶ Various sources through the mid 1970's stated that the number had held fairly steady since that time.

The Icelandic government published many statistics to demonstrate the importance of fishing to the nation. One such number was unusual in that only Iceland used the figure. This was the ratio of catch per inhabitant, or yield per capita. Iceland placed its figure at more than 1,800 kilograms, with the next highest value being 195 kg. for the Faeroese.⁴⁷ Although the statistic appears to be of little significance, it does dramatically illustrate the

dependence of Iceland upon fishing. Perhaps more important were the government's attempts to show the efficiency of Icelandic fishermen. The first of these "productivity" figures was the catch per unit of fleet. The Icelandic figure in 1957 was 8.9 tons of fish per fleet ton. Norway was the next closest nation with a figure of 4.6, and the value for the United Kingdom was 3.8. Although no further expressions of this value have been found, a perusal of other statistics shows that the catch has increased faster than the total fleet tonnage, which would raise this productivity figure as time progressed. The government also expressed the productivity figures in terms of total catch per fisherman. The 1957 figure of 85.5 tons increased by two-thirds to 143.36 tons in 1969. The F.R.G. fishermen were the nearest competitor with 63.2 tons in 1957 and 90.5 tons in 1969, a rise of some forty-three per cent. The 1957 figure for the entire United Kingdom was 36.5 and in 1969 was 49.5 for Britain alone.⁴⁸ During the 50- and 200-mile cod wars, the Icelandic government used such statistics to justify its actions in a Keynesian argument for a rational division of labor.

That these altercations over the closure of fisheries ever occurred illustrates the circular nature of history.

Though the concept of exclusive fishery zone [sic] in favour of the coastal State is relatively a new entrant in international law, it is not difficult to find support for some kind of

fishing rights in the early writers of international law. Much before the concepts of territorial waters and the "high seas" crystallized at the close of the seventeenth century, jurists had conceded to the coastal State the right to claim a fisheries jurisdiction up to a distance of two days sailing, which in these days could be computed to a hundred miles.⁴⁹

The change in such thinking dates to the Fifteenth and Sixteenth Centuries when Holland expanded its herring fleet to exploit North Sea stocks. When England also joined the herring trade, the Crown attempted to close the North Sea grounds to the Dutch. The Dutch government hired Hugo Grotius to write the legal treatise Mare Liberum (Open Seas) so as to defend its claim. The English countered this assertion with its own essay Mare Clausum (Closed Seas). The Dutch position prevailed, however, and became an accepted practice of international law.⁵⁰

The situation received some clarity in 1702 when another Dutchman, Cornelius van Bynkershoek, published his treatise De Dominio Maris (The Sovereignty of the Sea). In his work, van Bynkershoek stated that nations should exercise sovereignty over a range of sea extending from their shores, but that this distance should be no further than what they could defend. Thus the rule of the cannon shot arose, prompting many nations to claim the 3-mile league, although the Scandinavian nations claimed the 4-mile league.⁵¹

Over the course of the next hundred years, nations made various claims about the width of their territorial seas. But when Britain emerged from the Napoleonic wars as the most powerful maritime nation, the government entered into enough treaties for a 3-mile territorial limit so that, by the time World War I began, three miles was the recognized tendency. Additionally, since the British treaties measured this limit from coast lines, the ten mile rule for bays emerged. This rule specified that if the mouth of a bay was ten miles or less, then the 3-mile limit would be measured from a line drawn across the bay's headlands. Despite these treaties, Britain claimed a right to the sedentary fisheries (clams, lobsters, etc.) throughout the empire beyond the 3-mile limit, but not to the demersal or pelagic fishing.⁵²

Since the 3-mile limit was only a tendency, ". . . numerous fishing disputes arose between the European Powers in the 19th Century." The specific uncertainties were the rules of the territorial sea, the policing of fisheries, and problems between trawlermen and other fishermen using drift nets. Consequently, at the request of the Netherlands, a Conference of the North Sea Powers convened at the Hague in 1881. From this meeting came the "Convention for Regulating the Police of the North Sea Fisheries," signed by the United Kingdom, Belgium, Den-

mark, France, Germany, and the Netherlands on May 6, 1882. The signatories of this document agreed on exclusive fishing rights for three miles measured from the shore line, and also adopted the ten-mile rule for bays. The agreement was to be in effect as far as 61 degrees north latitude, and thus excluded the Danish colony of Iceland.⁵³

In less than a decade from the signing of this treaty, there was a proliferation of the steam trawler, as well as a refinement to the trawl net, called the otter trawl. This expansion created concern among the fishermen themselves over the future of the North Sea fisheries, and legal experts predicted the need to control fisheries beyond three miles. Pressure to extend the territorial waters, which the industry exerted upon the British government, diminished only because of the movement to new distant water locations.⁵⁴ But the first such extension occurred in 1907 when Argentina declared a 10-mile limit for its "territorial sea," but went on to specify that the extension was only for the purpose of fishing.⁵⁵ Portugal enacted the first European measures for fisheries. In 1910, the Iberian nation claimed that the continental shelf was the spawning and nursery grounds for the fish which it needed for its own people, and thus prohibited steam trawling within the one hundred fathom isobath.⁵⁶

As a response to several other nations declaring fisheries zones in the 1920's, in 1928 L'Institut de Droit Internationale drafted "A Regulation Relating to Territorial Waters." In this proposal, Article 2 specified a 3-mile territorial sea, but Article 12 allowed for:

a supplemental zone contiguous to the territorial waters [wherein] the coastal state may take the measures necessary for its safety, in respect to its neutrality, and in respect to policing sanitary, customs, and fishing. . . . The extent of this supplemental zone may not exceed nine nautical miles.⁵⁷

It is not known how nations received this draft, but it possibly evolved into the text which the Preparatory Committee of the League of Nations Conference for the Codification of International Law drafted . The Preparatory Committee included in its work a contiguous zone for purposes of customs, sanitary laws, and security, but refused to allow for fishing due to the large number of existing claims.⁵⁸ The Committee sent questionnaires to member nations and may have included this draft for comment. Of the thirty-six nations which replied, seventeen called for a 3-mile territorial sea, but the remaining nineteen states opted for various other limits. Thus, because there was no plurality for a specific limit, when the Conference met in 1930, the Committee refused to recommend any specific limits. The symposium's Second

Committee then received the issue for an attempted settlement, but the conference concluded without an agreement.⁵⁹

The first attempt by one of the World Powers to deal with the issue of a fisheries zone came from the United States. On May 5, 1938, the Senate passed a bill which would have allowed the regulation of fishing beyond three miles to a depth of six hundred feet, in the Bering Sea area between Alaska and the Soviet Union. The reason for this action was to expel Japanese salmon fishermen.⁶⁰ Since the attempt failed, the problem continued until Pearl Harbor, then reemerged immediately after the Japanese surrender. Consequently, President Truman made two proclamations on September 28, 1945: one on the continental shelf and the other on fisheries. According to the first declaration, the U.S. claimed jurisdiction over the subsoil and seabed resources of the continental shelf. The second notice stated the U.S. right to exert unilateral control over foreign fishermen in certain areas for an unspecified breadth, when such measures are necessary for conservation. The proclamation did not make any further assertions of sovereignty over the waters, or attempt to abrogate the rights of nations on the high seas for reasons other than the issue of fisheries conservation.⁶¹

The first truly definitive international legislation over territorial waters emerged in 1951 when the Interna-

tional Court of Justice handed down its decision in the Anglo-Norwegian Fisheries Dispute. The conflict actually dated back to 1906, when British trawlers appeared off the coast of Norway, thereby prompting the Norwegian government to pass a law in June of that year which forbade foreign fishing in territorial waters. The government amended the law two years later to prohibit all trawling in the waters. During ensuing discussions over the issue, Norway applied the law leniently, but in 1932-33, British vessels began to fish off the North Cape, exacerbating the problem, prompting a Danish Royal Decree on July 12, 1935. The decree established baselines to determine the nation's fishing zone by drawing lines along the outermost reaches of the mainland, or from the islands and rocks along the coast, without regard to the length of those lines. The fisheries zone was then set at four miles beyond the baselines. The Norwegian government stated that international law did not establish a maximum length for baselines, only that they must conform to the general direction of the coast. By drawing these lines, the decree closed the Norwegian fjords to all foreign fishing. Britain objected both to the use of the long baselines and the 4-mile claim, but the issue remained unresolved due to the outset of World War II.⁶²

When the war ended, British vessels went back to the disputed area, but the Norwegian government arrested them. Britain again protested the law, contending several points: that baselines had a maximum length of ten miles; that baselines must be drawn from points of the mainland exposed at low tide; that rocks and islands had their own territorial sea; that bays wider than ten miles required baselines drawn at the point where the width reached ten miles; and that the maximum claim from either the shore or baselines was three miles. Apparently Britain based these two latter claims on the North Sea Convention of 1882. The British government suggested that the International Court of Justice (ICJ) settle the dispute, and Norway agreed.⁶³

The U.K. Memorial to the Court, submitted on January 27, 1950 took the Norwegians by surprise, for the British were apparently accepting the 4-mile claim:

The United Kingdom, while not accepting as a general proposition that a State can have a belt of territorial water wider than three miles, does not, for very exceptional reasons, put Norway's claim to a breadth of four miles in issue in these proceedings. . . .⁶⁴

Due to the vagueness of this statement, the Norwegian government asked for a clarification in its counter-memorial. In their reply, the British officials said that they accepted the Scandinavian league of four miles, but that the general rule of the territorial waters was three miles,

and that any distance in excess of a 3-mile limit was binding only through bilateral agreements.⁶⁵

The ICJ handed down its decision on December 18, 1951, ruling in Norway's favor. In the decision, the Court opened its remarks "with a statement as to the specific geographical conditions of the area, . . . and the vital economic interests involved for the inhabitants of these 'barren regions'." The decision also made a distinction between historic rights, economic factors, and other reasons for a nation to claim jurisdiction over a particular coastal area, but that interpretation of international law should take all of these factors into account.⁶⁶ Iceland soon began to apply the decision in the extensions of its own territorial seas and fisheries limits.

In 1949, while the British-Norwegian dispute was in progress, Iceland led an effort at the United Nations for the International Law Commission (ILC) to codify international law on the territorial limit. Reminiscent of the 1930 Commission, the ILC asked governments for their views.⁶⁷ Two years later, the Commission published its final draft articles with provisions for a contiguous zone applicable for reasons of customs control, fiscal, or sanitary regulations, but not for purposes of exclusive fishing (Part II, Art. 4). The draft allowed for conser-

vation measures to be taken by all nations fishing in a given area (Part II, Art. 1), and it required the use of arbitration if those nations could not agree on the measures (Part II, Art. 2).⁶⁸ In 1952, after receiving comments from governments on the draft, the ILC's special rapporteur found the views to be so diversified that there would be no way of formulating an agreement. He concluded his report with the recommendation that the question be put aside to codify other, more essential questions.⁶⁹ Thus determining the legal definitions for which Iceland had lobbied was proving to be a lengthy process. Consequently, Iceland took its own action.

In the early Seventeenth Century the Icelandic fishing limit was a distance of four leagues of eight miles each. Then, by a decree in 1631, the King of Denmark reduced the limit to four leagues of six miles. In 1662, another change established the league at four miles. Thus the Icelanders enjoyed a limit of thirty-two, twenty-four, and then sixteen miles. The latter limit was in effect until 1859 when the Danish government declared a 4-mile limit.⁷⁰ Fifteen years later (1874), Denmark granted Iceland a significant degree of autonomy. Taking advantage of this freedom in 1889, the Althing enacted a law which prohibited all trawlers from entering territorial waters. Two further laws passed in 1894 and 1898, allowed

British trawlers passage through the waters and use of port facilities, provided the vessels did not trawl in the territorial waters.⁷¹

The British apparently did not heed the laws and often fished right to the coast, even trawling over the lines of local fishermen. Consequently, Hannes Hafstein, a provincial governor who later attained fame as a poet and Member of the Althing, began efforts to arrest one of the poaching British trawlers close to the northwest coast of Dyrafjordur. In the effort, three Icelanders drowned, and Hafstein barely escaped the same fate.⁷²

Because of these problems between the Icelanders and the British fishermen, it was time for the Danish government to step in.

In 1901, the British government struck a bargain with the then Danish owners of Iceland. Britain would buy Danish bacon if British fishing vessels were allowed the rights up to three miles from the Icelandic coastline. Naturally, no one asked the natives.⁷³

Britain concluded this accord for usage of both the Icelandic and Faeroese waters. According to the terms, not only did the British receive fishing rights to three miles, but the 10-mile rule for bays passed at the 1881 Hague Conference of the North Sea Powers also came into effect for Iceland. The treaty was to be applicable until two years after either party gave notice of termination.⁷⁴

"This agreement was very much against the wishes of the Icelandic people and proved to be a cause of friction between the local fishermen, mainly dependent on small inshore vessels using fixed gear, and the foreign trawlermen."⁷⁵ The inshore fishermen must have been the sole source of dissatisfaction, however.

[The treaty] was no problem in those days, neither economically nor politically. Although no Icelander sat in the Danish delegation that negotiated the details with the British, nobody in Iceland bothered to protest. The sea was abundant with fish, and with the extent of fishing and the methods used in those days, there was no danger of overfishing. The Icelanders could not care less about what the British and the Danes agreed upon regarding the highly academic question of maritime jurisdiction.⁷⁶

The Icelandic government itself took no steps to make a change, even though it had on several after 1901, shown dissatisfaction with the treaty and "customary international law."⁷⁷ The Althing even passed a law in 1920 concerning foreign fishing off the coast, and another in 1922 which reaffirmed the 1898 sheltering law.⁷⁸

Then, starting in 1937, Iceland began a lobbying campaign in ICES for conservation efforts. Specifically, the nation's delegates to ICES at the 1943, 1946, and 1949 London conferences requested conservation measures within Icelandic bays and fjords. The most significant attempt occurred at the 1946 meeting when the Icelandic members recommended a complete closure of the Faxafloi nursery

grounds on the nation's west coast, and offered to host a conference on the issue. The Commission passed a resolution on August 17 authorizing a ten-year closure, with an evaluation in five years. The U.K. would not agree to a conference, but suggested that the ICES Permanent Commission investigate the conservation problem. The Permanent Commission took nearly seven years to decide that it did not have jurisdiction in the matter. In the meantime, Iceland, now an independent nation, began to act.⁷⁹

At the Progressive Party Congress led by Herman Jonasson, held November 24 - December 4, 1946, the membership passed a resolution to terminate the 1901 Fisheries Convention with Britain. However, the Althing did not enact the measure at this time; instead, on April 5, 1948 the Althing passed a bill stating an intent to apply police powers to the entire continental shelf fisheries. Jonasson authored the bill based upon the Truman Proclamation of Fisheries, with many of the passages reading the same as, or similar to the U.S. document.⁸⁰

The "Law Concerning the Scientific Conservation of the Continental Shelf Fisheries" included interesting provisions. Article 1 required the Minister of Fisheries to pass conservation measures if scientific evidence showed such action to be necessary. The article furthermore required the minister to consult with the Fisheries

Association and the University of Iceland Industrial Research Laboratories, but then he could pronounce new rules as he deemed appropriate, including an extension of the fisheries limit. Article 2 stated that "[t]he regulations promulgated under Article 1 . . . shall be enforced only to the extent compatible with agreements with other countries to which Iceland is or may become a party." The article thus required the government to enter into bi- or multilateral treaties to enforce actions adopted under these provisions.⁸¹ In its dealings with Britain over fisheries extensions, the government never carried out this interpretation of the vaguely worded article.

After passage of the Continental Shelf Fisheries Law, Iceland began to implement control measures.

The 1948 measure consisted of some minor conservation steps including a modest adjustment of the coastal areas closed to foreign shipping. This met with protests from the British trawler owners and the Foreign Office but was taken no further.

The British allowed the measure to pass with little notice, because the nation's fishing industry was in the process of rebuilding following the war, matters which took precedence over the Icelandic law.⁸²

Icelandic action soon spurred the British out of complacency. "On 3rd October [1949], the Icelandic Foreign Minister addressed a note to His Majesty's Minister at Reykjavik giving notice of the termination of the Anglo-

Danish Fisheries Convention of 1901. . . ." The note implemented provisions of an Althing resolution to serve the two year's notice required for termination of the 1901 Agreement. Thus the government formally acted upon the resolution which Jonasson's Progressive Party had passed nearly three years earlier. The British government interpreted the Icelandic action as a desire for more favorable terms, presumably for fishing trade.⁸³

Some six months later, on April 22, 1950, the Minister of Fisheries promulgated a law enacting a 4-mile fishery zone on the nation's north coast from the point called Horn in the west to Langanes in the East. The decree also drew baselines over all bays for measurement of the 4-mile zone without regard to width. The regulation also prohibited trawling and seine netting for all fishermen within the zone; herring fishing remained in effect, but only to licensed Icelanders. The effective date for the law was to be June 1.⁸⁴ Iceland received protests to the new law from the U.K., Belgium, the Netherlands, and the F.R.G. There were also protests from "bodies of fishermen in Norway and Sweden."⁸⁵ Although Iceland could not apply the law to the British until October, 1951 when the 1901 Convention terminated, the Icelandic government announced that it would not enforce the regulation against British fishermen until after the

ICJ handed down its decision in the Anglo-Norwegian Case. "This decision was widely criticized in Iceland at the time because in this manner British subjects continued to enjoy greater fishing rights off the coasts of Iceland than Icelandic nationals."⁸⁶

With the ICJ ruling on the Anglo-Norwegian Case in November 1951, the 4-mile north coast limit became applicable to the British. Two months later, at a meeting in London, Icelandic Minister of Fisheries Olafur Thors informed the U.K. government of his intent to carry out the provisions of the 1948 Continental Shelf Law. Although he spoke only in general terms, the British said that a non-negotiated fisheries extension ". . . would cause deep resentment among the British trawler owners and fishermen and would risk provoking retaliatory action."⁸⁷ Despite this warning, Thors promulgated the 4-mile law on March 19, 1952, with an effective date of May 15, 1952. The terms of the law were the prohibition of trawling and seine netting to all fishermen within the 4-mile limit around the entire coast (Article 1); the exclusion of all foreign fishing within the 4-mile limit (Article 2); and a continuation of licensing for Icelandic herring fishermen off the north coast (Article 4). Finally, the decree's Annex established a baseline system around the entire island, utilizing the same points on the north coast as

the 1950 law.⁸⁸ In this manner, the act closed all fjords and bays to fishing, thus protecting the important nursery grounds from over-exploitation, which was, the primary reason for enacting the law.⁸⁹ In doing so, Iceland precipitated the first of its four major fishing disputes with the British. Iceland now faced the problem of enforcing the regulation. Since the nation has no armed forces, these police duties fell upon its coast guard, which had some experience in such matters.

After the incident with Hafstein at Dyrafjordur, the Danish government began sporadic efforts to police the Icelandic fishing grounds by sending protection vessels during the summer, but not during the dangerous winter months. After Iceland attained home rule in 1904, Denmark agreed to send a specially built protection ship to its colony. This vessel, Islands Falk, arrived in 1906.⁹⁰

The next move which the Icelanders took for their defense occurred in 1913, when the Althing passed a bill to establish the Icelandic National Defense Fund. This law specified that all fines for illegal fishing would accumulate in the fund which would then finance the Coastal Protection Forces. Five years later, the government signed an agreement with Denmark for defense assistance. Accordingly, for a period of twenty-five years, or until such time as the Icelandic government decided that it had

the ability to finance its own protection, Denmark would provide coastal protection. In 1919 the Althing enacted a bill to procure a protection vessel, either through outright purchase of an existing vessel, or by agreement with a shipyard to build a new one. In the meantime, the law also authorized the government to rent protection vessels.⁹¹

In the early 1920's the Volunteer Rescue Force of the Westmann Islands off the southwest coast decided to purchase a vessel for its use. When the group approached the government for financial assistance, they received one-third backing for their project. In 1924 the government assumed more responsibility for the 200-ton vessel, thus enabling the Minister of Justice to expand the vessel's role by equipping it with a 47mm cannon. A few years later the government took full control of the craft. In the meantime, the government had ordered a new vessel and had taken delivery in late June of 1926. This was the 512 ton steamship Odinn, armed with twin 57mm cannon, and built specifically for fisheries protection.⁹²

Initially the coastal protection duties came under the State Shipping Office, although the Minister of Justice also held the title of Head of the Coast Guard. The government used this arrangement to minimize its costs, but what actually occurred was the relegation of coastal

defense to a back seat role. Over the years, various other governmental agencies also had responsibility for the coast guard duties. Finally, in 1952, with the 4-mile fisheries limit extension, the Coast Guard officially became subordinate to the Minister of Justice, with Captain Petur Sigurdsson as its first head.⁹³ Utilizing Odinn and various other small vessels and aircraft, Sigurdsson would wage an effective campaign during this first dispute. During the three later "cod wars," his forces would prove to be a thorn to both the British fishermen and the Royal Navy.

NOTES

1. R. R. Churchill and A. V. Love, The Law of the Sea (Manchester: Manchester University Press, 1983), 3; Ludwik A. Teclaff, "Jurisdiction over Offshore Fisheries--How Far into the High Seas," Fordham Law Review 35 (1966-67): 412. Nearly all of the sources refer to the catch in metric (long) tons equal to 2,240 pounds; henceforth any usage of the word will denote the metric ton.

2. Astvaldur Eydal, "Some Aspects of the Herring Fishery and Herring Industry of Iceland," in Proceedings: Eighth General Assembly and Seventeenth International Congress (Washington, D. C.: The United States National Committee of the International Geographical Union, National Academy of Sciences, and National Research Council, [1952]), 615; Harold A. Innis, The Cod Fisheries: The History of an International Economy, rev. ed. (Toronto: University of Toronto Press, 1954), 6 (hereafter Innis, The Cod Fisheries).

3. Albert W. Koers, International Regulation of Marine Fisheries: A Study of Regional Organizations (London: Fishing News (Books) Ltd., Eyre & Spottiswoode Ltd., 1973), 25 (hereafter Koers, International Regulations).

4. "The Sea Gives Us a Living," in series "The Sea In Their Blood" (Distributed by American Education Films, Nashville, Tenn.: [late 1980's]) (hereafter "The Sea Gives Us a Living").

5. "Will the Fishing Have to Stop?" Nova, Film by Time-Life Video (Boston, WGBH, 1976) (hereafter "Will the Fishing Have to Stop?").

6. Henry Wood, "Fisheries of the United Kingdom," in Sea Fisheries: Their Investigations in the United Kingdom, ed. Michael Graham (London: Edward Arnold (Publishers) Ltd., 1956), 21 (hereafter Wood, "Fisheries of the United Kingdom").

7. Koers, International Regulations, 28.

8. Ibid., 49.

9. Paul Adam, "Overfishing in the North Atlantic," North Atlantic (Paris) 10 (1968): 65.

10. Katharine Scherman, Daughter of Fire: A Portrait of Iceland (Boston: Little Brown and Company, 1976), 46; for the direct quote The Delegations for the Promotion of Economic Cooperation between the Northern Countries, The Northern Countries in World Economy: Denmark, Finland, Iceland, Norway Sweden, 2nd. ed. (N.p., Finland: Otava Printing Office, 1939), 46 (hereafter Delegations for Economic Cooperation, Northern Countries in World Economy).

11. Iceland, Ministry for Foreign Affairs, The Icelandic Efforts for Fisheries Conservation: Memorandum Submitted to the Council of Europe by the Government of Iceland (Reykjavik: Rikisprentsmidjan Gutenberg, 1954) 8 (hereafter Iceland, Memorandum to the Council of Europe).

12. David Olafsson, "Iceland and Her Fishing Industry," World Fishing 3 (December 1954): 440.

13. Ingvar Hallgrímsson, "Life in the Icelandic Seas" part of chapter 1 "Country and Population" in Iceland, 874-1974: Handbook Published by the Central Bank of Iceland on the Occasion of the Eleventh Centenary of the Settlement of Iceland, ed. Johannes Nordal and Valdimar Kristinsson (Reykjavik, 1975), 15 (hereafter Hallgrímsson in Iceland, 874-1974).

14. Astvaldur Eydal, "Some Geographical Aspects of the Fisheries of Iceland" (Ph.D. diss., University of Washington, 1963), 4, 18-19 (hereafter Astvaldur, "Geographical Aspects"); Organization for European Economic Cooperation, Fishery Policies in Western Europe and North America ([Paris]: OEEC, September 1960), 157 (hereafter OEEC, Fishery Policies).

15. Jon Jonsson, "Cod Fishing off Iceland," Iceland Review 2 (1964): 9 (hereafter Jonsson, "Cod Fishing off Iceland"); International Court of Justice, Pleadings, Oral Arguments, Documents: Fisheries Jurisdiction Cases, vol. 1, United Kingdom of Great Britain and Northern Ireland v. Iceland (The Hague, 1975), 290 (hereafter Pleadings, United Kingdom); Innis, The Cod Fisheries, 3.

16. Koers, International Regulations, 78-79; Brunson MacChesney, International Law Situation and Documents 1956: Situation, Documents and Commentary on Recent Developments in the International Law of the Sea, Naval War College Series, vol. 51 (Washington, D.C.: U.S. Government Printing Office, 1957) 315-317 (hereafter MacChesney, Recent Developments in Law of the Sea).

17. Pleadings, United Kingdom, 296-296; Koers, International Regulations, 90-91; C. E. Lucas, "International Fishery Bodies of the North Atlantic" in Law of the Sea Institute Occasional Paper Series, no. 5 (Kingston: The Law of the Sea Institute - University of Rhode Island, 1970) 1, 13.

18. MacChesney, Recent Developments in Law of the Sea, 324-325, 335; Koers, International Regulations, 92-94.

19. Gerald Elliott, "Fishing Control--National or International?" The World Today 28 (March 1972): 134-136. This article contains an excellent discussion of the ineffectiveness of the various organizations mentioned here.

20. Benedikt Gröndal, Iceland: From Neutrality to NATO Membership (Oslo: Universitetsforlaget, 1971), 14 (hereafter Gröndal, Iceland) tells of the British and Hanseatic League start in the 14th Century; Jonsson, "Cod Fishing off Iceland," 7 says that Britain was first and tells of the lost vessels; Wood, "Fisheries of the United Kingdom," 12 describes the Lowestoft fleet.

21. David Olafsson, "Foreign Fishing off Iceland," Iceland Review vol. 3 no. 2 (1965): 38 (hereafter Olafsson, "Foreign Fishing off Iceland"); Iceland, [Ministry of Justice(?)], "Landhelgisgæzlan" (The Coast Guard) (no pub. data, approx. 1986), 3 (hereafter "Landhelgisgæzlan").

22. Wood, "Fisheries of the United Kingdom," 18; C. L. Cutting, "The Fishing Industry of Great Britain: Handling and Marketing" in Atlantic Ocean Fisheries, ed. Georg Borgstrom and Arthur J. Highway (London: Fishing News (Books) Ltd., 1961), 122 (hereafter Cutting in Atlantic Ocean Fisheries). This source states that no British trawlers returned until 1902. Various other sources imply that some British trawling occurred there in the late 1890's.

23. Olafsson, "Foreign Fishing off Iceland," 38-39; Hans G. Andersen, "The Icelandic Fisheries Zone," part of chap. 4 "Foreign Relations" in Iceland, 874-1974, 169.

24. Aylmer Vallance, "The Take from the Sea," The New Statesman 47 (April 3, 1954): 431 (hereafter Vallance, "The Take from the Sea"); OEEC, Fishery Policies, 262. The Icelandic 4-mile declaration upset the British fishing industry immensely. It is possible that this fact caused

the demise of many of the smaller wholesalers during this period. Concerning the retailers, it is highly probable that Vallance did not count the fish and chips shops in his 1954 figures.

25. "Icelandic landings unlikely to make fish much cheaper," The Times (London), 16 November 1956, 6 (hereafter Times).

26. Vallance, "The Take from the Sea," 430.

27. United Kingdom, Parliament, Report of the Committee of Inquiry into the Fishing Industry, Cmnd. 1266 (London: H.M.S.O., January 1961), tables 12 & 13 on p. 36 (hereafter The Fleck Report).

28. Vallance, "The Take from the Sea," tables p. 431.

29. P. Duncan, "Conflict and Co-operation among Trawlermen," British Journal of Industrial Relations 1 (1963): 335 n. 9.

30. The Fleck Report, 48 table 14.

31. The Fleck Report, 115 table 21.

32. See The Fleck Report. It is possible that figures have been compiled since the end of the last cod war but no research was done beyond 1978 on this matter.

33. Porter McKeever, "How to Throw away an Air Base," Harper's Magazine 213 (October 1956) 42 (hereafter McKeever, "How to Throw away an Air Base").

34. Iceland, Memorandum to the Council of Europe, 6.

35. Iceland, [Office of the Prime Minister(?)], Iceland and the Law of the Sea (Reykjavik, Kassagerd Reykjavikur, 1972), 4 (hereafter Iceland, Iceland and the Law of the Sea).

36. Gröndal, Iceland, 60; Organisation for Economic Co-operation and Development, Reviews of National Science Policy (Paris: OECD, 1983), 46 table 3.

37. Iceland, Ministry of Fisheries, Living with the Sea (Reykjavik: Ministry of Fisheries, October 1988), 2-3, 14 (hereafter Iceland, Living with the Sea).

38. OEEC, Fishery Policies, 164, 167. The government also offered similar help to the inshore fleet.

39. Astvaldur, "Geographical Aspects," p. 45 table 3; Mar Elisson, "Fisheries," part of chapter 5 "Industries and Energy," in Iceland, 874-1974, 195 table 3.

40. Astvaldur, "Geographical Aspects," 56.

41. Ibid., 54-56.

42. Ibid., 50-52.

43. OEEC, Fishery Policies, 160-161; H. S. Noel, "The Law of the SEA? NO! THE LAW OF SURVIVAL," World Fishing 7 (July 1958): 32.

44. Organization for European Economic Co-operation, Economic Conditions in Denmark, Iceland, Norway and Sweden (Paris: OEEC, October 1956), 16 note 1; Morris Davis, Iceland Extends Its Fisheries Limits: A Political Analysis (Copenhagen: Scandinavian University Books, 1963), 51 (hereafter Davis, Iceland Fisheries Limits).

45. OEEC, Fishery Policies, 166.

46. Olafur Bjornsson, "The Icelandic Fisheries" in Atlantic Ocean Fisheries, 260, 262 (hereafter Bjornsson in Atlantic Ocean Fisheries). From note 43: 3,800 industry workers comprising about 6% of the labor force makes a total force of about 63,000, thus 10.8% yields the cited 6,800.

47. Iceland, Ministry for Foreign Affairs, Fisheries Jurisdiction in Iceland (Reykjavik: Setborg, 1972), 14 table 1.

48. Iceland, Iceland and the Law of the Sea, 6; Council of Europe, Consultative Assembly, Eleventh Ord. Session, 1st part, Doc. 963 submitted March 16 by Mr. de Kinder, "Report on European Fisheries," in Documents: Working Papers, vol. 1 (Strasbourg, 1959), 6. It is not known if the figures for Northern Ireland were in fact used in the 1957 figures for the United Kingdom. Had they been included in the 1969 statistics, it is certain that the figure would have been lower because the Irish effort is a small coastal fleet of drift and seine netters, which techniques serve to lower these productivity figures.

49. Rahmatullah Khan, "On the Fairer and Equitable Sharing of the Fishery Resources of the Oceans," The Indian Journal of International Law (New Delhi) 13 (January-March 1973): 88.

50. "A Harvest For All Time," in series "The Blue Revolution" (InCA [Films] in assoc. with The Discovery Channel, 1990). Many sources told about the two treaties; this was the only one which told the reason for the dispute.

51. George Winder, "International Territorial Limits in Relation to Fishing," in Atlantic Ocean Fisheries, 50-51.

52. Sayre A. Swarztrauber, The Three Mile Limit of Territorial Seas (Annapolis, Maryland: Naval Institute Press, 1972), 65 (hereafter Swarztrauber, Three Mile Limit); Hannes Jonsson, Friends in Conflict: The Anglo-Icelandic Cod Wars and the Law of the Sea (London, England: C. Hurst & Company; Hamden, Conn.: Archon Books, 1982), 33-35 (hereafter Jonsson, Friends in Conflict); Choung Il Chee, "National Regulation of Fisheries in International Law" (Ph.D. diss., New York University, 1964), 126-130 (hereafter Choung Il Chee, "Fisheries in International Law").

53. Pleadings, United Kingdom, 268-269.

54. Choung Il Chee, "Fisheries in International Law," p. 27-28; R. H. Burback, "The Political Economy of Fisheries: From Nationalism to Internationalism" Yorkshire Bulletin of Economic and Social Research (Hull) 19 (November 1967): 81 (hereafter Burback, "Political Economy of Fisheries").

55. Choung Il Chee, "Fisheries in International Law," 81.

56. Teruo Kobayashi, The Anglo-Norwegian Fisheries Case of 1951 and the Changing Law of the Territorial Sea, University of Florida Monographs: Social Sciences no. 26 (Gainesville: University of Florida Press, 1965), 13.

57. L'Institut de Droit International, 34 Annuaire (Stockholm, 1928): 755, quoted in Choung Il Chee, "Fisheries in International Law," p. 115.

58. U.N. General Assembly, International Law Commission, 2nd sess., Report on the High Seas prepared by J. P. A. Francois (New York: March 17, 1950) A/CN.4/17, 29-30 (hereafter A/CN.4/17).

59. Jonsson, Friends in Conflict, 39; L. C. Green, "The Territorial Sea and the Anglo-Icelandic Dispute," Journal of Public Law 9 (Spring 1960): 58 (hereafter Green, "Territorial Sea and Anglo-Icelandic Dispute").

60. William W. Bishop, Jr., "The 1958 Geneva Convention on Fishing and Conservation of the Living Resources of the High Seas," The Columbia Law Review 62 (July 1962): 1212. The author does not state why the bill was not passed into law, but the wording suggests that it was not passed by the House. Given the year in which this transpired, it is possible that this was an attempt to take action against the Japanese for the invasion of China. However, it is also necessary to point out that conflict continues to this day between U.S. and Japanese salmon fishermen because of the large amounts taken by the Japanese in these waters.

61. A/CN.4/17, 35; Choung Il Chee, "Fisheries in International Law," p. 83-86; Jonsson, Friends in Conflict, 41. For the text see Harry S. Truman, "Truman Proclamation on the Continental Shelf, September 28, 1945" 59 Stat. 884-885 and 59 Stat. 885-886.

62. Jens Evensen, "The Anglo-Norwegian Fisheries Case and Its Legal Consequences," The American Journal of International Law 46 (October 1952): 610, 614-615 (hereafter Evensen, "Anglo-Norwegian Fisheries Case").

63. Ibid., 612-614; Benno Wasserman, "The Cod War," Contemporary Review 225 (July 1974) 7 (hereafter Wasserman, "The Cod War").

64. Evensen, "Anglo-Norwegian Fisheries Case," p. 611. Quoted from the U.K. memorial.

65. Ibid., 611-612.

66. Ibid., 609, 621 (direct quote taken from the ICJ decision), 623-624.

67. Jonsson, Friends in Conflict, 42.

68. U.N. General Assembly, International Law Commission, 3rd sess., Draft Articles on The Continental Shelf and Related Subjects Prepared by the International Law Commission (New York, July 30, 1951) A/CN.4/49, 3-4.

69. U.N. General Assembly, International Law Commission, 4th sess., Report on the Regime of the Territorial Sea prepared by J. P. A. Francois (New York, April 4, 1952) A/CN.4/53, 21 (hereafter A/CN.4/53). Jonsson, Friends in Conflict, 42 contains the following summary of the replies: 17 nations opted for the articles as drafted; 4 nations opted for 4-mile territorial limits; 14 nations wanted 6-mile territorial waters and some wanted an additional contiguous zone; 6 nations voted for 12-mile territorial waters; 10 nations wanted to claim the continental shelf for either a navigational or a fisheries zone; Iceland replied for the 4-mile territorial limit but also for the continental zone fishery.

70. Council of Europe, Consultative Assembly, Tenth Ord. Session, 2nd part, Thirteenth sitting, October 11, 1958, Item 3 "General Policy of the Member States of the Council of Europe in the light of the present international situation; and Co-ordination of the foreign policies of Member States," in Official Report of Debates, vol. 2, (Strasbourg, 1958), 425; Gunnar Leistikow, "The Fisheries Dispute in the North Atlantic," The American-Scandinavian Review 47 (March 1959): 20 (hereafter Leistikow, "Fisheries Dispute in North Atlantic").

71. Pleadings, United Kingdom, 269. See note regarding British fishermen in Icelandic waters during the late 1890's.

72. "Landhelgisgæzlan," p. 3.

73. Christopher Hitchens, "The Nelson Touch," New Statesman 86 (October 5, 1973): 457.

74. Pleadings, United Kingdom, 269-270, 442.

75. Elisson in Iceland, 874-1974, 200.

76. Leistikow, "Fisheries Dispute in North Atlantic," 19.

77. Pleadings, United Kingdom, 270.

78. Parliamentary Debates (Commons), vol. 538 (1955), col. w.189 (hereafter Debates, (Commons); written replies will be referred to by "w." preceding the column number).

79. McKeever, "How to Throw away an Air Base," 40; Jonsson, Friends in Conflict, 51-52; Iceland, Memorandum to the Council of Europe, 8. From the dates here, it appears that the ICES meeting is a triennial event. If that is the case, the 1946 meeting was the first since Iceland attained its total independence in 1944.

80.80. Jonsson, Friends in Conflict, 53-55; Gunnlaugur Thordarson, Preamble in "Landhelgiskver: A fishery limit booklet. A reprint of two newspaper articles on the fishery limit question and the International Court of Justice" (Reykjavik, 1972), 24. Jonsson was Prime Minister 1934-41; he began party leadership in 1944 and remained in that position until 1962. He held an unspecified cabinet portfolio 1950-53 then the Prime Ministership again in 1956-58, during which time he also retained the Justice post.

81. Davis, Iceland Fisheries Limits, 61; Iceland, Fisheries Jurisdiction in Iceland, 25-26.

82. Wasserman, "The Cod War," p. 7; John C. Griffiths, Modern Iceland (New York: Frederick A. Praeger, Publishers, 1969), 132. It is unclear whether these provisions were contained in the April law or if there was a second law passed to begin enactment of the Continental Shelf Law's provisions. Although one source cited in the previous note has the Continental Shelf Law reprinted, it is possible that the reprint is partial. This points out the need to perform further research with original Icelandic documents.

83. Debates, (Commons), vol. 468 (1949), col. w.65; Jonsson, Friends in Conflict, 54-55.

84. U.N. General Assembly, International Law Commission, 4th sess., Regime of the High Seas, Addendum to Comments by Governments on Draft Articles on the Continental Shelf and Related Topics (New York, October 8, 1952) A/CN.4/55/Add.1/Rev.1 p. 10-13 (hereafter A/CN.4/55/Add.1/Rev.1).

85. Green, "Territorial Sea and Anglo-Icelandic Dispute," p. 63.

86. Iceland, Memorandum to the Council of Europe,
10-11.
87. Pleadings, United Kingdom, 271.
88. A/CN.4/55/Add.1/Rev.1, 14-17.
89. Iceland, Memorandum to the Council of Europe,
15.
90. "Landhelgisgæzlan," p. 3.
91. Ibid., 4.
92. Ibid., 2, 4.
93. Ibid., 5; Iceland, Living with the Sea, 17;
untitled article in Times, 10 May 1952, 5. Sigurdsson
held the post at least through the end of the 200-mile cod
war. The Coast Guard currently consists of three protec-
tion vessels, one aircraft, two helicopters, and one or
two light house tenders.

CHAPTER 2

THE FOUR-MILE DISPUTE

As stated previously, European nations began to put a considerable amount of pressure on Icelandic fish stocks after the First World War. When hostilities began in 1939, that pressure diminished since Iceland was virtually the sole fishing nation in the waters. But in 1945, foreign vessels returned and trawlers using fine-meshed nets predominated. They fished the region right to the 3-mile limit, taking fish indiscriminately and destroying bottom vegetation which fry and young fish in the nursery grounds required. Consequently the fish once again began a rapid decline.¹ For example, during the period 1949-1952, the total haddock catch decreased by a third and the amount of plaice diminished by nearly half in these waters, and halibut stocks also showed a significant decline. The losses occurred despite a large increase in catch effort during this period.² For these reasons Iceland proposed the closure of Faxafloi to all fishing at the 1946 International Commission for the Exploration of the Seas (ICES) meeting. When the United Kingdom refused to participate in a conference on the problem, the Icelanders saw the need for other steps. Consequently, this specific U.K. refusal became a significant factor in the Icelandic

decision to enact the 4-mile limit.³ This is not to say that the Icelandic government capriciously drew the base-lines and extended its limit. According to Agnar Jonsson, the Icelandic Minister to the U.K. in 1952, "[t]he new fishing limits were drawn with the utmost care and in consultation with scientists with a view to attaining the most adequate conservancy of the fish stock."⁴

After Iceland announced the 4-mile limit, four nations, Belgium, France, the Netherlands, and the U.K., protested the action.⁵ The French made their protest on February 13, 1953, based on the portion of the law pertaining to the territorial limit extension. They maintained that the Icelandic claim was against the international convention for a 3-mile limit, and that Iceland could not use the Anglo-Norwegian Case as a basis for extension. Interestingly, this protest came eleven months after the Icelandic declaration, and nine months after the limit came into effect. It is probable that the French protested to pursue talks with the Icelanders so as not to relinquish their fishing rights. The Belgian and Dutch governments probably protested for the same reason, doing so at some date after the French.⁶ On the other hand, the U.K. government directed its protest against the second issue:

The British protest was directed more against the change in Iceland's straight base-line

(Iceland unlike Norway had no historic claim to a straight base-line) than to the extension of its fishing limits from 3 to 4 miles. The practical effect of the 1952 extension of the Icelandic fishing limit on British industry was minimal.⁷

Active British opposition in the 4-mile dispute came not from the British government, but from the fishing industry, particularly from the Humberside towns of Hull and Grimsby, where fishermen organized a boycott against Icelandic landings.⁸ Their action changed the character of Icelandic trade, and probably impacted more on Britain than on Iceland.

Although the 4-mile limit came into effect on May 15, 1952, the first known action against a British trawler did not occur until after mid-July when the Icelandic Coast Guard arrested the Grimsby trawler York City. The Icelandic court subsequently fined Skipper S. V. Jones of fishing within the 4-mile limit, the first conviction during the dispute.⁹ At the end of September diplomatic efforts reached an impasse which prompted a delegation of the British Trawlers' Federation (B. T. F.) to meet with members of the Icelandic Trawler Owners' Federation in London. The Icelandic group, led by Messrs. Kjartan Thors and Jon Petursson, gave its position as one which looked to the future. The British, under the leadership of President J. Croft Baker, threatened to revoke facilities at Hull and Grimsby for Icelandic trawlers if the 4-mile

limit remained in effect.¹⁰ When the Icelandic delegation and government remained adamant, the B. T. F. members kept their word, closing both ports to Icelandic landings within days of this meeting. The Icelanders replied that they would utilize their own gear and facilities for landings. The trawler owners countered by threatening to stay at sea with their catch, creating a shortage of fish in Britain, hence their intent was to pressure the Icelanders through fish buyers and public sentiment.¹¹ Nonetheless, the Icelanders pursued the issue by forming the corporation "Island Agencies, Limited" in Cleethorpes on October 31. Mr. T. Olgeirsson, the Icelandic Vice-Consul at Grimsby, registered as the company's director. F. Huntley Woodcock, Fisheries Attache at the Icelandic Legation, stated the company would act as agent for Icelandic trawlermen to land their fish.¹² Twelve days later, trawlermen at Grimsby met and passed a resolution that they would not work any deep-sea trawlers if Icelandic vessels landed fish at that port.¹³

On November 17-18, the B. T. F. again met with Icelandic representatives to discuss the 4-mile limit and the Northerners again stated that the limit was for conservation. The Britons made clear their disbelief over the statement, but they would enter into talks on the issue. After two days of meetings, Baker told the press that the

Icelanders refused both to participate in a joint scientific study and to give the location of spawning grounds. Because of this stand, Baker announced the ban against Icelandic vessels would remain in effect.¹⁴

The next night, November 19-20, the Icelandic trawler John Forsetti did land its cargo of 280,000 tons with the assistance of the Cleethorpes company. The catch sold for £11,385, twice the amount paid to Grimsby fishermen, prompting the Grimsby Trawler Officers' Guild to make good on its strike notice. The Hull Trawler Officers' Guild also voted on November 21, to join the strike on the 22nd, action that would lay up most of the industry's 290 distant water trawlers. But, after talks later on the 21st between the Trawler Owners' Associations at Hull and Grimsby, and the Grimsby Fish Merchants' Association, the merchants promised not to buy from Icelandic vessels, so the officers' guilds voted to return to sea. The strike initially left twenty-five Grimsby trawlers idle, that number increasing by seven during the day, but the strike was so short that there was no actual cessation of fishing.¹⁵

Two days after the landings ban came into effect, Woodcock asked the Icelandic government to put the twenty refrigerator factories around the coast into full production, with the idea of sending refrigerated and salted

fish to new markets. Since the British normally imported this catch to supplement its own catch during the winter months, Woodcock's intent was probably to cause a fish shortage in Britain. On November 24, Woodcock announced that he would invite inland fish dealers to purchase fish Icelandic vessels at Grimsby if the Icelandic government did not accept his suggestion to find other markets.¹⁶

Also on November 24, both the Fleetwood Trawler Officers' Guild and the Aberdeen Skippers' and Mates' Association voted to support the strikes at Grimsby and Hull. Two days later, the B. T. F. once again proposed talks, but the Icelandic government remained adamant in its rejections. The British remained just as adamant in refusing not only the Icelandic landings, but also in declining to sell resupply equipment to Icelandic crews. By November 30, Iceland claimed that British vessels had increased their catch to offset losses created by the landings ban.¹⁷

Nothing further transpired in this stalemate situation until around January 18, 1953, when Baker once again announced a willingness to compromise. He said that if Iceland would resume its former territorial waters, British fishermen would abide by the results of a joint scientific study of the nursery grounds, including those which were beyond the 4-mile limit, if investigation proved

conservation efforts to be necessary.¹⁸ There was no account of an Icelandic response to Baker's proposal, so the government was apparently willing to continue detente until the British recognized its claim. The trawlermen probably recognized this to be the situation also, because their next statement did not come until late May. Captain Charles Fieldwood, secretary of the Grimsby Trawler Officers' Guild, said on May 28 or 29, that British ships had been fishing in the waters since 1892, but Icelanders did not begin doing so until 1912 when they acquired trawlers. However, he defined the main problem as being the closure of Faxafloi. Because of the way Iceland drew baselines to establish the 4-mile limit, Fieldwood said that a trawler might actually be twenty miles from landfall when at the bay's defined 4-mile line.¹⁹

During 1953, a British entrepreneur, George Dawson, earned his countrymen's wrath by attempting to end the landings ban. Dawson, a Grimsby scrap metal merchant, drafted an agreement with Icelandic trawlermen to land their fish. He initially spoke about using the Welsh port of Milford Haven, providing the city had sufficient quayside facilities. The reaction was immediate; the Grimsby Trawler Officers' Guild threatened to strike if Dawson made Icelandic landings. Dawson's response was equally assertive. He said that if the Icelanders sold their fish

before landing, the only people in a position to react would be stevedores, who came under the National Dock Labour Board, and it was illegal for these men to strike. Replying to these protests, Sir Felix Pole, Chairman of the Milford Docks Company, said that there was no legality for them to refuse landings by Icelandic trawlers, as the landings ban was not official. Consequently, if the trawlers had their own gear, they had the same usage rights as others.²⁰ Pole was giving notice that the trawlers could land, but local equipment owners had no obligation to rent their equipment.

A Member of Parliament had an interesting reaction to Dawson's scheme, informing Minister of State for Foreign Affairs Selwyn Lloyd, that Lloyd should "advise the Icelandic Government to be careful before they come to any arrangement with Mr. George Dawson."²¹ The two possible implications to the warning were either that Dawson had a reputation for schemes, or that the British government might enter the picture if Dawson's work broke the impasse.

By mid-month, Dawson was in Iceland to secure exclusive rights to Icelandic fish at a fixed price. He intended to resell the fish to wholesalers and retailers at a comparably fixed charge. By August he hoped "to revolutionize fish marketing in Britain by the introduc-

tion of modern, efficient distribution methods."²² On March 19, he was back in Britain, and announced plans to buy 50,000 tons of fish from Icelandic trawlers annually. The Milford Haven arrangement must not have been suitable, as he intended to use the Grimsby, London, and Liverpool docks.²³

Dawson announced on August 21, that his landings would commence in September. At the moment he was constructing an ice plant to preserve fish transported inland, so that he could still sell his fish if Grimsby dealers refused the purchase.²⁴ By mid-September, Dawson was still amassing his reserve of ice; he wanted 50,000 tons in case the Grimsby Ice Company refused to sell to him. He said that the first landing might occur on the night of September 14/15, but predicted that the vessel to which he referred would probably land in Germany.²⁵ The trawler apparently did go to Germany, because Dawson's first landing did not occur for several more weeks. In the meantime, on September 20, Dawson made another announcement that he wanted to expand his yet-to-come landings to Hull. This new plan ran counter to a previous statement that he would only land at Grimsby. He claimed to have a hundred buyers waiting and dock workers willing to unload for him. Two large corporations, Lewis's Ltd. and Selfridge's Ltd., Stores, stated they would buy from

him for resale in London, Liverpool, Manchester, and Birmingham; additionally, the Co-operative Wholesale Society said it would buy his fish if priced appropriately. By early October his processing factory, now with two ice machines, employed a hundred people. He paid competitive wages and found workers without advertising.²⁶

Since Dawson was still making his arrangements, two Aberdeen fish merchants telephoned Olgeirsson at Grimsby on September 15. Due to continued high prices of fish at the Billingsgate (London) fish market, these men requested an immediate resumption of Icelandic landings at Aberdeen, and promised availability of all necessary facilities. The Vice-Consul replied that the industry would need to lift the ban totally before the Icelandic fleet could deliver any fish.²⁷

Dawson's scheme was apparently having an effect on British fishermen, or at least causing them to rethink their landings ban policy, and there was even some division among the various organizations. On September 16, as Dawson was preparing for his first landing and building up his ice supplies, J. M. Crockett, B. T. F. secretary, announced the organization would no longer hold to its strike ruling if Icelandic fish were landed at any of the four distant water ports. Instead, the Federation would ask trawler owners not to sell to merchants who purchased

fish from Icelandic landings. Then, just one or two days before Dawson's first landing, spokesmen for both the Grimsby Fish Merchants' Association and Trawler Officers' Guild said that their organizations would uphold the ban: merchants would not buy Icelandic-landed fish and, if the Icelanders unloaded, trawlermen would not put to sea. Dawson's reply was that his fish would be placed on sale until 5:00 a.m., after which he would ship the remainder to his own factory.²⁸

The seriousness of Dawson's threat to the ban can be seen in an announcement by Mr. Vincent, owner of the Ross Group of trawlers located in Grimsby. On October 13, the day before Dawson's first load arrived, Vincent stated he would undercut Dawson by six pence per stone of fish, even if he took a loss, to ensure that Dawson did not sell any fish from Icelandic trawlers. Dawson rejoined that he was going to offer high quality fish at reasonable rates, and accused large fishing groups, such as the Ross Group, of maintaining artificially high prices.²⁹

Dawson's first fish finally landed at Grimsby on the morning of October 14 aboard the Ingolfur Arnarson, piloted by Sigurjon Stefansson. Shortly before midnight, 106 stevedores began unloading the 33,000 stone of fish, 27,300 stone being cod. Although the catch was open to all Grimsby dealers, only one, Mr. Wright, made a pur-

chase, buying twenty-five kits of bulk cod at 50s per 8-stone kit. Additionally, 700 stone which left in the early morning for Billingsgate market sold through a middleman for 12s per stone, after which a second load went to the market. Dawson had the remainder sent to his factory at Pyewipe near Grimsby for cleaning and packing. Despite his 50,000 ton reserve of ice, the quantity of fish which he needed to process was such that he had to obtain more ice from other locations in Lancashire. Additionally, he had to subcontract some processing to the Standard Cold Storage Co. in Grimsby. With an initial fleet of forty trucks, he shipped the load to Birmingham and other interior locations. The Birmingham consignment included 2,000 stone of cod which sold for about 12s per stone. His total receipts were £8,944, a sufficient amount for him to plan landings at two other locations, and to speculate about buying his own trawlers.³⁰

As promised by the local fishermen, the landing did cause problems. Because the Standard Cold Storage Co. assisted Dawson, ice manufacturers refused to sell to the firm, and trawlermen refused to sell their fish to the company, for at least a few days. Auctioneers also refused sales to Mr. Wright, even accepting lower bids than his.³¹ In December after another dealer had acquired Wright's inland customers, other dealers warned this man

they would cut off his ice supplies, believing that he had obtained the customers in an arrangement with Wright. Ultimately, Wright threatened to bring suit against the Grimsby trawler owners. He agreed not to proceed when he received assurances that he would again have supplies of fish and ice.³² Presumably the other two companies also settled the differences with their fellow merchants.

Dawson also had problems from this first landing. The initial load which left for Billingsgate did so without an inspection from the Health Ministry's agent, because the agent would not come to the dock until the "usual" time of 6:30 a.m. To avoid spoilage, Dawson forwarded the consignment without the inspection, and consequently faced court action. The Grimsby Borough Council met on October 19 to decide Dawson's fate. In a closed session, the Council decided not to prosecute. Two days later, Olgeirsson met with the Grimsby Health Committee, and stated he had written to the port health officer on September 28, requesting an early inspection to facilitate the earliest movement after landing. He finally received the officer's reply on October 14, the day of the landing and dated the previous day, which said that there would be no inspection until 6:30. However, early departures had become customary since World War II, so the Health Committee recommended to the town council that it

grant a health inspector "at any time requested by a responsible body of persons." On October 26, the Council authorized the recommendation.³³ It is interesting to note the Committee's wording: since Dawson would be acting on his own rather than as a member of a "responsible body," the health officer could still refuse his requests.

One factor contributing to Dawson's problem of selling his first load of fish at port was a deliberate diversion of British-caught fish to Grimsby. When the Ingolfur Arnarson landed, R. P. Ross, president of the Hull Fishing Vessel Owners' Association, diverted the Vian from Hull with 14,500 stone of White Sea fish and the Loch Tulla with 13,500 stone of Icelandic water fish. He stated that, whenever an Icelandic trawler landed, he would divert a British catch to Grimsby unless merchants there bought the foreign catch.³⁴ With this policy, and for fear of having their supplies of fish and ice cut off by their countrymen, Dawson had trouble inducing small-scale dealers at Grimsby to buy his fish. To do so, he would need 10,000 kits (420 tons) of fish weekly, an amount he was not yet ready to handle; he would also need to supply these dealers with ice, but was not producing enough for himself.³⁵

Despite these problems, a few days after the first landing, Dawson predicted that, by the end of November, he

would land twelve Icelandic trawlers monthly, and had plans to build a factory costing £110,000 to handle the influx. Additionally, he planned for two more factories, and claimed many small dealers wanted to buy from him. By October 22, he said that four Icelandic vessels were working exclusively for him, that he hoped to open his second factory in Grimsby by early December, and that two other northeast ports contacted him about landings.³⁶

With the success that Dawson had with his first landing, and with his plans for expansion despite the obstacles thrown in his path, it comes as no surprise that representatives from Grimsby put forward two proposals to end the landings ban. The first came from Jack Vincent, who suggested lifting the ban for one month, provided the Icelanders would enter into serious negotiation. If they agreed, he said on October 29, the trawlermen would allow two Icelandic landings weekly. Olgeirsson rejected the proposal, stating that they must lift the ban unconditionally; further, he said that Icelandic trawlers had an obligation to Dawson. Even without the Icelandic dismissal, Grimsby's Trawler Owners' Association, Fish Merchants' Association, and Trawler Officers' Guild all rejected the idea.³⁷

One possible reason for the Grimsby Fish Merchants' Association's refusal of Vincent's initiative was that

they had their own proposal pending. A week after the Dawson landing, the merchants petitioned for a special meeting to vote on rescinding the ban. Although they had only collected twenty-five signatures of the 550 members by October 24, the group decided to hold a meeting on November 9 for a vote.³⁸

Meanwhile, Dawson's second load was to be aboard the Kaldbakur, scheduled to land on October 30, but a combination of bad weather, missed tides, and lack of dock space forced the vessel's captain to sail for Germany to save his catch. However, Dawson had by now contracted for nine more loads.³⁹ The second actual landing was 35,000 stone on November 3 the Fylkir. Wright purchased 1,000 stone at 14s per stone as opposed to the 17-19s average at Grimsby. A portion went fresh to Billingsgate; Dawson processed the rest at his factory and sent it to locations in the Midlands and Northeast. The catch brought him £8,421.⁴⁰ Two nights later Ingolfur Arnarson once again landed with roughly 30,000 stone. On November 8, both the Jon Thorlaksson, carrying about 30,000 stone, and the Svalbakur with an unknown load were to land at Grimsby, but both vessels had problems making the landfall.⁴¹ Since the latter vessel requested instructions (presumably from its owners), we can assume that the problems were related to port services, not to Dawson's acceptance of the cargo.

The next day, the Grimsby Fish Merchants' Association met to determine whether they would lift their ban against Dawson. Of the 525 members, 416 were present; 147 voted in favor of lifting the ban, 128 voted against the proposal, and 141 abstained. Mr. R. Turner, Association President, voided the vote on the grounds that this majority did not compose a plurality. Consequently, the organization was to vote by secret postal ballot. The next day Mr. Crockett, speaking for the Federation of British Trawler Officers' Guilds rather than for the B. T. F., said that skippers would take to sea only if owners promised not to sell to merchants buying Icelandic fish. Further, if every merchant at port bought from Iceland, then the trawlers would land elsewhere. If these terms were unacceptable to the owners, the operators would strike at the affected port. Assuming that Crockett spoke to influence the Merchants' Guild's vote, his tactic worked. A count of the mail-in ballots was 188 for lifting the ban on Dawson, 295 against the proposal, and 62 abstentions.⁴²

Although Dawson had a few more landings, this vote began his demise in the fish business. During the first ten days in December, he met with representatives of the Icelandic trawlers, then tried to renegotiate his contract. When he failed, he had no landings scheduled, so

laid off his employees. An article shortly after Christmas reported that his enterprise had failed, and that trawler owners and officers would meet to discuss the situation.⁴³ Some eight months, later a small, untitled article reported "Mr George Dawson's former fish factory at Grimsby has been bought by the Orwell Curing Company of Grimsby." One individual placed the blame for Dawson's failure on the Icelanders rather than the British, saying that Dawson was ". . . backed by a number of small fish merchants who were feeling the lack of Icelandic fish. . . . But, . . . as a single owner, he could not come to terms with the Icelandic owners. . . ." ⁴⁴

Over the next two years, there were a few more sporadic attempts to break the landings ban. These included talks with the Tyneside ports in April 1954, the announcement of landings at Milford Haven in November 1954, actual landings at Grimsby in September or October 1955, and landings at North Shields on the Tyne in November 1955. All attempts brought threats to ban the dealers, and thus ended immediately.⁴⁵ No single individual or firm put as much effort into making the attempt a success as had Mr. Dawson.

With the ban in effect, the Organization for European Economic Cooperation (OEEC) began arbitration between the two nations in 1955. After nearly a year, on February 29,

1956, the two sides had nearly agreed, and the proposals underwent final draft for submission to their governments. In an open letter to the public, the B. T. F. listed four responsibilities that it had for accepting the agreement. These were: 1.) to all the people in the industry, from crewmen to proprietors; 2.) to the public so as to ensure a constant supply of inexpensive fish; 3.) to the government (with no further explanation); and 4.) to the Icelanders as friends, trade partners, "and good companions of British trawlermen on the high seas--quick to help when danger threatened." Continuing the letter, the B. T. F. said that when they imposed the ban in 1952, the nation was under meat rationing "and fish was easy to sell," but now in 1956, fish were in excess. Yet there were twenty-one new trawlers in the fleet, and plans for an additional twenty-five over the next three years.⁴⁶ For these reasons, the B. T. F. told the government that it accepted the OEEC proposals in principle. The members believed that only details needed to arrangement, and to do so they proposed a committee from both sides under governmental observation.⁴⁷

The suggested meetings took place, but due to political problems in Iceland, the two sides did not reach an agreement until October, with the landings ban ending in November. The general terms of settlement fell within

three categories: Britain agreed to Icelandic landings without prejudice to its claims; Icelandic landings had a ceiling; and British trawlers could run for shelter with their gear partially stowed.⁴⁸ The first term involved the political reason behind the 4-mile dispute. The government had protested Icelandic enactment of long baselines and the 4-mile limit; the agreement said that the government was technically continuing that protest, but would no longer act on the issue. Secondly, the agreed ceiling would equate to the same percentage of landings value which Icelanders had prior to the 4-mile declaration.⁴⁹ The final point was the most problematic area for trawlermen.

During the 12-month period of November 1953 to November 1954, Humberside lost five trawlers with sixty men in Icelandic waters. The trawlermen contended that deprivation of inland waters, particularly bays on the Icelandic west coast, made fishing exceptionally dangerous.⁵⁰ Furthermore, Icelandic law placed severe restrictions on foreign trawlers running for shelter. According to Mr. Patrick Wall, a Humberside Member of Parliament:

The provision in the Icelandic law that really annoys our trawlermen is that all fish has to be cleared off the decks and all gear stowed for harbour before they are allowed to run for shelter. It is probable that if a modification of this requirement, together with the adjustment of the territorial limits in certain bays

of the West Coast could be agreed, the ban could be lifted almost overnight.⁵¹

Two more trawlers, the Lorella and Roderigo were lost at sea in February 1955. The British insisted that they would not have been lost if they had been allowed to shelter in Icelandic waters; the Icelandic Legation in London stated that they could have, if they had taken in their fishing gear.⁵² With these losses occurring on the eve of the OEEC talks, it was inevitable that the final agreement would address sheltering.

Diplomatic efforts did not begin with the OEEC talks in 1955. A long series of talks antedated not only the effective date of the 4-mile limit, but also Thors' declaration of the limit in 1952. Initially, the British conducted their endeavors bilaterally. Ultimately, various third parties were involved in mediation, and there was even a conference convened to solve the issue. All efforts culminated in the November settlement.

After the International Court of Justice (ICJ) decided on the Anglo-Norwegian Fisheries Case in December 1951, Icelandic Minister of Fisheries Olafur Thors went to London in January, 1952 to settle the problem created by the 1950 law which extended the fishery limit to four miles along the north coast. British representatives suggested that the ICES Permanent Commission should arbitrate on such matters. Thors replied that any negotia-

tion would force Iceland to take similar steps with all countries, but that arbitration was not needed since Iceland acted in conformity with international law.⁵³ After promulgation of the 4-mile law in March, the British contended that no talks had occurred, that Thors simply stated the Icelandic government's intentions; further, Thors did not spell out details of those intentions, nor did he give any indication as to their overall effects on the British fishing industry.⁵⁴ This clearly shows that the British wanted these talks to negotiate rather than for explanations.

Thors announced the new regulation in mid-March. Although the British government immediately made a verbal objection, it did not send a formal, written objection until May 2, just two weeks before the implementation of the 4-mile limit. There were four points in their objection: 1.) the unilateral extension of Icelandic territorial seas to four miles; 2.) the use of a baseline to close Faxafloi; 3.) the use of a rock-eight-and-one-half miles off the coast as the southern end of the baseline drawn over Faxafloi instead of using the bay's southern headland; 4.) the modifications make the new law unacceptable in international law.⁵⁵ During House of Commons discussions, the government gave further interpretation about its objection to the baseline when a Foreign Office repre-

sentative stated that Iceland had drawn the baselines in a manner not approved in the Anglo-Norwegian Case.⁵⁶ Another basis for objection was the effect that extension would have on British fishing interests. The industry estimated that loss of these waters, which they had used for over fifty years, would result in decreased landings by 1.5 million cwt., with trawlers from Hull, Grimsby, and Fleetwood primarily feeling the results.⁵⁷

The Icelandic government gave the British a partial reply on May 12, and a full reply on May 15, the first effective day of the 4-mile limit. Mr. John D. Greenway, British Minister in Reykjavik, personally delivered the note to London, indicating how seriously his government viewed the issue. The note conveyed the opinion that "the new regulations for the conservation of Iceland's fisheries are in conformity with international law, and essential for the economic welfare of the nation." The first press report about the note said that the government was considering taking the matter to the ICJ, but such a proposal did not occur for some months. During discussion of the note in the Commons, one M.P. suggested that usage of British docks was a complicated arrangement.⁵⁸ His remark was the first indication Britain might levy some form of retaliation.

On June 18, the British government made its second reply, focusing its attention on fishing rather than legalities:

In the circumstances Her Majesty's Government, while noting with satisfaction that the Icelandic Government intend to apply the new territorial limits for fisheries purposes only, and while noting also that the restrictions in force do not discriminate against fishing vessels of any particular nation feel obliged to place on record that they reserve the right to claim compensation from the Icelandic Government for any interference with British fishing vessels in waters which in the opinion of Her Majesty's Government are high seas.⁵⁹

Iceland apparently chose to ignore this protest, and continued to enforce its new limit. Diplomatic efforts, minimal though they were, had thus reached an impasse. Meanwhile, the B. T. F. continued its talks which finally resulted in the landings ban around October 1.

The Icelanders protested closure of British ports in a note which Minister to Britain Agnar Jonsson presented at the Foreign Office on October 11. The note was also the long-awaited reply to Britain's June note by reaffirming Icelandic right to extend the limit.⁶⁰ Despite the protest, when the first Icelandic vessel attempted to land its catch on October 14, the British Foreign Office contacted Olgeirsson in Grimsby to request that the vessel proceed to a German port. The Vice-Consul directed the vessel to do so and the Icelandic government agreed to temporarily defer landings.⁶¹ Nonetheless, Iceland con-

tinued to protest the ban until final settlement in 1956. Iceland maintained that the ban violated several agreements, including: a landings agreement with the U.K.; most favored nation status afforded in a 1933 agreement; OEEC principles, particularly the Code of Liberalization; Council of Europe principles; and Article II, Paragraph 3 of the Economic Cooperation Agreement between the U.K. and the U.S., which prohibited the British government from allowing private practices to interfere with the Joint European Recovery Program, the Marshall Plan.⁶² That the British government took no action to stop the ban shows its implicit approval. Yet British officials could claim that they had taken no action against Iceland for this "violation" of international law.

On October 15, the two nations entered into discussions which apparently lasted for some time. One result was Icelandic agreement for the Permanent Commission of the Overfishing Commission to discuss fishing conservation in 1953. Foreign Office Under-Secretary Nutting also explained to Parliament that Iceland would send scientists to Britain to clarify reasons for the new limit, and he assured the Members that, contrary to the British fishermen, the Icelandic government did not allow its own people to fish the waters. Nutting also said that the government would not recognize unofficial talks by fishing interests,

as there could only be a solution between governments.⁶³ As with so many discussions which followed, it is not known who participated in these talks. Yet Icelandic agreement for the Permanent Commission to consider the case indicates involvement of cabinet-level officials. Likewise, Nutting's Parliamentary address affirms a high level of participation in Britain. Interestingly, this was the last time that the government refused industry participation in talks.

Within two weeks of Nutting's speech to Parliament, Icelandic officials said that they would not bargain with Britain on the 4-mile decree. They agreed instead to abide by an ICJ ruling, and said that the British should pursue such a course if they wanted the waters reopened. On November 30, Woodcock reaffirmed the Icelandic decision to accept an ICJ ruling for both the limit and baseline issues, should any nation take the matter to the World Court.⁶⁴

On November 26, Jonsson visited Nutting at the House of Commons to present an aide-memoire in which the Icelandic government again protested the landings ban. Jonsson also stated that the Icelandic government's position was that it would refuse talks with the fishing industry, because only competent government officials could discuss "'conformity with international law'."⁶⁵ Jonsson's verbal

message was more important than the written one: he served notice to Britain that the issue was not just fishing but an important international legalism, and that the Icelandic government intended to keep the matter on that level. Woodcock's affirmation four days later to abide by an ICJ ruling was a continuation of this message.

In a sudden reversal of position, Mr. Thors announced on December 10 that he rejected the suggestion of going before the Permanent Commission. He said that Iceland was operating within a proper legal context and that the government refused to negotiate its position.⁶⁶ A few days later, at a meeting in Paris of the North Atlantic Treaty Organization (NATO), Thors raised the issue of the dispute, but it is probable that nothing further came of his move.⁶⁷ Thors' actions may have been politically motivated, since the Icelandic coalition government was beginning to crack over domestic issues. On the other hand, with the rhetoric over Iceland's legal right, Thors may have been attempting to influence the British into going to the ICJ.

The British did take steps in that direction. In a note to the Icelandic government on January 20, 1953, they objected to the baseline across Faxafloi, and proposed to take this matter to the International Court; the note also objected again to the other issues. Jonsson delivered the

Icelandic reply to Nutting on February 18; although neither government has publicized the contents of that note, but an open reply came on April 24. In their second note, the Icelanders agreed to the court proposal with two conditions: first the British had to lift the landings ban; once that was accomplished, the two sides needed to reach agreement upon handling of the case. Nutting replied that the government could not guarantee a lifting of the landings ban.⁶⁸

Meanwhile, during Parliamentary discussion of the February note, Mr. Younger, an M.P. from Grimsby, asked that the government bring the dispute to the Overfishing Conference. In mid-April Nutting told the Commons that the government would try to place on the Convention's agenda a discussion of conservation measures to replace the Icelandic declaration. He also said that action of "certain industrial organisations . . . is in no way in conflict with Government policy regarding trade in Europe." In early May, he said "[t]he question of the Icelandic fisheries dispute is down on the agenda for the first meeting of the Commission when it takes place."⁶⁹

The Permanent Commission convened on May 5, with representatives present from Britain, Belgium, Denmark, France, Iceland, Ireland, the Netherlands, Norway, Poland, Portugal, Spain, and Sweden. Although the 4-mile issue

was on the agenda for possible discussion belief was that Iceland would not change its stance.⁷⁰ The Icelanders affirmed that belief some two weeks later by refusing "to treat the issue as one of conservation or to abide by any recommendation of the Permanent Commission." They did agree to accept ICJ jurisdiction over the Faxafloi baseline, but only after the fishing industry lifted the landings ban. The fishing industry once again refused. Consequently Jonsson announced his government now rejected any possibility of going to the Court, because the fishermen refused to lift the ban after Court settlement.⁷¹

The Permanent Commission met during the summer while Dawson was arranging for his enterprise. In early October, the Commission decided that it had jurisdiction on the 4-mile issue, but did not solve the problem. Thors, now Prime Minister as well as Minister of Fisheries, issued a statement in his party's paper, Morgunbladid to the contrary. He called it Iceland's "moral right" to protect its fisheries, and said that the government had always rejected Overfishing Committee's jurisdiction.⁷² Four weeks later, Thors clarified his government's position on the ICJ issue: he refused to put the coastal limit question before the Court until Britain ended its landings ban. But the British government still maintained the ban

was action taken by private industry, and thus it could do nothing to end the matter.⁷³

The failure of Dawson's scheme ended by default any Icelandic hope of winning the dispute. The two nations were at an impasse over direct negotiations, but after six months, it appeared as though help had arrived to break the deadlock.

In May 1954, members of the Consultative Assembly of the Council of Europe from Belgium, France, the Netherlands, and the United Kingdom requested that the Icelandic fishery limits be discussed in the Assembly. The Government of Iceland welcomes this opportunity to explain the problems involved, especially in view of the fact that one of the aims of the Council of Europe is to facilitate economic progress and another is to strengthen the faith in the rule of law.⁷⁴

The Council's charter shows this body to be an excellent choice for assistance: its overall aim was for greater unity through discussion and agreement on all types of matters (Art. 1); the function of the Committee of Ministers was to consider common policy actions for members, and recommend actions to member governments (Art. 15); and the Consultative Assembly discussed and recommended general actions to governments (Art. 28).⁷⁵ But when remembering that the four nations which made the proposal were aligned against Iceland in the dispute, that two of the proposing nations, France and the U.K., were politically and economically the most powerful members of the Council,

and that none of the members, including those of the Nordic Council, had supported Iceland, perhaps reality was that the group leaned toward the British view.⁷⁶

Rather than placing the matter before the Consultative Assembly as a fishing dispute, Mr. Roger de Kinder of Belgium and his colleagues titled their proposal "Changes made in the regulations governing fishing rights in the territorial waters of the Free State of Iceland." The President recommended that the Assembly put the subject before to the Committee on Legal and Administrative Questions and the Committee on Economic Questions for review, and to the Committee on General Affairs for an opinion. De Kinder also asked the Committee on Agriculture to examine the issue, as most nations' fishing industries fell under that category. Miss Thorsteinsdottir, one of three Icelandic representatives, stated that her delegation would also want to discuss the British landings ban at a later date.⁷⁷

Due to these committee referrals, Iceland prepared a memorial on its case, and submitted it to the Council in 1954. The document contained much of the diplomatic correspondence between the two nations and an explanation of Iceland's position on its declaration.⁷⁸ By late 1954, nothing had occurred in either the Consultative Assembly or the Committee of Ministers, so the issue was probably

lost in the committees. On November 8, the U.K. finally made an offer at the OEEC to negotiate with Iceland. The Icelanders apparently accepted, for the Organization immediately established a working group which included representatives from both nations, a chair, and two other persons as assessors. Six months later, a full year after the dispute first went to the European Council, the U.K. finally submitted to the Council its memorial concerning accusations by Iceland.⁷⁹

The next Council activity on the issue was again a resolution by Mr. de Kinder et. al. on October 14. They proposed that Iceland allow trawlers to enter its ports to land sick or injured crew members without arresting the crew for fishing violations without giving prior notification. Finally, the de Kinder group proposed placing before the Committee on Legal and Administrative Questions a document entitled "Regulations Governing Fishing Rights in the Territorial Waters of the Free State of Iceland," an issue which passed.⁸⁰ This was the last known action by the Council on the fishing dispute.

In the meantime, on March 28, 1955, Anthony Eden, the Secretary of State at the Foreign Office, reported to Parliament that the OEEC committee was continuing its talks in confidentiality, and noted that the Swiss had been very helpful during discussions.⁸¹ The committee members main-

tained the confidential essence of their talks, because the next reference to the dispute was not until November 7. On that day, the British government reported a Belgian proposal to the OEEC for Iceland to go before the Council of Europe again, and that the OEEC was considering a memorial which Iceland had "recently" issued to the OEEC about the proposal. At the end of the month there was further information about the OEEC from Lord John Hope, an Under-Secretary at the Foreign Office. In a reply to an M.P. on November 30, he wrote that press reports of a near agreement had been false. But five days later, another report to Parliament stated that the Swiss Chairman of the OEEC working group had made two suggestions which both governments would study, and that these proposals might prove to be the basis for settlement.⁸²

The government publicized the Swiss suggestions in early January. The proffered compromise was: Britain would lift its ban if Iceland did not extend the 4-mile limit to a 12-mile limit until after the United Nations had completed on-going considerations of fisheries limits. The 12-mile limit came to the forefront when the Soviet Union recently enforced such a declaration, and all parties feared that Iceland would follow suit. Negotiators also assumed that British fishermen would ask for a ceiling on Icelandic landings during peak summer months.

Within two days of this announcement, the fishermen had accepted the proposals in principle, although they expected a few changes of detail. On February 6, Under-Secretary of State Dodds-Parker reported both governments had accepted the proposals "as a basis for settlement," and trawler owners' representatives from both fleets would discuss details in Paris.⁸³

On February 29, in the full page statement by the B. T. F. (see above), the public received its first look at the gist of the proposed agreement. The statement said that, if the two sides agreed on the matter, the trawlermen would lift the landings ban, but they wanted a long-term agreement, for twenty-five years if possible, whereas the Icelanders wanted a short-term one. During these talks, the trawlermen continued meeting under the OEEC's auspices. Although governmental representatives observed, they did not actually participate in the talks.⁸⁴ Before the two sides decided on details, the talks came to an unexpected and abrupt halt in early June when the Icelandic coalition government collapsed. The President appointed a caretaker government, but talks were suspended until after the formation of a new government following elections on June 24.⁸⁵ One can imagine British feelings at this point: depending on the election's outcome, all previous work might have been for naught.

Perhaps Aegir, Norse god of the sea, interceded on Britain's behalf on election day, for the main participants of these talks remained in the government, though there were some titular changes. Discussions resumed soon after the new government had stabilized. Thus the two parties signed an agreement on November 14, effective the following day. The specific terms were: 1.) both sides would maintain their positions on the 4-mile limit, pending U.N. General Assembly consideration of a report by the International Law Commission (ILC) on the Law of the Sea; 2.) Iceland would allow British vessels to run for shelter with their gear deployed; 3.) if a British vessel entered an Icelandic port for repairs, the captain could sell his catch to avoid spoilage; 4.) Icelandic landings in Britain would have a price ceiling; and 5.) the two nations would arbitrate future industrial differences before the OEEC.⁸⁶

Several times during the discussions, problems arose within the two countries which either hampered negotiations or showed dissatisfaction with governmental action. In Britain, the obstacle sometimes took the form of differences between the government and the trawlermen, and at other times was parliamentarian's dissatisfaction with government's handling of the problem; in Iceland the hurdles stemmed from party politics serious enough to topple one government.

The first problems in Britain arose when the trawlermen implemented their landings ban. Mrs. Elizabeth Braddock, an M.P. from the Liverpool area, said on October 20, "that housewives consider that any action taken by private enterprise which deprives them of food should be considered to be a criminal offence." She gave the figure of £250,000 worth of fish lost due to the strike. Mr. Younger and Major Lloyd George (Minister of Food and M.P. from Newcastle) agreed that the government should settle the dispute diplomatically rather than with a trade war.⁸⁷

About a month later, on November 20, Parliamentary debate grew very heated. During question session, M.P.'s asked Speaker William Morrison to conduct a debate on the dispute. When he refused, M.P.'s deluged the floor with questions. Finally Mr. Younger put forth a motion to adjourn under Standing Order No. 9 for "[t]he failure of the Government to arrive at agreement with the Icelandic Government on the matter of fishing rights." The Speaker ruled against the motion by arguing that the government was not responsible for the Icelandic government's failure to agree. Mr. Reginald Paget (Northampton) also invoked Order No. 9 for "[t]he failure of the government to take action to put our trawlers to sea to catch fish for our homes." The Speaker again struck down the motion, this time for lack of urgency, since many of the trawlers were

already at sea; furthermore, he said that government could not intervene in private matters until a lack of food was apparent. When these attempts failed, question session resumed. The gist of most questions was actually accusations that the government stood in the wings while industry conducted foreign policy.⁸⁸ Four days later, in a speech to the Commons, Sir Thomas Dugdale, Minister of Agriculture and Fisheries, said:

the Minister of Food and I have asked representatives of the organisations of trawler-owners and fish merchants to meet us this week so that we may examine with them the implications of the industry's action as regards supplies and prices to the consumer.⁸⁹

The Members asked so many follow-on questions, all critical of governmental action, that a motion for adjournment passed, thus allowing a debate on the issue. The views of Mr. George Brown (Derby) were typical: he ostracized the government for passing fishing industry statements to the Icelandic government, for acting on behalf of industry instead of government, and for allowing industry to dictate foreign policy.⁹⁰ Three days later Dugdale and George held their conference with B. T. F. representatives, trawler owners, and fish merchants. After the talks, Dugdale said all necessary steps would be taken to ensure an adequate fish supply over the winter, but he did not elaborate.⁹¹

Criticism in Parliament continued for several months over this perceived lack of governmental action. It is difficult to determine how much pressure this placed on government officials, but they did meet with fishing representatives again on March 25. As we have seen, the industry stood firm in its refusal to lift the ban. Finally on May 20, Selwyn Lloyd said that the government could not force Iceland to go to the ICJ. He summed up the talks with industry by stating "although [the government] had tried to persuade the British trawler owners, skippers and fishing merchants to remove their ban, [officials] were not prepared to introduce legislation to compel such action." He concluded that the dispute was more complex than the action with Norway which took two and a half years, implying that this problem should take longer to solve.⁹² There were other sporadic protests in Parliament over government's handling of the dispute, but Lloyd's statement fairly well ended all serious opposition.

With the ICJ decision in the Anglo-Norwegian Case and the subsequent Icelandic 4-mile declaration, the question of Britain taking similar measures to protect its own inshore fishermen inevitably arose in Parliament. Lloyd addressed the issue in the Commons on December 14, 1953. He stated that, although such an extension would be of

benefit to inshore fishermen, Britain would not attempt to apply the ICJ ruling. "Our view is that the best way to protect the interests of the inshore fishermen is by seeking to do it by bilateral international agreement rather than by an arbitrary extension of territorial waters," he concluded.⁹³ That statement ended debate about a British extension for several years.

On January 5, 1956, representatives from the fishing industry met with Heathcoat Amory (Minister of Agriculture, Fisheries and Food), Lord Strathclyde (Minister of State, Scottish Office), Douglas Dodds-Parker (Under-Secretary of State for Commonwealth Relations), and Lord John Hope (Under-Secretary of State for Foreign Affairs) to discuss the OEEC proposals. The next day, the B. T. F. made a statement applauding governmental efforts to end the dispute, and thanked the officials for standing by them.⁹⁴ It appeared at this point that government and industry officials were enjoying excellent relations, but such was not the complete truth. The exact nature of those relations became apparent when the industry published its full page article on February 29.

The B. T. F. wanted professional assistance to handle public opinion and prepare for the final round of negotiations, prompting the Federation to hire the public relations firm Patrick Dolan & Associates, with 1956 expenses

of £192,000 for advertising and £82,450 to the firm.⁹⁵

Usage of the Dolan firm caused special problems between the B. T. F. and the government. The government's position was that, although they recognized interest groups, they would not recognize the role of P.R. firms. This point was the root of the problem over the Times advertisement, specifically:

The government was supposedly angered at the publication in February 1956 of an advertisement in The Times, designed by PDA [Dolan's firm] for the BTF, which contained confidential information, i.e. the text of a memorandum from the BTF to the Ministry of Agriculture. There is no question of PDA's legal right to quote the memorandum in the advertisement . . . but this was still felt in the Ministry to violate those standards of discretion needed for the smooth operation of the British system of consultation.⁹⁶

But the cause of contention possibly went deeper. After the final OEEC settlement, Younger emphasized to the Commons that the situation worsened until government stepped in and put the issue before the OEEC. Dodds-Parker also emphasized the role which industry played in negotiations, but clarified the fact that the agreement was between industries, rather than between governments.⁹⁷ Thus, it seems the government allowed the fishing industry to handle the dispute, but kept control of any arrangements by dialogue with industrial representatives. When the B. T. F. hired the P.R. firm, government lost a certain amount of subtle control which it had maintained

throughout the dispute. The depth of these problems will perhaps never be known. But one fact is clear. Although there were consultations, the government never allowed industry to take part in discussions during the three future cod wars.

In contrast to British sectarian bickering, most problems in Iceland which hampered the fishing dispute were political. One such incident was the general strike of 1952. For many reasons beyond the scope of this work, but summed up as lack of faith in the coalition government's ability to handle the national economy, the nation's laborers called a general strike on December 1, 1952. Forty unions with 20,000 members representing seventy per cent of the national work force responded. Included in the strike were the fishing industry's unions, which meant that trawlers stopped landings in Britain due to their own action rather than the landings ban.⁹⁸ With the landings stopped, the British were able to begin effective opposition. When the strike ended on December 20, it would have been at least another ten days before any loaded trawlers would have reached Britain, but it would be logical to assume that few trawlers would have put to sea until December 26. Thus the B. T. F. had a full five weeks not only to demonstrate that Icelandic

landings were not needed, but also to campaign against the Icelanders.

The workers struck against a coalition government comprised of eighteen Independence (Conservative) and seventeen Progressive Party seats in the Althing. The Social-Democrats held six seats and the Communists nine. Following the elections on June 27, 1953, the split was Independents -21, Progressives - 16, Social-Democrats - 6, Communists - 7, National Protectionists - 2. Although the same parties had the majority, Conservative Olafur Thors received the mandate to form the new government, replacing a Progressive. Significantly he chose Kristinn Gudmundsson, a Progressive, as his Minister for Foreign Affairs.⁹⁹ The Social-Democrats and Communists claimed to represent the workers; what we see is the workers losing faith with the parties established to represent them. They continued to support the parties against whom they had struck, the Independents and Progressives, because of the success that the 4-mile limit had over the British. Thors, as the mastermind of the new limit, received the Premiership as a reward for his services. However, if the government did lose this fight in the long run, then Thors could blame Gudmundsson as Foreign Affairs Minister, while at the same time maintaining credibility for his own party.

The government faced another crisis as the dispute was drawing to a close. The problems began in late December 1955 or early January 1956 with the Soviet Union's move for a 12-mile territorial limit. When this occurred, the Icelandic Communist Party called for a similar extension, and they had the support of Emil Jonsson, the Social-Democratic Finance Minister.¹⁰⁰ Next, the government split on March 27 over the continued presence of U.S. troops at Keflavik Air Base, and Thors resigned his Premiership. The Progressive Party announced that it could not support Thors and his party during a continuation of the U.S. presence. As might be expected, the National Defense and Communist Party members supported the Progressives, but the Social-Democrats also aligned on that side. Thus, in a vote of 31-18 with three abstentions, the Althing voted on March 28 to call for the withdrawal of all NATO troops.¹⁰¹ Finally, on April 6, the provisional government, in a reply to the International Law Commission, said that coastal states were the best authority to determine coastal fisheries conservation, and that in its economic interests, the state might establish an exclusive fisheries zone ". . . up to a reasonable distance which would not necessarily be limited to 12 miles."¹⁰² On that same date, a new party formed by the alliance of the

Communists and Socialists included in their agenda the implementation of a 16-mile fisheries limit.¹⁰³

Based upon these two issues, primarily closure of the NATO base, but also possibility of a further fisheries extension, the June elections had some minor but significant changes: Independents - 19; Progressives - 17; Social-Democrats - 8; People's Alliance (the newly formed party) -8; National Preservation - 0. Hermann Jonasson, the Progressive Party leader and the same man who was behind fisheries protection in the first place, became the new Prime Minister. He formed his government in coalition with both the Social-Democrats and the People's Alliance; in order to get this agreement, he had to give Ludvik Josepsson, a staunch Communist, the fisheries portfolio. This posed no problem for Jonasson, however, as he sided with the radicals on the extension issue.¹⁰⁴ In November, the Hungarian invasion would act as the catalyst to settle the Keflavik and NATO questions for the new government.¹⁰⁵ But other events were occurring in the U.N. which would move the Icelanders to the second extension of their fishing limit. Before examining those events, let us first look at the consequences of the 4-mile dispute.

When the B. T. F. declared its boycott of Icelandic landings in October 1952, Iceland exported about a quarter of its whitefish to the U.K. Clearly this nation whose

entire economy depended on its fish needed to find new markets rapidly. Owing to a new trade agreement with the F.R.G., Iceland solved its immediate crisis. Through the help of sales agents in both the U.K. and the F.R.G., Iceland also found markets in western Africa, where sales went from zero in 1952 to more than \$6 million in 1956.¹⁰⁶ But this still did not offset the loss of its U.K. exports, so Iceland turned to the U.S. and the U.S.S.R.

After World War II a Conservative - Communist coalition came to govern in Iceland, prompting the U.S.S.R. to purchase fish there. But this trade ceased when the C.P. left office, however. Despite continued Icelandic attempts to regain the trade, the Soviet government would not even answer their notes. After Stalin died in 1953, Iceland was finally able to reopen the Soviet market, signing a trade deal on August 1. In return for fish and fish products, the Soviets supplied Iceland with oil products, flour, cement, and metal goods.¹⁰⁷ Over the course of the next several years, trade between the two nations continued an upward spiral. In 1955 the Soviets bought \$14.4 million in fish, \$3 million higher than the U.S.; only income from Keflavik kept the U.S. as Iceland's foremost trade partner.¹⁰⁸ These Soviet receipts were for 20,000 tons of fish; that amount increased to 28,000 tons in 1956, and 32,000 tons in 1957.¹⁰⁹ But the Icelandic

government was not pleased with such heavy reliance on the U.S.S.R. Speaking at the NATO Ministerial Meeting in late 1956, Foreign Affairs Minister Gudmundur Gudmundsson said that Iceland needed more NATO markets and preferred not to rely so heavily upon the Soviet Union. NATO officials also believed that the continuance of the Soviet Union as Iceland's largest trading partner was an undesirable situation.¹¹⁰ The Icelanders also remembered the Soviet Union's total curtailment of trade in the late 1940's. Thus, just as Icelandic officials used the Soviet invasion of Hungary to end all debate over the American presence at Keflavik, they also began to decrease their Soviet trade after 1957 to avoid unwanted dependence on a potentially unreliable trading partner.

But during the middle of the dispute in May 1954, despite Icelandic movement toward the Soviet Union for its trade, the U.S. Senate Tariff Commission recommended increased duties and quotas on fish imports. Eisenhower refused to implement the suggestion, but the Commission reopened the case in June 1956, and in October recommended increases. Once again Eisenhower refused, and consequently, U.S.-Icelandic trade increased during his second term. His decision was probably just as influential as the Hungarian invasion in persuading the Social-Democrats to vote against the Keflavik closure.¹¹¹

Thus, despite the boycott, Icelandic trade did not fare badly. According to the British trawlermen's predictions, though, they should not have done so well with the 4-mile limit in place. When news of the 4-mile limit broke, one M.P. predicted that Britain would lose fish valued at £525,000 with the skippers and crews losing £150,000 in annual wages. Shortly after the limit came into effect, Dugdale estimated losses of 25,000 tons of fish annually, but believed that the fishermen could make up this amount by fishing outside the limit or in new waters.¹¹² When the trawlermen imposed the landings ban, Dugdale said that the consequences would not be severe, even though the losses of Icelandic landings totalled ten per cent of all British fish.¹¹³ Obviously he did not think that the industry had the resources to make up the difference, nor did he think that other nations could supply that amount. In fact the predictions initially appeared to be holding true: on October 21, shortly before imposition of the embargo, the price of ten stone had doubled to 4s/10d.¹¹⁴ From the prices we have seen during Dawson's experiment, we know that this price trebled over the next year.

As of December 1, Mr. Eden reported that fish prices had fallen. Echoing this sentiment, Air Commodore Arthur Harvey (M.P., Macclesfield) said that many fish at Hull

and Grimsby during the last week of November had gone for processing into meal, proving that there was no shortage. Mrs. Braddock disputed his statements, contending that fish went unsold, and thus sent to the meal plants, because high prices precluded sales to merchants. She accused trawlermen of banning Icelandic landings in order to deliberately inflate prices. Eden's rejoinder was that there had been no rise in prices. Five weeks later a letter from an individual in the fishing industry paints an even more confusing picture. He wrote that ten trips in 1951 had netted a total profit of £43,000, but that two trips in November and December of 1952 combined to gross only £43,000 for a net loss of £2,000.¹¹⁵

If there was indeed a shortage, by May 6, 1953 the situation had turned around when the Grimsby fleet landed a total of 161,520 stone; eight trawlers carrying 110,000 stone had to wait until the next day to land their catch due to a shortage of stevedores for such a large load. Six other vessels had to wait an additional day. Most of the cod sold for 4s per stone, the minimum price. In fact, the glut was such that one crew returning from the White Sea sold only 3,000 of the their 18,000 stone catch, losing over £4,000.¹¹⁶ Yet a few months later, on September 16, we find landings at Grimsby of only 62,000 stone, with a mere 12,000 stone in cod. This shortage caused a

price increase of 1s per stone on the 16th and another 2s/6d on the 17th.¹¹⁷

On October 31, 1954, the supply was once again low. The Grimsby Fish Merchants' Association told Mr. Younger that they had a severe shortage of fish which they expected to worsen, since they did not have the Icelandic landings to supplement the lean winter months. To compound their problem, Hull merchants told Grimsby that they would be unable to divert vessels there as per an existing mutual aid agreement, because their supplies were so low.¹¹⁸ Apparently the merchants were correct in their assessment, because on November 19 they touted a landing of 27,370 stone, an average-sized load, as the largest in "several months." The load sold for £8,214.¹¹⁹ This works out to an average of 6s per stone, so if there was a shortage, market prices did not reflect the fact.

There was another seeming reversal in late 1955. On November 7, total landings at Hull were 210,000 stone, primarily cod, creating an over-supply of 40,000 stone that went unsold. Additionally, three trawlers had to wait until the 8th to land their catch.¹²⁰

Because these figures pinpoint certain days or very short periods, they are actually of relatively little value in assessing the industry. Yet these are the figures which Britons saw and about which they made their

decisions to support or not support the landings ban. Fishing is a very fluctuating industry, particularly when viewed in such detail, making it necessary to look at trends over many months. In doing so, we have a totally different picture.

During the period October 1951 - March 1952, prior to the landings ban and the 4-mile limit, total British landings were 1.64 million cwt. For the same period in 1952-53 with the Icelanders barred, landings increased to 1.95 million cwt. The next year, they were again at the 1.64 million cwt. level. In the last three months before the lean winter season, August - October, the total was nearly a million hundredweight for both 1953 and 1954. In fact, overages caused trawler owners at Hull, Grimsby, and Fleetwood to lay up a fifth of the fleet for part of 1953, but there was still an overall glut of three million stone (21,000 tons) for the year. Consequently, trawler owners decided in late March 1954 to lay up a quarter of the fleet from April 19 to July 30. The trawlermen themselves noted in February 1956 that their increased numbers of trawlers and landings from other foreign countries had created an overall glut of fish. Any seeming shortage of fish was due to governmental deregulation of meat prices during this period, causing those prices to rise and create a higher demand for less costly fish. Although

there was the stated increasing demand, supply simply outgrew the capability to sell. This was one of the factors in the B. T. F.'s decision to settle the dispute and lift the ban.¹²¹

Having looked at effects on both nations' fishing industries, we find that the landings ban clearly did not work. The British themselves, despite some spotty lean times, and perhaps due to unknown pressures from government, maintained levels of fish such that there was no general public outcry against Iceland. The Icelanders were able to establish new markets which more than compensated for lost British landings, and raised the standard of living in their country. The boycott also helped to channel Icelandic public sentiment against Britain. With these last two factors in mind, it should come as no surprise that certain groups in Iceland began their campaign to push the British even further from its shores.

Because of the problems concerning the seas during the first half of the century which are outlined in Chapter One, Iceland proposed in 1949 that the ILC attempt to codify the law.¹²² After examining the situation, the ILC recommended a survey on various questions: whether or not there should be a contiguous zone; if such a zone should be used for fishing control; if a coastal state should control the contiguous resources, including marine life;

and how to allocate control of the continental shelf.¹²³ The ILC used its results to compile a report containing draft proposals. Over the next several years, the Commission went through an annual process of collecting comments from nations on the draft, then rewriting the draft based upon those comments.

One of the areas in which the ILC had assistance was with the fisheries issue. Specifically, the Technical Conference on the Conservation of the Living Resources of the Sea met April 18 - May 10, 1955 for the purpose of drafting fisheries articles for the ILC. The result was a draft which the ILC would submit for comments, then finalize at its 1956 meeting.¹²⁴ Probably in conjunction with this draft, the ILC examined various proposals allowing coastal states to have unilateral power to establish laws to protect their fisheries. On July 5, the ILC's finished draft included the provision to "give a coastal state special rights in the control and conservation of fishing on the high seas beyond its territorial limits."¹²⁵

From April 23 to July 4, 1956, the ILC met for its eighth and final session on the sea law codification topic. Following this meeting, the group submitted seventy-three articles to the U.N. General Assembly. The draft provisions included provisions for: a legal claim to a 12-mile territorial sea, but with the recognized norm being

three miles; use of unbounded straight baselines on an irregular coastline; a maximum baseline of fifteen miles to close bays; the legality of nations to establish a contiguous zone for customs, fiscal, and sanitary regulations to a maximum distance of twelve miles; the equal right of all states to high seas fishing with the requirement to enter bilateral arrangements for conservation measures. Along with the draft articles, the ILC recommended that the U.N. convene a general conference to decide on many of the controversial matters. This proposal resulted in a General Assembly resolution to hold the United Nations Conference on the Law of the Sea. The conference met in Geneva February 24 - April 27, 1958.¹²⁶

But by now, the Icelandic government had begun to consider adopting the 12-mile limit. The point at issue was freedom of the seas as defined by the dominant world powers, with other nations challenging this definition. A legal advisor to the U.S. State Department summed up the situation well:

At no time during more than a century have those areas of international law relating to the rights of states in the waters outside their land limits been the subject of such concern as they are at the present time.

. . . [T]he freedom of the seas is under serious attack. It might be expected that . . . attempts to bring large areas of the high seas under national domination would originate with powerful and maritime states. But the contrary is the case. Today the attempts to encroach

upon the freedom of the seas are being made for the most part by small coastal states.¹²⁷

Iceland had challenged one of the world powers over what it regarded as sovereign rights and fought to at least a stalemate, if not an outright win. It was no wonder that the nation regarded itself as one of the world leaders in establishing new definitions for the rights of nations. The government was confident that it could go into Geneva and emerge with a clear victory for a 12-mile territorial seas limit; if not, then certainly that limit for a fisheries zone. However, that was not to be the case.

NOTES

1. "Four-Mile Limit to Aid Fishermen Off Iceland," Christian Science Monitor, 9 April 1952, 9 (hereafter C. S. M.).
2. Iceland, Ministry for Foreign Affairs, The Icelandic Efforts for Fisheries Conservation: Memorandum Submitted to the Council of Europe by the Government of Iceland (Reykjavik: Ríkisprentsmidjan Gutenberg, 1954) 8 (hereafter Iceland, Memorandum to the Council of Europe).
3. Iceland, Ministry of Fisheries, Cod War III between Iceland and Great Britain: The Status of the Fishstocks in Icelandic Waters (Reykjavik: Ministry of Fisheries, December, 1975), 13 (hereafter Iceland, Cod War III).
4. "Icelandic fishing," The Times (London), 27 October 1952, 7 (hereafter Times).
5. Iceland, Memorandum to the Council of Europe, 5; Benno Wasserman, "The Cod War," Contemporary Review 225 (July 1974) 7 (hereafter Wasserman, "The Cod War").
6. "Iceland's territorial demarcation," Times, 14 February 1953, 5; "Safeguarding French fishing rights," Times, 17 February 1953, 6.
7. Wasserman, "The Cod War," 7. Due to possible confusion in the use of "United Kingdom" and "Britain," from this point on only the latter will be used. When it applies to the government, it will have the formal connotation of "the Government of the United Kingdom of Great Britain and Northern Ireland," but when used for the fishing industry, it will apply solely to the fishing fleet which originated in the Great Britain countries of England and Scotland.
8. George Winder, "International Territorial Limits in Relation to Fishing," in Atlantic Ocean Fisheries, 52. The proper name for Hull is Kingston-upon-Hull but the only sources using this designation were the House of Commons and House of Lords debates to show the home constituency of the local Members of Parliament. In keeping with the sources, "Hull" will be used throughout this work. The city is located at the mouth of the Hull River on the north bank of the Humber about twelve miles from

Humbermouth, as the river turns from an easterly to a southeasterly direction. Grimsby is on the south bank where the river proper becomes Humbermouth.

9. For all known incidents which transpired during the 4-mile dispute, refer to Appendix 1. In the interests of brevity, this will be the only incident discussed in the text; likewise, the reader should refer to the appendix for appropriate citations.

10. "Icelandic fishing dispute," Times, 4 October 1952, 3.

11. "Protest note to come before Cabinet," Times, 20 October 1952, 4.

12. "Agents for Icelandic trawlers," Times, 1 November 1952, 6. Cleethorpes is located about three miles to the southeast of Grimsby on the Humbermouth.

13. "Skippers' resolution on Icelandic fish," Times, 13 November 1952, 6.

14. "Icelandic fishery talks," Times, 18 November 1952, 3; "Trawler ban to stay," 19 November 1952, 3.

15. "Opposing views on four-mile ban," Times, 20 November 1952, 8; "25 trawlers idle at Grimsby," Times, 21 November 1952, 6; "Trawler strike end expected," Times, 22 November 1952, 6; "Fishing Strike in Britain," New York Times, 20 November 1952, 63 (hereafter N. Y. T.); "British Fish Strike Off," N. Y. T., 22 November 1952, 4; Parliamentary Debates (Commons), vol. 508 (1952), col. 35 (hereafter Debates, (Commons); written replies will be referred to by "w." preceding the column number).

16. "Catches by Icelandic trawlers," Times, 24 November 1952, 6; "Future of Icelandic catches," Times, 25 November 1952, 8.

17. "Future of Icelandic catches," Times, 25 November 1952, 8; "Britain's Imports of Fish Face Cut," N. Y. T., 30 November 1952, sec. 5, p. 10; Gunnar Leistikow, "The Fisheries Dispute in the North Atlantic," The American-Scandinavian Review 47 (March 1959): 20; "Icelandic Fisheries Dispute," Commonwealth Survey n.v. (27 November 1952), 1031. Fleetwood is located on the mouth of the Wyre River on the Irish Sea. Aberdeen is located on the North Sea coast of Scotland about midway between the English border and the northern coast.

18. "Fishery talks offer to Iceland," Times, January 19, 1953, 6.

19. "Fishery dispute with Iceland," Times, 29 May 1953, 3.

20. "Fish from Iceland," Times, 3 March 1953, 8; "Landing of fish at Milford Haven," Times, 4 March 1953, 8. The town of Milford Haven is in southwest Wales where the Bristol Channel, St. George's Channel, and Atlantic Ocean meet. It sits on the north shore of Milford Haven Inlet, which forms the mouth of the Cleddan River. It was primarily a near-water port at this time.

21. Debates, (Commons), vol. 512 (1953), col. 15.

22. "Icelandic fish for Britain," Times, 18 March 1953, 8.

23. "Icelandic fish landing plans," Times, 20 March 1953, 8.

24. "Plans for landing Icelandic fish," Times, 22 August 1953, 2.

25. "Icelandic trawlers' movements," Times, 15 September 1953, 3.

26. "Icelandic fish landings," Times, 21 September 1953, 2; "Agreement to sell Icelandic fish," Times, 24 - September 1953, 3; "Fish politics at Grimsby," Times, 6 October 1953, 8.

27. "'Real issue' in fish dispute," Times, 16 September 1953, 5.

28. "Handling Icelandic fish," Times, 17 September 1953, 4; "Disposal of Icelandic fish," Times, 13 October 1953, 8.

29. "Fish price 'war' at Grimsby," Times, 14 October 1953, 8. One stone equals fourteen pounds. Based on Dawson's first landing (see text below), this undercut would have amounted to £825. The Ross Group was among the top three companies in the fishing industry, having its own trawlers, processing plants, and distributors.

30. "Iceland trawler at Grimsby," Times, 15 October 1953, 8; "Dawson fish at auction," Times, 16 October 1953, 8; "Supplies refused to Grimsby firm," 17 October 1953, 6.

31. "Supplies refused to Grimsby firm," Times, 17 October 1953, 6.
32. "Grimsby merchant's ice supplies," Times, 8 December 1953, 4; "Grimsby fish merchant 'reinstated'," Times, 22 December 1953, 3.
33. "Dawson fish at auction," Times, 16 October 1953, 8; "No prosecution over Mr Dawson's fish," Times, 20 October 1953, 4; "Move to end ban on Icelandic fish," Times, 22 October 1953, 5; "Proposed earlier fish inspection," Times, 26 October 1953, 5 (direct quote); "Grimsby decision on fish inspections," Times, 27 October 1953, 4.
34. "Fish price 'wars' at Grimsby," Times, 14 October 1953, 8.
35. "Mr Dawson's ice supply," Times, 21 October 1953, 5.
36. "Mr Dawson's plans," Times, 19 October 1953, 4; "Mr Dawson's campaign," Times, 23 October 1953, 5.
37. "New plan for talks on Icelandic fishing," Times, 30 October 1953, 8; "No suspension of ban on Icelandic fish," Times, 31 October 1953, 6.
38. "Move to end ban on Icelandic fish," Times, 22 October 1953, 5; "Merchants to discuss ban on fish," Times, 24 October 1953, 3.
39. "No suspension of ban on Icelandic fish," Times, 31 October 1953, 6; "More Icelandic fish due at Grimsby," Times, 2 November 1953, 6; "Iceland Sharpens British Fish Feud," N. Y. T., 4 November 1953, 14.
40. "Another cargo for Mr Dawson," Times, 4 November 1953, 3; "Dawson fish sent to Billingsgate," Times, 5 November 1953, 5.
41. "More Icelandic fish," Times, 6 November 1953, 4; "Two Iceland trawlers at Grimsby," Times, 9 November 1953, 4. The ultimate fate of the vessels is unknown.
42. "Merchants' vote in fish dispute," Times, 10 November 1953, 3; "New threat to fish merchants," Times, 11 November 1953, 5; "Vote against handling Icelandic fish," 13 November 1953, 4. Although the figures here totaled more than the given number of members, these were the correct figures cited.

43. "Mr Dawson 'has invoked arbitration clause'," Times, 11 December 1953, 8; "Employees at fish factory dismissed," Times, 12 December 1953, 3; "Future talks on fish dispute," Times, 29 December 1953, 3.

44. Untitled article, Times, 4 September 1954, 3; John C. Griffiths, Modern Iceland (New York: Frederick A. Praeger, Publishers, 1969), 137 (hereafter Griffiths, Modern Iceland).

45. "New move in Icelandic fishing dispute," Times, 28 April 1954, 8; "Milford Haven trawling," Times, 15 November 1954, 4; "Trawler owners' fear of competition," Times, 30 November 1954, 3; "Boxed fish ordered from Iceland," Times, 8 November 1955, 6; "Trawlermen's protest on Icelandic fish," Times, 25 November 1955, 7.

46. "Trawler owners' hope of settlement," Times, 1 March 1956, 4; "Icelandic Fishing Dispute: A Statement by British Trawlermen," Times, 29 February 1956, 5. The B. T. F. took out a full page ad to inform the public of its decision and dealings with the government over the talks.

47. "Memo from BTF to Minister of Agriculture, Fisheries & Food on January 5, 1956," in "Icelandic Fishing Dispute: A Statement by British Trawlermen," Times, 29 February 1956, 5.

48. Griffiths, Modern Iceland, 137-138. As will be seen below, the actual settlement came from within the Organization for Economic Cooperation and Development (OECD) which succeeded the OEEC in 1956.

49. "Icelandic landings unlikely to make fish much cheaper," Times, 16 November 1956, 6. The specific terms of the agreement will be given below.

50. "Fish shortage at Grimsby" in "Letters," Times, 4 November 1954, 5.

51. Wall quoted in "Icelandic Cold War Hots Up," World Fishing 3 (December 1954): 442.

52. "Sheltering in Iceland waters," Times, 11 February 1955, 7.

53. Iceland, Memorandum to the Council of Europe, 11.

54. "Note from the United Kingdom Government, dated June 18, 1952 [to the Icelandic Government]" in Iceland, Memorandum to the Council of Europe, 41-42.

55. "Note from the United Kingdom Government [to the Icelandic Government]" in Iceland, Memorandum to the Council of Europe, 38-39.

56. Debates, (Commons), vol. 501 (1952), col. 913.

57. Unknown title, Times, 5 May 1952, 5.

58. "Iceland Rebuffs Britain," N. Y. T., 17 May 1952, 4; unknown title, Times, 30 May 1952, 4; Debates, (Commons), vol. 501 (1952), col. w.150 for direct quote.

59. "Note from the United Kingdom Government, dated June 18, 1952 [to the Icelandic Government]," in Iceland, Memorandum to the Council of Europe, 43.

60. "Fisheries dispute with Iceland," Times, 13-October 1952, 6; "Iceland's reply to fishery protest," Times, 18 October 1952, 4.

61. "Icelandic trawler diverted," Times, 15 October 1952, 6.

62. Iceland, Memorandum to the Council of Europe, 20.

63. Debates, (Commons), vol. 507 (1952), col. 933-934.

64. "Offer still open," Times, 25 November 1952, 8; "Britain's Imports of Fish Face Cut," N. Y. T., 30 November 1952, sec. 5, p. 10.

65. "Iceland's protest on fish ban," Times, 29 November 1952, 6.

66. Debates, (Commons), vol. 509 (1952), col. w.209-210.

67. "Political effects of fisheries dispute," Times, 2 January 1953, 5.

68. Debates, (Commons), vol. 514 (1953), col. w.103; "Translation of Memorandum Submitted to Althing on 28 February 1961" in International Court of Justice, Pleadings, Oral Arguments, Documents: Fisheries Jurisdiction Cases,

vol. 1, United Kingdom of Great Britain and Northern Ireland v. Iceland (The Hague, 1975), 169; "Iceland's reply on the fishing dispute," Times, 19 February 1953, 3; "Iceland's reply in fishing dispute," Times, 30 April 1953, 9.

69. Debates, (Commons), vol. 511 (1953), col. 1716-1717; Debates, (Commons), vol. 514 (1953), col. 181-182; Debates, (Commons), vol. 515 (1953), col. 1669.

70. "Improvement of fish supplies," Times, 6 May 1953, 7.

71. "Islands estranged," Times, 21 May 1953, 9; "Icelandic fishing," Times, 6 June 1953, 7.

72. "Iceland's 'moral right'," Times, 9 October 1953, 6.

73. "Iceland Sharpens British Fish Feud," N. Y. T., 4 November 1953, 14.

74. Iceland, Memorandum to the Council of Europe, 5.

75. "The Council of Europe, Statute, May 5, 1949, Incorporating Amendments Approved by the Committee of Ministers at Strasbourg in 1951 and 1953," in U.S., Department of State, American Foreign Policy, 1950-1955, vol. 1 Basic Documents (Washington, D.C.: U.S. Government Printing Office, 1957), 1001-2, 1005, 1006.

76. The member states included: Belgium, Britain, Denmark, France, Ireland, Italy, Luxembourg, the Netherlands, Norway, and Sweden as charter members, Germany (1950), and Iceland (1951).

77. Council of Europe, Consultative Assembly, Sixth Ord. Sess., Eleventh Sitting on May 29, 1954, Item 8 "Consideration of Requests for Inclusion in the Agenda of the Assembly," in Official Report of Debates, vol. 3 (Strasbourg, 1954), 299-300.

78. This is the document which has been amply cited as Iceland, Memorandum to the Council of Europe. The second sentence quoted at note 74 states that this is the Icelandic memorial.

79. "Anglo-Icelandic Fishing Dispute," Commonwealth Survey n.v. (18 May 1955), 448-449; "Iceland fisheries dispute," Times, 16 May 1955, 7.

80. Council of Europe, Consultative Assembly, Seventh Ord. Sess., 2nd part, Doc. 442 submitted by Mr. deKinder, et. al. "Motion for a Resolution," in Documents: Working Papers, vol. 3 (Strasbourg, 1955), n.p.; Council of Europe, Consultative Assembly, Seventh Ord. Sess., Twenty-fourth Sitting on October 25, 1955, Item 4 "Items Referred to Committee," in Official Report of Debates, vol. 3 (Strasbourg, 1955), 725. It is assumed that this first proposal dealt with a specific incident in which a skipper received was arrested and fined under the circumstances described. However, neither the incident nor any further C. of E. documents were located on the matter.

81. Debates, (Commons), vol. 539 (1955), col. 5.

82. Debates, (Commons), vol. 545 (1955), col. 1465-1466; Debates, (Commons), vol. 546 (1955), col. w.204; Debates, (Commons), vol. 547 (1955), col. w.13.

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CHAPTER 3

THE TWELVE-MILE DISPUTE

On February 21, 1957, the United Nations General Assembly passed Resolution 1105 (XII), authorizing the Law of the Sea Conference to meet at Geneva in 1958. Iceland was the only nation to vote against this resolution, because, as Hannes Jonsson, an advisor to former Foreign Affairs Minister Gudmundsson explained:

. . . the Government did not want to delay a decision on a clear rule of international law on the width of the international limit. But in the light of the overwhelming majority decision of the international community to convene a conference on the Law of the Sea in 1958 the Icelandic Government decided to postpone the proposed extension of the fisheries limit until after the scheduled conference.¹

Jonsson would have us believe that Iceland was willing to abide by a decision that, once taken, would become a principle of international law. But, Sir Andrew Gilchrist, the British Ambassador to Iceland at the time, contended that the situation was more complex. He reported that he was able to convince Icelandic officials to postpone their decision until after the conference concluded. Apparently Iceland believed there was enough world sympathy for either a 12-mile territorial sea or an exclusive fisheries zone of comparable size that the conference would pass one of the two options. On the

other hand, Gilchrist had his instructions to obtain a postponement because British government officials believed that the conference would approve some form of a 6-mile limit, binding Iceland to a clear definition of international law, and winning six miles in the process.²

The conference convened in Geneva on March 2, 1958 with eighty-seven nations in attendance. The senior British delegate was Sir Reginald Manningham-Buller, the government's Attorney General. British Trawlers' Federation (B. T. F.) President Major General Sir Farndale Phillips and Vice President J. R. Cobley attended as advisors. The representatives began work on the second day of meeting, when Sir Reginald presented the British proposal for a 6-mile territorial sea as an alternative to a Canadian proposal for one of twelve miles.³ The next day, Professor Max Soerensen, a counsellor in the Danish Foreign Ministry, tabled the conservation issue by proposing a contiguous zone for reasons of customs, fiscal, and health control, and for conservation measures.⁴ These efforts were probably successful, for on the 11th, the Fisheries Conservation Committee passed "an article giving coastal states the right to take unilateral conservation measures in near-by areas of the high seas."⁵

At mid-month, the United States attempted to act in a mediating role. This suggestion was for a 6-mile ter-

ritorial sea with an additional 6-mile fisheries zone. The proposal apparently angered at least some Icelanders, because Mr. Gudmundsson's party paper, the Morgunbladid, quoted him on April 16 as saying ". . . it could have unforeseeable consequences on Icelandic foreign policy. He pointed out all Icelanders regarded this as a stab in the back."⁶ Gilchrist, to the contrary, contended that the Icelandic government had received the proposal well, and that Icelanders found it acceptable. He also reported that his own government did not favor the plan.⁷

Much of the debate on the various proposals concerned nations acquiescing rights over the high seas. The Icelandic delegation made its own proposal, perhaps to demonstrate its only interest was in the fisheries and not in extended sovereignty. Around April 21, the conference approved this proposal granting to any nation whose

people is overwhelmingly dependent upon its coastal fisheries for its livelihood or economic development . . . preferential rights under such limitations to the extent rendered necessary by its dependence on the fishing.

Ambiguity in the wording probably caused apprehension among some delegates, for the proposal received 25 ayes, 18 nays, and 12 abstentions.⁸ This vote occurred after an amendment tabled by the Icelandic delegation "that a possible disagreement should be settled by arbitration."⁹

When the Icelandic proposal failed, the South African delegates tabled a draft article for a fishery conservation zone. Following amendments from Ecuador and Iceland, this proposal would allow a nation to establish a conservation zone with preferential rights for itself, provided it afforded "fair treatment" to other nations, and that disputes would be open to arbitration. This attempt likewise failed.¹⁰ Although many nations supported a 12-mile fisheries limit, none of the various proposals obtained sufficient votes to pass. But such a large amount of support solidified the position in Iceland to impose a 12-mile limit.¹¹

During the course of their work, the delegates adopted four Conventions on: 1.) the Territorial Sea and Contiguous Zone; 2.) the High Seas; 3.) Fishing and Conservation of the Living Resources of the High Seas; and 4.) the Continental Shelf. Later, the Icelandic government refused to ratify these conventions because:

. . . these were to form an integrated system, but they did not define the difference between coastal & international waters. Further, they were based on the assumption that the only fisheries jurisdiction beyond 12 miles would be through negotiated conservation measures which were non-discriminatory, and that they discriminated between the living resources of the sea and the resources on and under the subsoil beyond 12 miles.¹²

Given the inability of the conference to solve any of the primary questions on its agenda, the conference passed one

final resolution on April 27, the final meeting day, obligating the General Assembly to hold a second conference. The Assembly subsequently set the meeting date for 1960. The Icelandic delegates abstained from voting, so as not to prejudice their government's position of extending the national fishery limits to twelve miles.¹³

The Icelandic government apparently deliberated the conference outcome and the 12-mile issue quite carefully. Thus, it made no other official statement until June 1, at which time it formally declared its intent to adopt measures to control all fishing within a 12-mile limit, and to redraw the baselines used to compute the limit. The next day, Prime Minister Olafur Thors followed up this statement by announcing that his government would formally declare on June 30 that the 12-mile limit would go into effect on September 1 from newly drawn baselines. Two days later the British government published a declaration calling for negotiations on the subject.¹⁴

The Icelandic declaration on June 1 was the culmination of two-and-a-half years of discussions between Progressive and Social Democratic Party members who had agreed in writing during the past October to make such a declaration whatever the outcome of the Geneva Conference.¹⁵ They contended that such action was legitimate because seventeen other nations had already declared a

minimum of 12-mile limits for territorial seas, exclusive fisheries zones, or fishing conservation zones. Russia had made the first of these declarations in 1909, and furthermore, the British had recognized Soviet reenactment of that limit in 1956.¹⁶ But, in British eyes, the impetus for the Icelandic declaration had come from Icelandic Communist Party members, particularly the Fisheries Minister.¹⁷

The government received several protests concerning the legality of its declaration. On September 25, the Icelandic representative to the U.N., Kristinn Gudmundsson, defended his government's action to the General Assembly.

The widely varying practices of coastal states as to the delimitation of their territorial waters and fishery limits, and the latest developments in this field as a whole, should be recalled. Although the International Law Commission did not finish its work concerning the extent of coastal jurisdiction, it is a fact that it did submit that it would be illegal to extend this jurisdiction beyond twelve miles. That fact clearly supports the Icelandic action.¹⁸

At this same meeting, Gudmundsson replied to those that criticized his government for acting unilaterally.

. . . [W]e have also been criticized for having laid down our fishery limits by unilateral enactments. Such criticism is unfounded. It is not unique, and indeed it is a generally accepted practice, that a coastal State may and does fix unilaterally, by its domestic legislation, the limits of its coastal waters. It is not necessary to elaborate on this self-evident

point. But it must be borne in mind that a host of coastal States by unilateral enactments, have fixed the limits of their fishery zones or of their territorial waters at twelve miles, or even at distances far in excess of this limit.¹⁹

Some critics also censured Iceland for illegally extending its territorial limits, an indication that the concept of an exclusive fisheries zone was still not well understood, even at governmental levels. Speaking before the U.N. Sixth (Legal) Committee on November 11, the Icelandic representative to the North Atlantic Treaty Organization, Hans G. Andersen, contended that Icelandic action was totally acceptable from all perspectives of international law:

The Icelandic Government had, from the beginning of the consideration of the law of the sea in the United Nations, maintained that for the purpose of coastal jurisdiction over fisheries it was not necessary to extend the territorial sea; fisheries jurisdiction would not interfere with ordinary navigation or traffic by air. That approach had met with some favour at the Geneva Conference.²⁰

The main concern of other nations was that an extension of any sort would impede freedom of navigation on the high seas. But, Icelandic intent was to extend its police powers only to maintain singular fishing rights, as Andersen affirmed in continuing his address to the Sixth Committee:

The Icelandic delegation could not agree with the view that the extension of coastal jurisdiction constituted a derogation of the freedom of the seas. The jurisdiction of the coastal State

and the freedom of the seas were on an equal plane; neither of those principles could be used as an argument for unduly limiting the other.²¹

Iceland's decision to extend its jurisdiction over coastal fisheries stemmed from the perception that adverse consequences to the national economy would result from negative changes in the fishing industry. During the three years from 1954 to 1957, the total cod catch in Icelandic waters declined by sixteen per cent, and that for redfish (ocean perch) by forty per cent. But the haddock and plaice catches increased by twenty-two and eighty per cent respectively. Iceland attributed this difference to the fact that the main haddock and plaice catches came from waters within the 4-mile limit. Thus, in the area where Iceland took steps to protect young fish, the overall catch increased. Even though Iceland's overall demersal catch declined slightly from 1956 to 1957, its take in 1956 was 15.7 per cent of the total European demersal catch, and its smaller 1957 catch amounted to 16.5 per cent of the European total. Iceland interpreted these figures to mean that the demersal take had decreased throughout European fishing areas, and that Europeans would consequently put increased pressure on the Icelandic area.²²

Increased pressure on fisheries everywhere occurred primarily as a result of technological advances in the industry and the expansion of European fishing fleets.

Utilization of living resources of the sea was accelerated [in the 1950's] by certain technological innovations, particularly the availability of synthetic fibers for fishnet webbing and a wide variety of electronic devices that improved high-seas navigation, safety at sea, and allowed the detection of subsurface fish schools.²³

Although the only nations fishing in Icelandic waters in 1957 were Britain, the Federal Republic of Germany, France, and the Netherlands, the Icelanders feared that the fleets of the Soviet Union, Poland, and the German Democratic Republic, including their large factory trawlers, would continue to expand rapidly their operations into North Atlantic areas.²⁴ Any such influx would devastate the fishing grounds near Iceland. Icelanders had already seen one negative impact of improved technology: damage by trawlers to nets and lines of the inshore fishermen had led to the desertion of one entire village on the northwest coast.²⁵ Icelanders could only speculate on the future adverse impact factory vessels and anticipate the worst.

Even if the three East European nations did not invade Icelandic coastal waters, Icelanders still viewed the British fleet with trepidation. Since the end of World War II, the British had replaced many of their coal-

fired vessels with slightly fewer, albeit larger diesel or diesel-electric powered vessels. The majority were in the 140-180 foot range, although a few visiting the Icelandic waters were smaller, and fewer still were 180-200 feet long. The British had no factory vessels at the time, but in 1959 British firms launched three freezer factory ships slightly longer than 250 feet, and began to refit standard trawlers with freezer compartments. The British even discussed converting former aircraft carriers into freezer vessels.²⁶

Thus Iceland advocated an extension to the 12-mile limit on the grounds of fisheries conservation necessary to preserve the industry which was the basis for its entire economy. The British refused to accept this argument. According to Gilchrist, the real reason for the Icelandic extension was the Icelanders' desire to maintain the higher level of affluence achieved during the preceding ten years so as not to return to previous levels of poverty. In 1959, for example Iceland had achieved ". . . the highest standard of living in Europe, according to the latest O.E.E.C. figures. Except for a minority, this is a sudden and recent development, dating from the war and full independence."²⁷

During the Icelandic government's deliberations on the 12-mile extension, the Social-Democratic and Progress-

sive Party members insisted that the government consult NATO for an opinion on the new baselines. They also suggested giving NATO member vessels a 2-year grace period from imposition of the 12-mile limit. These proposals went to NATO on May 19. The next day, Paul Henri Spaak, the NATO Secretary-General, cabled his reply to Foreign Minister Gudmundur Gudmundsson in the negative. He also suggested a NATO conference on the issue by mid-July and threatened reprisals from the Organization for European Economic Cooperation member nations in the form of sanctions against purchases of Icelandic fish.²⁸ About a week later, British Secretary of Defence Selwyn Lloyd raised the issue at the NATO conference in Copenhagen. He stated that a forum smaller than the Law of the Sea Conference needed to study the problem.²⁹

Although records from the NATO conferences are not available, we know that Iceland held to its resolve and announced on June 1 that it intended to implement the new limit. At some point, perhaps in the declaration or at the NATO meetings, Iceland must have also made the statement that it intended to arrest vessels which defied the limit, because the British government issued a reply two days later:

Her Majesty's Government find it difficult to believe that the Icelandic Government would use force against British fishing vessels in order to secure compliance with a unilateral decree

which the parties of the Government coalition propose to issue without regard for international laws. At the same time, Her Majesty's Government must point out that it would be their duty to prevent any unlawful attempt to interfere with British fishing vessels on the high seas.³⁰

On June 5, the British made a further announcement stating that it would provide protection to trawlers fishing within the 4- to 12-mile zone beginning on September 1. The next day Mr. Heathcoat Amory, the Minister of Agriculture, Fisheries and Food, met with B. T. F. members to discuss the specifics of this arrangement.³¹

After that meeting, when officials hinted at some form of protection, Phillips urged government restraint, and suggested that a delegation from the industry composed of himself, two trawler owners, the president of the Skippers' Guild, and two members of the Transport and General Workers' Union (TGWU), journey to Iceland for discussions. He also urged a regional conference with representatives from the United Kingdom, Norway, Denmark, West Germany, Belgium, and France to discuss the matter, and contended that the forum should only include European participants.³² Thus, just as there was confusion over the matter of territorial seas versus a fisheries zone, the British fishing industry (and perhaps even the government) viewed this as a European rather than a worldwide problem.

The idea of a regional conference apparently had some support. On either June 5 or 6, Mr. Hansen, Danish Prime Minister and Foreign Minister, asked NATO to host a conference of interested parties to consider 12-mile extensions. After the Icelandic declaration, both the Faeroes and Greenland had begun to discuss extensions, an idea which the Danish government would support.³³ Perhaps because of this snowball effect, within a few days several nations expressed an interest in holding the European conference. Locations under consideration were Copenhagen and Oslo, but London was ruled out.³⁴ By June 20, Iceland had not responded to the proposal, and several governments suggested the futility of holding any conference without Icelandic participation.³⁵ A few days later, Dame Irene Ward, M.P. from Tynemouth, suggested that the British government assist Iceland in diversifying its economy as one means of solving the problem. Mr. Lloyd stated that an OEEC committee was doing just that at Iceland's request, and that the British would provide assistance after the completion of a current study to consider construction of an unspecified type of industrial plant.³⁶

Despite these various British and European efforts to avoid confrontation, the Althing, as anticipated, enacted a 12-mile limit on June 30. For the next two months, NATO sponsored talks in Paris "between Iceland and affected

countries" at which the U.K. made several alternative fishing proposals, suggesting that the one agreed upon should remain in effect either for a period of three years or until the Second Law of the Sea Conference could solve the fisheries problem. These talks broke down at the end of August.³⁷

In the meantime, because some governments refused to take part in a regional conference without Iceland, the West German fishing industry arranged for an international meeting of commercial representatives. This unofficial gathering was to take place on July 14 at the Hague with spokesmen from Belgium, Britain, Denmark, France, Germany, Holland, Norway, Spain, and Sweden. The Norwegian and Swedish agents failed to appear, however.³⁸ The group met until at least July 20, when the representatives passed a resolution

. . . pointing out that Iceland's action was a clear breach of international law and that several nations had fished the waters over which Iceland now claimed exclusive jurisdiction, since the 15th century and in fact had much older historic rights in these waters than Icelanders themselves. [The members] stated that modern trawler fishing which had made these grounds so valuable was founded, not by Iceland, but by other countries at the end of the 19th century.³⁹

Furthermore, because Iceland did not at this time announce a closure of the 12-mile zone to fishing by its own people, the group rejected the notion that the closure was

due to overfishing.⁴⁰ Finally, the members declared their intent to continue fishing as far as the 4-mile limit and requested protection from their governments to uphold that right.⁴¹

On the following day, July 21, the B. T. F. issued a statement in which its members declared their intent to continue fishing within the 12-mile limit and to request protection from the Royal Navy if necessary. In making this latter statement, they were only echoing the words of Hull M.P., Major Patrick Wall, who four weeks earlier had pressed for such a commitment by the government. Indeed, Wall followed up this request on July 28 with a proposal that the British government and others take "some form of economic sanction" against Iceland if the Icelandic government began to enforce the new limit on September 1.⁴²

By mid-August the British were preparing for the worst. The trawler owners told their captains to proceed to the 12-mile line alone on September 1, make contact with each other, then proceed into the zone with an escort from a fisheries protection ship. Indeed, the Admiralty announced on the 15th that the Whitby-class frigate H.M.S. Eastbourne would join the Fisheries Protection Squadron at its home port of Port Edgar, Scotland, for a total of ten ships in the squadron. Ships from the Home Fleet would rotate duties in the Protection Squadron as required.⁴³

Icelandic Fisheries Minister Ludvik Josepsson reacted to the British action by stating that any intervention by the Royal Navy to help the fishermen would be "'an attack on Iceland'." He did not believe that Britain would actually use naval vessels, because the trawlers had been just as vocal in 1952 as they were at this time.⁴⁴

On August 18 "Britain reminded Iceland . . . that gunboats would guard British trawlers against interference inside Iceland's new twelve-mile fishing limits." Josepsson replied that "Britain hardly would take that sort of action against a defenseless state."⁴⁵ On the same date, the British press described the tactics to be used by the Royal Navy and British fishermen: former trawler captains would ride on board naval vessels to aid the defense efforts; the trawlers would fish in convoys for a period of three days; thereafter, the trawlers could move off, but they would lose naval protection. A few days later the press confirmed these instructions, with the added statement that the trawlers could use discretionary means to avoid arrest if the Icelandic Coast Guard intercepted them and that, when outside of the protection zones, they might still call on the protection vessels for assistance. Under no circumstances were the trawlers to use firearms, flares, or signal rockets. With these guidelines in mind, the trawlers began to set sail for Icelandic waters on

August 20, with a total of one hundred expected to sail for the area within two weeks.⁴⁶ On the 29th, two days prior to the start of the conflict, the Royal Navy opened its sealed orders and confirmed the previous reports: the fishermen would indeed fish in convoys for a period of three days. The only new piece of information was that there would be three such convoys.⁴⁷ Although there were no reports that officials from either industry or the government expected trouble, the trawler owners acknowledged such expectations by issuing an unusual order on the 25th. That order required all vessels having vacationing school children on board to vacate the 12-mile waters prior to September 1!⁴⁸

In the meantime, while the trawlermen were making their preparations for the worst, talks continued within NATO and apparently made some progress at a settlement. For example, on the 18th or 19th, an unnamed British official alluded to a surprise move by his government to solve the problem. He referred to a 1955 statement by Iceland that there would be no further extension of the limits without United Nations examination of the Law of the Sea.⁴⁹ More promising was a statement made by Ambassador Gudmundsson on August 22 when he hinted that his government might make concessions to British trawlers if their government would recognize the 12-mile limit. At

the same time, he offered an unofficial opinion that the Icelandic people might want to withdraw from NATO if the British behavior was bad during the 12-mile dispute.⁵⁰ The next day, Foreign Minister Gudmundsson, denied that Iceland would pull out of NATO over the dispute.⁵¹

An unofficial committee of emissaries from Belgium, Britain, Denmark, France, Iceland, the Netherlands, and Norway, continued to meet in Paris for several more days under NATO auspices. Without providing any details, envoys reported a possible compromise in the offing on August 22.⁵² These reports continued for several days, the rumor being that Iceland would allow other nations' trawlers into the area with an agreed catch limit. On the 28th, compromise appeared close, with all parties expected to accept whatever the actual plan was under discussion.⁵³ But no compromise occurred, even though Iceland had stated that it would abide by any decision reached at these talks, and consequently NATO efforts broke down on the 29th.⁵⁴

During these discussions, the British had proffered two alternative proposals. They were willing to guarantee to Icelandic fishermen some specific, large percentage of the total catch, with areas reserved for Icelandic small boats; if this did not prove satisfactory to the Icelanders, Britain would recognize exclusive Icelandic fishing

in the inner six miles and concede some important areas of the outer six miles. Whichever proposal Iceland accepted would be in force for three years, or until the Second Law of the Sea Conference concluded.⁵⁵ The Icelandic counter-proposal was to allow NATO member nations fishing privileges in the outer six miles of the limit for a period of three years; additionally, the government was prepared to utilize less extensive baselines for computing the limit.⁵⁶ All proposals failed because ". . . in return for any interim agreements, the Icelandic delegation had demanded prior acknowledgement of Icelandic 'rights' to extend their fisheries limits to 12 miles."⁵⁷

When these talks ended in failure, Denmark tried to avert disaster on August 30, and possibly again on the 31st, by calling for "an immediate meeting" of NATO officials at the ministerial level. Although the Danes said that they wanted the meeting for general reasons, their motivation was to solve the 12-mile problem, not only in regard to Iceland, but also for the Faeroes and Greenland.⁵⁸ Nevertheless it was too late; the cod war was about to begin.

During the second half of August, after Eastbourne joined the Fisheries Protection Squadron, the Royal Navy further enlarged that unit. By August the squadron consisted of "three frigates, one ocean minesweeper, and four

trawler type patrol vessels, plus smaller vessels."⁵⁹ At midnight on August 31, according to one report, four frigates entered the 12-mile zone, two off the southeast coast, one off the west, and one off the northwest, with a fifth to join in the northwest. This action took the Icelanders by surprise, as they believed the British would act with moderation during the first days of the new limit, presumably in an effort to maintain dialogue on the issue.⁶⁰ The British reported the vessels as H.M.S. Hound, a minesweeper; H.M.S. Eastbourne, Palliser, and Russell, frigates; and H.M.S. Black Ranger, a fleet replenishment vessel. On the first day, a total of fifty to sixty trawlers were in the area, all flying the pennant called the "red duster," that is, a red ensign with the British flag in the center, denoting the vessel as a member of the merchant marine. (Interestingly, this designation was probably the reason why the trawlers were considered to be co-opted into the Royal Navy, making them eligible for their daily rum ration.) Hound directed those trawlers under its protection in the southeast to a location known as "Area Spearmint." The navy called the northern area "Toffee Apple," and the northwest area "Butterscotch." These areas were boxes about thirty miles by eight miles in which trawlers were required to spend their first seventy-two hours fishing.⁶¹

The decision to protect British trawlers fishing within Iceland's twelve mile limit in certain specified areas (later called "warrens" or "boxes") stemmed from consultations between BTF officials and the Northern Department of the Foreign Office, the Admiralty, and the Ministry of Agriculture. So too, the decision to station ex-trawler skippers, at BTF expense, aboard warships of the Fishery Protection Squadron in order to improve liaison between the fishing vessels and the warships guarding them. There were also later meetings with the Commander of the Squadron to work out details for different seasons of the year.⁶²

Subsequently, the Navy moved the location of the boxes, which the Icelanders called "poaching pockets," commensurate with fishing conditions. Ultimately the time requirement for remaining in the boxes dropped to forty-eight, then to twenty-four hours.⁶³

To meet this threat to the new limit, Iceland deployed its Coast Guard vessels. The Grimsby trawler Northern Chief observed six of the seven gunboats leaving Reykjavik harbor on August 31 and head for Area Spearminn. The government instructed its vessels not to make arrests, but simply to take pictures and gather evidence against the trawlers. The government intended to make arrests when the vessels put into Icelandic ports to weather out storms. On the first day, that is apparently what happened: Palliser reported that the C. G. vessels Albert and Odinn had warned trawlers that they were within the 12-mile limit and would be arrested if they entered territorial waters.⁶⁴ The Icelandic vessel Aegir reported what

may have been an attempt by Palliser to ram it. (See Appendix 2.)⁶⁵ Consequently, both the gunboats Maria Julia and Thor tried to make an arrest on the 2nd. In the first case, the trawlermen fended off their would-be captors; in the second, the captain of Eastbourne removed the C. G. boarding party.

These two events triggered a demonstration that soon degenerated into a riot outside the British Ambassador's residence by a crowd initially consisting of 300-400 students. The organizers, whom Gilchrist credited as being primarily Communists, had two truckloads of throwing-sized stones delivered. (A third load never arrived because the truck delivered its cargo to the wrong location.) At the time, Gilchrist had his entire staff to dinner so as to keep them safe from possible evil-doers. He had also invited members of the press, including Eddie Gilmore from the Associated Press, Hardiman Scott of the BBC, and Miss Coghill of Reuters. After the crowd had quieted, he decided to play music on his phonograph. Unfortunately, his son chose a bagpipe rendition played at high volume, which precipitated a fusillade of stones. Because the house was set back from the fence and on a hill with the lowest windows well off the ground, it took the crowd some time to find their target. Soon after they did, they also began to use sling shots and steel ball

bearings. A few people entered the grounds and fired some wooden crates, but the house was brick thereby minimizing the danger from fire, but the failure also prompted some in the crowd to use smoke bombs. According to Gilchrist, the only time he retaliated during two nights of this assault was when the hard-core element began to pelt his dog, at which time he yelled at them. In the wake of these actions, several magazine articles appeared stating that Gilchrist had appeared on the hill in a kilt playing the pipes. He said that they all copied each other, and none of the magazines ever interviewed him for the true details.⁶⁶ As a result of the "riot," Gilchrist belatedly admitted that he had miscalculated the situation, that the entire nation was totally dedicated to the idea of a 12-mile limit.⁶⁷ As we shall see, this late recognition ultimately prompted the Foreign Office to replace the ambassador.

In a manner which resembled the probing skirmishes conducted during the early days of a full-scale war, the first two weeks saw many attempts (unsuccessful) to effect the arrest of a British trawler. Similarly, the British began to rotate vessels in the operations, the first being the destroyer Lagos replacing Hound a mere five days into the cod war. Also in imitation of real battle, the area of operations moved, beginning with the placement of Area

Spearmint on the northeastern side of the island.⁶⁸ After these first engagements, the Icelanders stopped trying to make an arrest. Lt. Comdrs. G. E. Hammond of Palliser and P. F. R. Corson of Russell attributed this to the rough seas which often necessitated a jump of ten feet from vessel to vessel, a situation complicated by the British welcoming party's greetings with fire hoses, axes, etc. The Navy changed the rules of engagement for the trawlermen on the 24th: they were no longer to utilize hot water hoses to repel the Icelanders; but they could still use cold water spray.⁶⁹ Also similar to a real war, there was the odd moment of surrealism. Such was the case around September 22 when Corson rowed to one of the gunboats where he spent half an hour with Captain Jon Jonsson having tea. They exchanged polite conversation over several subjects but did not discuss the 12-mile limit.⁷⁰

There were also more down-to-earth problems. One such dilemma was what to do in the event of serious illness. In Icelandic waters, seamen traditionally solved the problem by putting into a local port where they could seek care. During the dispute, this course of action was no longer an option because the Icelanders would arrest the trawler when it made port. Because the Royal Navy was assisting the fishermen in the abrogation of an Icelandic law, landing sick men was also a potential problem both

for the naval personnel and the trawlermen. The Navy's dilemma surfaced on September 20 when a crewman aboard Diana developed appendicitis. Fortunately, the problem was apparently solved when the ship's captain received permission to put the sick man ashore for treatment.⁷¹ About six days later, the opposite side occurred when a crewman from the Grimsby trawler Paynter also developed appendicitis. To avoid the possibility of arrest, the trawler captain transferred his charge to the Diana whose crew landed the man with permission from Prime Minister Gudmundsson. But there was such a public outcry to the action that Gudmundsson announced on October 1 that the Navy would only receive permission to land those men who could prove naval affiliation; the decree thus forced the trawler captains to land their own men and face imprisonment.⁷² On October 13, the situation again arose for the Navy when a sailor from Russell developed a third case of appendicitis. He was landed apparently without incident and received an operation.⁷³ Thus Iceland chose not to employ these sanctions against the Navy. Ultimately, to solve the problem of landing sick trawlermen, the Admiralty dispatched a hospital ship to the waters. Presumably such a ship continued on station throughout the cod war, but there were still instances in which trawler captains

landed seriously ill crewmen, and were thus open to prosecution.⁷⁴

Another problem for the Royal Navy was refuelling. Its destroyers and frigates carried only enough fuel for three days' steaming. Iceland apparently levied sanctions against the Navy's making landings to refuel so that the Admiralty had to dispatch an oiler to the area. Gilchrist stated at the time that the Admiralty's work to overcome such logistical and tactical problems was a good exercise for its men and ships. But he implied in his memoirs that others encouraged him to make this statement that he probably would not have otherwise made.⁷⁵

In its official publication, the British Foreign Office announced on September 30 that "Icelandic attempts to interfere with United Kingdom fishing boats have been unsuccessful."⁷⁶ Perhaps as a result of this publication, the captain of Thor stated the next day that Icelandic gunboats would begin to arrest trawlers on the high seas during their outbound journey home.⁷⁷ Since the evidence from all of the disputes indicates that the gunboat captains worked under the strict control of at least one of the concerned ministries (Justice, Fisheries, and Foreign Affairs), we might interpret this declaration as officially emanating from the government. Indeed, on October 8 Aegir attempted to make an arrest outside of the 12-mile

limit. But, other than arrest attempts which began inside the limit, and for which the pursuit continued outside the 12-mile line, there is only one other known instance of an arrest attempt beyond the line, and that occurred on July 7, 1959. Two interpretations plausibly explain this restraint. One is that an unpublished communique may have given a stern warning to Iceland about such action. Considering the political state in Iceland, this is unlikely because one of the parties advocating Iceland's withdrawal from NATO probably would have waged a propagan-da campaign with such a document. More probably, the Icelandic government was very much aware that action outside of the 12-mile limit would work against its claim of remaining within the bounds of international law.

On September 26 and 30, and again on October 1, and possibly on a fourth date, an event occurred which had the potential for escalating into a major international incident. The problem was that the trawler Cape Palliser hoisted the Soviet flag. The Diana was located near the trawler at the time but, when questioned by Icelandic authorities, the naval commander said that the trawler crew's action was meant as a joke. The Soviet Union presumably did not send a strong protest but did request that the British government put a stop to such inci-

dents.⁷⁸ The British must have complied with the request, as there were no further reported occurrences.

The cod war took on a new dimension on September 29, 1958 when Aegir fired blank shots upon the Afridi. The first known use of a live shot occurred on November 12 when Thor tried to stop the Hackness for fishing inside the 4-mile limit. Russell appeared on the scene, stopped the arrest, and threatened to sink the Icelandic vessel if it resumed fire. Consequently Andersen spoke about this incident to the U.N. Sixth Committee on November 28. He said that the Royal Navy had interfered in more than two hundred arrest attempts then told how the British captain threatened to open fire if the C. G. vessel made further attempts to effect an arrest. The British representative denied the allegation.⁷⁹ Three days later Andersen again addressed the Committee and apologized for missing the U.K. reply to his statement. He then said "that the Icelandic Government had written evidence of the incident and a tape-recording of the threat by the master of the British ship to sink the Icelandic vessel."⁸⁰

On the following day, Mr. Evans of the British legation gave his nation's views to the Committee. He said that Hackness was damaged and passing within the 3-mile limit but was not fishing at the time that Thor began its pursuit and fired its gun. When Russell intervened dis-

cussions ensued and after nearly two hours of talks, the trawler attempted to move off. When it did so the C. G. vessel threatened to open fire again. "It was in reply to that threat to reopen fire on an unarmed trawler while discussions were still in progress, that the captain of the Russell had threatened to sink the Icelandic vessel if it reopened fire."⁸¹

This was the end of the discussion in the Sixth Committee, but on the 10th, Iceland's U.N. representative, Thor Thors, spoke to the General Assembly. He contended that the British leaders were misleading their people and doubted that ordinary citizens in the U.K. supported the use of the Royal Navy in the cod war. Referring to the Hackness incident, he declared that "our former friends [are] being led into erroneous action by shortsighted and selfish advisers. . . ." In a parody of Churchill, he quipped that the epitaph to the cod war would be "Never did so many attack so few." Finally, he quoted from a speech made a few days earlier by U.S. Secretary of State Dulles who said that nations were using two standards of conduct in applying the U.N. charter, and that this double standard was not compatible with the purpose of the U.N.⁸² During a House of Commons speech one or two days later, an M.P. remarked that the Communist Parties worldwide were using the Hackness incident for propaganda purposes.

Contrary to the words from Mr. Evans, he told the House that the Hackness was not within the 3-mile limit but concurred that the vessel was not fishing at the time.⁸³

One interesting side bar to this discussion is that, with the British emphasis on the 3-mile limit, we see that the British still did not officially recognize Iceland's 4-mile declaration. Whatever the truth of the matter, one outcome of the Hackness affair was a diminution of the incidents in the 12-mile limit, as there is no evidence of further trouble until February 1, 1959. Although the records consulted only indicate three arrest attempts through mid-April, there was probably a chain of such action throughout these months which the British thwarted. On April 18, Iceland called Gilchrist for talks concerning the 12-mile limit, but particularly because the R. N. was stopping the arrest of vessels within the 4-mile limit, including an incident with the Carella on March 25 and one with Swanella on April 14. The British Minister of Agriculture, Fisheries and Food, Mr. John Hare, had a talk with representatives of the B. T. F. on April 22 about these two incidents. As a result, officials stated that the vessels were not within the 4-mile limit, but further replied that the government only recognize a 3-mile limit.⁸⁴ Over the next two weeks, arrest attempts became more violent with several reported firings by the Icelan-

dic gunboats and three attempts by the R. N. to disable two of the Icelandic vessels. On April 30 came the one and only report of shots by a British vessel when the Contest fired star shells at a range of 10,000 yards (nearly six miles) to thwart an arrest attempt by Thor.

The Althing protested British intervention in the arrests attempted on either April 30 or May 1. and stated that Iceland had a right to the entire continental shelf, the first such mention of that limit since the 1948 law.⁸⁵ The Althing then passed a resolution on May 5 condemning the British deeds and again mentioning the 1948 law:

The Althing resolves to protest energetically against the violations of Icelandic fishery legislation which the British authorities have brought on with the constant use of force by British warships inside the Icelandic fishery limits, now recently time and again even inside the 4-mile territorial limits from 1952. As such actions are obviously intended to force the Icelanders to retreat, the Althing declares that it considers that Iceland has an indisputable right to a 12-mile fishery limit, that a recognition of its rights to the whole Continental Shelf should be sought, as provided in the law on the scientific protection of the fish banks of the Continental Shelf, from 1948, and that a smaller fishing limit than 12 miles from the base lines around the country was out of the question.⁸⁶

The C. G. followed the resolution with an attempted boarding on May 10. Thus the TGWU, the Grimsby Engineers' and Firemen's Union, and the Trawler Officers' Guilds from both Hull and Grimsby advised the trawler crews not to surrender when charged with a 4-mile violation, unless

they received assurances that they would not be charged with a 12-mile offense also.⁸⁷ The C. G. replied to this advice on May 16 by attempting to board the Samuel Hewitt. When the trawler captain ordered his crew to rig anti-boarding nets, Odinn opened fire at twenty feet. Although the C. G. vessel fired a blank, due to the close range a piece of the wadding struck a Briton in the face, producing the first known casualty of the dispute. This action prompted the Chaplet to begin harassing Odinn until finally the two vessels collided on the 22nd. Because the British themselves gave two different versions of the incident, and considering the week of harassment of Odinn coming on the heels of the Samuel Hewitt incident, this was in all probability a deliberate ramming done to avenge the injured fisherman.

The next major incident occurred on May 31 when the Icelandic vessel Maria Julia opened fire on a trawler, prompting Duncan to bring its guns to bear on the C. G. gunboat. Two days later an announcement came to the trawlers from Duncan: "'If any gunboats try to open fire at British trawlers we will open fire too and repel the attack and be sure to hit in the first shot -- and that will be enough'."⁸⁸ Commodore Anderson, commander of the task force protecting the trawlers, apparently made the announcement, because the next day he admitted from aboard

his flagship, Russell, that he had been the one on Duncan who threatened "to fire 'with all the guns I have' on any Icelandic vessel that tried to enforce the 12-mile limit." He concluded one of the two pronouncements with the epithet "'Damn the Icelandic gunboats'."⁸⁹

The situation was such that both sides began to send notes of protest to each other. Icelandic officials made several in May, but it is not known whether these were written or verbal, nor from what specific level they originated. Britain countered with its own protest on May 28 over the May 22 Odinn and Chaplet incident, stating that the Icelandic vessel was at fault, and that the British warship was protecting fishing vessels on the high seas which did not violate either international law or Icelandic sovereignty. Then on June 3, Foreign Minister Gudmundsson originated two protest notes. One was for the May 22 incident and the second for the May 31 Maria Julia and Duncan affair. Britain reiterated its protest on June 3 about the first of these incidents and Iceland apparently did likewise on June 5 concerning the second one.⁹⁰

In the aftermath of these actions, most incidents were few and relatively low keyed for the remainder of the cod war. The British fishermen made good use of this British display of force. On June 14, the Grimsby Trawler

Officers' Guild repeated the previous month's instructions to its members, telling the captains not to submit to arrest until they received assurances that the only charges would be for an alleged 4-mile violation. The orders also added the caveat that the trawlermen were to ignore any other action "'no matter what other instructions might be given from any other source'."⁹¹ This addendum indicates the distinct possibility that the trawlermen had some fear that the government would change its position regarding the 12-mile arrests and order the British vessels to submit to such charges.

A tally of the events up to July 1, 1959, from British score keepers showed that thirty-seven frigates and destroyers and a few auxiliary vessels with a personnel complement totalling roughly 5,000 men were involved. Three or four ships were normally on station, and tankers conducted 160 replenishment contacts. These forces had protected 122 trawlers and stopped forty-eight arrests. They provided medical aid on eighty occasions and some other form of aid sixty-five times, including sending a diver to unsnarl a propellor fouled by net lines. In return, the trawler crews picked up and delivered mail for the naval men.⁹²

The final major incident began on September 26 when the Icelandic C. G. discovered the St. Alcuin violating

the 4-mile limit, but inside of the 3-mile zone which Britain recognized. A gunboat chased the trawler for four days until it left the 12-mile zone. When it did so, the frigate Venus was in the immediate vicinity and apparently watching the activity, but because it did not assist in the arrest, the trawler escaped. Consequently Minister Gudmundsson sent a note of protest on October 2 which demanded that the British hand over the vessel (sic) for trial.⁹³ There were no reports of such an occurrence, nor were there reports of the captain's arrest as he commanded another vessel.

In early October, an interesting report came out of Britain, probably originating from the B. T. F. According to this account, the trawlermen found the best fishing in 1959 outside of the 12-mile limit. But the government ordered every trawler to spend time inside the limit under naval protection, which presumably meant inside the warrens, so that the nation might assert its rights to the limit.⁹⁴ In short, since some of the trawlers would have spent time within the waters, by forcing every vessel to do so meant that the government was giving an order which would potentially create more conflicts.

Yet, in contrast to this situation, the government met with the B. T. F. in February 1960 to suggest that the trawlers withdraw beyond the 12-mile limit during the

period of the Second Law of the Sea Conference (2nd UNCLOS). Because neither the trawlermen nor the government believed this to be a concession to the legality of the limit, the Federation announced on February 22 that it would voluntarily remain out of the area for the duration of the conference with the hope that such a gesture would aid in promoting the success of the conference. The talks were to begin on March 17 with the expectation that they would last for a month.⁹⁵ Because there was a move for worldwide implementation of a 12-mile limit at the meeting, perhaps the British government's suggestion to vacate the waters was an attempt to prepare the fishermen for such an eventuality. It is not surprising, that the Federation complied with the request at this time when, in spawning season, fish were plentiful and the fishermen would be able to maintain their catch outside the limit or in other waters.

Just before the conference began, another problem arose in the disputed waters. In early March, the Icelandic government officially protested the British trawlers' damaging Icelandic nets and insisted that the British government reimburse Iceland for all ruined gear.⁹⁶

During the period of the 2nd UNCLOS, at least two British trawler captains took their vessels into the 12-mile limit contrary to the B. T. F. orders. Both men

subsequently received suspensions from the Federation for their actions, probably sometime in April. Then in late May, the Aberdeen brothers James and Alexander Flett also received a suspension for allegedly taking their vessels into the Icelandic zone during the Conference. But the brothers maintained they had been in the Lofoten Islands off the northwest Norwegian coast. Because of this disparity, the Aberdeen fishermen threatened to strike on May 31.⁹⁷ Since there were no reports of a walkout, the B. T. F. apparently resolved the situation.

When the 2nd UNCLOS ended in failure, the Federation announced that British vessels would sail back into the 12-mile limit. The first vessels to do so set sail on April 27 from Hull and the Federation expected 120 trawlers would be in the zone within a week.⁹⁸ But on the following day, the British government announced that the R. N. vessels would only patrol outside the 12-mile limit. Consequently the B. T. F. ordered the trawlers to stay outside this limit. Thus, in a gesture of good will, the Icelandic government announced on April 29 that it would drop approximately three hundred charges accumulated against British trawlers for violations of the 12-mile limit. Britain viewed this move as a positive sign toward solving the dispute.⁹⁹ A few days later, in early May, Minister Hare met with Federation Vice President, J. R.

Cobley. Hare said that he was to have talks with the U.S. and Canada in an attempt to reach an agreement on the Icelandic limits. Meanwhile, Hare told Cobley that British vessels were to continue their avoidance of the 12-mile zone for three months.¹⁰⁰

On August 8, 1960, at the end of the three month period, talks with Iceland had stalled. This fact prompted the fishermen to tell the newly appointed Minister of Agriculture, Fisheries and Food, Mr. Christopher Soames, that they would return to the 12-mile grounds if talks did not resume in the near future.¹⁰¹ In response, the Foreign Office announced on August 10 that the two governments would begin trying to negotiate an equitable solution. The fishing industry thus extended by two months the prohibition against the trawlers entering the disputed waters. The next day the B. T. F. followed up the ban by ordering the captains to stay out of the limit until after the talks.¹⁰² This set of talks ultimately produced an agreement acceptable to both sides.

During this period in 1960 when the trawlers had received orders to stay clear of the 12-mile waters, Britain acknowledged that one vessel once entered the zone, at which time the Icelanders attempted to make an arrest. The Navy stopped the attempted arrest, and the trawler's owners punished the skipper.¹⁰³ According to the Iceland-

ers, on several occasions ". . . there were serious clashes between Icelandic coast guards and fishing boats on the one side and British trawlers and warships on the other."¹⁰⁴ An examination of Appendix 2 will show that there were several such clashes, but the accounts give the impression that they were not as serious as those during the preceding year.

According to Icelandic accounts, from the earliest days of the "hot" war, the R. N. vessels threatened to sink the C. G. vessels for attempting to arrest British trawlers inside the 12-mile limit. The naval vessels frequently interposed themselves between the trawlers and the gunboats, during which time there were many near collisions. These tactics prompted Iceland to contend that the R. N. was not following rules of navigation. Iceland further alleged that naval personnel encouraged the trawlers to ram C. G. vessels.¹⁰⁵ If the gunboats did manage to stop a trawler, it was met with some unusual resistance. "When Icelanders tried to arrest and board British trawlers potatoes and flour bombs were thrown, and fire hoses used to repel boarders."¹⁰⁶ As we have seen above, and as noted in the appendix, the trawlermen also used axes and the like.

The major cost to the Navy for protecting the trawlers was in extra fuel, which the government estimated to

be about £500,000 through January 31, 1960. The government gave this same figure to the press on March 3, and said that the ships had foiled fifty-five attempts to capture trawlers. The Navy also characterized the venture as good training in seamanship and diplomacy, and thus were even at odds with Iceland in this regard.¹⁰⁷ As of the end of May, the cost had risen to £670,000; further, by June 27, the defenders had frustrated seventy arrest attempts.¹⁰⁸ During the period October 1, 1960 to March 31, 1961 when the ships remained outside of the limit and no clashes occurred, the estimated cost to the Navy was £200,000¹⁰⁹ During the entire period, "forty-nine different British warships -- frigates and destroyers -- were deployed to Iceland, spending 1,854 ship days on patrol. . . ." This number included four large and thirteen smaller destroyers, six large and thirteen smaller frigates, one small warship, and a few oilers and auxiliaries having a total crew complement approximating 7,000¹¹⁰ The naval presence benefitted the Icelanders, on only one noted occasion when, on May 29, 1960, crewmen from the destroyer Dainty dismantled a mine caught in the nets of an Icelandic trawler.¹¹¹

To oppose the British incursion, the C. G. had one Catalina flying boat and possibly as few as two vessels at the start of the cod war.¹¹² As events progressed, a total

of seven vessels took part in the dispute with a combined crew complement of 103 men.¹¹³ Shortly before or during the early stages of the dispute, the government ordered a modern vessel from Denmark. The C. G. took delivery of the boat in late January 1960. This was the Odinn II which presumably replaced its namesake. But the new vessel, the largest and fastest in the mini-armada, never saw service during this conflict because the British withdrawal beyond the 12-mile line came shortly after the vessel's delivery.¹¹⁴ The government also decided to purchase a helicopter for coastal patrol. In order to finance the acquisition, it began a campaign in 1959 to sell buttons saying "The protection of the fishery grounds -- the future of our country," which were available at the polling stations. It is not known how successful this campaign was, but the C. G. did not receive its first helicopter until 1965.¹¹⁵

That the R. N. was successful in its attempt to thwart the Icelandic arrest attempts there can be no doubt, and there was also a genuine dislike for the C. G. crews by at least some British naval men. Yet the Navy was afraid of bloodshed by the trawlermen. Ultimately the crews lost their desire to aid the fishermen, revealing this attitude to the Icelanders in their radio conversations. The Icelanders taped these conversations and then

played them every day to the public. Gilchrist wrote that he "learnt more about the changing attitude of the British Navy from those intercepts than [he] did from any official document."¹¹⁶ Perhaps this attitude was the reason for the British government's demand that the trawlermen quit the 12-mile waters during the talks. Whatever the reason was, it was only through diplomatic events that the cod war came to an end.

As the 12-mile limit came into effect on September 1, 1958, an unnamed NATO official said that a new round of NATO-sponsored talks would begin. Furthermore, he informed the reporter that the level of these talks would be higher than those conducted during the summer.¹¹⁷ Also on that date, the U.K. issued a communique stating the reason for the failure of the NATO-sponsored talks. According to this account, Iceland demanded that Britain recognize Iceland's right to extend its fishery limit to twelve miles, and that this recognition was necessary in order to obtain an interim agreement which would be in effect until the end of the 2nd UNCLOS. Two days later, a note from Britain to Iceland claimed the right of compensation for any vessels which received damage or interference in their duties.¹¹⁸

To implement the new NATO initiative, interested parties also attempted to work through the United Nations,

the first such stimulus coming from the Foreign Ministers of Norway, Sweden, Denmark, Finland, and a representative from Iceland. Meeting in Copenhagen, the grouped said on September 3 that they would support a U.N. settlement of the dispute. Six days later they issued a statement to that effect. Also on that date, the U.K. signed a series of accords for the Law of the Sea Conference, including one which called for U.N. settlement of such disputes.¹¹⁹ Finally about this time, British trawler owners said that they agreed to having the International Court of Justice review the 12-mile limit.¹²⁰

On September 10, Foreign Minister Gudmundsson revealed that Iceland would ask the U.N. General Assembly to settle the dispute. He stated that the Icelandic position had always been that the General Assembly should decide on the Law of the Sea and that the failure of "experts" the previous spring in Geneva pointed out the fact that there should not be another such attempt at the same feat.¹²¹ About two weeks later, Selwyn Lloyd spoke to the Assembly contending that Britain had tried to start negotiations, but had no success. The British proposed two possible grounds for such an extension. First, if Iceland made the extension for economic reasons, his government was prepared to negotiate a settlement. If, however, Iceland based the extension on international law,

then Britain was willing to take the case to the ICJ and abide by a decision there.¹²²

Later that day, Gudmundsson responded to this British understanding. He began his remarks by remarking that this was the first time in several years that Iceland took part in the General Assembly debate, because his nation preferred to work for solutions within the committees. But the matter of the 2nd UNCLOS was so important that he now felt compelled to speak before the Assembly.¹²³ He reminded the group that Iceland had suggested in 1956 that the General Assembly settle the territorial seas question rather than having an international conference but that there was no support for such a proposal. He now suggested again that either the Assembly or its Sixth Committee settle the issue by debate rather than holding a second conference. He also made the point that the U.K. had never sent its warships to the waters of any other nation declaring a 12-mile limit, and cited the example of Britain having recognized in 1956 the Soviet 12-mile claim.¹²⁴

The next attempt to settle the dispute occurred in the Council of Europe. In October 1957, the rapporteur submitted a document to the Committee on Agriculture which examined the fisheries question based upon that document. The rapporteur made a second report to the Committee in

September 1958, but this time the Agriculture Group asked for a more detailed report based upon its discussion. Ultimately, in March 1959, the Committee submitted its report to the Council as a whole with recommendations.¹²⁵

On September 30, 1958, the Political Committee recommended that the Council of Ministers take up the matter of the 12-mile dispute. The Committee recognized the U.N. participation in the matter, but believed that there was a special relationship between the two nations, including the NATO link. However, although the Committee recognized Iceland's needs, the members also condemned unilateral action:

Your Committee recognize Iceland's special interest in a certain extension of her territorial limits [sic], but they are also conscious at once of the serious damage which would be done to fundamental principles of international law if in this case, and perhaps tomorrow in others, a unilateral decision by any State whatever was accepted. . . .¹²⁶

The Political Committee reported on October 10, that Iceland had no basis in international law for making a unilateral extension of its fisheries. But, because naval bases located there played such an integral role in the NATO defense system, the group went on to recommend that the Committee of Ministers look into a settlement of the issue. Interestingly, the Political Committee debated the issue without representation from Iceland.¹²⁷

Shortly after the report, Mr. Toncic of Austria and others brought forward a resolution to solve the fisheries dispute. In the resolution, the Council decided to form a group composed of members of both nations' Parliaments and representatives from other countries, so as to find an amicable solution. The reason for this move was that the members were "[c]onvinced that disputes among Member States of the Council of Europe should, if possible, be solved within the European family circle."¹²⁸ Thus we see an attempt to solve the situation in the same manner as the OEEC had done two years previously.

Speaking to the Council the next day, October 11, 1958, Per Federspiel of Denmark argued that the Council had called for the development of poorer countries, normally by allocating money to them. He said that the Council could accomplish the same ends for Iceland by changing the international rules and allowing that nation to have a larger fishing territory, thus creating for the Icelanders a more favorable economic climate. He accused Britain of driving the Icelanders toward the Soviet Union by closing its harbors to Icelandic landings. He then reminded the group that other nations were joining Iceland in pursuing larger fishery limits, citing talks between Britain and Denmark for such a move by the Faeroese.¹²⁹ After this Mr. Ormsby-Gore put forth an interim proposal

from the U.K. Britain offered to concede to Iceland either a guaranteed share of the total catch given or "an extension of fishery limits to six miles with additional concessions in areas of special importance," offering that the solution be in effect until the 2nd UNCLOS settled the question.¹³⁰ Britain, then, was appealing its earlier arguments before NATO to a different body.

At the end of the debate, Mr. Moe of France admonished his fellow delegates that they needed to abstain from all mention of NATO in the fisheries dispute. He said that members of Europe were calling Iceland a Russian pawn simply because the nation's Minister of Fisheries was a Communist. Secondly, he did not want the Icelandic government to get the impression that the only matter of interest to Europe was its use for bases.¹³¹

The next attempt for a settlement was at the NATO delegates' conference in November 1958, when an unknown delegate proposed to debate the Icelandic 12-mile claim. On the 20th, the assembly voted to reject the measure, thus killing the initiative at this meeting.¹³²

The issue came up again at the Ministers' meeting held in Paris December 16-18, 1958. According to Selwyn Lloyd, Hans Andersen raised the issue on several occasions during the meeting, including the pressure of the British Navy in the waters. Lloyd offered to pull back the ves-

sels in return for a cessation of harassment by the C. G. gunboats. Additionally, Lloyd repeated the offer of the British trawlers vacating the inner 6-mile zone with this area subject to C. G. patrol, and the outer six miles open to all. Andersen replied that he would refer the proposal to his government, but did not know what the reply would be, as the coalition had dissolved and the members were in the midst of attempting to realign. After forming a new government, the Icelanders rejected the proposal. When the meeting broke up, the final communique stated: "The council paid tribute to the efforts of the Secretary-General in the field of conciliation between member countries." The reiterated this rejection on April 3, 1959.¹³³

Before this NATO meeting, on December 10, Thor Thors spoke at the U.N. about the Hackness incident and made reference to the application of a double standard in applying the U.N. charter, and finally gave his government's response to the question of bringing the case before the ICJ, stating that Iceland would not do so "at gunpoint."¹³⁴ The government confirmed this decision on December 18 with a further explanation of its reasons in a note to Britain:

As the Second United Nations Conference on the Law of the Sea will be convened in the near future for the specific purpose of dealing with the disputed question of the extent of fishery limits as well as the breadth of the territorial sea, the Icelandic Government does not consider

it practical or desirable to refer the matter at the same time to the International Court of Justice.¹³⁵

Although the U.N. charter contains a clause stating that member states would accept ICJ jurisdiction, Iceland could legally deny utilizing the Court to settle the dispute because the nation excepted that clause when it became a member. Thus, the Icelandic government could accept or deny ICJ jurisdiction in every case to which it was potentially a party.¹³⁶ This fact would also come into play fourteen years later.

At some point in January or early February, 1959, the British government informed the Icelandic government that the R. N. had demonstrated its ability to protect British vessels in the disputed waters. With this in mind, they suggested that their two governments call a truce until the end of the 2nd UNCLOS. By February 18, though, Iceland had not replied to the recommendation.¹³⁷ In fact, there apparently never was a reply to the offer.

The Council of Europe Agriculture Committee made its report to the full assembly during the week of April 21 and the group discussed the matter. Sir Anthony Esmonde of Ireland pointed out that the report contained no mention of fishery limits and opined that this matter needed resolution. Mr. De Kinder, the Chairman of the Committee, reiterated his words from the report that the 1960 2nd

UNCLOS was to take up this matter, but added that established limits ". . . must invariably be respected." Concerning the conference he stated "I rather fear that the selfish interests of the countries concerned throughout the world will make it very difficult to achieve any practical result." The Council adopted the report as Resolution 198.¹³⁸ The Council then gave the report to its Ministerial Committee to examine, and also passed a copy to the OEEC to use as a guideline. Although the Council noted the education work of the European Productivity Agency, as stated by Sir Esmonde, none of the seven recommendations in the document addressed either the problem of fisheries conservation or the matter of the fishing dispute.¹³⁹ Thus the Council was even more adamantly opposed to the Icelandic position during the 12-mile dispute than it was in the 4-mile altercation.

Just as De Kinder began to press Iceland in the Council of Europe, which was shortly after the serious incidents in the zone, Iceland began to apply its own influence in NATO. This action first began in early April 1959, when Iceland formally declared that it would vacate its membership in the organization if the U.K. did not stop its intervention in the 12-mile zone. The British government replied that it would withdraw its navy when Iceland agreed to limit its exclusivity to six miles.

Just as with the earlier, similar offer, Iceland rejected the deal.¹⁴⁰ Although we might assume from these details that this was the April 3 rebuff referenced above, there are no details to suggest why there was no reportage of the episode for three and a half weeks.

Iceland increased the heat on May 23 by announcing that it would boycott the NATO congressional session on June 5 because the meeting was to be in London, a site unacceptable to the Icelandic government so long as the R. N. vessels were present in the 12-mile zone.¹⁴¹ Just two or three days prior to the conference, NATO officials asked Iceland to reconsider its attendance.¹⁴² It is not known whether the government did send representatives to the assembly.

The next pressure swell came from within the United States. Following the Icelandic election held in late June 1959, an editorial indicated that, since Iceland was united against its NATO ally, and even though there was no legal basis for a 12-mile claim, the British should quit the waters since the fish were not worth the greater price.¹⁴³

At the same time, the Executive Board of the International Confederation of Free Trade Unions met in Berlin from June 29 to July 3, with one topic under discussion being the 12-mile dispute. The board recommended that the

two nations establish an interim settlement equitable to both sides' interests, and also expressed a hope that the 2nd UNCLOS would find a final solution when it met.¹⁴⁴

Although this example called for equanimity, the fact that such an organization considered the problem shows that Iceland was beginning to draw attention from various corners.

Then, in a press release on August 7, 1959, Prime Minister and Minister of Fisheries Emil Jonsson clarified the talk about leaving NATO. He told British reporters that only the Communist Party members were in favor of withdrawal from the arrangement.¹⁴⁵ He probably also had words to say about the cod war situation because, shortly after his media event, Gilchrist held his own. He told the newsmen that an Icelandic vessel valued at £400,000 would soon dock at Leith and suggested that the government impound it. However, he also warned that ". . . the risk of losing the base at Keflavik was again giving concern to the Americans. . . ." ¹⁴⁶ Iceland was to have its last laugh on the ambassador, though, for the British Foreign Office disclosed later in the month that he was leaving the country to become the Consul-General in Chicago. Mr. A. C. Stewart, then holding a consular post in Jerusalem, was to be the new man in Reykjavik. The press release gave no reason for this change.¹⁴⁷ The reason stems from

an event earlier that month when Olafur Thors, who was to become the new Icelandic Prime Minister within two months, met with his counterpart, Harold Macmillan in Reykjavik. After these talks, the British P.M. told Kristinn Gudmundsson in London "I have been misinformed. I have been deceived." He was referring to information from Gilchrist that the Independence Party to which Thors belonged and which was in the opposition at the outset of the cod war, was against the 12-mile extension from the start. This misinterpretation may have led to the decision to use the Royal Navy.¹⁴⁸ At the very least, it hampered efforts to derive a conclusion.

On October 5, 1959, Thor Thors once again spoke at the U.N. General Assembly. He addressed the "constant threats of attack by United Kingdom warships on our small coastguard boats in the territorial waters off Iceland." He then explained once again that Iceland was not extending its territorial limits, but only its fishing zone. Afterward the British representative told of the offers by his government to go before the ICJ and also that all negotiation attempts in NATO had failed.¹⁴⁹ Some two months later the British Foreign Office said that the 12-mile dispute had been discussed on December 18 in the NATO Atlantic Council after Gudmundsson raised the issue. Both sides engaged in public attacks on the other, but then

Gudmundsson and Lloyd met privately for talks, though they did not find a proposal to settle the argument.¹⁵⁰

Although both of these attempts ended without resolution, it might be possible to look at them more positively. The events in the "hot" war during the spring had tempers high; at that time the Icelandic government was in the midst of an upheaval; and the British Foreign Office discovered that its calculations had all been erroneous. The speech by Thors, then, may have been a signal by Reykjavik that it was again time to attempt dialogue. If so, both sides may have discussed some concrete proposals at the NATO conference and presented such to their respective governments. Such conjecture shows even more plausibility if we bear in mind a few other details. First, we know that weather and generally decreased catches make December and January the months of minimal British activity in Icelandic waters. Second, western nations often experience somewhat of a drop in both inter- and intra-national activity during these months. Thus the period would be one in which leaders on both sides would have quiet discussions among themselves. This, then, may have been the manner in which the British decided to vacate the 12-mile limit during the 2nd UNCLOS. When we remember one further fact, that the government ordered the trawlermen

to remain out of the waters after the conference failed, the notion gains even further credence.

Until the talks which settled the dispute began in October 1960, there is little evidence as to what transpired in the diplomatic realm after December 1959. There were, however, two episodes which tenuously point to U.S. involvement with Britain over the matter. We find the first indicator during an evidentiary hearing before the Senate Foreign Relations Committee held in January 1960 about the upcoming 2nd UNCLOS. A special consultant for the State Department, Arthur H. Dean testified about ". . . the problems Great Britain has been having with Iceland which we are trying to work out. . . ." ¹⁵¹

Although many sources state that the U.S. and U.K. governments worked together to present a unified stance at the second sea law conference, the implication during Dean's several pages of testimony was that the U.S. was also working with Britain to solve the 12-mile dispute.

Concerning the second incident, it will be remembered that a few weeks after 2nd UNCLOS concluded, Mr. Hare told the B. T. F. that the government was meeting with representatives from both Canada and the U.S. A few days later an M.P. asked if the United States government had put pressure on Britain to keep the fishermen out of the 12-mile limit. Mr. Profumo, the new Minister of Defense,

gave a resounding "no" in reply.¹⁵² Here we see the government consulting with two foreign powers on the issue. Canada was in favor of the 12-mile limit; yet the parliamentarian did not question the actions of that nation, but rather those of the country which was aligned with Britain on the issue. Finally, the Defense Minister denied there had been U.S. pressure to settle the issue, but he did not go so far as to deny U.S. involvement in trying to find a settlement. Thus, from these two incidents, we have a suspicion of U.S. involvement.

Despite the British government's effort in late April 1960 to keep the trawlers and naval ships outside the limit for three months, apparently Iceland did not resume discussions. Consequently, Britain acted through Sweden on July 31 to request a return to the table before the end of the period. But Iceland still refused to negotiate on the matter.¹⁵³ (It is not known why the British government chose to work through a third party at this time.) By August 8, with Iceland still having sent no reply to the British request, Britain announced that its trawlers would move back into the 12-mile waters on the 12th. The trawlermen stated that they expected British Naval protection in the zone.¹⁵⁴ As we know, Iceland announced two days later that it would again parley, prompting the B. T. F. to order the continued retreat from the disputed area.

Well over a month later, on September 22, 1960, the two sides had completed arrangements for the talks, and Britain announced that negotiations would commence on October 1. At this time the government said that their representatives would be Mr. Basil C. Engholm, Mr. Anthony Savage (the Minister of Agriculture, Fisheries and Food), Miss Joyce Gutteridge (Assistant Legal Advisor in the Foreign Office), and Mr. R. H. Mason (head of the Northern Department at the Foreign Office).¹⁵⁵

Three days later, on September 25, while en route to New York, Macmillan stopped in Keflavik and spoke for two hours with P.M. Olafur Thors. "Mr. Thors said they discussed at length the Anglo-Icelandic fishery dispute." These apparently were exploratory talks in preparation for the full round scheduled to commence in six days.¹⁵⁶

The talks began on October 1, apparently undisturbed by an orderly protest of approximately 5,000 Icelanders in Reykjavik square.¹⁵⁷ Sir Patrick Reilly headed the British team, somewhat larger than the size reported by the press.

In addition to Engholm, Gutteridge, Mason, and Savage, it consisted of Ambassador Charles Stewart, T. F. S. Hetherington, and R. Beverton. Hans Andersen led the Icelandic delegation of Henrik Bjornsson, David Olafsson, Jon Jons-son, Gunnlaugur Briem, and Tomas Tomasson. The two groups met on October 1, 3, and 5. They had a fourth meeting

scheduled for the 6th but cancelled this session. Instead, Andersen, Bjornsson, and Olafsson met informally with Reilly, Engholm, and Mason at the British Embassy on the 8th after the Icelandic delegates consulted with their ministers. At Reilly's insistence, Andersen chaired the meetings.¹⁵⁸ During this entire first series of four meetings, Andersen and Reilly did most of the talking on their nations' behalf. Engholm spoke when the group needed the precise legal aspect of some specific point under consideration. At the end of the discussions, Reilly offered to stay in Reykjavik for further talks if the Icelandic government could agree to British proposals, with Engholm returning to London for discussions with the British government.¹⁵⁹ This proved unnecessary and the entire legation returned to London.

In his opening remarks, Reilly said: "We understand, of course, that just as my Government is under pressure from the British fishing industry, so your Government is also under pressure on this issue."¹⁶⁰ Reilly thus pointed out to his counterparts the necessity of divorcing personal sentiments from the task at hand. At the same time, he signalled that his group was ready to commence serious negotiations, requesting that the Icelanders do likewise rather than maintaining their obstinacy and expecting the British to do all the giving.

Reilly then defined the position from which the British were willing to negotiate, consisting of five points: 1.) exclusive Icelandic rights to a distance of six miles; 2.) a transitional period after which time Iceland would have exclusive rights to the full twelve miles; 3.) some areas in the 6- to 12-mile area reserved for Icelandic net and line fishermen during the transition period; 4.) British acceptance of Icelandic rules of conduct for safety regulations outside of the 12-mile limit and within the 6- to 12-mile limit during the transition period; and, 5.) reservation of some areas in the 6- to 12-mile zone for trawling and seine netting. He proposed a transition period of five years, half the time discussed at the 2nd UNCLOS.¹⁶¹

At the second meeting on October 3, "experts" discussed various problems which had surfaced, such as how to handle both sides fishing in an area at the same time, particularly during peak activity periods. A second point was the problem of enforcing British recognition of conservation zones beyond the 12-mile limit where Iceland also barred its own fishermen.¹⁶² The two sides also considered the agreement's specific terms. Whereas Reilly's five points from the first meeting constituted a proposal concerned solely with the 12-mile limit, at this meeting Iceland put forth several other issues as well. Concern-

ing the phase-out plan, Iceland proposed a stepped removal beginning at six miles and moving to the 12-mile limit in two mile increments. Reilly replied that, if accepted, this plan needed a longer period than five years for full implementation. The Icelanders agreed that this was a reasonable demand, but caused a problem by stipulating a size limit for the trawlers allowed in the waters during any phase-out time. The British contended that the distant water fleet included various sizes of vessels, so there should be no size limitation. Iceland replied that this would come under later discussion. Andersen also suggested three points to aid the Icelandic economy: an upward adjustment of the landings agreement to conclude making the compact with the government, rather than with the fishing industry as was the case with the one in effect since 1958; aid in joining the European Free Trade Association (EFTA); and aid in joint projects. Concerning this last point, when Reilly asked for clarification, Andersen spoke of rumors of financial assistance to Icelandic industry. Finally, Iceland wanted a further straightening of the baselines after the transitional period ". . . to help the Icelandic Government to present an agreement to their Parliament and public opinion." Andersen and Gutteridge were to meet privately after the session to discuss this topic.¹⁶³

In addition to the general discussion, the delegates deliberated two of these topics again at the third session on October 5. Concerning the additional straightening of the baselines, Reilly said that this would be the same as a further increase in Icelandic fishery limits, and thus was a "very difficult" question, but that he would not exclude the topic from discussion. Andersen assured him that any such move would occur after the transitional period.¹⁶⁴ In regard to economic aid for Iceland and EFTA membership, Reilly said that these topics required multi-lateral discussions, but he would propose them to the British government:

. . . A reduction of the 10 per cent. tariff on imports into the United Kingdom of frozen fish fillets, along the lines of the arrangement we have made under the EFTA Agreement and subject to the same conditions. . . . This is a tentative suggestion: . . . my Government . . . would have to consult their EFTA partners, especially Norway."¹⁶⁵

The rest of the day's talks centered around the conservation issue and implementation of the transitional period. The Icelandic delegates made it clear that, in addition to the transition period which Britain had defined as five years, they wanted areas beyond the 12-mile limit reserved for line and net fishermen. The British delegates did not believe that this would be necessary based not only on the density of Icelandic fishermen, but also on the lack of scientific evidence.

But the Icelandic members insisted on implementing such areas during the transitional period (which they now said was still undefined) so as to make the situation politically acceptable to the Althing and the Icelandic people. Britain proposed joint enforcement over the area, and addressed the economic question by proposing ". . . something which would help you to increase your sales of frozen fish fillets in the United Kingdom." However, they believed that any restrictions beyond the 12-mile limit would result in failure to reach an agreement.¹⁶⁶

Presumably the delegates cancelled the fourth formal meeting over the issue of reserved areas outside of the 12-mile limit, as this was the focus of discussion during the informal meeting which took place on the 8th. At that session, Iceland insisted that there should be some areas reserved for its net and line fishermen, whereas the British maintained that there should be none. The Icelanders viewed this part as necessary to sell the transitional period in the 6- to 12-mile region to both the public and the Althing; the British saw it as incompatible with economic assistance to Iceland, especially if the Icelanders insisted on the future baseline extension.¹⁶⁷

In return for the extension of its baselines, Britain said that Iceland would need to forego the claims outside of the 12-mile area, unless it based these assertions on

provable density figures for its line and net fishermen. Additionally, Iceland would need to accept the interim period of five years and guarantee that it would not extend its limits further. If the Icelandic government would consider these proposals, Reilly said that the talks could continue; if not, then the British delegation would return to London.¹⁶⁸ Apparently the terms were not acceptable to the Icelanders since they did return home. However, both sides concluded that they ". . . should not say to the Press that there had been a break, but our line should be that after a thorough review, the British Delegation had returned to London to report."¹⁶⁹ The two sides had made clear progress, however.

True to their agreement, the British legation returned to London on the 10th and announced that they had adjourned for consultation with their governments. The problem was that the Icelandic coalition government had a majority of only two members, so it was impossible for their agents to make any concessions. The British voluntary withdrawal from the 12-mile zone was due to expire on the 12th.¹⁷⁰ This proved to be a minor obstacle because the trawlermen agreed on October 11 to remain out of the zone while the talks continued. But they also stated that Icelanders could not sell their catch in British ports during the discussions.¹⁷¹

As of October 26, the British government simply stated that it hoped talks would soon resume.¹⁷² Then on the 28th, Andersen and Olafsson arrived in London ostensibly to discuss the resumption of talks.¹⁷³ The two men were actually present to conduct the second series of those talks. Their intent to continue discussions apparently took the British by surprise, because "Sir Patrick Reilly opened by saying that it had been [the British government's] hope that the next stage should be a further formal round of talks in Reykjavik." But the Icelandic intent in the earlier conference and again here was to hold preliminary talks:

Mr. Andersen said that his Government had had full consultations with their parliamentary supporters and had arrived at a sincere view on the possible terms of an agreement which might be acceptable to Iceland. His Government, however, did not think it desirable to resume formal talks without first reaching a basic understanding; this was why they had sent him and Mr. Olafsson to London for preliminary discussions.¹⁷⁴

On this occasion the British team consisted of Reilly, Engholm, Hetherington, Gutteridge, Savage, and Mason from the previous round, plus R. D. C. McAlpine, Commander R. H. Kennedy, Mr. M. S. Berthoud, Mr. A. J. Aglen, and Mr. D. Summerhayes. This round consisted of two talks (morning and afternoon) on the 28th, then one each on the 31st, November 1, and November 4. The first four were at 12 Carlton House Terrace, and the final session at the

Foreign Office. Only Reilly, Engholm, and Gutteridge attended all five sessions.¹⁷⁵

At the first session, Andersen handed Reilly a memorandum based upon the first series of talks to use as an outline for this second series. Of the eight points in the paper, Andersen said ". . . the Icelandic Government . . . is prepared to recommend the following points to its supporters as a reasonable settlement." These points were: 1.) Britain was to cease opposition to the 12-mile limit; 2.) Iceland would modify its baselines along six coastal areas, the islands of Grimsey and Hvalsbakur; 3.) Iceland would establish eight areas in the 6- to 12-mile zone wherein British trawlers might fish at selected times of the year during a 3-year phase out period; 4.) five areas within this zone would be designated as reserved for Icelandic small boats; 5.) six areas beyond the 12-mile limit would be reserved for Icelandic small boats at selected times of the year; 6.) Iceland would enforce those rules of conduct which Britain submitted; 7.) Britain would increase Icelandic landing quotas, drop the limitations for landings in Britain, and drop its tariffs on Icelandic landings; 8.) Britain would agree to a possible further extension of the limits, subject to bilateral or multilateral agreement and arbitration.¹⁷⁶ Andersen elaborated on points seven and eight in the memorandum.

First, the British was to double the amount of Icelandic landings in their country to a value of £3.6 million and do away with "limitations on species and quarter carry-over. . . ." He asked for these two points because the valueless summer catch reduced the allowable landings to an effective value of £900,000. He further said that Britain had to reduce or eliminate the tariff on all Icelandic-landed fish. Concerning future actions, the negotiating basis was that Iceland might in the future unilaterally extend its fishing limits while recognizing the right of the U.K. to request arbitration.¹⁷⁷ In short, Britain would have lost more from these demands than if it had simply recognized the 12-mile limit.

This initial discussion then centered on the Icelandic memorandum, with Olafsson saying that the Icelandic fishing industry was putting pressure on the government over the intent proposal for a transitional period. The two sides then adjourned to allow the British experts to discuss the memorandum. When they reconvened, Reilly said that the conditions went beyond the point of compromise in the demand for areas exceeding the 12-mile limit, the trade concessions which would further effect the British industry, better tariff concessions than those given to EFTA partners, and another possible extension which ". . . did not give much grounds for confidence in the

future. . . ." He summed up by saying "The way things now stand there was no basis for negotiation." Andersen replied that the proposals were based upon ". . . what his Government could get through the Althing. . . . Their purpose was not to say 'take it or leave it' but to explore the possibility of agreement and to see how far the United Kingdom could go."¹⁷⁸

Reilly told the Icelanders that he did not have the authority to accept a capitulation of areas outside of the 12-mile limit, but suggested instead that they lower the interim period for Britain to utilize the 6- to 12-mile zone to four years. Iceland would also be able to expand their British markets. In return, Iceland was to give assurances that they would not extend the limit beyond twelve miles. Andersen replied:

. . . [T]hat this kind of agreement would be quite impossible. . . . [T]he baselines were the key to the whole problem. . . . They had presented the framework of an agreement and would like to know how far [the British] could go on each point. . . . [I]f the United Kingdom delegation could accept no baseline changes and no outside areas then he would have to go away empty handed and this would be the end of the negotiations.¹⁷⁹

The Icelandic position was so inflexible on the baseline issue because ". . . they were consistent with the 1958 Convention . . ." derived at the 1st UNCLOS, so the British industry could not really complain about further

losses. Moreover, the Icelanders were in a situation where home politics demanded a tough stance:

Mr. Olafsson said that in Iceland there was a divergence of view as to whether there should be any agreement at all. Some people thought that Iceland had already achieved recognition of the 12-mile limit, except by British trawlers. If the United Kingdom stuck to what the British fishing industry wanted, an agreement would never be achieved. He personally thought that the current opposition on the part of the British industry to landings of Icelandic frozen fish as well as other fish showed that they were not interested in an agreement.

Mr. Andersen said it was not a matter of what the Icelanders could reasonably expect as to accept, but rather what his Government could get through the Althing. They had consulted their Althing supporters and [the memorandum] was the result.¹⁸⁰

With such a pessimistic outlook, the meeting adjourned until later in the afternoon.

When the talks resumed, Andersen handed Reilly another memorandum. This note read in part:

The Icelandic government reserves its right to extend fisheries jurisdiction in Icelandic waters in conformity with international law. Such extension would, however, be based either on agreement (bilateral or multilateral) or decisions of the Icelandic Government which would be subject to arbitration at the request of appropriate parties.¹⁸¹

Discussions then commenced on the matter of trade concessions. Olafsson asked for the abolition of all tariffs on fish products, but Engholm said that this would give Iceland better terms than the British partners in EFTA and the General Agreement on Trade and Tariffs (GATT), so his

counter-proposal was for a loosening of restrictions, including increasing the overall Icelandic landings quota. Olafsson assured him that it was not in Icelandic interests to create a glut, but Engholm insisted that the industry could only accept a modification to the trade agreement if they were not forced to capitulate much in other areas.¹⁸²

The second topic discussed was the baseline issue. Reilly objected to the proposed baselines as being out of line with the 1958 Convention, but said that some minimal modification would be acceptable provided Iceland dropped its demand for exclusive areas beyond the 12-mile limit. Engholm stressed that it was a choice of one of the two proposals. Andersen rejoined that they required acceptance of both conditions or else they would leave. Consequently Reilly inquired as to which of the areas beyond the limit were the most essential, to which Olafsson indicated those along the north coast. Engholm turned the subject to the enforcement issue, and suggested joint policing in the 6-to 12-mile area, but Andersen replied that they would only consider British policing in those areas beyond the 12-mile zone.¹⁸³ At this point the meeting adjourned.

At the third meeting on October 31, Reilly suggested considering the baseline question and the conservation

zones beyond the 12-mile limit as separate from the context of the economic question. He then proposed baseline changes in four areas with one of those doubtful for acceptance. Andersen replied that the proposal would be acceptable provided they obtain the conservation zones both along the northwest coast and between the island of Grimsey and the mainland, but that they would drop the other areas. Reilly next summed up the talks on the trade concessions into the areas of lowering tariffs and revising the landings agreement between the two nations' industries. Andersen found the latter matter difficult as he did not have an industry spokesman at hand with whom he could consult. Engholm pointed out that both concessions and the insistence on the small boat conservation areas would be difficult for the British industry to accept. Olafsson, however, insisted that the Icelandic government considered any concessions within the 12-mile limit as giving up on a point already won, so the areas outside of the 12-mile limit were necessary as compensation for having a transitional period.¹⁸⁴ Reilly summed up the meeting as follows: 1.) Britain would have access to the 6- to 12-mile zone for a transitional period of three years with specific details to be worked out at a later meeting; 2.) Britain would accept a change of baselines in three and possibly four areas; 3.) Britain would accept

two small conservation areas reserved for small boats in the waters beyond twelve miles; and, 4.) Iceland would agree to drop the issue of economic concessions. Andersen said that future assurances would depend on the baseline issue, but that any final settlement needed "to avoid the words 'bilateral agreement'. . . ." ¹⁸⁵

When the delegates met for their fourth meeting on the following day, Reilly again raised the issue of the interim period, arguing that a five years term would be fair in light of the fact that the 1958 accord recommended a ten year period. Furthermore, he contended that other restrictions in the 6- to 12-mile zone would make the five year period more equitable. He recognized that moderate demands were appropriate since 1963 was an election year in Iceland. But Andersen himself apparently stated that he could personally recommend a four year period, and since such a period would extend beyond the elections, then politics was not a valid reason to deny a five year period. Andersen said that the extension beyond three years would depend on getting all four of the baseline changes approved. ¹⁸⁶

The next area under discussion was a written draft from Iceland concerned with the assurances against a further extension. The wording mentioned a possible unilateral extension to which there could be arbitration.

Gutteridge rejected the proposal, and submitted the prior wording from the Icelandic memorandum which referred to extensions in accordance with international law and the use of multilateral agreements. Andersen said that the intent was to have the ability to apply customary law as well as international law, but Gutteridge vetoed the idea of applying customary law. When Engholm asked about a 1959 Icelandic resolution to work for exclusive control of the entire continental shelf, Andersen replied that this would be different from the 12-mile limit. Gutteridge proposed that she would work on a new draft for this item.¹⁸⁷

At the end of the session, Reilly recommended that they have one more meeting:

Mr. Andersen said that if he had to go home and report that he had not obtained satisfaction in London on the main points desired by the Icelandic Government, then the talks would have to be broken off entirely. What he would like would be to settle the main points of the agreement here in London and he was willing to stay as long as might be necessary to achieve this.

Reilly replied that he was willing to stay as long as might be necessary, but that he had to consult with British ministers after their next meeting.¹⁸⁸

The two sides finally began to make some headway at the fifth meeting on November 4. During the session, the participants agreed on a draft of the assurance by Iceland not to extend its limits beyond twelve miles. Although

this blueprint was not the same as in the final agreement, it was a basis of acceptance for which the two sides exchanged notes. Any future action would be in "conformity with a rule of international law, established by general consent, which would permit such an extension. . . ." It also contained a provision for ICJ arbitration upon request of either party. Other points of agreement were: Britain would not oppose the 12-mile claim; Britain would have access to the 6- to 12-mile waters at certain times of the year during a transitional period yet to be determined; there would be two areas along the northwest coast reserved for small boats; Iceland would make three baseline modifications; and Iceland would forego a fourth modification along the west or southwest coast in return for a reserved net area in the 6- to 12-mile region.¹⁸⁹

Once the delegates agreed on these points, Engholm told the Icelanders that, although the government might make the agreement, the fishermen themselves had to accept its terms for it to be of value. He said, "First our trawlers might refuse to respect the outside areas and there would be incidents; secondly action might be taken to prevent imports of Icelandic fish." In response to this pronouncement, "Mr. Andersen said he was under the impression that the industry was in the Government's

pocket." Reilly denied this and said that the government would attempt to persuade the fishermen to accept the agreement.¹⁹⁰ Since we have seen how the government ordered the trawlers to stay out of the 12-mile area, the government was probably able to exert more influence over the fishermen than they were willing to admit during these diplomatic events. At the same time, such a warning also served notice on the Icelanders that Britain, too, had political aspects to reconcile regarding the agreement. After this warning the session came to a close, at which time "[i]t was agreed to hold the next meeting in the Foreign Office at 3:30 p.m. on Monday, 14 November."¹⁹¹

After the two Icelandic delegates returned home, the British press reported on the volatile political nature of an agreement there. On November 7, the Minister of Justice, Bjarni Benediktsson (Independence Party) said that the government was justified in seeking a negotiated settlement. He believed that allowing the British to use the 12-mile zone for a transitional period, which might be as long as five years, would require further British concessions, possibly in the area beyond twelve miles. The next day, though, Foreign Minister Gudmundsson (Social-Democrat) said that the nation should not negotiate for the area beyond the 12-mile limit, since other nations would also be fishing in those waters. Instead, he opted

for a decrease in British tariffs on fish imports and an increase on the import limitation from Icelandic fishermen. On that same day, the Progressive Party proposed asking the United States for protection of the 12-mile zone from British ships. The other parties opposed this idea, believing that the entire problem was an internal matter.¹⁹² The political battles received further emphasis when Iceland failed to meet the planned third round of talks on the 14th. Because of the small majority which the coalition government enjoyed, they said that they needed to devote attention to the forthcoming National Labor Congress, and that they probably could not attend talks for another two weeks.¹⁹³ If this were indeed the reason, we might still interpret the delay to the political aspect because of the high influence of the fishing industry in both this organization and the government.

Sir Patrick Reilly (whom we now discover to be the Deputy Under-Secretary of State for the Foreign Office) and the British delegation finally returned to Reykjavik on December 1, 1960, for the next round of exploratory talks, but ran into a set of "new difficulties" at the outset.¹⁹⁴ This series consisted of two formal meetings on December 2; a third, informal meeting that day; another informal meeting on the 3rd; an unscheduled meeting on the evening of the 3rd when the Icelanders called on the

British members; and finally, the sixth session - a formal meeting on December 4. With Reilly on the British side were once again Ambassador Stewart, Mr. Engholm, and Miss Gutteridge, although only Reilly and Engholm attended all sessions. Andersen, Bjornsson, and Olafsson again did the work for Iceland with the first two at all sessions. Additionally Ministers Thors, Gudmundsson, and Benediktsson, and Emil Jonsson (the former Prime Minister) attended one or two of the initial sessions to discuss the basis for the talks. The actual work took place at the remaining sessions, whereat the primary job was "to discuss the terms of the assurance formula."¹⁹⁵

At the outset of the first meeting, Reilly gave his regrets that the results of the second series were unacceptable to the Icelandic government.

It had been [the British delegates'] understanding that the position reached was acceptable to the Icelandic Government and British Ministers had been so informed. the latter were naturally very disappointed to learn that this was not so."¹⁹⁶

Although it is not known when the British learned of the Icelandic rejection, Macmillan had met with Thors at the latter's request sometime between the second and third series of meetings.¹⁹⁷ It was probably at this time that Thors stated the position of his government.

The British delegation then gave the position that the basis for an agreement had to be within the context of

a single, unified "package deal." They believed that the following problems needed resolution:

- (a) The extent of the restrictions on the United Kingdom fishing inside the 12-mile limit.
- (b) The extent of such restrictions outside.
- (c) Proposed baseline changes.
- (d) The date on which these changes would take effect.
- (e) The length of the transitional period.¹⁹⁸

The British expressed the view that Iceland should wait two and a half years to make the baseline changes since it was the Icelanders making the proposal; they also wanted the five year transition period in return for accepting all the baseline changes, or four years if there was partial consensus. Iceland, however, said that the effective date of the changes had to be at the start of the agreement, and that a four year transition "would be very difficult for the Icelandic Government, but was not entirely excluded. Five years, however, was quite hopeless."¹⁹⁹

The British view on further extensions was that the agreement needed to include three points: 1.) Iceland would only enact further extensions in accordance with international law established either through an international agreement or by a general rule of custom; 2.) Iceland must agree to submit any dispute over such action to the ICJ, and during the hearing and deliberation period, the extension would not be applicable to British

vessels; 3.) these points were essential to the overall agreement. The Icelandic team said that the national goal was still to control the continental shelf, but that the government wanted any further action based on international law and they would be willing to go to the ICJ.²⁰⁰

The second meeting dealt with the issue of economic concessions. The Icelanders insisted that the British lift the landings ban upon implementation of the agreement, but they said that they would not press for either the tariff reforms or other economic adjustments. Engholm replied that the industry was responsible for the ban, but he believed that, if the industry felt that the agreement was acceptable, then they would lift the embargo. He concluded that the biggest problem for its acceptance was the baseline issue.²⁰¹ At this point he informed the Icelanders that any economic modifications were out of the question because of Iceland's overall demands, and that the key problem was the matter of further extensions. The Icelandic delegates reiterated that they were dropping the trade question but that the primary problem was how to apply any future extension with reference to an ICJ ruling.

Mr. Benediktsson . . . admitted that Her Majesty's Government's attitude on this point was reasonable, but he said that it was very difficult to present to Icelandic public opinion. It might perhaps be possible to find some form of words which would imply an obligation not to

apply the extension until the Court had decided, without stating it explicitly in words on which the Opposition would fasten.

Further, they stated that they did not want a treaty to settle the dispute; they preferred only declarations, but if Britain insisted on a formal process, they would accept an exchange of notes. Mr. Thors also introduced the question of the length of the transitional period.

[Thors] said that many Government supporters thought that this should not extend beyond the election, i.e., not more than two-and-a-half years. He emphasized that anything more than three years would be extremely difficult for the Icelandic Government.

Finally, the Icelanders were also concerned that other nations, especially NATO allies, would also want concessions.²⁰² Thus, by the end of the second meeting, the two sides had agreed on the major issues which they needed to settle and had only to work out the details.

Iceland had sent a telegram to the British government on November 28 (Telegram No. 354). In this wire, they proposed alternatives to the points which the two sides had agreed upon during the second series. The British found these unacceptable because Iceland wanted "resolutions of international conferences and dicta of international law bodies" used as the basis for international law. The British believed that these circumstances were guiding principles rather than binding tenets of international law. Further, the proposal did not contain a

provision for U.K. vessels to continue fishing during the period of an ICJ review. This subject became the basis for the first informal round of talks on December 2.²⁰³ The two delegations apparently did not find a solution to the problem because they continued this discussion on the following day. At this second informal session, the Icelandic members stated that the cabinet insisted on the arrangements in Telegram 354. Reilly countered that if this was the final Icelandic position, there was no basis to continue talks, but he proposed that Iceland give six months notice of any future extension so that any disagreement would have time to go before the ICJ. The session concluded with talk of unilateral action by Iceland in the future.²⁰⁴

The two sides attempted to conclude the discussion on ICJ referral during the "drop in" session when the Icelanders called upon the British delegates. Andersen put forth a draft which allowed for six months notification to accommodate ICJ referral. The British modified the proposal to include a statement about making the change in accordance with international law.²⁰⁵ However, the next day at the third formal meeting, the Icelanders announced that the cabinet had rejected the proposal because it included the statement "in conformity with international law." The government believed that the idea of bringing

the matter to the ICJ was sufficient reference to international law. The ministers took this stance because they felt that the terminology would be "impossible to justify to Icelandic public opinion," despite the fact that they had used these words in Telegram 354. Andersen next addressed the issue of an exchange of notes, stating that he believed the agreement might come into effect in this manner. According to Reilly, the British required such an exchange to take place. He modified the proposal, though, by suggesting that one note cover the extension issue and a second note deal with the new baselines. Finally, they also clarified the point that the baselines would be for purposes of fisheries only.²⁰⁶

At this point the talks ended and the British delegation went home on the 5th. Although they did not agree on a date for a continuation of the talks, they hoped to do so at the NATO meeting in Paris during the week of December 12. In the meantime, British trawlers would continue to stay out of the waters, but the landings ban would also continue.²⁰⁷

The two sides did indeed meet in Paris for two meetings on December 17 and 18. The meetings then moved to London for one session on December 19 and two on the 20th. They held the Paris meetings in conjunction with a meeting of NATO ministers. Initially Gudmundsson said that he was

not going to attend the conference, but Thors asked him to do so in order to meet with the British Secretary of State, the Earl of Home, to solve the dispute. Gudmundsson attended all five sessions; Andersen was the only other delegate for Iceland. On the British team, the Earl of Home was at all five meetings. The rest of the delegation consisted of Mason, Reilly, Engholm, Sir Evelyn Shuckburgh, Mr. Ian Samuel, and Mr. F. A. Vallat.²⁰⁸

The first meeting met with a problem when Gudmundsson announced that the Althing had objected to using the term "agreement" in any settlement. The proffered reason was because the term was too reminiscent of the fishing rights accord struck between Britain and Denmark in 1901, which resulted in near ruin for the Icelandic fisheries. The initial objection came to a draft text which Stewart delivered by note on December 14. At that time Gutteridge worked by telephone and confirmed the wording. In order to ensure that the opposition would not raise objections, Gudmundsson now asked for wording similar to that from a NATO proposal in 1958, but he did not elaborate on that wording²⁰⁹

The text apparently also gave proposals for limitations on British fishing inside the 12-mile zone off the southeast coast during a three year transition period, but not in other areas within the zone, nor any reserved areas

outside the limit. Gudmundsson indicated that the Social-Democratic members of the government did not object to the text, but that the Conservatives did. He also "said that a five-year transitional period was out of the question. There would be elections in three years' time and if British trawlers were still fishing within 12 miles an impossible political situation would arise." Finally, he stated that they might reach a settlement based upon the British note and talks which members of the British fishing industry had made during the 2nd UNCLOS, but that such an agreement was contingent upon two conditions: first, the U.K. needed to accept Iceland's 12-mile fisheries jurisdiction; and second, Iceland would give assurances of not making fisheries claims beyond the 12-mile limit. He noted that, although he did not have authorization to make any official proposals on these two items, he believed that such a solution would be promising if the U.K. immediately revoked all claims to the 12-mile limit.²¹⁰

When the two sides met for the second time in Paris, the Earl of Home said that the wording in the Icelandic proposals was satisfactory, provided the final paragraph also contained a statement for registering the notes with the U.N. as specified in Article 102 of the charter. He also proposed a confidential exchange of notes stating that they would constitute an agreement. Gudmundsson

replied negatively to the proposal for the secret agreement and proposed that Mr. Stewart would provide a note stating that Britain would register the exchange of notes, to which provision Iceland would not object.²¹¹ The British then made a query about the areas within the 6- to 12-mile zone reserved for Icelandic vessels. "Mr. Gudmundsson replied that he would be prepared to drop this requirement and face the political consequences in Iceland. There need be no alteration in the north-west nor the south-east." British vessels would have only two areas closed to them within the zone; all other locations would be available during the transition period.²¹²

At the third meeting in London on December 19, the delegates simply discussed two courses of action: a settlement which would give Britain rights inside the 12-mile limit for a specified period; or Britain's immediate, permanent withdrawal from the zone in return for assurances of no further extensions. The Icelandic members said that the first course would be more acceptable to their government.²¹³ At the next meeting the two Foreign Ministers continued this discussion. Gudmundsson said that his government could agree to registering the second course with the U.N. in lieu of a formal treaty with Britain. He believed that British trawlermen would also accept such terms based on their remarks at the 2nd UN-

CLOS. The Lord of Home replied that he could not understand the acceptability of registering one proposal but not the other. He closed by saying that if there was no settlement, British fishermen would work within the 12-mile limit "and this would raise the question of naval protection."²¹⁴

Later that day, after the Lord of Home conducted discussions with Macmillan, the two sides met for the final time. Home stated that there was a need for solution and offered to help the Icelandic government push the first course through the political barriers by suggesting a break up of the notes. They could exchange one note for the interim period as an "understanding;" a second note would give assurances about maintaining the 12-mile limit and would be registered. Gudmundsson replied by noting that the opposition parties wanted no registration, and "that he personally had no doubt that Solution No. 1 was better in every way, except from the political point of view." At that point the talks concluded.²¹⁵

On the following day, December 21, the British sent a draft settlement note to Iceland. By January 23, 1961, when the Icelanders still had not sent their reply, Gudmundsson told Stewart that the government had been too busy to consider the note. This prompted Stewart to write another letter in which he concluded:

"My colleagues and I are seriously disturbed by the probable consequences of failure to achieve a settlement in the very near future. I am sure that unless we can tell our industry within the next fortnight that a reasonable settlement is in sight, a critical and dangerous situation will arise."²¹⁶

At least one more of these letters threatened the Icelandic government with the consequences of not entering into an agreement. In a February 13 reply to these messages, Gudmundsson stated that Iceland was ready to settle the dispute, but demanded several conditions: the government would put the matter to the Althing at the time it wanted; the terms were to be kept secret until then; there was to be subsequent discussion for allowing Icelandic landings in Britain; all notes were to be combined into one document; British warships must be kept out of the 12-mile zone; and Britain would not attempt to extend their usage of the 6- to 12-mile zone beyond three years. Nine days later Britain agreed to the conditions and the Althing received that note on February 28. The Icelanders demanded these terms because the opposition Progressive and Peoples' Alliance parties had been against a negotiated settlement since November 25, 1960. Consequently, when the Althing received the proposal, the leading members of these two parties called for a vote of no confidence. The ruling Independence and Social-Democratic Party members both denied that the details consisted of a

compromise or negotiated settlement, and also denied that they made the settlement under duress. The result was passage of the settlement on March 9 by a vote of 33 in favor and 27 opposed; the no-confidence vote had also failed earlier. Three days later the Icelandic government dropped all illegal fishing charges against British trawlermen.²¹⁷

The final document was an excellent compromise on all points addressed during the four series of discussions. The British accepted the new limit with the wording "The United Kingdom Government will no longer object to a twelve-mile fishery zone around Iceland. . . ." Iceland measured this zone from new baselines drawn at four locations, but gave up claims for conservation zones beyond the 12-mile limit. There was to be a three year transitional period during which time Iceland "will not object to vessels registered in the United Kingdom fishing within the outer six miles of the fishing zone" in seven regions during certain specified periods, but British vessels would not fish within the remainder of the zone. Finally, the Althing would continue to implement its resolution of May 5, 1959 to seek control of the fisheries over the entire continental shelf, but would give the U.K. six months notification of any extension; further, either party might bring any dispute over such extension to the

ICJ.²¹⁸ Britain addressed some of the other points in its acceptance note:

I have the honour to confirm that in view of the exceptional dependence of the Icelandic nation upon coastal fisheries for their livelihood and economic development, and without prejudice to the rights of the United Kingdom under international law towards a third party, the contents of Your Excellency's Note are acceptable to the United Kingdom and the settlement of the dispute has been accomplished on the terms stated therein. I also confirm that the United Kingdom Government agrees that the settlement becomes effective forthwith and that the Notes exchanged today shall be registered with the Secretary-General of the United Nations in accordance with Article 102 of the United Nations Charter.²¹⁹

One Icelander writing some years later said that Bjarni Benediktsson "was the main person connected with the 1961 agreement." He worked behind the scenes to forge the document, then worked within the circles of government to gain support for the agreement. He worked cautiously in his task, as he believed that Iceland could not win all of its fisheries goals in a short span of time.²²⁰ But some Icelanders believed that "[t]he victory over Britain must be ascribed to the NATO powers, especially the United States who exerted pressure on Britain."²²¹ A Norwegian concurred:

There is no doubt that NATO had a great deal to do with the final settlement. Such member nations as Canada, Norway, and Denmark showed great sympathy for the case of the Icelanders, and it was particularly in the interest of the United States to press for a solution.²²²

Neither of these individuals offered any proof of such NATO involvement the final settlement. Yet when we consider the deterioration in East-West relations at the time, it is entirely plausible that NATO members did seek to shore up weak areas within the organization.

This final agreement divided the disputed zone into two areas and used a phasing-out period originated in the 2nd UNCLOS. Consequently, it is necessary to examine briefly how that came to pass. When the 1st UNCLOS proposed a second conference, the General Assembly's Sixth Committee discussed that notion, as well as the failure of the 1st UNCLOS to find solutions to the boundary questions. Initially Andersen told the General Assembly that Iceland preferred for that body to settle the questions, but he agreed that the Sixth Committee could perform the work. When the committee set to work, Chile, Ecuador, El Salvador, India, Iraq, Mexico, and Venezuela proposed that the Fourteenth session of the General Assembly discuss and settle matters. When the proposal did not pass by a vote of 37 to 28, the committee discussed another proposal for a second conference. Andersen gave the Icelandic opinion that the Sixth Committee resolve any outstanding matters, rather than holding another conference, but the notion to have the symposium prevailed. Initially, the resolution was to hold the meeting in August 1959 in Geneva, but the

same nations listed above proposed and passed a delay for adequate preparation until April 1960.²²³ After Sixth Committee passage, the full Assembly adopted the resolution for a meeting March 17 to April 26, 1960. The General Assembly also limited the agenda to the two questions of the breadth of the territorial sea and fisheries limits."²²⁴

During preparations for the conference, a lobbying campaign began. "A few states, notably the United States and the United Kingdom, tried to clear the ground by first holding informal talks with a certain number of other states. These approaches were not successful."²²⁵

Shortly after the meeting convened, the Icelandic delegates indirectly placed the dispute with the U.K. in the fore by tabling one of the first proposals. Their suggestion was to allow a nation particularly dependent upon fishing to have rights within a fisheries zone before those nations having historic rights. The Committee of the Whole vote to adopt the proposal, with 31 ayes, 11 nays, and 46 abstentions. But this plurality was short of the majority necessary for adoption.²²⁶

Although there was a considerable number of proposals to settle the territorial sea and fisheries zone questions, perhaps the concept which was the most significant became known as the U.S.-Canadian plan. According to its

terms, a nation might declare a 6-mile territorial sea with an additional 6-mile contiguous fishing zone. After such a declaration, nations with historic fishing claims to the waters would enjoy a 10-year phase-out period. To this basic plan, Brazil, Cuba, and Uruguay proposed an amendment which would allow a further declaration of fishing rights. The delegates voted on the proposition on April 26, with the count coming in at 54 to 28 with 6 abstentions, a clear majority. The measure missed passage, however, because it lacked the necessary two-thirds majority by merely one vote.²²⁷ This conference, too, adjourned without conclusions, but Iceland used this final vote to show that a majority of nations approved of a 12-mile limit.

The British government, as opposed to the fishing industry, was the principal actor in this second dispute, but the British fishermen did not passively watch the proceedings. When Iceland first began making statements about a unilateral extension during the 1st UNCLOS, Captain D. Welch, the secretary of the Grimsby Trawler Officers' Guild announced on March 30, 1958, that the skippers might call for another landings ban against Icelandic trawlers if Iceland promulgated a 12-mile limit. Representatives from the guilds in Fleetwood, Hull, and Grimsby met the following week in Hull for talks on the situation,

after which Sir Farndale Phillips announced that the fishermen would try to impose a landings ban on any nation which extended its fishing rights. Furthermore, although the B. T. F. preferred a 3-mile limit, he said that the organization supported the 6-mile proposal which their government put forth at 1st UNCLOS.²²⁸ In late August when all the talks had failed, fishermen at both Hull and Grimsby wanted to impose the boycott again, and they had the support of the owners. But, since the government was in charge of the actions this time, they could not do so without governmental authorization for fear of losing the promised naval protection. During the first week of the new limit, a spokesman for the Grimsby Trawler Officers' Guild touted the governmental line that, because the Navy was protecting their vessels, there was no need to ban Icelandic landings.²²⁹

Despite the fact that there was no ban, the first such landings at Grimsby following the imposition of the new limit did not occur until December 27. There had been landings at other ports, though, and Grimsby merchants had made purchases from them. There may have been more such landings in short order, because on January 2 the Grimsby Trawler Officers' Guild protested those landings which came from within the 12-mile limit.²³⁰

It will be remembered that one of the problems during the settlement talks was the matter of setting aside areas for Icelandic fishermen using nets and long lines. The issue arose in early 1959 as a result of British trawlermen using the same areas off the west and southwest coasts as these men. Because of this problem, the owners advised the B. T. F. to announce on February 26 that the skippers were to avoid the areas where the Icelanders deployed their nets within the 4- to 12-mile zone. In this manner, they hoped also to avoid undue clashes with the Icelanders.²³¹ Steering clear of the area would also avoid fishing delays which would occur when their trawling gear and screws becoming entangled in the nets.

The advice to take this step possibly came from the public relations firm working for the B. T. F., Galitzine and Partners. The Federation had changed from its previous firm, Patrick Dolan & Associates, at the end of 1957. The change worked to the disadvantage of the British:

Dropping one PR firm and hiring another so soon before the [First Law of the Sea] Conference meant that nobody with the requisite political skills in the industry, or for the industry, was giving serious and connected thought to what advice to give the Government (about fisheries zones and the like) or how to go about giving it.²³²

As a result of this change coming on the eve of the conference, the new firm's work through the end of the Geneva meeting was only routine, giving no consideration to the

long term politics of a fisheries extension.²³³ The first significant work which the company performed came in the fall of 1958 when it published for the B. T. F. the pamphlet "The Right to Fish on the High Seas," which was supposed to dovetail with the official governmental pamphlet "The Problem of the Fisheries Around Iceland," that being "an official memorandum submitted to the General Assembly in November 1958. . . ." In contrast to this single governmental item, the Icelandic government produced three pamphlets.²³⁴ During 1958, the firm also arranged for more than one hundred journalists to report from R. N. vessels. This coterie of reporters received the nickname "the cod club," a name which Galitzine Partners sustained by giving each member a "cod tie."²³⁵

Perhaps the most important work which Galitzine and Partners accomplished during this period was the campaign conducted before the 2nd UNCLOS. The firm produced several pamphlets, the most important being "Towards a Fisheries Settlement," printed not only in English but also in Spanish and French. This was a near-verbatim reprint of an article from the London Times issue of February 5, 1960, entitled "To the Delegates to the Law-of-the-Sea Conference to be held at Geneva, and the Governments of the Countries Concerned." The ad called for scientific conservation measures, recognized the need for such,

affirmed the Icelandic need for its fishing industry, but denounced the right to unilateral action. The firm also reprinted "The Icelandic Dispute in Perspective" from The Oxford Lawyer in English and French. Finally, members of the firm and the B. T. F. made trips to Spain, Portugal, Italy, Greece, Norway, Canada, and France for talks with members of trawler groups and political figures. They even had enough wherewithal to meet with Prime Minister Diefenbaker of Canada. "Taking into account these publications and conferences, . . . advertisements, . . . and . . . meetings with persons in the British Government, . . . the BTF and Galitzine went well prepared to the 1960 Geneva Conference." At the conference the firm continued producing and distributing several more pamphlets.²³⁶

Just as in the earlier dispute, the government did not approve of the Federation's use of a campaign firm. "The tour was not undertaken at the behest of the British Government; in fact, it is supposed rather to have frowned upon the idea."²³⁷ Nonetheless, when the measure which would have indisputably legitimized a fisheries zone beyond three miles lost by only one vote, especially when considering the number of abstentions in that tally, we might conclude that the government was not greatly displeased with the firm.

Perhaps one of the most significant decisions by the trawlermen was to stay outside the 12-mile limit at the start of the 2nd UNCLOS, and to continue doing so until the end of the dispute. Yet there is little record of what transpired either within the fishing organizations or between the British government and those organizations. The government apparently considered this decision important enough to give it high-level consideration: on July 14, 1960, John Hare, at that time the Minister of Labour, and John Maclay, the Secretary of State for Scotland, met with members of the B. T. F. and other fishing industry representatives in one of a series of on-going talks.²³⁸ After the industry stated in August that they were going to reenter the 12-mile zone if Iceland did not resume talks, Soames met with the B. T. F. members on the 3rd. The government took the matter very seriously, for on the 5th Macmillan met with Lord Home, Soames, Manningham-Buller, and Lord Kilmuir (the Lord Chancellor) to discuss a settlement of the 12-mile problem. The reason given for the meeting was the impending lapse of the voluntary removal from the waters, the support which the president of the TGWU gave to the trawlermen for reentering the waters, and the inexperience which Soames had in the job. Three days later, August 5, Lord Home and Soames met with members of the Hull, Fleetwood, and Grimsby

fishing guilds, the B. T. F., and the TGWU. These groups explained that their position was to reenter the waters under naval protection, but Soames countered with the government position that they should continue to remain outside the zone.²³⁹ The extension of the fishermen's avoidance of the waters cleared the way for the resumption of talks leading to settlement.

Although we will probably never know the results of any of these meetings between the fishermen and the government, the B. T. F. can probably credit the success it had in these talks to the fact that Sir Farndale Phillips headed up the organization. He joined the Federation in 1957 upon his retirement from the navy. and succeeded in unifying the conflicting groups of fishermen and persuaded them to use "statesmanlike forbearance" when necessary.²⁴⁰ In short, Phillips was an insider who knew the rules of play. We can only guess at what might have happened on the fishing grounds without his tactful dealings with the fishermen.

After the final round of talks ended and some six weeks had passed, the fishermen were getting restless, however. This matter prompted a debate in the Commons on February 7, 1961, the first ever during the cod war. At that time Patrick Wall stated that he expected the fishermen would reenter the waters with the spring season. He

went on to point out that if they did not, and the fishermen observed the limit for twelve months, then their actions would constitute a de facto agreement with Iceland and recognition of the limit.²⁴¹ The publication of this danger signal strengthens the notion that Britain sent more than one of the so-called threat letters to Iceland before the two sides accepted the agreement at the end of the month.

Before publicizing the agreement, Soames discussed it with members of the fishing industry. They showed a disliking for the short interim of only three years, but they all agreed to support the settlement. In a public announcement, the B. T. F. said that the restrictions which British trawlermen would face in the 6- to 12-mile zone during those three years would actually amount to about one year of fishing within the total area of the zone. Finally, the Federation said that Britain would lose about 95,000 square miles of fishing area. Nonetheless, although they were disappointed at the total losses, they acknowledged that the settlement would be beneficial in the long term.²⁴²

Within the rank and file, though, the situation was more complex. Some of the fishermen believed that the cod catch was plentiful outside of the 12-mile limit, thus they did not mind the agreement. On the other hand, the

shallower inner waters were best for catching plaice. Finally, some of the fish merchants said that they would refuse to buy Icelandic landed fish.²⁴³

Even within the government there was a question about the final settlement. Just a few days before the final exchange of notes, Captain Mark Hewitson, another M.P. from Hull, questioned whether the British government backed down "as a sop to N.A.T.O., to soft pedal in certain sections of Iceland whether or not American bases should stay there, or whether there should be Soviet rocket bases in Iceland, and whether Iceland should stay in N.A.T.O. or come out?"²⁴⁴ The skippers and mates were probably echoing this sentiment when they attempted to strike after the final exchange of notes occurred. But they were unsuccessful in the endeavor, and the B. T. F. denounced their actions.²⁴⁵

Perhaps one reason why the strike did not receive support is that the Icelandic waters out to twelve miles were no longer very important to the industry. For example, the Grimsby merchants predicted on September 3, 1958, that the cod war would cause a scarcity of fish resulting in a twenty-five per cent rise in prices within two weeks.²⁴⁶ But the only reported increase within this time was that of September 9, 1958, indicating a rise from 11s to 12s per stone of fish.²⁴⁷ These increases were no

steeper than those of several years earlier. Finally, in November 1958 the industry predicted that the increased limit would affect the price of the cheaper fish which the fryers purchased, but that other sectors would not likely be affected, and that measurements of any side effects on the industry's infrastructure were impossible.²⁴⁸ After the 12-mile limit had been in effect for a year, Hull Fishing Vessel Owners' Association President T. W. Boyd announced that British landings from Icelandic waters were down by one-third. He also remarked that the fishermen might find other waters from which to supplant the Icelandic take, but that the British people would have to accept new types of fish on their table.²⁴⁹

Since these few items comprise virtually all of the anecdotal literature on the effect of the 12-mile limit, this seems to point to the fact that there actually was little effect. The most definitive answer to the question probably rests in a government white paper on the fishing industry, known as the "Fleck Report." The government gathered its data from December 1957 to December 1960. Based on this evidence, the report estimated industry losses due to the 12-mile limit at twenty to thirty-five per cent for the distant water fleet, that being ten to eighteen per cent of the total catch. But the report also said that the industry found other new grounds and made up

a portion of the losses.²⁵⁰ Recalling that prior to the 12-mile limit fishermen sold their overcatch at minimal prices for processing into meal, the Fleck Report does tend to confirm that the 12-mile limit impacted minimally on the industry.

What we have seen, then, is a general cohesion in the British government on the 12-mile issue, with industry leaders either agreeing with or acquiescing in that position. Such was not always the case in Iceland. Just as in the 4-mile dispute, there was some dissension in the Icelandic government over the 12-mile issue, particularly over its implementation. From the previous chapter we saw that the Communists began lobbying for an increased limit as early as December 1955 or January 1956, with the government postponing the issue until after the 1st UNCLOS. During the conference preparations in 1957, the Communists apparently continued to raise the issue, because Gilchrist claims to have diverted the matter by at least a year. Some months after his arrival in 1957, he invited President Asgeir Asgeirsson for a trip on board H.M.S. Wave. On that occasion the president fired five rounds from the vessel's cannon over a U.S. naval fuelling base. Gilchrist maintained that this event cemented relations between Asgeirsson and himself, causing the Labor-Alliance

president to use his influence in the party concerning the 12-mile issue.²⁵¹

If such is the case, Josepsson broke ranks with the government during the Geneva conference in April 1958. Thjodviljinn, the Communist Party paper, quoted him as saying that he was determined to extend the fisheries limit to 12-miles no matter what the opinion of British trawlermen. He further urged Icelandic delegates at the conference to claim as much of the continental shelf as possible.²⁵² After the conference ended, the issue created a crisis in the government.

The imbroglio began in May when Thjodviljinn started calling for the 12-mile limit, which gained support from the labor and town councils. The paper even received recognition from the Social-Democrats for its work on the issue.²⁵³ By May 22 the People's Alliance M.P.'s were calling for an immediate implementation of the limit, and began putting pressure on the other cabinet members. There were even predictions that their action would force a breakdown of the government with elections in June. On the following day, Josepsson said that he would issue the regulation to extend the limits to twelve miles, despite opposition from the rest of the ministers who wanted to wait until "an understanding with neighbouring countries" could be had. Due to the popularity of such a measure,

this move would have returned some of the support which the Communists had lost from the labor unions. In a compromise action, the government announced on the 25th that they would extend the limits on June 30 with effective date September 1. Thjodviljinn published on the 28th that all of the ministers had signed a regulation to this effect.²⁵⁴

As this public drama unfolded, the incidents behind the scenes reflected an even greater separation between party philosophies. While Josepsson lobbied for the 12-mile limit in April and early May, P.M. Jonasson said that he wanted to take the issue to NATO. The People's Alliance officials opposed such a move thinking that it would undergo lengthy debate, but the government did so anyway on May 18 and requested a reply by May 20. When the reply against such a move came in, the crisis climbed to its zenith with Josepsson calling for immediate implementation. His adamancy resulted in the Social-Democrats threatening to resign. They did not wish to make such a move, however, because they feared that the electorate would interpret their action as lack of support for the 12-mile limit, and thus they would lose seats in the ensuing election. The Communists saw their opportunity in an economic bill to raise import duties as a curb on inflation. They supported this bill in return for an

immediate announcement of the 12-mile limit. The other parties, however, compelled the implementation delay until September 1.²⁵⁵

When initially asked about his motives behind the 12-mile zone, Josepsson replied that he did not care about the effect which this had on NATO, rather his only concern was for the Icelandic fishermen. Later, he made statements that he wanted the limit to hurt the NATO alliance. On still other occasions he said that he wanted the limit for the fishermen and was happy that it incidentally hurt NATO.²⁵⁶ Whatever the actual case may have been, and indeed he could have truly held all three opinions at different stages in his battle, it is clear that desire to harm NATO to some extent conditioned his pressing for the extension.

Other than Gilchrist's aforementioned misreading of the political situation, there were various attempts in Britain which tried to show that the Icelandic populace was divided on the fisheries issue. One such attempt published in a fishing trade journal said:

. . . [I]t should be made clear that a considerable section of Icelandic opinion believes that twelve miles is too big a bite, and that the six miles suggested at Geneva should be adopted. Such opinion values good relations with Britain and Germany, and accuses the extreme left party of acting irresponsibly in order to please a large section of the voters, and to gain prestige. Others say that there should have been more discussions, or more time for the inter-

ested countries to adapt their fishing to new grounds.²⁵⁷

Just two days before the extension took effect, the government also passed laws about the limit applicable to its own trawlers, a measure which could have caused some divisions within the country. The outline of the regulations allowed Icelandic trawlers and seine netters to fish within the 4- to 12-mile limit, but only in certain designated areas, and then only during specified seasons. The reason for this move was to protect the spawning grounds and to afford protective measures to line fishermen dependent upon the innermost waters.²⁵⁸ Despite these measures, on October 13 Josepsson said that, at the opening session of the Althing three days earlier, there was unanimous support for the limit. Moreover, he said that the entire nation supported the government's policy. He made the statement to the Council of Europe so as to allay any thoughts that the nation was fragmented and fraught with party dissension over the issue.²⁵⁹

The coalition government did split in December, but over the problem of handling the national economy with its enormous rate of inflation, not over the fishing question. In fact, after forming a new government, Prime Minister Jonsson reaffirmed national unity on the issue when he told Gilchrist "[a]ny party in Iceland that gives up the

12 miles is committing suicide. Don't pay any attention to us if we tell you anything different.'²⁶⁰

Dissension finally hit the government on the fishing issue in the spring of 1959 when the Social-Democratic minority government received criticism for not doing enough about the incidents with the British Navy. Because the C. G. gunboats were unable to make arrests, the government called home NATO ambassador Andersen in March and its British ambassador on April 18 for talks. Newsmen interpreted the subsequent arrest of the Lord Montgomery on April 24 as an attempt to release pressure on the Icelandic government. Indeed, the day after this arrest, both Jonsson and Olafur Thors, leader of the Independence Party, said that continued British challenges of the 12-mile limit might bring the Communists back to power with renewed talks of separation from NATO.²⁶¹ Then, on May 11, Mr. Ormsby-Gore told the House of Commons that "the Icelandic parliament recently passed a resolution to the effect that 'no fishery limit can be considered which is less than twelve miles from the base lines around Iceland.'²⁶² This was another attempt by the Icelandic government to diffuse the political situation.

Anti-NATO talk actually worked against the Labor Alliance Party in the elections on June 28. Their platform stated that the other parties would "sell out" with

concessions to the British on the limit, and they attacked the nation's membership in NATO. Although they lost only one parliamentary seat, analysts interpreted this anti-NATO stance as the main reason why they lost a large number of votes.²⁶³

Shortly after this election, the Althing passed a reapportionment bill which added eight seats for a total of sixty. Because a law required passage by two Althing sessions separated by an election, President Asgeirsson dissolved the parliament and called for new elections in October.²⁶⁴ This election brought to power the coalition Independence and Social-Democratic government headed by Olafur Thors which settled the dispute. Thors also created a new cabinet post, the Minister for Fishing Limits, and placed Benediktsson in that position.²⁶⁵

When the Thors' government submitted the proposed agreement to the Althing in February, the opposition Progressive and People's Alliance (Communist) Parties called for the vote of no confidence which failed. Their specific objections were the provisions of going before the ICJ in a future dispute and giving 6-months notice of future actions. Although most people favored the accord, these two items sparked heated debate for several days. When the members cast their vote on March 9, the tally was 33 to 27, split exactly along party lines with the Conser-

vatives and Social-Democrats in favor, the Progressives and People's Alliance opposed.²⁶⁶ The two opposition parties "pledged to ensure [the agreement's] abrogation as soon as their Parties came to power again."²⁶⁷ As will be shown in Chapter Five, they kept their promise.

Although Icelandic politics during the cod war were in somewhat of a state of turmoil, the same can not be said of the Icelandic trade situation. On July 21, 1958, the Icelandic Minister of Trade had talks with his East German counterpart about possible increases of fish exports to that nation. Within a month, Josepsson discussed increases to the Soviet Union from 15,000 tons to 20,000 tons annually. Two days later, on August 19, TASS announced that the USSR had given Iceland credit to purchase fishing vessels from East Germany at an interest rate of 2.5 per cent, with repayment in Icelandic goods.²⁶⁸ These were the only attempts Iceland made to offset the effects of the cod war, and they actually transpired before the onset of the dispute. The Council of Europe economic report for 1959, in fact, showed that Iceland sent about one-third of its exports to the Eastern Bloc, primarily the U.S.S.R., with a similar amount going to the EEC and EFTA nations.²⁶⁹ Iceland even maintained its trade with the U.K. during this time, except when the suspension came during the 1960 talks, and that was by agreement that

Icelandic trawlers would not land their catch in Britain. Even so, one trawler did land five hundred tons of frozen, packed fish at Hull in December, the last shipment to fulfill a contract made before this agreement.²⁷⁰

One aspect about the 12-mile cod war which was similar to the 4-mile dispute is that the entire issue was about conservation, and thus the reason why the Icelanders were so adamant about putting preservation measures into the agreement. Just like they did throughout the earlier disagreement, the British refused to acknowledge that there was a problem in this regard. For example, Ormsby-Gore told the Council of Europe in October 1958 that there was no scientific basis for saying that the Icelandic waters were overfished. Further, he stated that the Icelandic catch had risen 150 per cent during the previous twenty years, with the Icelanders themselves taking fifty per cent of the total catch in the waters.²⁷¹ Thus he tried to show that the Icelanders were responsible for whatever their allegations might be regarding conservation. By 1960, though, other groups were also calling for conservation measures. In referring to the state of British distant water catches, the OEEC said: "The catches of the distant water trawlers have declined since 1956 due to various natural factors, e.g. differences in the year groups and changes in the distribution of fish stocks."²⁷²

Thus the organization agreed with the Icelandic position in a very diplomatic way. Perhaps the researchers working on the Fleck Report also put pressure on the government to end the cod war in favor of Iceland, for the report recommended that the fishing industry itself should ". . . take steps to safeguard the future . . . by seeking underexploited species and fishing grounds. . . ." ²⁷³

When the Icelandic government announced the settlement in late February 1961, it was clear to some nations pushing for further limits that the 12-mile limit would not be adequate for total conservation control. Indeed, when the announcement appeared in newspapers on February 28, it was also stated that "[t]he Icelandic Government hopes one day to extend the area over which it claims exclusive rights, taking it up to the limits of the continental shelf." Thus "[t]he Icelandic Government has not dropped its ultimate objective of a fishing limit extending in places for about forty to fifty miles." ²⁷⁴ In fact, Thorvaldur Thordarson, an advisor to the Icelandic ministers in 1958, said that the 12-mile limit was not enough, that he advocated "at least 16 or 24 nautical miles in order to stress our special position vis-a-vis other nations." ²⁷⁵ It was clear, both to the English and the Icelandic ministers in power at the time, that they could not take any further action under the guise of interna-

tional legality, that they would need to negotiate.²⁷⁶ Yet it was inevitable that some future action be taken, for one person writing about the F.R.G. fishing industry in 1961 said "[t]he oceans do contain practically unlimited reserves of animal protein and fats. . . ." ²⁷⁷

NOTES

1. Hannes Jonsson, Friends in Conflict: The Anglo-Icelandic Cod Wars and the Law of the Sea (London, England: C. Hurst & Company; Hamden, Conn.: Archon Books, 1982), 76 (hereafter Jonsson, Friends in Conflict). Ultimately this conference became known as the "First United Nations Law of the Sea Conference."

2. Sir Andrew Gilchrist, Cod Wars and How to Lose Them (Edinburgh, Scotland: Q press Ltd., 1978), 68 (hereafter Gilchrist, Cod Wars).

3. Morris Davis, "British Public Relations: A Political Case Study," The Journal of Politics 24 (February 1962), 56 n.22 (hereafter Davis, "British P.R. Case Study"); "Britain proposes six-mile territorial sea," The Times (London), 3 March 1958, 8 (hereafter Times); "Three-mile limit controversy," Times, 3 March 1958, 8 (hereafter Times).

4. "Coastal state safeguards," Times, 5 March 1958, 8.

5. "U.N. Fisheries Unit Sets Coastal Rights," The New York Times, 12 April 1958, 38 (hereafter N. Y. T.).

6. Quoted in Morris Davis, Iceland Extends Its Fisheries Limits: A Political Analysis (Copenhagen: Scandinavian University Books, 1963), 63 (hereafter Davis, Iceland Fisheries Limits).

7. Gilchrist, Cod Wars, 73.

8. "Deadlock over sea limit," Times, 22 April 1958, 9.

9. International Court of Justice, Pleadings, Oral Arguments, Documents: Fisheries Jurisdiction Cases, vol. 2, Federal Republic of Germany v. Iceland (The Hague, 1975), 70 (hereafter Pleadings, Germany).

10. International Court of Justice, Pleadings, Oral Arguments, Documents: Fisheries Jurisdiction Cases, vol. 1, United Kingdom of Great Britain and Northern Ireland v. Iceland (The Hague, 1975), 333 (hereafter Pleadings, United Kingdom); Jonsson, Friends in Conflict, 82-83.

11. Davis, Iceland Fisheries Limits, 87-88.
12. Hans G. Andersen, "The Icelandic Fishery Limits and the Concept of the Exclusive Economic Zone," Ulfljotur 27 (No. 3 supp. 1974), 9-10.
13. Jonsson, Friends in Conflict, 79.
14. Pleadings, United Kingdom, 272; Parliamentary Debates (Commons), vol. 589 (1958), col. 204 (hereafter Debates, (Commons); written replies will be referred to by "w." preceding the column number); Debates, (Commons), vol. 592 (1958), col. w.62.
15. Davis, Iceland Fisheries Limits, 62.
16. Jonsson, Friends in Conflict, 89-91.
17. Donald E. Neuchterlein, Iceland: Reluctant Ally (Ithaca, N.Y.: Cornell University Press, 1961), 194-195.
18. U.N. General Assembly, 13th sess., Official Records, Meetings, 759th Plenary Meeting (New York, 1956) A/PV.759, 173 (hereafter A/PV.759).
19. Ibid.
20. U.N. General Assembly, 6th Committee, 13th sess., Official Records, 583rd Meeting (New York, 1956) A/C.6/SR.583/Rev.1, 158 (hereafter A/C.6/SR.583/Rev.1,). Andersen was also the senior representative at the Geneva Conference. He played a key diplomatic role throughout the remainder of the cod wars.
21. Ibid.
22. Iceland, Ministry for Foreign Affairs, British Aggression in Icelandic Waters (Reykjavik: Ríkisprentsmidjan Gutenberg, June 1959), 18-19 (hereafter Iceland, British Aggression).
23. Howard W. Pollock, "Fisheries Considerations of Ocean Space," Natural Resources Lawyer 4 (July 1971): 676.
24. "British Gunboats to Guard Trawlers Inside Iceland's 12-Mile Fishing Limit," N. Y. T., 19 August 1958, 54; H. S. Noel, "The Law of the SEA? NO! THE LAW OF SURVIVAL," World Fishing 7 (July 1958): 34 (hereafter Noel, "The Law of Survival"); Benedikt Gröndal, Iceland:

From Neutrality to NATO Membership (Oslo: Universitetsforlaget, 1971), 62 (hereafter Gröndal, Iceland).

25. Noel, "The Law of Survival," 34.
26. United Kingdom, Parliament, Report of the Committee of Inquiry into the Fishing Industry, Cmnd. 1266 (London: H.M.S.O., January 1961), 12 (hereafter The Fleck Report); Kingsley Martin, "Whose Fish?," New Statesman 58 (22 August 1959), 213 (hereafter Kingsley, "Whose Fish?"); C. L. Cutting, "The Fishing Industry of Great Britain: Handling and Marketing" in Atlantic Ocean Fisheries, ed. Georg Borgstrom and Arthur J. Highway (London: Fishing News (Books) Ltd., 1961), 126.
27. "Britain and Iceland Clash Again In War of Words Over Codfish," N. Y. T., 8 December 1958, 51; Gilchrist, Cod Wars, 107-108; Sylvain Mangeot, "Iceland's Point of View," Geographical Magazine 31 (March 1959), 544 for direct quote.
28. Davis, Iceland Fisheries Limits, 66. In Gröndal, Iceland, 63-64, the author stated that Iceland announced its intent for the 12-mile limit at NATO's spring minister's meeting in Geneva and that Spaak wanted further discussions at the Permanent Council in Paris. Without primary documents, it is impossible to correlate these two accounts.
29. "Iceland fisheries threat," Times, 27 May 1958, 11.
30. "Iceland Fisheries Dispute," Commonwealth Survey n.v. (10 June, 1958): 548.
31. "Protection for trawlers," Times, 5 June 1958, 12.
32. "Trawler owners see ministers," Times, 6 June 1958, 12.
33. "Denmark supports extension plan," Times, 6 June 1958, 16.
34. "Icelandic extension of limits," Times, 10 June 1958, 9.
35. Debates, (Commons), vol. 589, col. w.108.

36. Debates, (Commons), vol. 590 (1958) col. 403. This probably was the origin of the bauxite plants in Iceland.

37. Choung Il Chee, "National Regulation of Fisheries in International Law" (Ph.D. diss., New York University, 1964), 235 (hereafter Choung Il Chee, "Fisheries in International Law").

38. "Powers to act in fisheries dispute," Times, 12 July 1958, 5; "Seven-nation talks on fisheries opened," Times, 15 July 1958, 6.

39. George Winder, "International Territorial Limits in Relation to Fishing," in Atlantic Ocean Fisheries, 53-54.

40. "Iceland's 12-mile limit rejected," Times, 21 July 1958, 7.

41. "Icelandic Fisheries Dispute," Commonwealth Survey n.v. (2 September 1958), 810.

42. Debates, (Commons), vol. 590 (1958), col. w.86; Debates, (Commons), vol. 592 (1958), col. 20-21, 918.

43. "Skippers prepare to defy 12-mile limit," Times, 15 August 1958, 5; "Frigate joining fishing patrol," Times, 16 August 1958, 4; "Fishing vessels on way to north," Times, 20 August 1958, 8.

44. "Icelander Cautions Britain on Fish Curb," N. Y. T., 17 August 1958, 17; "Iceland warns Britain," Times, 18 August 1958, 8. Various sources spell the Minister's name as Josefsson and Josepsson; the latter seems to be the preferred way in Icelandic documents and will be used here.

45. "British Gunboats to Guard Trawlers Inside Iceland's 12-Mile Fishing Limit," N. Y. T., 19 August 1958, 54.

46. "Guarding trawlers in Icelandic waters," Times, 19 August 1958, 5; "Secret orders for trawlers sailing in convoy," Times, 21 August 1958, 8; "U.S. Warns Britain and Iceland in Rift," N. Y. T., 21 August 1958, 3.

47. "Secret orders opened," Times, 29 August 1958, 5.

48. "British Call Trawlers," N. Y. T., 25 August 1958, 40.
49. "British Gunboats to Guard Trawlers Inside Iceland's 12-Mile Fishing Limit," N. Y. T., 19 August 1958, 54.
50. "Iceland hints of compromise," Times, 23 August 1958, 6; "Iceland Hints at Quitting NATO Over Fishing Rift With Britain," N. Y. T., 23 August 1958, 4.
51. "Iceland Denies Talk of Cutting NATO Tie," N. Y. T., 24 August 1958, 3.
52. "Seeking compromise on Iceland," Times, 22 August 1958, 7; "NATO Spurs Accord on Iceland Sea Law," N. Y. T., 22 August 1958, 39; "Paris Sees Compromise," N. Y. T., 23 August 1958, 4; "Hope of compromise," Times, 25 August 1958, 8.
53. "Compromise Sought on Icelandic Fishing," N. Y. T., 26 August 1958, 11; "Compromise Soon On Fishing Rights," N. Y. T., 28 August 1958, 48.
54. "Iceland fishing limits," Times, 30 August 1958, 5.
55. "Britain Insists on Rights," N. Y. T., 1 September 1958, 3; "Icelandic Fisheries Dispute," Commonwealth Survey n.v. (2 September 1958), 807-808.
56. "Translation of Memorandum Submitted to Althing on 28 February 1961," in Pleadings, United Kingdom, 170.
57. Pleadings, United Kingdom, 273.
58. "Danes Urge New Talks," N. Y. T., 31 August 1958, 24; "Danish call for N.A.T.O. meeting," Times, 1 September 1958, 8.
59. "Dispute Solidifies Over Fishing Limits," The Christian Science Monitor, 18 August 1958, 11 (hereafter C. S. M.).
60. "British Frigates Defying Iceland," N. Y. T., 1 September 1958, 1.
61. "Trawlers steam into guarded area," Times, 1 September 1958, 8; "Peaceful day's fishing in 12-mile limit," Times, 2 September 1958; "Rum Ration for Traw-

lers," N. Y. T., 2 September 1958, 49. From here the designation "H.M.S." will be dropped from the names of the R. N. vessels.

62. Davis, "British P.R. Case Study," p.64 note 49.

63. Iceland, British Aggression, 5-6.

64. "Trawlers steam into guarded area," Times, 1 September 1958, 8; "No incident reported to Admiralty," Times, 2 September 1958, "British Rebuff Iceland Gunboats As Trawlers Violate Fishing Ban," N. Y. T., 2 September 1958, 1.

65. None of the details reported in the Appendix 2 will be repeated unless needed for clarity. In the interest of brevity, citations given in the appendix will not be repeated here.

66. "Iceland Foiled in Attempts To Seize 2 British Vessels," N. Y. T., 3 September 1958, 1; Gilchrist, Cod Wars, 83-89.

67. Ibid., 108.

68. "No Icelandic 'victory'," Times, 8 September 1958, 7.

69. "Trawler boarding 'abandoned'," Times, 23 September 1958, 9; "Iceland dispute: order on repelling boarders," Times, 24 September 1958, 8.

70. "British and Icelanders Take Time Out for Tea," N. Y. T., 23 September 1958, 14.

71. "Sailor's operation in Iceland," Times, 22 September 1958, 10.

72. "Icelanders board British trawler," Times, 26 September 1958, 12; "New move by Iceland," Times, 2 October 1958, 10; Gilchrist, Cod Wars, 96. Also see Appendix 2 for 9/26/58.

73. "British rating landed in Iceland," Times, 14 October 1958, 10.

74. Debates, (Commons), vol. 605 (1959), col. 20; Gilchrist, Cod Wars, 96-97.

75. Gilchrist, Cod Wars, 96-97.

76. "Icelandic Fisheries Dispute," Commonwealth Survey n.v. (30 September 1958) 891.
77. "New move by Iceland," Times, 2 October 1958, 10.
78. "Russian protest to Britain," Times, 17 October 1958, 11; "Soviet Accuses British," N. Y. T., 17 October 1958, 13.
79. U.N. General Assembly, 6th Committee, 13th sess., Official Records, 591st Meeting (New York, 1958) A/C.6/SR.591, 211-212.
80. U.N. General Assembly, 6th Committee, 13th sess., Official Records, 592nd Meeting (New York, 1958) A/C.6/SR.592, 217.
81. U.N. General Assembly, 6th Committee, 13th sess., Official Records, 593rd Meeting (New York, 1958) A/C.6/SR.593, 225-226.
82. U.N. General Assembly, 13th sess., Official Records, Meetings, 783rd Plenary Meeting (New York, 1958) A/PV.783, 472 (hereafter A/PV.783); U.N. General Assembly, 13th sess., Official Records, Meetings, 749th Plenary Meeting (New York, 1958) A/PV.749, 11. Thors was also ambassador to the U.S.
83. Debates, (Commons), vol. 597 (1958), col. 755.
84. "Iceland's Anger at Britain Grows," N. Y. T., 23 April 1959, 4; "Talks on Iceland trawler incidents," Times, 23 April 1959, 3.
85. "Iceland fishing protest," Times, 1 May 1959, 10.
86. Quoted in Pleadings, United Kingdom, 273.
87. "'No surrender' advice to trawlers," Times, 16 May 1959, 5.
88. "Iceland Diary," New Statesman 58 (15 August 1959): 183.
89. Iceland, British Aggression, 14.

90. "Iceland protests again," Times, 6 June 1959, 6; "Iceland Protests to Britain," N. Y. T., 6 June 1959, 12; "British retort to Iceland," Times, 8 June 1959, 8.

91. "Arrested trawlers to seek guarantee," Times, 15 June 1959, 7.

92. "Navy's tough 10 months," Times, 1 July 1959, 9.

93. "Iceland accuses British trawler," Times, 3 - October 1959, 5; "Iceland Demands Ship," N. Y. T., 3 - October 1959, 38. Presumably the Icelandic government wanted to try the ship's captain and confiscate the ship's gear and catch.

94. "Iceland's Cod War," C. S. M., 7 October 1959, 14.

95. "Iceland fishing withdrawal," Times, 23 February 1960, 12; "Armistice in 'Cod War'," N. Y. T., 23 February 1960, 4; Debates, (Commons), vol. 618 (1960), col. 827-828.

96. "Icelandic protest on damage to nets," Times, 4 March 1960, 11.

97. "Fishing fleet men call strike," Times, 30 May 1960, 7.

98. "British to Return to Iceland Fishing," N. Y. T., 29 April 1960, 4.

99. "Iceland ruling on trawlers," Times, 30 April 1960, 6; "Iceland Eases Fishing Dispute," N. Y. T., 30 April 1960, 15; Pleadings, United Kingdom, 141-142; "Fishing Off Iceland," Commonwealth Survey n.v. (21 June 1960): 562.

100. "British to Limit Fishing," N. Y. T., 13 May 1960, 3.

101. "British Trawlersmen Tell Iceland 'They'll Fish'," C. S. M., 9 August 1960, 10.

102. "Iceland agrees to fishery talks," Times, 11 August 1960, 8; "British Curb Trawlers," N. Y. T., 12 August 1960, 2.

103. Pleadings, United Kingdom, 142.

104. "Translation of Memorandum Submitted to Althing on 28 February 1961" in Pleadings, United Kingdom, 170.

105. Iceland, British Aggression, 6.

106. John Dyson, Business in Great Waters: The Story of British Fishermen (London: Angus & Robertson, Publishers, 1977), 309.

107. Debates, (Commons), vol. 617 (1960), col. w.85; "Cost to the Navy," Times, 4 March 1960, 11.

108. Debates, (Commons), vol. 625 (1960), col. w.92.

109. Debates, (Commons), vol. 638 (1960), col. 234.

110. Sayre A. Swarztrauber, The Three Mile Limit of Territorial Seas (Annapolis, Maryland: Naval Institute Press, 1972), 189 (hereafter Swarztrauber, Three Mile Limit); Jonsson, Friends in Conflict, 95.

111. "British destroyer aids Icelandic trawler," Times, 31 May 1960, 9.

112. Noel, "The Law of Survival," 34. See next note.

113. "On naval patrol off Iceland," Times, 29 July 1959, 9; Jonsson, Friends in Conflict, 95; Gudmundur Kjaernested to author, 13 March 1990. Jonsson shows the following vessels with tonnage and crew complement indicated: Thor/700T/28 men, Aegir/500/25, Albert/200/15, Maria Julia/140/12, Saebjorg/100/12, Odinn/75/11. The newspaper lists these vessels plus Mantindur and says that one vessel was lost during the winter of 1958-59. Kjaernested listed the seventh vessel as Hermadur but had no further information; his tonnage figures are different from Jonsson's, but he was probably relying on memory and Jonsson probably obtained the official figures. Contrary to the previous note, Kjaernested lists the role of five vessels as "coast guard vessel," Saebjorg as "rescue vessel," and none noted for Hermadur.

114. Untitled, Times, 29 January 1960, 10; Gudmundur Kjaernested to author, 13 March 1960. Presumably sea trials and crew training prevented operational readiness prior to the implementation of the British trawlers' withdrawal. Kjaernested gives the two Odinn craft the numerical designation; he also lists its displacement as 840T.

115. Untitled, Times, 26 October 1959, 8; Iceland, [Ministry of Justice(?)], "Landhelgisgæzlan" (The Coast Guard) (no pub. data, approx. 1986), 11.

116. Gilchrist, Cod Wars, 93.

117. "New NATO Talks Planned," N. Y. T., 2 September 1958, 11.

118. Choung Il Chee, "Fisheries in International Law," 235; "Britain Sends Iceland 'Terms'," C. S. M., 4 September 1958, 4.

119. "U.N. Role Is Pressed in Iceland Dispute," N. Y. T., 10 September 1958, 5; "U.N. solution urged for fishing dispute," Times, 10 September 1958, 8.

120. "Trawler owners' view on dispute," Times, 9 September 1958, 6.

121. "Iceland Issue to U.N.," N. Y. T., 11 September 1958, 62; "Iceland to seek U.N. debate," Times, 11 September 1958, 8.

122. U.N. General Assembly, 13th sess., Official Records, Meetings, 758th Plenary Meeting (New York, 1958) A/PV.758, 149.

123. A/PV.759, 170, 172.

124. Ibid., 173-174.

125. Council of Europe, Consultative Assembly, Eleventh Ord. Session, 1st part, Doc. 963 submitted March 16 by Mr. de Kinder, "Report on European Fisheries," in Documents: Working Papers, vol. 1 (Strasbourg, 1959), 2-3.

126. Council of Europe, Consultative Assembly, Tenth Ord. Session, 2nd part, September 30, Doc. 861 presented by Mr. De Felice, "Report on the General Policy of Member States of the Council of Europe in the light of the Present International Situation. Draft Recommendation presented by the Political Committee," in Documents: Working Papers, vol. 4, (Strasbourg, 1958), 422.

127. Council of Europe, Consultative Assembly, Tenth Ord. Session, 2nd part, Eleventh sitting, October 10, 1958, Item 4 "General Policy of the Member States of the Council of Europe in the light of the present international situation; and Co-ordination of the foreign policies of

Member States," in Official Report of Debates, vol. 2, (Strasbourg, 1958), 350.

128. Council of Europe, Consultative Assembly, Tenth Ord. Session, 2nd part, October 10, Doc. 882 submitted by Mr. Toncic, et. al., "Motion for a Resolution," in Documents: Working Papers, vol. 5, (Strasbourg, 1958), 1.

129. Council of Europe, Consultative Assembly, Tenth Ord. Session, 2nd part, Thirteenth sitting, October 11, 1958, Item 3 "General Policy of the Member States of the Council of Europe in the light of the present international situation; and Co-ordination of the foreign policies of Member States," in Official Report of Debates, vol. 2, (Strasbourg, 1958), 422 (hereafter Council of Europe, October 11, 1958, "General Policy . . . Member States").

130. Ibid., 422.

131. Ibid., 433-434.

132. "Spaak Lands NATO in Political Field," N. Y. T., 21 November 1958, 5.

133. "Icelandic Fisheries" in "North Atlantic Treaty Organisation," Commonwealth Survey n.v. (6 January 1959), 11-12, note 1 p.12; "British offer on fisheries," Times, 19 December 1958, 10; "World News in Brief," C. S. M., 19 December 1958, 10; Debates, (Commons), vol. 605 (1959), col. 854; Choung Il Chee, "Fisheries in International Law," 236. The communique is quoted in the Commonwealth Survey article.

134. A/PV.783, 472.

135. "Note by the Government of Iceland Dated 18 Dec 1958," in Pleadings, United Kingdom, 156.

136. "Icelandic Fisheries Dispute," Commonwealth Survey, n.v. 30 September 1958, note 1 p.890.

137. Debates, (Commons), vol. 600 (1959), col. 349.

138. Council of Europe, Consultative Assembly, Eleventh Ord. Session, 1st part, April 21-27, 1959, Ninth Sitting, Item 6 "European Fisheries," in Official Report of Debates, vol. 1, (Strasbourg, 1959), 233-243. Esmonde's speech was on 241-243 and De Kinder's on 243.

139. Council of Europe, Consultative Assembly, Eleventh Ord. Session, 1st part, April 21-27, 1959, "Recommendation 198 (1959): on European Fisheries," in Texts Adopted by the Assembly (Strasbourg, 1959), 1-2.

140. "Iceland Reveals Warning to NATO," N. Y. T., 28 April 1959, 69.

141. "Icelanders Shun Congress of NATO," N. Y. T., 24 May 1959, 11; "Icelandic boycott of N.A.T.O. talks," Times, 25 May 1959, 9.

142. "Iceland Gets NATO Appeal," N. Y. T., 3 June 1959, 29.

143. "Iceland's Election," N. Y. T., 1 July 1959, 30.

144. "Trade union's advice in fishing dispute," Times, 4 July 1959, 6.

145. Gilchrist, Cod Wars, 99.

146. Gilchrist, Cod Wars, 100.

147. "New ambassador to Iceland," Times, 25 September 1959, 12.

148. Jonsson, Friends in Conflict, 91 and 99 for direct quote.

149. U.N. General Assembly, 14th sess., Official Records, Meetings, 820th Plenary Meeting (New York, 1959) A/PV.820, 358; "Iceland attack on Britain in U.N.," Times, 6 October 1959, 10.

150. "Fisheries dispute with Iceland," Times, 19 December 1959, 6.

U.S. Senate, Conventions on the Law of the Sea. Hearings before the Committee on Foreign Relations, 86th Cong., 2nd sess., 1960, 21 for quote.

152. Debates, (Commons), vol. 623 (1960), 893-894.

153. "London Asks Talk on Iceland Fish," N. Y. T., 1 August 1960, 44.

154. "Iceland Undecided on Fishing Parley," N. Y. T., 9 August 1960, 3.

155. "Fishery talks with Iceland on Oct. 1," Times, 22 September 1960, 10.

156. "Iceland discussion by Prime Minister," Times, 26 September 1960, 14 for direct quote; "Reykjavik: Macmillan Confers" in "World News in Brief," C. S. M., 26 - September 1960, 10.

157. "Iceland fishing talks continue today," Times, 3 October 1960, 7.

158. "Records of Anglo-Icelandic Discussions, 1 October 1960 to 4 December 1960" in Pleadings, United Kingdom, 178, 183, 187, and 193 for the delegates at each meeting, 188 note 1 about the cancelled session. This document 178-237 gives a highly detailed account of the series of meetings conducted through December 4 and which resulted in the final settlement.

159. Ibid., see 178-195.

160. Ibid., 181.

161. Ibid., 182-183.

162. Ibid., 183-184. It is clear from the text of the discussions that both sides employed "experts" during the meetings of working groups in addition to those individuals present at the main discussions. See for example discussions on 185-186.

163. Ibid., 185-187. Concerning the rumors of financial aid, Andersen may have been referring to the type of incident as we find on May 16 as reported in Debates, (Commons), vol. 623 (1960), col. 915. At that time, Mr. Hector Hughes, M.P. for Aberdeen, suggested a quid pro quo inducement to Iceland for fishing rights in the form of financial aid to found other industries.

164. Ibid., 188.

165. Ibid., 192.

166. Ibid., 188-192. Direct quote on 192.

167. Ibid., 193-195.

168. Ibid., 195.
169. Ibid., 196.
170. "Critical stage in fishery talks with Iceland," Times, 11 October 1960, 12.
171. "British Heed Iceland," N. Y. T., 12 October 1960, 64.
172. Debates, (Commons), vol. 627 (1960), col. w.276.
173. "Delegates arrive in Iceland," Times, 28 October 1960, 10. This article identifies Olafsson as the Director of the Icelandic Fisheries Institute.
174. "Records of Anglo-Icelandic Discussions, 1 - October 1960 to 4 December 1960" in Pleadings, United Kingdom, 198.
175. Ibid., 198, 202, 205, 209, 212. These pages show minor differences in the names of some British participants; the most significant was to designate Hetherington as Scott-Hetherington. The government affiliations were given as follows: Engholm and Savage (1, 2, 4, 5) - Ministry of Agriculture, Fisheries and Food; Scott-Hetherington (1, 2) and Aglen (3, 4, 5) - Scottish Office; Gutteridge, McAlpine (1, 4, 5), Berthoud (1, 2), and Mason (2, 3) - Foreign Office; Kennedy (1, 3, 4, 5) - Admiralty; Reilly and Summerhayes (3, 4) - no listing. The numbers in parentheses indicate which of the five sessions these individuals attended.
176. Ibid., 196-197.
177. Ibid., 198-199.
178. Ibid., 199-201.
179. Ibid., 201.
180. Ibid, 201.
181. Pleadings, United Kingdom, 130.
182. "Records of Anglo-Icelandic Discussions, 1 - October 1960 to 4 December 1960" in Pleadings, United Kingdom, 203-204.

183. Ibid., 204-205.
184. Ibid., 206-207.
185. Ibid., 208.
186. Ibid., 209-210.
187. Ibid., 210-211.
188. Ibid., 211.
189. Ibid., 212-217.
190. Ibid., 216-217.
191. Ibid., 217. Italics in original.
192. "Increased hope of fishing pact," Times, 14 November 1960, 11; "Iceland Debate Aid," N. Y. T., 9 November 1960, 39.
193. "Talks with Iceland postponed," Times, 15 November 1960, 6.
194. Debates, (Commons), vol. 632 (1960), col. w.1; "Fisheries dispute in new stage," Times, 2 December 1960, 10. This newspaper article finally gives Reilly's position.
195. "Records of Anglo-Icelandic Discussions, 1 - October 1960 to 4 December 1960" in Pleadings, United Kingdom, 218, 220, 222, 224. Stewart attended all but the "drop-in" meeting; Gutteridge was at the informal sessions on the 2nd and 3rd and the final, formal session. Olafsson was at the informal session and the "drop-in" session on the 3rd and the final session; Gudmundsson was at both the first and second formal sessions on the afternoon of the 2nd; Thors, Benediktsson, and Jonsson were at the second formal session.
196. Ibid., 218.
197. Ibid., 221.
198. Ibid., 218.
199. Ibid., 218-220.
200. Ibid., 219-220.

201. Ibid., 220.

202. Ibid., 221-222.

203. Ibid., 222.

204. Ibid., 223-224. In the record on the unilateral action discussions, the document contained an editorial note stating that "some words have obviously been accidentally omitted from the original record at this point." The reader should bear in mind that unilateral action was the crux of the entire issue.

205. Ibid., 224.

206. Ibid., 225-226.

207. "Iceland talks end indecisively," Times, 7 December 1960, 10.

208. "Records of Anglo-Icelandic Discussions, 17 December to 20 December, 1960" in Pleadings, United Kingdom, 229, 231, 233, 234, 236; "Anglo-Icelandic Fishery Agreement," Commonwealth Survey n.v. (28 March 1961), 336 identifies the "Secretary of State" as the Secretary of State for Foreign Affairs, The Earl of Home. Andersen did not attend the final meeting. The attendance at the meetings was as follows: Shuckburgh - first only; Mason - all but the final; Samuel - first and second; Reilly, Engholm, and Vallat - the three London sessions. It is interesting to note that this set of meetings was afforded its own section in the source and that they were not called the fourth series. Presumably the designation was made because the agreement emerged from this set. However, these two distinctions emphasize the preliminary nature of the previous talks.

209. "Records of Anglo-Icelandic Discussions, 1 December to 20 December, 1960" in Pleadings, United Kingdom, 229-230. It is not known what this proposed NATO wording was.

210. Ibid., 230-231.

211. Ibid., 232. A secret agreement would, of course, violate the U.N. charter. It is interesting to note this proposal when remembering that Britain was so adamantly opposed to such pacts as a result of the secret agreements prior to both world wars.

212. Ibid., 232.
213. Ibid., 233.
214. Ibid., 234-235.
215. Ibid., 236-237.
216. Quoted in Jonsson, Friends in Conflict, 102. At the time he wrote this work, Jonsson held a copy of the letter.
217. Ibid., 103-105; Pleadings, United Kingdom, 136; "End of dispute with Iceland," Times, 13 March 1961, 7.
218. Exchange of Notes Settling the Fisheries Dispute between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Iceland, Reykjavik, March 11, 1961, Cmnd. 1328 (1961) 2-3. The agreement is reprinted in various books and documents.
219. Ibid., 4.
220. Gunnlaugur Thordarson, "The International Court of Justice the only solution," Morgunbladid, 4 October 1972, in "Landhelgiskver: A fishery limit booklet. A reprint of two newspaper articles on the fishery limit question and the International Court of Justice" (Reykjavik, 1972), 34-35 (hereafter Thordarson, [item,] in "Landhelgiskver").
221. Astvaldur Eydal, "Some Geographical Aspects of the Fisheries of Iceland" (Ph.D. diss., University of Washington, 1963), 173.
222. Gröndal, Iceland, 65.
223. A/PV.783, 470; A/C.6/SR.583/Rev.1, 157. A full account of the 2nd UNCLOS is beyond the scope of this work. For a complete record of the meeting's devolution with all of the arguments for an agenda, particularly Icelandic involvement in such discussion, see U.N. documents A/C.6/SR.583 (November 17, 1958) to A/C.6/SR.598 (December 8, 1958).
224. Pleadings, United Kingdom, 335; "Sea Law Parley Set," N. Y. T., 6 December 1959, sec. 5 p. 9.

225. J. P. A. Francois, "Second International Conference on The Law of the Sea," United Nations Review 6 (June 1960), 12.
226. Ibid., 12.
227. "Britain's new gesture to Iceland," Times, 26 April 1960, 9; "88-Country Parley Fails on Extension of 3-Mile Sea Limit," N. Y. T., 27 April 1960, 1.
228. "Ban on Icelandic fish landings suggested," Times, 31 March 1958, 5; "Trawlermen oppose change," Times, 5 April 1958, 5.
229. "Call to renew ban on Icelandic fish," Times, 22 August 1958, 5; "Trawlermen pleased," Times, 6 September 1958, 4.
230. "Icelandic frozen fish landed at Grimsby," Times, 29 December 1958, 4; In "World News in Brief," C. S. M., 3 January 1959, 4.
231. "Avoiding clashes off Iceland," Times, 27 February 1959, 7.
232. Davis, "British P.R. Case Study," 56. Italics in original.
233. Ibid., 63.
234. Ibid., 67 and note 56 on p. 67.
235. Richard West, "Cod Warriors," New Statesman 85 (11 May 1973), 689.
236. Davis, "British P.R. Case Study," 68-70 and note 60 on p. 68; "To the Delegates to the Law-of-the-Sea Conference to be held at Geneva, and the Governments of the Countries Concerned," Times, 5 February 1960, 5.
237. Davis, "British P.R. Case Study," note 62 on p. 68. Italics in original.
238. Debates, (Commons), vol. 627 (1960), w.75-76.
239. "Minister's talk on Icelandic dispute," Times, 4 August 1960, 6; "Move to end dispute with Iceland," Times, 6 August 1960, 6; "Lord Home joins in Iceland fisheries discussion," Times, 9 August 1960, 8. The tone

of this latter article appears to have the government and industry at odds.

240. "Firm voice of the trawler owners," Times, 12 August 1960, 7.
241. Debates, (Commons), vol. 634 (1961), col. 357.
242. Debates, (Lords), vol. 229 (1961), col. 35; "9,500 square miles forbidden," Times, 28 February 1961, 12.
243. "Conflicting views in Britain," Times, 1 March 1961, 10.
244. Debates, (Commons), vol. 635 (1961), col. 1386.
245. Swarztrauber, Three Mile Limit, 187.
246. "Fish scarcity 'In a week or two'," Times, 4 September 1958, 10.
247. "Trawler owners' view on dispute," Times, 9 September 1958, 6.
248. "Effects of the 12-mile limit on British economy," Times, 10 November 1958, 8.
249. "Cost of Iceland's fishing limit," Times, 1 September 1959, 12.
250. The Fleck Report, 5, 27.
251. Gilchrist, Cod Wars, 29-30.
252. Icelandic fisheries policy defined," Times, 10 April 1958, 6.
253. Davis, Iceland Fisheries Limits, 32-33.
254. "Iceland labour unrest," Times, 23 May 1958, 8; "Iceland crisis in fisheries limit," Times, May 24, 1958, 6; "Icelandic agreement," Times, 26 May 1958, 5; "Iceland Plan Detailed," N. Y. T., 29 May 1958, 50.
255. "Communists score in Iceland," Times, 27 June 1958, 9; Jonsson, Friends in Conflict, 70-72; Davis, Iceland Fisheries Limits, 63-65; Gröndal, Iceland, 63. Also see above discussion which says that the Icelandic proposal went to NATO on May 19.

256. Davis, Iceland Fisheries Limits, 67-68.
257. Noel, "The Law of Survival," 33-34. Italics in original.
258. "Iceland fishing limits," Times, 30 August 1958, 6; "British Fishing Boat Is Seized by Iceland," N. Y. T., 29 August 1958, 1; A/C.6/SR.583/Rev.1, 158. Also see above discussion.
259. Council of Europe, Consultative Assembly, Tenth Ord. Session, 2nd part, Fourteenth sitting, October 13, 1958, Item 3 "General Policy of the Member States of the Council of Europe in the light of the present international situation; and Co-ordination of the foreign policies of Member States," in Official Report of Debates, vol. 2, (Strasbourg, 1958), 466.
260. "Cabinet in Iceland Quits in Party Rift," N. Y. T., 5 December 1958; Gilchrist, Cod Wars, 97 for quote; italics in original.
261. "Iceland Allowed to Seize Trawler," N. Y. T., 25 April 1959, 42; "Icelanders Score British Pressure," N. Y. T., 26 April 1959, 7.
262. Debates, (Commons), vol. 605 (1959), col. 853.
263. "Iceland to Elect New Parliament," N. Y. T., 28 June 1959, 26; "Iceland voters turn against communists," Times, 30 June 1959, 10.
264. "On naval patrol off Iceland," Times, 29 July 1959, 9; "Iceland Dissolves Parliament," N. Y. T., 16 August 1959, 27; Gröndal, Iceland, 66.
265. "Right loses votes in Iceland," Times, 29 October 1959, 10; "Iceland's Premier Out; Conservative Is Named," N. Y. T., 20 November 1959, 10; "Icelandic cabinet," Times, 21 November 1959, 5. This is the only time that such a post was noted. It was possibly a move by Thors to put Benediktsson in a position to continue his work on the agreement.
266. "Iceland Opposition Objects," N. Y. T., 28 February 1961, 10; "Iceland threat of political crisis," Times, 1 March 1961, 10; "Iceland Seals British Accord," N. Y. T., 10 March 1961, 3; "Iceland approves fishery pact," Times, 10 March 1961, 14; Choung Il Chee, "Fisheries in International Law," 249.

267. Jonsson, Friends in Conflict, 108.
268. "Iceland defends her actions," Times, 23 July 1958, 11; "Icelander Cautions Britain on Fish Curb," N. Y. T., 17 August 1958, 17; Lyman B. Burbank, "Problems of NATO Diplomacy: Fish and an Air Base in Iceland," The South Atlantic Quarterly 58 (Spring 1959), 245.
269. Council of Europe, Consultative Assembly, Thirteenth Ord. Session, 2nd part, July 13, Doc. 1318 submitted by Miss Thorsteinsdottir, "Report on European Fisheries," in Documents: Working Papers, vol. 3, (Strasbourg, 1961), 4.
270. "Frozen fish from Iceland," Times, 2 November 1960, 11.
271. Council of Europe, October 11, 1958, "General Policy . . . Member States," 421.
272. Organization for European Economic Co-operation, Fishery Policies in Western Europe and North America ([Paris]: OEEC, September 1960), 256.
273. The Fleck Report, 31.
274. "Britain, Iceland at Last Agree," C. S. M., 28 February 1961, 4; "Britain Accepts Iceland's Curb to End 'War' on Fishing Rights," N. Y. T., 28 February 1961, 10.
275. Thordarson, "By Law Shall the sea be Ruled," Morgunbladid, 3 October 1972, in "Landhelgiskver", 31.
276. Kingsley, "Whose Fish?," 214.
277. Gunther Hass, "The Fishing Industry of the Federal Republic of Germany" in Atlantic Ocean Fisheries, ed. Georg Borgstrom and Arthur J. Highway (London: Fishing News (Books) Ltd., 1961), 126.

CHAPTER 4

THE INTERIM YEARS

Shortly after the end of the first cod war, the British government published a White Paper on the effects of a 12-mile limit on the nation's fishing industry. The limit was a potential problem for the British because, following the Icelandic declaration, in lieu of a unilateral Faeroese declaration, the Norwegian government began negotiations with the British for a 12-mile limit, not only for the Faeroe Islands, but also for Greenland, locations fished by the British mid- and distant-water fleets respectively. The White Paper concluded that the agreements with Norway and Iceland would have deleterious effects on the British fishing industry, but the settlements would also facilitate long-range planning of resources, conservation, and stability in the fishing sector.¹ The best source of information on the industry in this period is probably the Fleck Report, which appeared in January 1961 and examined every facet of the fishing industry in response to Iceland's 12-mile declaration.

Two important recommendations of the Fleck Report were for the industry to introduce new varieties of fish to the public, and to find new fishing grounds where they might catch more of the types which were mainstays in the

British diet. The new areas suggested for cod and haddock included the waters off Greenland, Newfoundland, and Labrador. The report warned that, whereas the new grounds might solve supply problems, preserving the fish on the lengthy journey home demanded another solution.² It devoted just slightly over three pages to research, and made no mention of developing new fisheries, or of fisheries development other than suggesting ". . . that fisheries research in all its aspects should be intensified with the object of enabling the fishing industry to exploit more effectively the resources of the sea. . . ." ³

The Fleck Report also mentioned a trend begun within the distant water fleet following World War II which might help British fishing in Icelandic waters. This development was the utilization of larger trawlers, with some vessels approaching 200 feet in length, displacing about 700 tons, and carrying a crew of at least twenty.⁴ Additionally, one of the fishing corporations had begun using factory vessels, having launched three such craft since the Icelandic 12-mile declaration. These vessels landed frozen, processed fish, meal, and oil after a three month voyage. The Report went on to say that any expansion in this new sector would require the industry to convince people to buy more frozen fish; further, it predicted that there would be a problem finding crews willing to make a

voyage of this length. As an alternative, the government-sponsored White Fish Authority, in collaboration with the Department of Scientific Industrial Research, was conducting tests in the Northern Wave project with freezer-tracters. These vessels would process and freeze the majority of their catch, but land the latter days' take wet, thus solving the storage problem during the lengthy voyage from distant waters.⁵ In their conclusion, the researchers wrote:

. . . [I]t is reasonable to conclude that the present fleet is too large in relation to available stocks or to market demand. . . . [The fishing industry] has not yet become fully acclimatized to circumstances in which stocks are depleted, grounds contracting and fishing vessels forced by competitive pressure to carry more and more complicated and costly engines and equipment."⁶

The post-settlement White Paper emphasized this point in its introductory remarks by stating that overfishing in the northeast Atlantic region had already caused financial troubles for the distant water fleet.⁷

Despite these reports, the industry continued to develop a freezer-vessel fleet. For example, in 1962 the M. V. Junella, a freezer-trawler using the newly-developed stern trawl technique, entered service. It had a total capacity of 300 tons and could handle 25 tons of fish daily. In Hull and Grimsby, owners ordered several all-freezer vessels in that year.⁸ By 1968, about 25 per cent

of the total British distant water catch came from total freezer or freezer-fresher trawlers.⁹ The use of sea-borne freezing techniques was a direct outcome of 12-mile extensions, since it was ". . . an attempt to overcome the problems of increasing distance from the main catching grounds to the main landing ports."¹⁰ The net result was an increase of fish in a declining market, yet there was still encouragement to expand the industry further:

The British fishing industry [in 1969] is in a state of decline and must seek viability at a lower level, but it is undoubtedly an industry that could supply much more of domestic needs than it does at present and which could contribute much more to the export trade if production could be increased and if markets . . . were developed.¹¹

Iceland, on the other hand, presumably had no need to develop such techniques, since the only change noted during this time was the adoption of the purse seine in 1963 by the small boats working off the southwest coast in the 6- to 12-mile zone. Further, since the method was only suitable for use in calm, shallow water, only the inshore fishermen could utilize the technique, and only on calm days. Using the new method, the small boat fleet increased its daily take from the 10- to 40-ton norm to 40-140 tons.¹²

That Iceland was able to encourage its inshore fleet to increase its take through seine netting shows that the nation's conservation efforts were having positive ef-

fects. Those effects continued, so that by May 1969 the Althing was able to introduce a bill allowing "Icelandic trawlers of all sizes to fish in certain zones within the twelve-mile limit at certain seasons only." The provisions, passed on an experimental basis, would expire at the end of 1971. Nonetheless, the measure raised a cry of alarm from several British M.P.'s who contended that, if the Althing allowed Icelandic trawlers into the outer six miles, it should grant the same rights to British trawlers. On the other hand, since the British government adopted a 12-mile limit a few years earlier, it only allowed its own citizens to trawl or otherwise fish in that zone.¹³

During the 1960's, Icelandic trade changed just as dramatically as it had during the previous decade. One reason for such change was that the nation relaxed its trade policy in 1961 and 1962. As a result, commerce with members of the Organization for Economic Cooperation and Development (OECD) exceeded 70 per cent, and trade with the Soviet Union declined during the first half of 1962.¹⁴ Whereas trade with Britain during the 1946-1950 quintennium averaged 30 per cent of the nation's total, it had dropped to a 4-per cent average for 1956-1960, but then rebounded to an average 16 per cent during the next five year period. Trade averages with the United States began

the post-war period at 15 per cent, rose to 43 per cent during the next five years, dropped to 30 per cent for 1956-1960, then climbed again to 53 per cent for the period ending 1965. The average percentage with the Soviet Union for the post-war quintennium was also 15 per cent, but the reader will recall that the yearly total for 1949 and 1950 was zero. When the 4-mile and 12-mile dispute forced Iceland to find other markets, the Soviet trade rose to 41 per cent of the total. Consonant with the changes desired by the Thors government in 1960, that total declined to an average of 23 per cent for the 1961-1965 period. Yet, where Iceland experienced a diversification of trading partners following the war, with all other nations taking 40 per cent of the share, we find that the three nations cited above accounted for 92 per cent of Icelandic trade during the first half of the 1960's.¹⁵

These patterns affected Iceland's trade with Britain. First, in late 1966, Grimsby trawler owners met and decided to revoke their 1956 agreement with Iceland. According to the arrangement, Icelanders had a limited landings figure, but they enjoyed equal landing priority with the British. In the new accord, Icelandic landings would be unlimited, but the trawlers would have to wait until all British vessels had landed their catch.¹⁶ Two years lat-

er, the British government placed a 10 per cent tariff on all frozen fish imported from members of the European Free Trade Association (EFTA). This move helped Iceland, since that nation was not yet a member of EFTA, by pricing Icelandic landings below other imported fish. Yet, because the Icelandic government had recently devaluated the krona, the net value of these landings for the fishermen had increased.¹⁷ Perhaps this condition led to a minor squabble over trade between the two nations in 1969.

As a result of the Icelandic law which only allowed Icelandic trawlers in the 12-mile limit, the fishing industry in Grimsby closed its port to Icelandic landings, which forced the vessels to unload at Aberdeen. From there, dealers trucked the catch back to the Grimsby auction a full day late. The Icelanders initially attempted negotiations to have their catch landed last, but Grimsby men would not even allow this; ultimately they capitulated on this point, but the Icelanders had to wait as long as forty-eight hours before they could obtain unloading crews.¹⁸ It is not known how long the port maintained this discriminatory policy, but there is no indication that it was still in effect when the 50-mile cod war erupted in September 1972.

The Althing's allowing Icelandic trawlers to reenter the 12-mile limit also had peripheral implications on

Iceland's application to join EFTA, beginning on August 18, 1967, when Prime Minister Bjarni Benediktsson announced that his government wanted EFTA membership. The government actually made application on November 14, 1968, at the EFTA consular meeting in Geneva. If approved, Icelandic fish would be subject to the 10 per cent tariff which Britain imposed on EFTA fish imports.¹⁹ Perhaps because of this parity with other nations, an indirect aid to the British fishing industry, which prompted a recommendation to the House of Commons on December 16 to support the Icelandic bid. Mr. Mully, the M.P. who made the address stressed that EFTA should study the effect of such a move on the entire fish market, as it was currently in a glut.²⁰

By January 1970, both Iceland and EFTA had come to term's on Icelandic membership, which was to take effect on March 1. Over the course of a 10-year period, Iceland was to phase out all import duties for EFTA members, and in the meantime, the Icelanders were to have free access for exports to the member nations (Britain, Denmark, Norway, Sweden, Finland, Austria, Switzerland, and Portugal).²¹ Some two years later, after Iceland declared its 50-mile fisheries limit, the EFTA denied it full membership until it abandoned its claim. Simultaneously,

the organization offered to give better trade terms to Iceland, such as a lowering of tariffs.²²

Benediktsson announced the decision to join EFTA because, during the late 1960's, some Icelanders had led a movement for their nation to join either that organization or the European Economic Community (EEC).

Interest in diversifying the country's exports, and, in general, the whole economy had now grown considerably. This was both because of the extreme instability in the country's basic industry - fisheries - which had made the economy virtually unmanageable, and because it was more widely recognized that the growth potential of the fishing industry was insufficient to meet future foreign exchange requirements. The decision in 1969 to join EFTA reflected then in part a desire to keep a door open to European markets for the country's growing industrial exports.²³

But the growth potential to which this Icelandic writer refers was based upon the exclusive fishing exploitation within the 12-mile limit. Since Iceland had affirmed its intent in 1948 to gain control over the entire continental shelf fisheries, entry into either EFTA or the EEC would have assured an outlet for fish exports without fear of economic reprisals. Thus the move to join either EFTA or the EEC might have been a first step in a further fisheries declaration. The government possibly chose EFTA due to ties with the other Nordic Council members.

Perhaps one reason why Iceland received British support in its EFTA application was that Britain had

already implemented its own 12-mile limit. The Fleck Report had advised against such a move, contending that "[t]he advantage to this country of an extension of its own fishery limits to twelve miles would be negligible by comparison [with Iceland], although it would no doubt benefit the inshore fisheries to some extent."²⁴ Yet by February 1962, several M.P.'s began lobbying to establish a 12-mile limit and close the Moray Firth, the Minch, and the Firth of Clyde to all foreign fishing. Two months later, many inshore fishing organizations and trade organizations located in fishing regions asked Mr. Soames, the Minister of Agriculture, Fisheries and Food, to increase the limit to six miles. By July 25, there were further pleas for an extended limit, but the British Trawlers' Federation (B. T. F.) did not support such a move, and the governmental position was that the time was not right to make the extension.²⁵ Both the government and the Federation probably reasoned that they might be able to gain an extension of British rights in the 6- to 12-mile zone in Icelandic waters, making any extension of home waters untenable.

What followed next was a fairly complex set of political moves on the part of the British government. First, in late April, the government denounced two existing fishing treaties:

The United Kingdom . . . decided to denounce its participation in the North Sea Fisheries Convention of 1882 with effect from 15th May 1964; and also the Fisheries Regulations of 1843, made under the Anglo-French Fishery Convention of 1839, with effect from 24th June 1964.

Next, speaking before the Council of Europe, Edward Heath, then a representative to that organization, invited members of the EEC and EFTA, as well as Iceland, Ireland, and Spain, "to a conference in the autumn to discuss the very complex problems relating to fisheries. It is proposed that this conference should consider both the question of trade in fish and that of access to fishing grounds." The British government had two reasons for calling this conference:

The background of this initiative is, in the first place, the failure of the United Nations Law of the Sea Conferences of 1958 and 1960 to reach international agreement on the limits of the territorial seas and fishing jurisdiction. In the second, the suspension of the Brussels negotiations, during which the UK Government had made clear its interest in a settlement of common fishing problems on a European basis, also crushed the hope of reaching such a settlement within the framework of an enlarged community.

Heath also said that, due to many nations extending their fishing limit, it would be unfair to British citizens for their government not to do the same. Consequently, in late May 1963, the British government finally announced that it would follow the example of several other North Atlantic nations and increase its fisheries limit to

either six or twelve miles, since "political pressure by inshore fishermen has forced Britain also to act."²⁶

Shortly after Britain announced its intent to declare this limit, the EEC took Mr. Heath's advice and decided to hold a conference to establish a common fisheries policy between member nations, the U.K., Norway, and Denmark.²⁷ Then in June, Mr. Radius, a French representative to the Council of Europe, proposed that the Council's Committee on Agriculture conduct a fisheries study so as to present background material to the EEC and EFTA members at the conference on fisheries. He wanted report the topics of territorial waters, fishing rights, and markets included in the.²⁸ With the mention of the EFTA nations in this statement, we see that the EEC proposal was expanding to include other nations, just as Heath wanted.

Yet the Council of Europe continued to hold discussions on the subject in September, so as to gain support for the conference. Speaking to the Council, Mr. Morris of the U.K. said on September 19, "[t]he conference will be absolutely vital for Western Europe for the more rational economic exploitation of the fishing grounds which are common to many countries." In order to accomplish these goals, Morris said that the conference needed to address one specific item on the agenda:

The first point is that it will include the very important and obvious question of access to

fishing grounds. This will obviously be the problem of paramount importance to the conference. If this problem can be resolved the conference will undoubtedly be successful.²⁹

Continuing the debate that day, Mr. Webster, also of the U.K., gave a clear indication about the British government's intentions for calling the conference:

We appreciate that there are countries whose fishing is one of their principal resources. We appreciate their wish to conserve those resources, and that it is for this reason that they have increased their fishing limits. We regret that this was done unilaterally and we hope that, as a result of the Conference, something can be done in greater co-operation. We appreciate that they do not want unrestricted fishing. At the same time, possibly it is worth consideration that countries and fishermen who have used the waters in the past quite amicably should be allowed a certain quota either on a permanent or a temporary basis. Perhaps this should be temporary, for we as politicians are always using expedients of a temporary nature. Perhaps it could be temporary in this case to see how it goes and whether agreement could not be extended.³⁰

Thus the British delegates told the Council that they wanted to discuss "access to markets and access to fishing grounds" at the conference, the primary purpose in calling for the forum was the matter of fishing grounds.³¹ In fact, the B. T. F. prompted the government to make this move for an international conference due to the growing number of 12-mile claims through 1962.³²

Even though several nations had adopted a 12-mile limit, Iceland's action was the only one to result in a conflict. The British move for a conference was a direct

attack on the 12-mile agreement with Iceland and an attempt to gain back the lost ground on at least a temporary basis after the agreement expired in March 1964. As a result, when the Council president called for a vote on the draft resolution to endorse the fishing conference on September 19, Miss Thorsteinsdottir of Iceland said that she would abstain, thus forcing a roll-call vote.³³ On the following day she indicated the same intent; when the president called the roll, a quorum was not present, forcing a second vote on a later date. The second vote occurred on September 23, but beforehand, Mr. Selvik of Norway announced that he would only vote in favor of the resolution with the understanding that the committee would address the issue of fisheries conservation, a matter not specified in the draft document. After his statement, the vote passed 94 to 0 with three abstentions.³⁴

The conference met in London in two closed door sessions on December 3-6, 1963 and January 8-27, 1964. In addition to the EEC and EFTA members, Iceland, Ireland, and Spain attended. The agenda included freedom of fishing and access to fishing grounds, access to markets, policing of fisheries, and miscellaneous topics. At the first series, the British delegates "made it quite clear to the conference that the present situation cannot remain

as it is."³⁵ During the second session on January 17, the members adopted a resolution on conservation:

[T]o ensure the rational exploitation of the resources of the sea, . . . the Commission is enabled to employ the full range of measures envisaged in the Convention, including measures of national and international control to ensure the effective observance of the regulations.

Although the Icelandic delegates voted for this proposal, when it came to the final convention, they refused to voice their assent. The final text, adopted at a voting session on March 2, 1964, resembled the U.S.-Canadian plan at the 2nd UNCLOS. All participants would have the right to declare a 12-mile fisheries zone, with the inner six miles reserved to their own nationals during a phaseout period, to run until January 1, 1966. One exception to the general rule was that, if a nation declared new baselines or closed its bays, the phaseout would extend for an additional year. During the phaseout, foreign nations whose citizens fished in the waters from January 1, 1953 to December 31, 1962 would have access to the outer six miles, but only for the same species which they had taken during that period. Coastal states could also enforce non-discriminatory rules in the 6- to 12-mile zone.³⁶

The nations which approved of the measure included Austria, Belgium, Denmark, France, the Federal Republic of Germany, Ireland, Italy, Luxembourg, the Netherlands, Portugal, Spain, Sweden, Switzerland, and the U.K. The

participants were willing to concede some areas in the outer six miles to Denmark, Norway, and Iceland, which apparently proved to be the persuasive factor for the Danes; later in the year, the Norwegians also signed. In order to broaden the convention's application, the U.K. hosted another conference on February 26 for the U.S., Canada, U.S.S.R., and Poland. Subsequently both Poland and the Soviet Union became signatories.³⁷

Both the new agreement and the assembly of nations became known as the Northeast Atlantic Fisheries Convention, or NEAFC. (This was the culmination of the efforts related in Chapter One resulting in the formation of the NEAFC.) As requested by Mr. Selvik, the conference included the topic of conservation. In this regard, the body took note of new technology:

Under the new NEAFC Convention . . . the whole area has been increased and subdivided into three sub-areas, each with a Committee of nations principally interested. The principal advances made, however, were to extend the Commission's remit to include the consideration of measures other than mesh size and size limits of fish. These include fishing gear and appliances, closed seasons and areas, the improvement and increase of marine resources and (subject to special condition) the control of catches and fishing effort. While the first options may prove useful, the last two were vital to any truly rational exploitation of a fish stock.³⁸

All measures to promote rational and conservational use of the living sea resources were now theoretically in

place: a body with a mandate to promote the issue; regulatory means updated to meet new technology; and conservation police powers given to the coastal state. Yet at least one problem remained, namely, what were the procedures if a coastal state felt the need for conservation measures and the body did not? The NEAFC addressed this issue in 1966 when it adopted the Convention on Fishing and Conservation of the Living Resources of the High Seas. This treaty required a state to enact conservation measures through international agreement, but if two or more states contended for the same fish stock and could not agree, the matter would become the subject of compulsory arbitration.³⁹

The matter came to be tested during the next two years. At the fifth NEAFC meeting in 1967, the Icelandic representative proposed closing an area off the nation's northeast coast to all trawling from July to December for a period of ten years, during which time the International Council for the Exploration of the Sea (ICES) would evaluate the experiment's effects. In a memorandum to the Convention, Icelandic officials explained their belief that increased fishing efforts were causing a high mortality rate for codlings, making restrictions on mesh size ineffective. This proposal would close to all trawling an area highly exploited by non-Icelanders, thereby allowing

the fish to mature. All of the parties involved said that "further scientific investigation was necessary" before they would agree to the Icelandic proposal, and the U.K. representatives also said that there was an administrative aspect to study. In the end, the NEAFC unanimously agreed to form a working group composed of scientists and administrators, with representation from the F.R.G., Iceland, Norway, the U.S.S.R., and the U.K., and to invite ICES to send its representatives.⁴⁰

At the sixth meeting of the Convention in 1968, the working group reported that there should be further studies before closing the area off Iceland, but paradoxically suggested that the NEAFC should enact a closure after making the study. The Icelandic delegates disagreed with the conclusion:

The Delegation of Iceland, while recognizing that there were uncertainties in the scientific advice on the need for and effects of the proposed closure which should be removed by further research, nevertheless considered that the stocks in the area were endangered and that immediate action was required. They stressed the great dependence of Iceland upon its fishing industry and put forward the modified proposal that there should be an experimental closure off the north-east coast of Iceland while further necessary research was undertaken.⁴¹

When the Icelandic delegates asked for an immediate closure of the area for study, a U.K. representative replied that this would be unfair to countries which fish outside of the 12-mile limit, since Iceland would be free

to continue exploiting the mature fish inside the limit. The implication was that other nations would need to concede a catch which Iceland would not, because the fish did not recognize the 12-mile limit. Furthermore, there currently was no scientific evidence to support making the closure, but both sides agreed that there was need for more study. The Convention's final recommendation was to ask ICES "to study further by all means available the size and age composition of cod and haddock stocks around Iceland and in adjacent waters," as well as to survey the general condition of the cod fishery and population within the area, and to have the report ready for the ninth NEAFC meeting to be held in 1971.⁴²

But evidence did reveal Iceland to be correct in asking for the closure. In Research Paper 10, published in 1966, ICES demonstrated that, although the British were catching 30.6 per cent of the cod by weight in Icelandic waters, that catch represented 52.9 per cent of the total numbers of cod taken. The conclusion was that much of the British catch consisted of immature cod which had never spawned.⁴³ But the conclusion reached at the 1968 NEAFC meeting illustrates that, despite the 1966 Conservation Convention, there was a reluctance to employ closure areas which would deprive nations of fishing areas, thereby

negating Icelandic attempts to implement its desired means for conservation.

Because of such attitudes toward conservation, the world catch had been increasing by an average rate of seven to eight per cent since 1945, with a full ten per cent increase from 1969 to 1970. Consequently the world catch had more than doubled between 1958 and 1970 from 33 million tons to 68 million tons. The Law of the Sea Institute was even encouraging further growth, believing that fishing efforts should expand to provide the world with a needed food source. The Institute did acknowledge that conservation was important for certain stocks of species.⁴⁴

European cod stocks at this time were in need of conservation efforts, because the species was now spawning an average of 1.2 times during its lifetime, with 70 per cent of all fish spawning in any given year becoming fatalities, primarily to the fishing industry. Whereas the average landed fish in 1945 weighed twenty-five pounds, by the mid-1960's that average was only six to twelve pounds.⁴⁵ Even if the NEAFC would not believe that overfishing was taking place in Icelandic waters, the U.N. Food and Agricultural Organization did. In its 1967 report, The State of Food and Agriculture, the FAO estimated that overfishing for cod began in the Icelandic

region in 1955. In fact, the report called every European cod ground "overfished," attributing the fact to the employment of modern technological methods, particularly freezer vessels. Although these areas were overfished, the stocks were not necessarily in danger of depletion.⁴⁶

By 1968, Icelanders were further convinced that their local fisheries required further conservation efforts, a realization prompted by the depletion of Icelandic herring stocks. These shoals, on which Iceland enjoyed nearly exclusive fishing, yielded about 146,000 tons in 1960, but that figure had increased to 590,000 tons in 1965. Then in 1968, the herring was virtually gone: the total catch was only 27,600 tons for that year, with further decreases to 16,300 tons in 1970.⁴⁷ As one can imagine, the impact on the Icelandic economy was severe:

In two years Iceland's national income fell by 17 per cent, and her exports by over 40 per cent. During the post-war period no highly developed State has experienced a drop of such dimensions. It is unthinkable that Iceland could continue to exist if cod were stricken to the same extent as herring.⁴⁸

Until at least April 1976, some European nations, notably Britain, blamed the loss of the herring stock on Icelandic over-exploitation. But in the Cooperative Research Report Number 45, Appendix I, which the ICES Liaison Committee published in that month, research fixed the blame on overfishing of the immature Norwegian spring spawning

stocks from 1959 to 1961. Since the Icelanders never exploited these immature North Sea fish, they were clearly not at fault.⁴⁹ In fact, by 1970, the loss of these stocks also affected Britain's North Sea herring industry. The result was equally devastating: towns dependent upon the stocks, such as Yarmouth and Felixstowe, lost their entire fishing industry.⁵⁰

When the herring shoals failed, the Icelanders feared that the demersal catch would suffer the same fate. Perhaps because of this development, the U.N. again became involved in conservation problems beginning in 1967 when Malta's representative Arvid Pardo raised the question of seabed mineral extraction. By 1969, the General Assembly had passed, in amended form, his proposal as Resolution 2574 A (XXIV) to deal with ". . . problems relating to the high seas, territorial waters, contiguous zones, the continental shelf, the superjacent waters, and the seabed and ocean floor beyond national jurisdiction. . . ." The U.N. prepared to implement the Resolution by holding ". . . a conference particularly for the purpose of arriving at a clear, precise and internationally acceptable definition of the area of the sea-bed and the ocean floor and their subsoil which lies beyond national jurisdiction. . . ."⁵¹ In short, the Resolution called for the Third Law of the Sea Conference.

In an attempt to accommodate viewpoints from as many nations as possible in the conference, the U.N. Secretary-General asked each member to submit its views about the conference.⁵² The Icelandic letter of reply dated June 22, 1970 stated:

[I]t is the considered opinion of the Government of Iceland that it would be desirable to convene a conference to deal with those problems of the law of the sea for which a satisfactory solution has not been provided but is urgently called for, such as:

- (a) Jurisdiction and control over coastal fisheries;
- (b) The outer limits of the continental shelf;
- (c) The extent of the territorial sea;
- (d) Passage through and over straits.⁵³

The British reply of June 30, 1970, stated that the 1958 and 1960 conferences had discussed fishing rights, and that conventions subsequent to the 1958 conference had settled these matters. Nonetheless, the British still had several questions which they wanted settled, such as "the breadth of the territorial sea." Likewise, they wanted a "precise and internationally accepted definition of the area of the sea-bed and ocean floor which lies beyond national jurisdiction."⁵⁴

The national replies to the Secretary-General's question were generally divided into two groups. The sector in favor of holding the 3rd UNCLOS were mainly the developing nations; they particularly wished to settle the matter of a contiguous fishery zone. On the other hand,

most of the developed nations took the same line as did Britain, that is they did not favor holding a conference to discuss items which they believed had been solved at the various conventions held since the 1st UNCLOS. But they welcomed a conference to discuss and settle other issues, such as the breadth of the territorial sea and the breadth of fishery zones beyond the territorial sea.⁵⁵ Because of these replies, the General Assembly passed Resolution 2750 C (XXV) which accomplished two objectives: first, the act established the fact that there would be a conference to decide the precise boundaries of the continental shelf, territorial waters, the contiguous zone, and fishing and conservation rights, including preferential rights of coastal states; second, it established a committee to develop the conference agenda. Initially, this committee was to work for one year to formulate its proposals, after which time the conference was to meet in Geneva.⁵⁶

Significantly, in 1970, the General Assembly also adopted Resolution 2625 (XXV), requiring states to honor national boundaries, deny the use of force in boundary disputes, and use all peaceful means available to settle such disputes.⁵⁷ Three years later, when British naval vessels were again challenging the rights of Icelandic gunboats to protect their fisheries zone, Iceland would

remind the U.N. that Great Britain had voted for this Resolution.

Another portion of Iceland's June 22, 1970 letter to the Secretary-General made some governments nervous:

It has on various occasions been maintained that it would be unrealistic and unjust to prevent foreign nationals only from exploiting oil from the continental shelf, but to allow them to utilize the fishing grounds whose existence depends on the same shelf. . . . This view was the basis for the Icelandic Law of 5 April 1948 . . . concerning the continental shelf fisheries. This law has so far been implemented up to a distance of twelve miles from straight base-lines, but it is increasingly evident that further implementation is urgently required. . . . Since 1958, the distance has been twelve miles, but that limit is not sufficient in Icelandic waters.⁵⁸

Iceland, thereby served notice that it expected the 3rd UNCLOS to ratify a wider fisheries zone, and that it would implement such a limit without regard to the outcome of the conference. Because international conservation efforts were lacking, Icelandic officials apparently believed they had ample justification to act unilaterally, but there were at least two reasons why they chose this moment.

First, in addition to conservation problems, Iceland was worried about the depletion of its cod fisheries. In the Barents Sea, the annual cod catch was normally about one million tons, taken by Soviet, British, and Norwegian fishermen. But because of overfishing, those nations were

forging an agreement through the NEAFC which would limit the total catch to one half that amount. If such an agreement took place, the underemployed fleets would seek new grounds to exploit. The Icelanders feared that these vessels would move into their coastal waters. Thus the government believed that ". . . it may soon be necessary to establish some form of regulations for the Icelandic fishing grounds." They reasoned that it would be better to issue regulations before the vessels arrived from the Barents Sea.⁵⁹ Furthermore, at a U.S. Congressional hearing held in 1963, "evidence was presented to the effect that Russian fishing vessels violated accepted conservation practices, especially by the use of nets of a smaller than permissible mesh size."⁶⁰

With this kind of a record on the part of Russian fishermen, and with Icelanders' perceived need to implement conservation measures in their waters, it is no wonder that the Icelandic government chose this moment to increase fisheries limit again. Furthermore, the Icelanders, as well as various Latin American nations who also advocated expanded fisheries limits, realized at the 1st UNCLOS and 2nd UNCLOS that they needed more international support than they had during those meetings. With the admittance to the U.N. during the 1960's of several new nations, all former colonies, the time was ripe for at-

tempting another fisheries extension, since these new nations viewed the movement for increased fisheries limits as one facet of anti-colonial action.⁶¹ Iceland was now on the brink of the third act of its fisheries disputes, the second cod war.

NOTES

1. United Kingdom, Parliament, The Fishing Industry, Cmnd. 1453 (London: H.M.S.O., 1961), 3 (hereafter Parliament, The Fishing Industry).

2. United Kingdom, Parliament, Report of the Committee of Inquiry into the Fishing Industry, Cmnd. 1266 (London: H.M.S.O., January 1961), 27-28 (hereafter The Fleck Report).

3. Ibid., 130-133.

4. Ibid., 125.

5. Ibid., 39-40.

6. Ibid., 144-145.

7. Parliament, The Fishing Industry, 2.

8. U.S. Fish and Wildlife Service, Bureau of Commercial Fisheries, United Kingdom's Fishing Industry 1959-1963, Market News Leaflet 14 (Washington, D.C.: Fishery Market News Service, Division of Resource Development, Bureau of Commercial Fisheries, U.S. Fish and Wildlife Service, May 1964), 28-29 (hereafter Fish and Wildlife Service, U.K. Fishing Industry 1959-1963).

9. E. E. D. Day, "The British Sea Fishing Industry," Geography 54, pt. 2 (April 1969) 166.

10. Ibid., 179.

11. Ibid., 180.

12. U.S. Fish and Wildlife Service, Bureau of Commercial Fisheries, Iceland's Fishing Industry 1959-1963, Market News Leaflet 44 (Washington, D.C.: Fishery Market News Service, Division of Resource Development, Bureau of Commercial Fisheries, U.S. Fish and Wildlife Service, June 1964), 3-4.

13. Parliamentary Debates (Commons), vol. 785 (1969) col. w.130-123, w.134-135 (hereafter Debates, (Commons); written replies will be referred to by "w." preceding the column number).

14. Organization for Economic Co-Operation and Development, Economic Surveys by the OECD: Iceland (Paris: OECD, January 1963), 15.

15. John C. Griffiths, Modern Iceland (New York: Frederick A. Praeger, Publishers, 1969), 202, table 4.

16. "Icelandic trawlers at end of queue," The Times, 28 November 1966, 8 (hereafter Times).

17. "Krona devaluation a blow to British fishing industries," Times, 13 November 1968, 23.

18. Debates, (Commons), vol. 785 (1969) w.102; "Aberdeen gets Iceland fish," Times (London), 24 June 1969, 20.

19. "Iceland wants to join Efta," Times, 19 August 1967, 17; "Iceland applies to join Efta," Times, 15 November 1968, 30.

20. Debates, (Commons), vol. 775 (1968), col. 872-873.

21. "Focus on Britain," The Christian Science Monitor, 13 January 1970, 1 (hereafter C. S. M.); "Efta will aid fish exports," Times, 10 February 1970, 23.

22. "Iceland explains fishing limits plan," Times, 22 April 1972, 6.

23. Thrainn Eggertsson, "Determinants of Icelandic Foreign Relations," Cooperation and Conflict: Nordic Journal of International Politics 9 (1975): 95-96.

24. The Fleck Report, 27.

25. Debates, (Commons), vol. 653 (1962), col. 15-16; Debates, (Commons), vol. 657 (1962), col. 12; Debates, (Commons), vol. 663 (1962), col. 1460-1461.

26. Teruo Kobayashi, The Anglo-Norwegian Fisheries Case of 1951 and the Changing Law of the Territorial Sea, University of Florida Monographs: Social Sciences no. 26 (Gainesville: University of Florida Press, 1965), 71; Council of Europe, Consultative Assembly, Fifteenth Ord. Session, 2nd part, September 19, Doc. 1660 submitted by Mr. Yvon, "Report on European Fisheries," in Documents: Working Papers, vol. 4, (Strasbourg, 1963), 2-3 (hereafter Council of Europe, September 19, 1963, "Report on European

Fisheries"); "Britain May Boost Three-Mile Limit," C. S. M., 25 May 1963, 11. From 1958 shortly after Iceland announced its 12-mile limit, and continuing to these events in 1963, there were a large number of claims to 12-miles. There will be references to such claims, but their specific evolution will not be covered in this work. It is not known what the "Brussels negotiations" were to which Heath referred, unless these were the talks NATO in 1958 which attempted to settle the 12-mile dispute.

27. Council of Europe, September 19, 1963, "Report on European Fisheries," 3.

28. Council of Europe, Consultative Assembly, Fifteenth Ord. Session, 2nd part, June 24, Doc. 1614 submitted by Mr. Radius, "Motion for an Order," in Documents: Working Papers, vol. 3, (Strasburg, 1963), n.p.

29. Council of Europe, Consultative Assembly, Fifteenth Ord. Session, 2nd part, Thirteenth sitting, September 19, 1963, Item 8 "European Fisheries," in Official Report of Debates, vol. 2, (Strasburg, 1963), 355-366 (hereafter Council of Europe, September 19, 1963, Debate on "European Fisheries").

30. Ibid., 367.

31. Council of Europe, Consultative Assembly, Fifteenth Ord. Session, 2nd part, September 18-24, 1963, "Resolution 263 (1963): on European Fisheries," in Texts Adopted by the Assembly (Strasburg, 1963), n.p.

32. Fish and Wildlife Service, U.K. Fishing Industry 1959-1963, 14.

33. Council of Europe, September 19, 1963, Debate on "European Fisheries," 369; Council of Europe, September 19, 1963, "Report on European Fisheries," 2.

34. Council of Europe, Consultative Assembly, Fifteenth Ord. Session, 2nd part, Twelfth sitting, September 20, 1963, Item 7 "European Fisheries," in Official Report of Debates, vol. 2, (Strasburg, 1963), 392; Council of Europe, Consultative Assembly, Fifteenth Ord. Session, 2nd part, Fifteenth sitting, September 23, 1963, Item 5 "European Fisheries," in Official Report of Debates, vol. 2, (Strasburg, 1963), 518-519, 534. In addition to Thorsteinsdottir, Messrs. Kristjansson and Skarphedinsson also abstained; the two men were most undoubtedly also Icelanders.

35. Fish and Wildlife Service, U.K. Fishing Industry 1959-1963, 14-17; Debates, (Commons), vol. 686 (1963) col. 30-33 for direct quote.

36. Debates, (Commons), vol. 690 (1964), col. 1132-1133; International Court of Justice, Pleadings, Oral Arguments, Documents: Fisheries Jurisdiction Cases, vol. 1, United Kingdom of Great Britain and Northern Ireland v. Iceland (The Hague, 1975), 342-343 including direct quote (hereafter Pleadings, United Kingdom).

37. Fish and Wildlife Service, U.K. Fishing Industry 1959-1963, 17-18; Pleadings, United Kingdom, 342. Luxembourg did not ratify the Convention. It is interesting to note the inclusion of Luxembourg, Austria, and Switzerland in a fisheries conference. This fact may have been one circumstance behind including the rights of land-locked states at the 3rd UNCLOS when its agenda was formulated some seven to eight years after this conference.

38. C. E. Lucas, "International Fishery Bodies of the North Atlantic" in Law of the Sea Institute Occasional Paper Series, no. 5 (Kingston: The Law of the Sea Institute - University of Rhode Island, 1970) 1, 16-17. The term "Convention" is applied both to this agreement and to the permanent body, the NEAFC, established at this meeting.

39. Albert W. Koers, International Regulation of Marine Fisheries: A Study of Regional Organizations (London: Fishing News (Books) Ltd., Eyre & Spottiswoode Ltd., 1973), 116-117.

40. Pleadings, United Kingdom, 301-302.

41. Ibid., 303.

42. Ibid., 303-304. The direct quote is from the "Report of the ICES Liaison Committee for 1971" made to the NEAFC.

43. Christopher Hitchens, "The Nelson Touch," New Statesman 86 (October 5, 1973): 457; Peter Kellner and Christopher Hitchens, Callaghan: The Road to Number Ten (London: Cassell & Company Limited, 1976), 143. It is possible that ICES Research Paper 10 prompted the Icelanders to make their proposal for the closure area.

44. "10 pc. boost in world fish catch," Times, 3 January 1972, 14; Gerald Elliott, "Fishing Control--National or International?" The World Today 28 (March 1972), 133; Roy I. Jackson, "Some Observations on the Future Growth of World Fisheries and the Nature of the Conservation Problem," in The Law of the Sea: The Future of the Sea's Resources. Proceedings of the Second Annual Conference of the Law of the Sea Institute, June 26-29, 1967, ed. by Lewis M. Alexander (Kingston: The University of Rhode Island, 1968), 10, 12.

45. H. J. Hamar, "We Are Approaching a Critical Point in the Fisheries," Atlantica & Iceland Review 8 no. 4 (1970), 50-51 (hereafter Hamar, "We Are Approaching a Critical Point in the Fisheries"); Katharine Scherman, Daughter of Fire: A Portrait of Iceland (Boston: Little Brown and Company, 1976), 269.

46. Paul Adam, "Overfishing in the North Atlantic," North Atlantic (Paris) 10 (1968): 67. 46.

47. Pleadings, United Kingdom, 295-296.

48. Ake Sparring, "Iceland, Europe, and NATO," The World Today 28 (September 1972): 395-396.

49. U.N. Security Council, Official Records: Thirty-First Year, Supplement for January, February and March 1976, Letter Dated 29 January 1976 from the Representative of Iceland to the President of the Security Council (New York, 1977) S/11954, 80-81. The ICES report is quoted in this document.

50. "A Harvest For All Time," in series "The Blue Revolution" (InCA [Films] in assoc. with The Discovery Channel, 1990).

51. "Regime der Knollen," Der Spiegel 28 (24 June 1974), 76; U.N. General Assembly, 24th sess., Official Records, Meetings, 1833rd Plenary Meeting (New York, 1969) A/PV.1833, 2.

52. U.N. General Assembly, 24th sess., Item 26 (c) of the provisional agenda, "Question of the Reservation Exclusively for Peaceful Purposes of the Sea-Bed and the Ocean Floor, and the Subsoil Thereof, Underlying the High Seas beyond the Limits of Present National Jurisdiction, and the Use of Their Resources in the Interests of Mankind, Report of the Secretary-General" ([New York], 1970) A/7925, 3 (hereafter A/7925).

53. Ibid., 21.
54. Ibid., 38-40.
55. Compiled from A/7925 and its addenda not cited above: A/7925/Add.1, A/7925/Add.2, and A/7925/Add.3.
56. U.N. General Assembly, 25th sess., 15 September - 17 December 1970, Official Records, Supplement 28 Resolutions Adopted by the General Assembly during its Twenty-fifth Session ([New York, 1971(?)] A/8028, 26. The resolution is titled "Reservation exclusively for peaceful purposes of the sea-bed and the ocean floor, and the subsoil thereof, underlying the high seas beyond the limits of present national jurisdiction and use of their resources in the interests of mankind, and convening of a conference on the law of the sea."
57. Ibid., 122-123. The resolution was titled "Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations."
58. A/7925, 20.
59. Hamar, "We Are Approaching a Critical Point in the Fisheries," 51-53.
60. Lucien E. Moreau, "International Law," in "Notes," Harvard International Law Journal 8 (Winter 1967): 161.
61. Hans G. Andersen, "The Icelandic Fisheries Zone," part of chap. 4 "Foreign Relations" in Iceland, 874-1974, 171-172.

CHAPTER 5
THE 50-MILE DISPUTE

The 3rd UNCLOS issue was timely in Icelandic politics, because 1971 was an election year. "On issue in the campaign was a call for an extension of Iceland's sea boundaries to 50 miles off the coast to protect Icelandic fishermen from the competition of foreign fleets."¹ The June 12 elections gave the Independence Party 22 seats (up one), Progressives 17 (down one), People's Alliance 10 (even), Social-Democrats 6 (down three), and Liberal Left, (a new party and off-shoot of the People's Alliance) 5. Although the Independents won the most seats, President Kristjan Eldjarn asked Progressive member Olafur Johannesson to form a new government; he did so in coalition with the People's Alliance and the Liberal Left. From his own party, he chose Einar Agustsson as the Foreign Minister; Ludvik Josepsson, People's Alliance Party, received the dual Ministries of Fisheries and Trade; and Hannibal Valdimarsson, the leader of the Liberal Left, became Minister of Communications. Agustsson and Josepsson had played key roles in settling the 12-mile dispute in 1961.²

During the campaign, Johannesson and Valdimarsson pledged to make the 50-mile extension by unilateral extension and to refuse recognition for the authority of the

International Court of Justice (ICJ) over that decision. They contended that going to the ICJ would place Iceland's economic survival in the hands of an adjudicating body.³ On July 14, the new government announced that it would pursue three policies: 1) to remain in NATO while reviewing Iceland's membership with a view of possibly leaving the alliance if the world situation warranted; 2) to oblige U.S. troops to leave Keflavik Air Base by the summer of 1975; 3) and to declare 50-mile fishing rights to be in effect on September 1, 1972.⁴

Johannesson's government had an obligation to put the 50-mile limit into effect, because the Althing had passed a resolution to do so on April 7. This resolution provided for a 5-member committee, representing all parties, to write a bill to define the continental shelf in terms of the 400 meter isobath; define limits of fisheries utilization at fifty or more miles; and provide for exclusive Icelandic fishing rights in the continental shelf waters. The government passed the terms of its resolution to the United Nations in May, and reminded the U.N. about the matter on June 14 after the election.⁵ On June 17, British Foreign and Commonwealth Under-Secretary of State Anthony Royle reported to Parliament that he had received notification from the Icelandic government of its having authorized the 50-mile bill, and that the British govern-

ment believed implementation of such a law would be contrary to international law and would be subject to review by the ICJ if any dispute arose.⁶

The Icelandic statement on July 14, not only reiterated the new government's intent to carry out the 50-mile policy, but it also served notice to both the United Kingdom and the Federal Republic of Germany that Iceland was voiding its agreements made in 1961 with those nations over the 12-mile dispute. The British replied on July 17, with an aide-memoire that Iceland could not unilaterally terminate the agreement.⁷ But the Icelandic representative to the U.N. stated on August 6, to the Committee on the Peaceful Uses of the Seabed, his government's continued intent to make the extension to ". . . a distance of 50 to 70 miles around its coast, not later than September 1, 1972."⁸

Addressing the U.N. General Assembly himself on September 29, Agustsson cited the growing move to "fishery limits preferential rights and conservation zones (sic)." He explained that his government was:

convinced that this new system already has the support of the international community and is preparing the extension of the Icelandic fishery limits in conformity with these views so as to cover the waters of the continental shelf of Iceland. That criterion is clearly indicated in Iceland, i.e. an area which, for example at the depth of 400 meters, would extend to approximately 50-70 miles from the coast.⁹

Speaking to the North East Atlantic Fisheries Commission in December, Josepsson gave the reason for the impending extension as one of increased technology which has meant that "the vessels have undergone a complete change in size and outfit." New-styled trawlers which fished from their stern now had displacements of 1,000-1,200 tons, as opposed to the 300-500 tons of the side trawler. These vessels had "the latest electronic instruments" and highly efficient gear, and fishing fleets had access to "all the latest and best information about fish migrations, weather conditions, and everything else pertaining to fishing." There was also a large number of factory trawlers which remained on the fishing grounds for months at a time. Consequently, Iceland feared that the demersal stocks would soon fall prey to the type of overfishing which resulted in the depletion of the herring stock around its coast, a fact which Icelandic marine biologists predicted would occur with any increase in the demersal catch.

These are the reasons underlying the decision to enlarge our fishery jurisdiction to 50 miles, for we must secure for ourselves a larger part of the catches and safeguard at the same time the fish stocks around the country, on which our economic system rests, against extermination by overfishing.¹⁰

The Althing next passed a resolution on February 15, 1972, which expounded three points. First, it declared the 1961 notes which settled the 12-mile disputes with the

U.K. and the F.R.G. to be no longer applicable; second, it promulgated a 50-mile limit; and third, it stated that the government would seek an amicable solution with both foreign governments. The Icelandic M.P.'s chose the 50-mile figure because they agreed the distance roughly corresponded to the edge of the continental shelf at the 400 meter isobath. The actual isobath varied from twelve to seventy miles, averaging less than fifty.¹¹ The Icelandic government transmitted the resolution's contents to Britain in an aide-memoire on February 24. The British notified Iceland of their intent to take the matter before the ICJ, but would continue discussions for an interim agreement.¹²

The Althing promulgated the actual law declaring the 50-mile limit on July 14, 1972, exactly one year after the new government announced such intent, the expansion to become effective on the stated date of September 1. The law also defined new points for redrawing the baselines from which the government measured the limit. Because the law deleted seven old points, the new baselines were longer, and consequently the 50-mile measurement was further from shore in the effected areas. The London Times called the new law "an official declaration of [Iceland's] 'cod war' with Britain."¹³

By 1971, evidence existed to validate Icelandic claims of overfishing in its coastal waters. In response to the Northeast Atlantic Fishery Commission's (NEAFC) request for a report on the state of Icelandic fisheries (see preceding chapter), the International Commission for the Exploration of the Sea (ICES) delivered its findings that year. The report concluded that, although fishing efforts in these waters had declined during the 1960's, the overall catch had increased, but that any attempt to resume higher levels of fishing would have negligible results in bringing greater catches. Regarding the Icelandic request for a closure area off its northeast coast, the report concluded that such action would have little impact on the fish stocks, because fishermen would turn their efforts to other areas. Perhaps because of the Icelandic intent to declare the 50-mile limit, the NEAFC passed a resolution to "give further consideration to the need for additional measures to regulate the cod and haddock fisheries at Iceland, in the context of the position of the North Atlantic as a whole."¹⁴ Just a few days after the new Icelandic 50-mile limit came into effect, even a Briton said that the British catch had fallen off in 1970 and 1971 in Icelandic waters, showing that the cod might need more protection than the British government was willing to acknowledge. He even suggested that the Brit-

ish cut their cod catch in half, and adopt measures to stop catching small fish.¹⁵

But, in addition to the conservation issue, Icelanders also justified their action with several other arguments.

The special situation of countries who are overwhelmingly dependent on coastal fisheries was generally recognized at both the Geneva Conference in 1958 and 1960. Since then this view has found frequent expression both in the legislation of various countries and in important political statements.¹⁶

In August 1971, Hans Andersen, Iceland's Ambassador to the U.N., reminded the committee working on the agenda for the 3rd UNCLOS that the U.N. itself was beginning to adopt the idea of special circumstances. He cited conclusions from the Food and Agricultural Organization's meeting held May 20-26, 1971, in Morocco to discuss fisheries conservation for the African nations: "The African nations should adopt specific conservation and control measures, including the establishment of exclusive fisheries zones to the edge of the continental shelf or some prescribed depth."¹⁷ Agustsson supported this argument in his address to the General Assembly on September 29, 1971:

This obsolete system [of open seas and narrow fisheries limits] is now being replaced by a new pragmatic approach. . . . [One reason for the change] is that the coastal fisheries are a part of the natural resources of the coastal State up to a reasonable distance from the coast and that this problem is entirely different from the concept of the territorial seas. The distance

required for this specialized jurisdiction over fisheries would vary in different countries and regions, but it would be determined on the basis of relevant local considerations.¹⁸

About a year later, the U.N. adopted Resolution 3016 (XXVII) giving each state sovereign rights over its natural resources, including those resources within its coastal waters, and made it illegal for any nation to gain access to the resources through coercion. The Resolution also gave developing nations permanent sovereignty over their natural resources.¹⁹

The Icelandic government also developed an argument for jurisdiction over the 50-mile waters based upon the theory of the division of labor. The government argued that its people were most suited to fish off their coast because they were not only closest to the region, but also the world's most productive fishermen. They also argued that Iceland would be able to sell more fish to the U.K., which would benefit the British government because of the ten per cent import tariff on the fish. Finally, the Icelanders would make additional contributions to the British economy because their vessels always take on provisions in Britain for a return voyage after selling their fish, and also because of other goods and services which the Icelanders purchased on the trip.²⁰

But there was another reason for the Icelandic extension. In a public statement on July 17, 1972, Josepsson

gave two reasons for the government's decision for the extension: to implement conservation measures, and to increase the overall Icelandic catch of the total allowable catch.²¹ Their intent to take more for themselves was perhaps the reason which most angered the British, because Icelanders admitted they were doing so in order to maintain affluence. One Icelandic writer said:

In order to maintain and improve [their] standard of living in step with other nations the Icelandic people must increase their share in the total catch in Icelandic waters, as stocks of demersal species in this area are now fully utilized.²²

In fact, the government itself even admitted their consideration of the standard of living in making the extension.

In order to maintain and improve the standard of living in step with other nations, the Icelandic people must increase their share in the total catch taken in Icelandic waters, as stocks of demersal species there are now fully utilized. Every increase in effort will lead to overfishing.²³

The Icelandic government acted at this time because of a belief that it could not wait for the 3rd UNCLOS to solve the region's conservation problems. Furthermore, there was no guarantee that this conference would afford the protection, since both the First and Second Conferences had failed.²⁴ But there was also the possibility that Icelandic action was an attempt to influence the 3rd UNCLOS by directly increasing pressure on the conference's

members to enact broad limits, and by encouraging other nations to increase their limits. In turn, acceptance of the principle at the conference would bring acceptance from the U.K. Finally, if the conference did adopt a narrow fisheries limit as the rule in international law, it would be difficult to force Iceland to give up its limit, because the conference would have to declare its work to be retroactive to the Icelandic action.²⁵

On June 13, the day after the Icelandic elections, spokesmen for the fishing industry at Hull and Grimsby predicted the end of their enterprises in Icelandic waters if Iceland's new limit went into effect, saying that the 50-mile boundary would force them off the continental shelf. On the same day, Anthony Crosland, then the Member of Parliament for Grimsby, requested that the British government bring the issue to the Economic Free Trade Association, where both nations were members.²⁶

About five weeks later, an M.P. for Hull, Kevin McNamara, told the Commons he believed the Icelandic declaration would bring pressure from the United States on Britain. He stated that NATO pressure forced British acceptance of the 12-mile limit in 1961, and that the same would occur now, so that U.S. forces might continue to use Keflavik Air Base.²⁷ Although his argument about the events in 1961 is plausible, he offered no evidence to

support the contention. But some Icelandic political candidates linked the fishing and NATO issues during their stumping in 1971, so McNamara's fears were plausible, if not based on reality.

After the British delivered their note to Icelandic officials on July 17, 1971, Foreign Minister Agustsson apparently chose to make no official reply, so the British delivered another aide-memoire on August 17. The next day, the two sides held ministerial talks in London, but found no solution. Iceland then delivered its own note on the 31st, giving official notice that it would terminate the 1961 agreement and declare extended limits to the continental shelf, with details to follow. Consequently, the British Ambassador to Iceland, John McKenzie, delivered another aide-memoire on September 27. In this note, the British again objected to Iceland's intention to declare new limits and to abrogate the 1961 agreement; they contended that Iceland could not legally make a unilateral expansion, and that international law had no place for such action, and proposed exploratory discussions.²⁸

Iceland agreed to the proposal, and the British hosted another meeting in London on November 3-4, 1971. Assistant Under-Secretary of State in the Foreign and Commonwealth Office (FCO) H. B. C. Keeble explored the

issue with Andersen, who was acting as legal adviser to the Minister of Foreign Affairs. Keeble proffered the British position of making a multilateral agreement for catch limitations as the means to enact conservation measures. Andersen simply reiterated that his government was concerned about the massive buildup of trawlers from Spain, Portugal, Poland, the U.S.S.R., and Japan, and that Icelanders wanted to expand their own fishing industry.²⁹

The British next sent a negotiating team to Reykjavik on January 13-14, 1972, where British members suggested voluntarily limiting their fishermen to an annual catch of 185,000 tons, 22,000 tons below the previous year's level. The Icelanders countered with a proposal to limit British fishing in the zone during a phase-out period, after which they would attain full rights to the area. They also placed a precondition on any agreement for the British government to accept and recognize their right, as a coastal state, to preferential treatment on the fishing issue. Since Royle told an M.P. on January 24, that the talks made no progress, we can assume the British rejected Iceland's proposal.³⁰

The Icelanders conducted the next round of talks with the British fishing industry in late February. Austin Laing, representing the British Trawlers' Federation (B. T. F.), met at Hull with Jonas Arnason, special envoy

representing Minister Josepsson. Arnason supported the 50-mile claim adamantly, but said that his government would allow British and West German vessels to fish within the new limit for some specified period of time, if the two nations recognized the validity of the claim. The meeting ended unresolved, prompting another M.P. from Hull, Jonas Johnson, to state that the trawlermen would defy the Icelandic decree and continue to fish in the waters. He added that the fishermen did not want the Royal Navy to enter any altercation, but Royle told him, "I cannot say that we would in no circumstances resort to naval protection for our fishing vessels, but I hope that protection will not prove necessary."³¹

With the talks at an impasse, the British resorted to the weapon forged in their 1961 agreement, the ICJ. On March 3, 1972, the FCO instructed McKenzie to inform Iceland that they would appeal to the ICJ. The British formalized this notification on March 14, with an aide-memoire. One month later, April 14, 1972, Britain sent the Court its application to hear the case.³²

Having asked the ICJ for assistance, the British again sent emissaries to Reykjavik on April 19-20 to discuss interim arrangements. These agents again proposed a voluntary British catch limit of 185,000 tons, with the caveat that either side could ask for a review after

September 1, 1975, if the dispute was still pending then. The talks ended with the arrangement that Agustsson and Josepsson would visit London in the latter part of May.³³

The two Icelanders met the British on May 23-25. The British team consisted of Sir Alec Douglas-Home (Secretary of State for the FCO), Joseph Godber (Minister of State at the FCO), James Prior (Minister of Agriculture, Fisheries and Food - AFF), and Anthony Stodart (Minister of State for AFF). The two Icelanders rejected the British proposal for an interim arrangement, and instead made a proposal consisting of seven points: 1. limits on the size and type of British vessels fishing in the 50-mile zone; 2) reserving the limit to a distance of twenty-five miles for exclusive Icelandic use; 3) dividing the outer twenty-five miles into six zones, each one open to the British trawlers for a period of three to four months annually; 4) adding areas closed for conservation; 5) reserving areas exclusively for line and net fishermen; 6) providing for Icelandic enforcement in the limit; 7) allowing the terms to expire after 1973. When the British agreed to some conservation measures, such as given in points four and five, the Icelanders replied that the problem ". . . was not merely a matter of conservation or of a restriction on the total United Kingdom catch; there must be some meas-

ures which restricted British fishing activities in a way apparent to the Icelandic people." Consequently:

No agreement on an interim arrangement was concluded at these discussions but both sides agreed on the necessity of reaching agreement on practical arrangements. It was agreed that both sides would reflect further on the form that such arrangements might take and that they should meet again in June.³⁴

Agustsson and Josepsson again met British ministers in London on June 19-20. On this occasion, the British team recommended effort limitation as the means of conservation and catch reduction, proposing that British vessels be subject to time limitations in which they could remain on the Icelandic fishing grounds. The time would vary for various vessels, depending upon their catch capabilities, thereby holding the total fleet catch to an agreed quota, which the British again proposed should be 185,000 tons. The Icelanders, believing that international support for their viewpoint had increased, rejected this idea also, insisting that an agreement had to include areas closed to British trawlers. They did agree to another round of meetings in Reykjavik.³⁵

Lady Tweedsmuir led the British team, consisting of Godber, Stodart, other officials from the FCO and MAFF, and members of the B. T. F., who accompanied the government officials as technical advisers, when it went to Reykjavik on July 10-12. The British delegates met again

with at least Agustsson and Josepsson, and proposed a catch quota for themselves, offering 70 per cent of their 1971 catch as a limit, making their suggested quota 147,000 tons (see Appendix 8), and they did not ask the Icelanders to make any reductions for themselves. Stating that they were under pressure from the militants for showing too much leniency, the Icelanders proposed that the British fish within zones in a belt of varying width, the inner limit beginning at distances of fourteen to twenty-seven miles and going to the 50-mile limit; the belt would have six zones, two open at any given time, and British trawlers allowed to fish would be limited to 160 feet in length. The British rejected the offer, saying that it would reduce their catch by 80 per cent, but were also unwilling to agree to Icelandic control over any area beyond the 12-mile limit so as not to prejudice their case before the ICJ. The Icelanders were willing to talk about a combination of closure areas, catch limitations, and conservation grounds closed to all fishermen, which would bring the British catch to 80 per cent of its 1960-1969 average, which would have allowed the British a catch approximating 148,000 tons.

There are various versions about the conclusion of the talks. One account said they concluded with an agreement in principle to limit the British catch to 156,000

tons (about 84 per cent of the 1960's average or 74 per cent of the 1971 catch), and that the Icelanders would not discuss further details, since they wanted to publish the 50-mile regulations as soon as possible. Another account said the British wanted experts to peruse the last Icelandic offer, but when the Icelanders refused, the British team said they would consider any definite Icelandic proposal. A third account had the Icelanders saying they would put together proposals which would not restrict the British catch as severely, but in return they wanted exclusive police jurisdiction and areas reserved for Icelanders.

Whatever the final occurrences were, two facts emerged from the talks: the British were convinced that the Icelandic definition of conservation measures was to curtail the British catch so that they could raise their own catch, thereby taking advantage of a lucrative American market; second, the British decided to call for the ICJ to impose immediate interim measures.³⁶

Perhaps one factor contributing to the failure of these talks was the presence of Tweedsmuir. One British trawlermen, presumably one of the B. T. F.'s advisers remarked after the meetings adjourned, "[s]he doesn't know how fish are cooked let alone caught." Another individual who was involved in previous discussions "confessed that

after a session with her he felt a yearning for Sir Alec Douglas Home that would previously have seemed unthinkable to him."³⁷ The British team also disliked Josepsson. Whereas FCO members were on relatively good terms with Agustsson, negotiators from the MAFF disliked dealing with Josepsson because of his adamant, hard-line attitude. The result was that the British government received mixed signals from within the Icelandic government, creating confusion in Whitehall as to what the true Icelandic attitude was.³⁸

After the talks ended on July 12, came the Icelandic promulgation of the 50-mile law two days later. Five days after that, July 19, the U.K. made application with the ICJ for an interim ruling in the dispute, but McKenzie notified Agustsson on July 24 that his government was deferring oral hearings on the interim judgment until August 1, so that there might be sufficient time to consider any new Icelandic proposals. When there were none, the oral hearing took place as scheduled.³⁹

Agustsson finally sent a note to the U.K. on August 11 stating that his government was ready to negotiate an interim settlement based on three points. The first item was similar to their earlier proposals, that is, allowing the British to fish in the entire 12- to 50-mile width in six zones with two open at any given time, but

the British would also need to accept certain areas as being closed to all trawling. Second, British vessels would be limited to 180 feet in length, or about 750-800 gross registered tons, with all freezers and factory ships prohibited. Finally, the agreement was to end on June 1, 1974. The proposal would limit the British to about 75 per cent of their average catch during the 1960's, roughly 140,000 tons. Within days, the British refused the proposal, because Iceland also stipulated that the British recognize Iceland's preferential rights outside of the 12-mile limit, and that Iceland was to have full enforcement powers within the 50-mile zone.⁴⁰

The ICJ handed down its interim ruling on August 17. The decision required Iceland to allow British vessels to fish up to the 12-mile limit, but also restricted the British catch to 170,000 tons, about 91 per cent of the 1960's average or 81 per cent of the 1971 total catch. The Court also required both sides to show restraint and refrain from belligerent action, and provided for a review by either party any time prior to August 1, 1973.⁴¹ This latter provision acknowledged that the final outcome, be it from the 3rd UNCLOS or from the Court's ruling, would be some time in coming.

Britain made one more attempt at settling the dispute on August 28, when McKenzie sent a note requesting discus-

sions within the context of the Court's ruling. Hannes Jonsson, Agustsson's Press and Information Secretary, found "the British note as negative and rude" and expressed no desire for further talks; Agustsson himself believed the note was a sincere attempt to establish talks, but the Icelandic government replied by denouncing ICJ jurisdiction in the case.⁴² The second cod war was about to begin.

Prior to September 1, Britain signalled to Iceland that it would use force if necessary to protect British rights in the 50-mile limit. As early as February 1972, Royle made to Parliament the obfuscated statement mentioned above concerning the Royal Navy. Then in early July, responding to a request from trawlermen for naval support in the zone, Mr. Prior said: "We must look after our trawlermen and our fishing, and this is the position the Government has adopted."⁴³ In late August, the Times clarified the government's position on the use of force with a report of authorized procedures for the Royal Naval to use when stopping an arrest by the Icelandic Coast Guard. First, the R. N. ship could fire a blank, which makes noise and throws a plume of water; if the C. G. vessel did not stop, the British ship could then fire a solid shot over its bow, but further action required governmental guidance. The article also said that it was

not known what the Icelandic rules of engagement were.⁴⁴ Presumably this report came from the Admiralty, showing British resolve to use force if necessary.

But on the morning of September 1, there were no R. N. ships in the 50-mile zone. The only unusual governmental action was to send the fishing support ship Miranda to the Icelandic waters earlier than normal. After retrofit in Sweden for support duties, which included strengthening for Arctic conditions, the 1,462-ton, vessel entered service in early 1971, due to previous trawling accidents. A civilian firm operated the vessel on contract with the Ministry of Trade and Transport in support of MAFF needs, with the ship's 32-man crew providing weather broadcasts, emergency medical care, and emergency engineering and electronic repair.⁴⁵

By August 22, at least eighty trawlers had departed the U.K. for Icelandic waters. Their skippers had received instructions to resist boarding with nets, rusting cables, and rotten potatoes, and orders "to yield only if the Icelanders used violence." The B. T. F. also told the skippers that they were to display their names and numbers as required by law, unless they approached Iceland, in which case they were to cover their markings. Hiding the marks would make identification from photographs impossible, so that they could not be held if they

subsequently needed to put into Icelandic ports. The B. T. F. also instructed skippers who had already concealed their identification to redo them.⁴⁶

By September 2, there were about one hundred British, West German, and Belgian trawlers inside the new limit. To meet the threat, the Icelandic C. G. had about 120 men on four vessels (Odinn II, Arvakur, Hval-Tyr, and Aegir II), three helicopters, and a Fokker aircraft modified for reconnaissance. A fifth vessel, Thor, was under retrofit in Denmark, but later joined the foray. Some (and possibly all five) vessels had small deck guns. When the dispute began, there was a rumor that Aegir was to be armored; another rumor had it that the mini-fleet might use explosive-tipped harpoons, the story probably generated by the report that the C. G. was trying to charter whaling vessels to use in the dispute.⁴⁷ On the first day of the new limit, Arvakur and Odinn simply recorded names and registration numbers of trawlers violating the zone, and passed warnings that they were engaged in illegal fishing. Theoretically, the gunboats' crews were within their rights to stop and board the trawlers, because a provision of the Northeast Atlantic Fisheries Convention (NEAFC) gave member nations the right to board fishing vessels from any other member, even on the high seas.⁴⁸ Later in the dispute, when the C. G. crews attempted to do just

that, the British would state that such action was illegal in international law, having forgotten this provision of the NEAFC.

The first hint of trouble possibly occurred on September 2, when Aegir told an unidentified Hull trawler to leave the waters. When the trawler refused, the gunboat supposedly tried to cut through its nets. But this report is dubious, because the following day, Josepsson flew over the area, and then announced that the C. G. would begin to arrest any vessel which had not left the disputed waters within forty-eight hours. During these initial days, many trawler captains were deliberately provoking the Icelanders by fishing with their identification painted over or otherwise covered, and also flying the Jolly Roger, both acts illegal in international law. George Adams, skipper of the Miranda, said that the trawlermen would probably resist any arrest attempts, and added "the flags were merely an attempt by the trawlermen to be humorous." What was not so humorous was a report on the 4th from an Icelandic fishing boat accusing the British of moving their trawls over everything in the area, destroying Icelandic fishing gear as a consequence. He stated that fishermen would begin to take steps to drive the British out if the C. G. crews did not.⁴⁹

On September 5 Aegir warned the Peter Scott to cease fishing and leave the waters, but the trawler's captain responded by playing "Hail Britannia" over the loudspeaker. The Icelanders had taken enough abuse, and so they unveiled their "secret weapon," the trawl cutter and used that against the trawler (see Appendix 3). The cutter was a device resembling a grappling hook, but which had a cutting edge on the inside of each fluke running from the shank halfway up the fluke's length. First developed in 1958 or 1959 by C. G. Commander Petur Sigurdsson and ironsmiths Fridrik Teitsson and Tomas Sigurdsson, the Icelanders chose not to use the cutter during the 12-mile dispute; but by September 1, 1972, Petur Sigurdsson had a cutter installed on each gunboat, and all his crews were trained in its use. The gunboat's crew would lower the cutter on a cable over the bow, then sail across the stern of the "poaching" trawler, catching the lines (or trawls) attaching the trawl net to the vessel. If fully successful, the cutter would sever both trawls, thus depriving the trawler of its means of catching fish (the warp). Naturally, if the crew carried a spare net assembly, they could continue to fish, but replacing the gear meant lost time, plus considerable cost for new equipment.⁵⁰ The problem with using the cutter was the great danger to the fishing crew.

When warps are being hauled through the water, they are under great tension. When a warp under tension is cut close to the trawler, it may whip back on to the deck of the trawler and cause deaths or serious injuries among the crew. Even if the attempt to sever the warps is unsuccessful, it cannot be made without the coastguard vessel indulging in dangerous manoeuvres which are contrary to all accepted rules of good seamanship and which cannot fail to imperil the fishing vessel itself and those on board her.⁵¹

The British were thoroughly dismayed at the tactic, even comparing use of the cutter with an aircraft highjacking. Josepsson disputed the danger, likening the cut to a natural break of the line.⁵² Ultimately, a German seaman died as a result of injuries sustained from a whipping trawl, but no such British fatalities occurred.⁵³

On September 5, Aegir cut one line on Peter Scott, and Odinn attempted to cut the lines from another vessel, but failed. These incidents brought immediate reaction from the Trawler Officers' Guilds at both Hull and Fleetwood, formally asking for R. N. protection. The government reacted by calling the Icelandic Ambassador to the Foreign Office for a verbal protest, plus McKenzie delivered a note of protest to Agustsson. The Foreign Minister rejected both protests, stating his government's right to protect its fisheries limit. Another Icelandic announcement said that the C. G. would cut the trawls of any vessel which hid its identity, thus prompting the British

government to mandate that the trawlers display their markings at all times, as required by international law.⁵⁴

The British government also sent another signal to the Icelanders at this time that the Royal Navy might become involved. The Admiralty announced on September 1 or 2 that the Leander-class frigate Aurora was going to the Faeroes region, placing the vessel closer to the trawlers, but still two days' sailing away. After the first trawl cutting incident, the frigate left the Scottish port of Rosyth on September 6 or 7, supposedly bound for "Icelandic waters." Although the Icelandic government had continued to say that talks were still possible, when the news of Aurora's destination reached Josepsson, he said that talks would be impossible if warships entered the area. Consequently, the British said that the vessel's trip was planned six months earlier for participation in a NATO exercise. Ultimately, two frigates took up patrol in the Faeroes region.⁵⁵ It would be several months before the British sent a warship to Icelandic waters.

The first major incidents of the dispute occurred on October 17 and 18. On the first date, Odinn fired blanks across the bow of Wyre Vanguard, and on the 18th Aegir holed Aldershot after cutting the trawler's lines. The Aldershot incident apparently caused the greater concern

in Britain, with Anthony Royle telling the Commons, "[w]e are prepared to order the Royal Navy to go to the aid of our trawlers if necessary." The government ordered the frigates Achilles and Phoebe to the area, where they patrolled just outside the 50-mile limit in a show of force. Although both the B. T. F. and the Transport and General Workers' Union (TGWU) called for naval protection, the government was still unwilling to take actions which would jeopardize talks with the Icelanders. Instead, the government believed that the two fisheries protection vessels in the area, including the Othello which had been involved in the Aldershot incident, would be able to maintain control over the situation.

The Icelanders blamed Aldershot for the holing, accusing it of attempting to ram Aegir after the gunboat cut the trawl's lines. Consequently, Valdimarsson and the Icelandic Federation of Labor called for workers at the ports to refuse services to both British and German fisheries support vessels. The TGWU called a boycott of all Icelandic ships landing at Hull in retaliation for overall Icelandic actions.⁵⁶

The next major event to occur on the fishing grounds was on January 16, 1973.

The crew of an Icelandic patrol vessel [Tyr] prepared their gun for action today against British trawlers attempting to ram their vessel,

but did not fire, the Icelandic coastguard announced.

It was the first time since the fishing dispute started last September with Iceland's unilateral extension of its fishing limit from 12 miles to 50 miles that patrol ships had indicated they might use their guns.⁵⁷

With this occurrence, about a hundred skippers from Hull, Grimsby, and Fleetwood threatened to leave the Icelandic waters if they did not receive naval protection, and agreed to fish in boxes if necessary. About ten vessels did leave for Faeroese waters, and forty-seven deck hands at Grimsby refused to sail, because their destination was Icelandic waters. Since the fishermen's quitting the waters would have meant a de facto recognition of the 50-mile limit, this threat forced the British government to act. But, instead of dispatching naval vessels, the government contracted the fast, ocean-going tug Statesman as a protection vessel, and it began duties on January 23.⁵⁸

The strong, maneuverable tug would be able to interpose itself between the gunboats and trawlers to prevent trawl cuttings. The Department of Trade and Industry acquired the 1,100 ton vessel under a long-term charter from United Towing Ltd. Although it was under a Liberian flag, it sailed for the Icelandic area with an all-British crew, and the government began efforts to transfer ownership to a British firm.⁵⁹ The government later sent the

600-ton tug Englishman, which United Towing also owned, the Irishman (no details known, but most undoubtedly also a tug), and the 2,000 ton tug Lloydsman, one of the largest of such vessels in the world, to the area.⁶⁰ The government's intent was to protect the trawlers with the tugs, put their presence heightened tensions in the waters.

Soon after the tug-boats started their operations in Icelandic waters it became clear that they had one primary aim: this was to ram the Icelandic Coastguard vessels and damage them to the extent of making them inoperative, so that they would have to go to dry dock for repairs."⁶¹

At the very least, the number and seriousness of incidents increased after they entered the waters.

On January 23, the day that Statesman arrived off Iceland, the disputants entered into a cease fire which lasted until March 5. The occasion for the break was the eruption of the Helgafell volcano in the Westmann Islands (Vestmannaeyjar). The C. G. vessels and helicopters evacuated the entire population of 7,000 from Heimaey, the third largest town in Iceland, then made a valiant but unsuccessful attempt to save the town. Since the volcano destroyed the island's port facilities, the only port which could handle the fleet on the southwest coast, the disaster strengthened national resolve to win the 50-mile limit by driving home the country's economic dependence on

fishing. The Icelanders refused all assistance in their efforts from both British and German trawlers. But the Icelanders were also disappointed that the British continued to fish undisturbed off the east coast within the 50-mile zone.⁶² Such British impudence may have accounted for the tenacity of the C. G. vessels in pursuing the cod war when they returned to fisheries patrol.

On May 12, Johannesson, acting as Minister of Justice, gave the C. G. skippers free reign to take any steps necessary to protect the 50-mile zone. With this free hand, Tyr and Thor collaborated to board and arrest one of a group of trawlers fishing off the east coast. Specifically, these vessels were in the area which Iceland had requested the NEAFC to close to all fishing. When the NEAFC refused the request, Iceland unilaterally declared the region to be a closed, conservation zone, announcing that regulation at the same time as the 50-mile limit.

As a result of the boarding attempt, on May 16 Statesman relayed an ultimatum from forty trawlers to the government that the vessels were leaving the waters if they did not receive naval protection from the frigates on patrol just outside the 50-mile limit. When their deadline of 4:00 a.m. on the 17th had passed without a reply, the fishermen made good on their threat. On the 18th, British officials finally replied that they would send in

the navy if "serious" gunboat harassment continued, but only about ten trawlers returned to the waters, causing the government to act again. Douglas-Home told Parliament on the 21st about the government's decision.

After consultation with the industry, the Government concluded that it was no longer possible for British vessels to fish in safety without protection. Naval vessels were therefore ordered into the area on 19th May. They will take only such defensive action as is necessary to protect British trawlers exercising their lawful rights to fish on the high seas.

He promised that the government would withdraw the frigates from the 50-mile zone if the gunboats ceased harassing British trawlers. During the ensuing discussion, the decision generally received support from the M.P.s.⁶³

The Icelanders reacted to the new threat immediately. Their first response on May 20, was to prohibit Royal Air Force aircraft from landing at Keflavik Air Base. Three days later, they extended the ban to include all British flights in Icelandic air space, that action precipitated by a Nimrod flying within their airspace.⁶⁴ On May 24, a mass meeting in Reykjavik square with an estimated crowd of 10,000 to 15,000 protested against British use of naval vessels. At the meeting, Josepsson demanded a recall of the R. N. vessels, and called for a ban on all NATO landings at Keflavik; Geir Hallgrimsson, leader of the government opposition and of the Independence Party, insisted that NATO force Britain to remove its navy, or else Ice-

land would terminate membership in the Alliance. After these two statements, about 3,000 youths in the crowd pelted the British embassy with eggs, rocks, and paint. On the following day, the government apologized to Britain for the attack, and took responsibility to pay for all damages.⁶⁵

Due to the naval presence, the C. G. vessels became more aggressive, culminating in a boarding attempt of the Everton by the Aegir on May 26. When Skipper George Mussell refused the demand, Captain Gudmundur Kjaernested fired at the trawler until such time as further shelling would endanger the British seamen although Kjaernested later complimented Mussell for refusing to surrender his vessel. When the frigate Jupiter arrived, its crewmen made emergency repairs on the trawler to keep it from sinking. Three days later, both sides circulated letters at the 3rd UNCLOS, giving their position on the incident.⁶⁶

The war's next victim was a British diplomat, Michael Elliott, who went to Reykjavik to assist the FCO news department during the weekend of the Everton incident. In a news conference on May 29, he divulged information, albeit erroneous, on the location of Icelandic gunboats, an offense against an Icelandic law dating from 1936. The following day, in deference to his diplomatic status, the

Icelandic government expelled him persona non grata. More significant than the actual event was its timing: the Icelandic government announced the expulsion just hours before Presidents Nixon and Pompidou were to arrive at Reykjavik for summit talks.⁶⁷

Two days later, Hannes Jonsson, Press Secretary to P.M. Johannesson, used the presence of more than 400 newsmen gathered to cover the summit, giving them an account of the Icelandic side of the cod war. He briefly left the conference, then returned to provide them with reports of a ramming incident involving Arvakur, telling them that the vessel was in danger of sinking with its fifteen crew members on board.⁶⁸

After Jonsson's announcement, the incidents declined somewhat in their severity until mid-July. What possibly triggered the intensification was a report appearing in the Icelandic press on July 10, in which a British trawler captain accused ten to fifteen other skippers from Hull and Grimsby of using extremely fine meshed nets, enabling them to catch very small fish which they then dumped overboard. Since the fish die in the process, the supposition was that these men were deliberately ruining the fishing grounds, since they did not see a future there for themselves.⁶⁹ After the report, the incidents remained at peak intensity until August 29, when the cod war experi-

enced its second casualty. On that date, an engineering officer on Aegir died in what Johannesson later told Prime Minister Heath was "an indirect result of an incident on our fishing grounds. . . ." ⁷⁰

Two or three days later, in a statement printed in the newspaper Thjodviljinn, Josepsson demanded a severance of diplomatic ties with Britain. Johannesson apparently agreed, because he stated on September 7 during a party meeting that he would recommend such a break to his cabinet on September 11 if there were one more ramming incident. The 7-member cabinet passed Johannesson's recommendation unanimously. Johannesson also asked Agustsson to inform NATO of "possible serious consequences" if Britain continued to make reconnaissance flights over the fishing grounds, but the Foreign Minister opposed the message, so the Prime Minister dropped the issue. ⁷¹

The wait for another incident was short, the next ramming occurring on September 19, with both sides accusing the other of making the attempt. Instead of severing relations, the cabinet, decided to turn the matter to the Althing's Foreign Affairs Committee. ⁷² The final, precipitating event occurred three days later, in what the British described as a "collision," and what the Icelanders called a "ramming." The cabinet voted on September 27 to break diplomatic ties with Britain, if the British

government did not recall its naval vessels from the 50-mile limit before October 4. Heath personally proposed to withdraw the vessels if the Icelanders ceased harassment; the only reply was a call to Ambassador McKenzie stating the cabinet decision.⁷³

On September 15, 1972, half a month after the new limit came into effect, the F.R.G. proposed to host tripartite talks in Bonn on September 28-29 with the British and Icelanders. Four days later, Agustsson met with Ambassadors McKenzie and Rowold, and gave them both letters of declination. He declined on the grounds that Iceland would not participate in multilateral talks, but also said that he would be at the U.N. on the proposed date. The government maintained this attitude ". . . to avoid being put in a negotiating position or context dominated by the combined resources of Britain and West Germany." Nonetheless, the British and Germans continued to coordinate their discussions with Iceland due to the similarity of their circumstances.⁷⁴ True to his word, Agustsson was in New York on September 28, and used the occasion to speak with Douglas-Home. During their meeting, the two men "agreed that a further effort should be made to reach an interim agreement," and they decided to hold talks in Reykjavik during the following week.⁷⁵

The talks were on October 5-6, with Curtis Keeble, an Assistant Under-Secretary at the FCO leading a delegation of representatives from the MAFF, plus Charles Hudson, Chairman of the B. T. F., present as an adviser. During the talks, the British demonstrated their willingness to accept area restrictions, but the Icelanders also demanded restricting the size and number of British trawlers. The talks must have shown promise, because the British delegates remained for an extra day of talks. When they concluded, they had set the stage for ministerial talks with an agenda that would cut the British catch by 17-25 per cent of their 1971 figure.⁷⁶

Tweedsmuir again led the next delegation of representatives from the MAFF to Reykjavik on November 27-28. They proposed closing one-third of the waters to British vessels at any given time, instituting conservation areas and areas reserved for Icelandic fixed gear, and limiting the number of vessels to fish in the waters, all of which would have cut their catch by 21 per cent of their 1971 level, to 163,000 tons . The Icelandic counter-proposal wanted one-half of the area closed at a time, further areas reserved for Icelandic small boats beyond those which the British offered, and prohibition of all British freezer vessels and trawlers which were either longer than 180 feet or greater than 750-800 tons displacement. The

British said that these terms would cut their catch by an estimated 60 to 70 per cent, then made a proposal for effort limitation to reduce their fishing days by ten per cent, which would drop their total catch to about 158,000 tons. The Icelanders also rejected this offer, since it would be too difficult to enforce, but made no further proposals. The delegations again agreed to another series of meetings.⁷⁷

While at the NATO conference in Brussels on December 6-8, Douglas-Home again met with Agustsson for talks. Agustsson proposed that the British submit a scheme to reduce their catch by 25 per cent, and to include both effort reduction and closure of areas on a rotating basis. Douglas-Home gave his proposal to Agustsson, who took it back to Reykjavik; the scheme also included non-discriminatory conservation areas and seasonal areas for Icelandic small boats. When they had received no reply, the British requested one on December 29, and again on January 13. On January 19, Agustsson finally gave McKenzie a note explaining that, after discussions with his entire cabinet, the proposal was unacceptable. They wanted three of six rotating areas closed simultaneously, the same restrictions on the types of vessels as they had advanced at the November meetings, Icelandic control of the area, and expiration of the interim agreement on September 1, 1974;

but they were open to discussions of any new British proposal.⁷⁸

During the next six weeks, the British continued to urge resumption of talks. McKenzie was primarily responsible for this prodding, often in conjunction with protests about harassment of British trawlers. On March 8, he delivered a personal message from Douglas-Home to Agustsson. The FCO then summoned McKenzie to London for consultations ostensibly because of renewed aggression by C. G. gunboats. He first visited Agustsson, but when he still had no reply from the Icelandic, he made his one-day trip on March 14. After his return, Agustsson agreed to a meeting on March 22, to establish a framework for later, ministerial talks.⁷⁹ An examination of Appendix 3 shows that there were a considerable number of incidents on March 5-8, but only three between the 8th and the 14th, the time period when he would have received his summons; consequently, it is more likely that the trip was to discuss a strategy to bring the Icelanders back to the table, rather than the situation on the fishing grounds.

McKenzie, Keeble, and Peter Pooley from the MAFF met with Agustsson and other officials for two hours on March 22. In the meeting they agreed on various points for future ministerial talks, including: the objective was to be an interim agreement without regard to the nations'

legal positions; the purpose was to prevent overfishing, with an increased catch available to Iceland, but also a "reasonable catch" for British fishermen, and done in such a way as to avoid further incidents; the basis would be to restrict the overall tonnage of the British catch; the effect would be to allow Britain to catch an agreed amount; it would be non-prejudicial to either government; it would be based upon prior talks, utilizing pre-defined conservation areas; it would be subject to rework if the arrangement expired prior to final settlement; the package as a whole and the individual parts were to be of equal importance. Additional provisions which the Icelanders insisted upon were that the agreement would exclude the largest British vessels; it would be in effect for a maximum of two years; Iceland would have full police powers in the area; and the agreement was to have provisions for Icelandic small boats.⁸⁰

With this agreement on the outline of an interim agreement, the two sides met for ministerial talks in Reykjavik on May 3-4, with Tweedsmuir heading the British team, which included the Minister of State for the MAFF and Charles Hudson as an adviser. The initial British offer was for a catch limit of 155,000 tons, but the Icelanders countered with a detailed proposal very similar to previous offers. The main differences now were that

they were willing to close simultaneously only two of the six areas on a rotational basis, and that the agreement was to have a maximum duration of two years, thus they were willing to keep it in effect longer than in previous offers; but they made these concessions with the stipulation that the British catch would have to undergo "considerable reduction." The British stated that the proposals would limit their catch to 117,000 tons, so their counter-offer was for measures, likewise similar to their previous proposals, which would limit them to about 145,000 tons, or roughly halfway between this latest Icelandic bid and the 170,000-ton limitation posed in the ICJ interim ruling. They also wanted joint enforcement in the area, with British ships not subject to Icelandic arrest and prosecution. The talks broke down when the Icelanders rejected the British bid and refused to make further proposals.⁸¹ Significantly, as the talks were getting underway on May 3, Agustsson stated that the two sides needed to reach a compromise before events on the fishing grounds created serious injuries for which Iceland would be responsible.⁸² This was the first acknowledgment of such responsibility by either side.

By mid-month, events on the fishing grounds had once again taken a turn for the worse. Consequently the Icelanders added a new dimension to the dispute on May 20,

when Bjarni Gudbjornsson, a representative to NATO, walked out of the North Atlantic Assembly, stating that he could not sit in a meeting chaired by a Briton, when British warships were in Icelandic waters.⁸³ Eight days later, the Althing cited a 1956 NATO agreement requiring disputes between allies to go before the Alliance for resolution before any other international body. This prompted Dr. Joseph Luns, NATO Secretary-General, to state that he would continue his efforts in the dispute, even though Iceland had not made a formal request for mediation. Agustsson also announced that he would send a letter to the U.N. Security Council on the dispute, and that both he and Johannesson would meet with Nixon and Pompidou when they arrived for their summit talks.⁸⁴

Two days later, May 30, the Icelandic representatives to NATO called upon the Alliance to require the British to withdraw their warships. Instead, the delegates, including Tomas Tomasson of Iceland and Edward Peck of Britain, voted unanimously for Luns to mediate in the matter. Later in the day, Agustsson repudiated mediation, saying that he would hold talks with the United States, because he wanted NATO to force the British to remove their warships, not to mediate.⁸⁵

On the same day, Icelandic officials met with Nixon after his arrival for the summit with Pompidou. Answering

the Icelandic plea for help, "Mr Nixon was said to have explained to the Icelandic Government leaders that the United States intended playing 'no substantive part' in the dispute." However, Nixon also asked to meet with Luns that day, ostensibly to discuss U.S.-European relations. During the meeting, he mentioned the cod war and told Luns: "Settle it -- but of course, I am keeping out of it." Two days later, Henry Kissinger revealed a deeper U.S. role in the dispute than previously reported when he said that "Washington would seek to contribute a 'constructive solution to the problem'."⁸⁶ To demonstrate that Iceland was serious about the issue, Agustsson gave U.S. Ambassador Frederick Irvin a letter on June 12, asking for a revision of the NATO treaty. When a similar letter reached NATO headquarters later in the month, the notification started a six-month period for negotiations; if no treaty were reached during the six months, then Iceland could give its one-year notification to terminate the NATO treaty.⁸⁷

The day after handing Irvin this letter, Agustsson denied that the renegotiations had any bearing on the cod war. He said that he was simply making good on a campaign promise remove U.S. forces, and added that he had to begin the process now, since his government had only two years left in office, and the formal removal process would take

eighteen months. Despite his statement, NATO members expected that the cod war would play a key role in their discussions which commenced the following day.⁸⁸

The NATO Foreign Ministers' meeting took place in Copenhagen June 14-16. During the meeting, Agustsson asked NATO to compel Britain to remove its warships from the 50-mile limit, but he did not ask for NATO assistance to solve the dispute. Although the NATO nations generally supported the Icelandic cause, the British refused to yield. On ten other occasions at the meeting, Icelandic ministers condemned the U.S. for not forcing British withdrawal.

However, the Icelandic Government made no formal request to the US authorities for assistance, and the Foreign Minister did not demand it when he presented Iceland's case to the NATO Council in Copenhagen. Without such a request, the [U.S.] Defence Force could not become involved in the dispute.⁸⁹

But, according to "reliable sources," U.S. Secretary of State William P. Rogers invited Britain, France, West Germany, and Iceland to talk over major issues at the conference.⁹⁰ Later in the month, Hallgrimsson said that twelve or thirteen of the fifteen NATO countries supported Iceland in its cause for removal of the R. N. vessels.⁹¹

Talks with NATO on the cod war probably continued until the Icelandic declaration on September 11, to break diplomatic relations with Britain. Following its announ-

cement Britain sent a note to Iceland proposing an international commission to investigate any future ramming allegations, contending that a break would make settlement more difficult.⁹² Before Iceland replied, Luns was back in Reykjavik on September 16 for talks with government officials on the following day. Despite his talks, the Icelanders still issued a nebulous communiqué on the 17th that the position of Iceland in NATO could change as a result of the cod war.⁹³ Luns did not leave Iceland until the 19th or 20th, but there is no record of his having further discussions; it is incomprehensible that he would have spent further time in Iceland during this critical period unless he were continuing his discussions. When he did leave for Brussels, he made a stopover at Heathrow Airport, where he said that Iceland had already entered into an agreement with Belgium over the 50-mile limit, and was about to conclude one with the F.R.G. "It might therefore be said, Dr Luns declared, that Britain was now the main obstacle."⁹⁴

On September 21, Agustsson handed a note to McKenzie with a reply about an international board of inquiry into ramming allegations. Agustsson rejected the notion, stating that Iceland would break diplomatic relations "only after Iceland's courts had confirmed that British ships had rammed an Icelandic vessel."⁹⁵ Heath then sent

a personal letter to Johannesson on September 26, offering to withdraw both the naval vessels and tugs from the Icelandic area in return for a guarantee that the gunboats would not interfere with British trawlers, and he added that both the government and the fishing industry would agree to certain fishing restrictions during a resumption of talks. The Icelandic government, presumably the cabinet, rejected the offer on the 27th, but the British did not publish the fact for several days.⁹⁶ Two days later, following another trip to Reykjavik, Luns was again in London; the next day, September 30, Heath met with Luns in an emergency meeting "officially described as a discussion of matters affecting the Nato alliance."⁹⁷

Simultaneous to the British government's report on the Luns-Heath meeting, it announced that Iceland had replied to Heath's letter, that is the reply which was received three days earlier. The government characterized the reply as "courteous but inconclusive." The following day, October 1, the British carried out two seemingly contradictory actions. First, they published Johannesson's reply to Heath's letter, which said that Iceland could not negotiate while under duress. In an address to the U.N. General Assembly, Sir Donald Maitland also announced the contents of Heath's and Agustsson's letters, but added the following:

Mr. Heath went on to say that the British Government and the British fishing industry would accept a voluntary degree of restriction of the British fishing effort in this area. I am glad to tell this Assembly that contacts are continuing between our two Governments.⁹⁸

When we consider that the government probably announced the letters in the morning London time, and that Maitland made his statement in the afternoon or evening New York time, it is possible that something transpired in the interval which prompted the statement in the U.N. about continuance of talks. And indeed on the following day, Heath announced that all British warships and tugs would sail out of the 50-mile zone at 1500 GMT on October 3; Johannesson responded by agreeing to a meeting in London on October 15.⁹⁹ As the ships were withdrawing from Icelandic waters on the 3rd, Agustsson made a trip to Washington, where he conducted two days of talks with senior officials at both the State and Defense Departments. The purpose of his trip was renegotiation of the NATO treaty, and at least a portion of the talks centered around Icelandic personnel assuming some of the duties which U.S. servicemen currently performed. When he returned to Iceland, officials said that there were "strong indications" about U.S. troops remaining at the base, and that "[t]he departure of the Americans might even be postponed," although the Icelanders were still planning on full U.S. withdrawal by 1975.¹⁰⁰

Johannesson met with Heath and Douglas-Home in London on October 15, in intermittent talks throughout the day. Their parley continued the next day until they announced that they had reached an interim agreement, but they gave no details. Johannesson cautioned that the Althing's Foreign Affairs Committee would need seven to ten days to discuss the proposal, and was cautious about its acceptance.¹⁰¹ His real hurdle was to convince members of the Peoples' Alliance party to accept the agreement. All ten Party members in the Althing rejected the proposal, contending it was an ultimatum and did not go far enough to assure the Icelandic position on the fisheries issue.¹⁰² In his fight to gain acceptance for the deal, Johannesson received some unexpected assistance at the end of October. The help arrived in the form of a breakdown in the Icelandic negotiations with the West Germans for a similar deal. The Germans were adamant on the matter of their freezer ships having access to the 50-mile limit, but the British proposal deleted such vessels, thereby making the agreement with Heath more acceptable to the Althing.¹⁰³

Ultimately the issue rested with the Peoples' Alliance Party's Central Committee; if the Party refused to accept the agreement, the coalition government might crack. On the other hand, by accepting the agreement, the ten Party members with two cabinet members would maintain

their position in the government, and they would be in a better position to influence the upcoming debate on the agreement with the U.S. about Keflavik. The Committee met in an all-night session on November 9, and emerged with the resolve to vote for the accord, although Magnus Khar-tansson, the Party leader and Minister of Health, said that Johannesson had given up too much. On the other hand, Geir Hallgrimsson, leader of the opposition Independence Party, said that Johannesson's government had mis-handled the entire cod war from the start, and that it probably could have reached an agreement prior to the 50-mile limit going into effect. Despite these critical views, the tally in the Althing on November 13, was 54 to 6 in favor of the agreement. Agustsson stated that the government would put the accord into effect immediately; consequently, he exchanged notes with McKenzie later that day.¹⁰⁴

The final agreement categorized the trawlers into sizes above and below 180 feet, with limits on the numbers in both categories, and no freezer or factory ships allowed. The British would provide a list of authorized vessels. There were three conservation zones and three small boat areas, all closed to British vessels. The area open to the British had six zones, with each one closed on a rotating basis for two months. The Icelandic Coast

Guard might stop any vessel thought to be in violation of the accord, but needed to call upon a British fishing support vessel. If the two agreed that the trawler was in violation, the Icelanders would remove it from the authorization list. Finally, the accord was to be in effect for two years, without prejudicing either side's legal position.¹⁰⁵

Although the above chronology of diplomatic events is extensive, it does not provide the entire picture. Several people were involved behind the scenes, with all their activities conducted under the auspices of the Atlantic Treaty Association.¹⁰⁶ The final settlement began with a secret agreement between Heath and Johannesson. The individuals involved in making this arrangement, which apparently took place at the end of September, and therefore in conjunction with Luns' visit to Reykjavik and London, were Mr. Wellbeloved, a former M.P., and Royle. They arranged a secret visit through McKenzie, then Heath made a preplanned telephone call to "arrange" the visit.¹⁰⁷ After the Heath-Luns meeting, Luns made an unpublished trip to Iceland and met with the Icelandic members of the ATA on October 1. This meeting, which the ATA suggested to Luns, and which he immediately accepted, actually had the approval of Agustsson.¹⁰⁸ The result of this activity was Heath's announcement on October 2 that the British

warships would withdraw. The events occurred as a result of U.S. pressure:

In the US -- several individuals -- close to Washington -- were actively engaged in putting pressure on London -- and a prescription was found on a non-Governmental level -- which turned out to become the formula at the London meeting of the two PMs.¹⁰⁹

Johannesson was able to reach the agreement because he really did not care about a few trawlers staying in the waters for a few years. He obtained the agreement, and thus de facto recognition of the 50-mile limit, and he did so before there was a major disaster on the fishing grounds, and thus was able to keep the Keflavik issue in the background.¹¹⁰

The second cod war with Britain thus came to an end, but the war with Germany continued. During the war there were sixty-five incidents of trawl cutting, which totalled £50,000 in damages, Iceland fired shots on twenty-four occasions, and there were fifteen collisions between frigates and gunboats. From January, when Britain hired the first tug, until May 19, the tug charter cost £249,598.¹¹¹ But, in less than two years, the Icelanders again extended their fishery limits, this time to a distance of 200-miles, thus precipitating their final cod war. Because these two events were so close, many of the peripheral events associated with the 50-mile issue car-

ried over into the 200-mile dispute, and must be discussed in that context.

NOTES

1. "Icelandic coalition is defeated in general election after holding power for 12 years," The Times (London) 15 June 1971, 4 (hereafter Times). Although each party advocated the extension (it would have been political suicide not to do so), the issue was the date for and manner of implementation. I do not have all the details of what each party advocate.

2. Ibid; "Threats and reprisals in the new cod war," Times, 27 August 1971, 12; Ake Sparring, "Iceland, Europe and NATO," The World Today 28 (September 1972), 394 (hereafter Sparring, "Iceland, Europe and NATO").

3. Heimir Hannesson to author, 17 October 1990.

4. Parliamentary Debates (Commons), vol. 821 (1971) col. 1408 (hereafter Debates, (Commons); written replies will be referred to by "w." preceding the column number); Sparring, "Iceland, Europe and NATO," 393.

5. "Fishery Limit to 50 Miles," Atlantica & Iceland Review 9 no. 4 (1971), 23 (hereafter "Fishery Limit to 50 Miles," Iceland Review); "Hull trawlermen coddled by Icelandic report," Times, 16 June 1971, 5; "50-mile fish limit plan condemned," Times, 15 June 1971, 4.

6. Debates, (Commons), vol. 819 (1971), col. w.129-130.

7. International Court of Justice, Pleadings, Oral Arguments, Documents: Fisheries Jurisdiction Cases, vol. 1, United Kingdom of Great Britain and Northern Ireland v. Iceland (The Hague, 1975), 274 (hereafter Pleadings, United Kingdom); International Court of Justice, Pleadings, Oral Arguments, Documents: Fisheries Jurisdiction Cases, vol. 2, Federal Republic of Germany v. Iceland (The Hague, 1975), 6 (hereafter Pleadings, Germany). For a brief explanation of the agreement with the F.R.G. over the 12-mile issue and a discussion of the entire fisheries dispute with the F.R.G., which lasted until after Britain declared its 200-mile limit, see Gregory J. Scholten, "The Germano-Icelandic Fishing Dispute, 1972-1975," Proceedings of the Fourteenth European Studies Conference, ed. Karl Odwarka (Cedar Falls, Iowa: European Studies Journal, University of Northern Iowa, 1989), 221-230 (hereafter

Scholten, "The Germano-Icelandic Fishing Dispute, 1972-1975").

8. "Iceland declares 70-mile fishing limit," Times, 7 August 1971, 1.

9. "Statement by Mr. Einar Agustsson, Minister for Foreign Affairs of Iceland, during the General Debate in the General Assembly of the United Nations on September 29, 1971," in Pleadings, United Kingdom, 52.

10. "Statement by Mr. Ludvik Josepsson, Minister of Fisheries of Iceland, at the Ministerial Meeting of the North East Atlantic Fisheries Commission in Moscow on December 15, 1971," in Pleadings, United Kingdom, 54-55.

11. Pleadings, United Kingdom; 9, Pleadings, Germany, 75-76; Richard B. Bilder, "The Anglo-Icelandic Fisheries Dispute," Wisconsin Law Review n.v. (1973: 1), 57 note 92 (hereafter Bilder, "The Anglo-Icelandic Fisheries Dispute").

12. Debates, (Commons), vol. 832 (1972), col. 1007, w.99-100.

13. "Iceland's 50-mile limit heralds new fishing war," Times, 15 July 1972, 1; "Ministry of Fisheries Regulations Concerning the Fishing Limits of Iceland, Reykjavik, July 14, 1972," in S. Houston Lay, robin Churchill, and Myron Nordquist, comp. and ed., New Directions in the Law of the Sea, vol. 1 Documents (Dobbs Ferry, N.Y.: Oceana Publications, Inc., 1973), 91.

14. "From NEAFC, 9th Meeting, Conclusions and Recommendations, Annex C," in Pleadings, United Kingdom, 304-305.

15. "Fish Stocks 'at Crisis Point'," The Manchester Guardian (LeMonde ed.), 9 September 1972, quoted in Bilder, "The Anglo-Icelandic Fisheries Dispute," 47 note 41.

16. Iceland, [Office of the Prime Minister(?)], Iceland and the Law of the Sea (Reykjavik, Kassarerd Reykjavikur, 1972), 39 (hereafter Iceland, Iceland and the Law of the Sea).

17. "Committee on the Peaceful uses of the Sea-bed and the Ocean Floor Beyond the Limits of National Jurisdiction. Statement by Ambassador Hans G. Andersen

(Iceland) 19 August 1971," in Pleadings, United Kingdom, 66.

18. U.N. General Assembly, 26th sess., Official Records, Meetings, 1945th Plenary Meeting (New York, 1971) A/PV.1945, 8-9.

19. U.N. General Assembly, 27th sess., 19 September - 19 December 1972, Official Records, Supplement 30 Resolutions Adopted by the General Assembly during its Twenty-seventh Session ([New York, 1973(?)] A/8730, 49.

20. Iceland, Iceland and the Law of the Sea, 39-40.

21. "Icelandic Fisheries," Survey n.v. (August 1972), n.p.

22. "Fishery Limit to 50 Miles," Iceland Review, 18.

23. Iceland, Iceland and the Law of the Sea, 5.

24. "Iceland firm in fishery extension," Times, 19 August 1971, 4.

25. Bilder, "The Anglo-Icelandic Fisheries Dispute," 112-113.

26. "50-mile fish limit plan condemned," Times, 15 June 1971, 4.

27. Debates, (Commons), vol. 821 (1971), col. 1409-1410.

28. Debates, (Commons), vol. 821 (1971), col. w.365; Pleadings, United Kingdom, 274-275; "Britain protests to Iceland in fishing limits," Times, 29 September 1971, 5.

29. "New chapter in the cod war saga," Times, 3 November 1971, 6; Pleadings, United Kingdom, 275-276.

30. Pleadings, United Kingdom, 260, 276-277; Debates, (Commons), vol. 829 (1972), w.314; Debates, (Commons), vol. 831 (1972), w.12. Using Appendix 8, we find that the 185,000 ton figure used by the British as the basis of their negotiations is about the average catch for the decade 1960-1969; although the source said this was 22,000 tons below the 1971 figure, it is 25,000 tons below the value in the appendix.

31. "Hull talks show Iceland inflexible on 50-mile fishing limit," Times, 1 March 1972, 18; Debates, (Commons), vol. 832 (1972), col. 1007.

32. Pleadings, United Kingdom, 277-278. The Germans also took their case to the ICJ at this time.

33. Ibid., 278; Debates, (Commons), vol. 836 (1972), w.265.

34. "Iceland ministers arrive in London for fishery talks," Times, 24 May 1972, 6; "Britain and Iceland agree to find agreement," Times, 26 May 1972, 5; Pleadings, United Kingdom, 279; Debates, (Commons), vol. 837 (1972) w.522-523. The 24 May article reported that Lady Tweedsmuir (also a Minister of State at the FCO) would lead the British delegation, but official reports do not show her participation. This article also erroneously identified Mr. Peyton (Minister of Transportation) as a participant.

35. "Iceland fishing limit talks today," Times, 19 June 1972, 159; Debates, (Commons), vol. 839 (1972), w.123; Pleadings, United Kingdom, 279-280.

36. "Iceland campaign to justify 50-mile fishing limit," Times, 11 July 1972, 66; "Firm British refusal to accept extension of Icelandic fishing limit," Times, 14 July 1972; "Unreasonable claims by Iceland," Times, 14 July 1972, 17; Debates, (Commons), vol. 840 (1972), 1850-1851; Debates, vol. 841 (1972), w.23; Pleadings, United Kingdom, 280; "Icelandic Fisheries," Survey n.v. (August 1972), n.p.; United Kingdom, Parliament, The Fisheries Dispute between The United Kingdom and Iceland, 14 July 1971 to 19 May 1973, Cmnd. 5341 (London: H.M.S.O., 1973), 3, 12 (hereafter Parliament, The Fisheries Dispute). No single source gives a complete account of these events, hence the uncertainty about the meeting's conclusion.

37. "Christopher Hitchens, "The Nelson Touch," New Statesman 86 (5 October 1973): 457; Debates, (Commons), vol. 841 (1972), w.23. Hansard mentions the male participants, but neglect Tweedsmuir; her presence would not have been known had it not been reported in the 11 July 1972 Times article (see previous note). This was now the second time that Tweedsmuir did not receive recognition in official documents (see note 34). The lack of recognition and this statement about Tweedsmuir makes one wonder about gender bias in these events.

38.

Jeffrey A. Hart, The Anglo-Icelandic Cod War of 1972-1973: A Case Study of a Fishing Dispute, Institute of International Studies Research Series, no. 29 (Berkeley: University of California, 1976), 30-31 (hereafter Hart, Case Study). This attitude is reminiscent of the "good cop - bad cop" technique of interrogation, and may well have been an intended method of conducting the negotiations. It is also probably true that the British feelings for Josepsson were clouded by anti-Communist sentiment.

39. Pleadings, United Kingdom, 280-281.

40. "Icelandic Minister for Foreign Affairs note #39 to U.K., dated 11 August 72," in Pleadings, United Kingdom, 387; "Iceland's new proposal on fishing rights," Times, 16 August 1972, 4.

41. Debates, (Commons), vol. 843 (1972), col. 459; "Iceland Loses Round at Hague on Fishing," New York Times, 18 August 1972, 2 (hereafter N. Y. T.); International Court of Justice, "Fisheries Jurisdiction Case (United Kingdom of Great Britain and Northern Ireland v. Iceland)," in Reports of Judgments, Advisory Opinions and Orders [The Hague, 1974(?)], 16/17-17/18. Because of the similarity of the two cases, the Court applied the same interim ruling to the German suit, except that the Germans had a lower catch quota commensurate with their annual catch. The entire matter of the ICJ involvement, with its rulings, is very complex; the complete transcript of the final ruling alone is about 300 pages long. Because of this complexity, little will be said in this work about the case.

42. Pleadings, United Kingdom, 81; Hart, Case Study, 27.

43. Quoted in "Minister opposed to 'cod war' over Iceland fishing," Times, 4 July 1972, 6. Also see note 31.

44. "When the forces of law and emotion clash over the unlovely cod," Times, 29 August 1972, 10.

45. "British trawlers ready for 'cod war'," Times, 21 August 1972, 3; "Britain sends aid to trawlers off Iceland," Times, 23 August 1972, 4; "Support ship ready for cod dispute," Times, 26 August 1972, 2; Debates, (Commons), vol. 808 (1970), col. w.429-430, w.520; De-

bates, (Commons), vol. 841 (1972), col. w.177; R. P. Barston and Hjalmar Hannesson, "The Anglo-Icelandic Fisheries Dispute," International Relations 4 (November 1974), 575 (hereafter Barston and Hannesson, "The Anglo-Icelandic Fisheries Dispute"). According to the August 23 article, the Scotia and Cirolana, research vessels belonging to the Scottish Office and the MAFF respectively, were to join Miranda, but there is no evidence that they did so; as will be seen, other vessels were dispatched for support.

46. "World Court rules against Iceland," Times, 18 August 1972, 1; "Support ship ready for cod dispute," Times, 26 August 1972, 2; "Britons to Fish Despite Ban," The Christian Science Monitor, 24 August 1972, 9 (hereafter C. S. M.).

47. "Iceland Enlarges Her Fishing Area," N. Y. T., 15 July 1972, 8; "British Say Icelanders Harassed a Trawler," N. Y. T., 3 September 1972, 35; "Support ship ready for cod dispute," Times, 26 August 1972, 2; "British trawlers carry on fishing as Iceland ban comes into effect," Times, 1 September 1972, 1; "Will New Kettle of Fish Boil Over?," C. S. M., 29 August 1972, 3; "Kappmesser am Bug" (Cable Cutter on the Bow), Der Spiegel 26 (11 September 1972), 121 (hereafter "Kappmesser am Bug"); Gudmundur Kjaernested to author, 13 March 1990. Kjaernested said that Arvakur was a lighthouse keeper and Hval-Tyr was a whaler; these two vessels may not have had guns, but the impression from all sources is that they may have been fitted with a gun just for the cod war. Der Spiegel said the guns were either 47 or 57mm, of pre-World War II vintage, with ammunition no longer made for them. From here on, I will drop both the "II" designation for Odinn and Aegir, and the "Hval" (whaler) designation for Hval-Tyr, and also refer to every vessel as a "gunboat."

48. "Iceland Pushes Out Her Fishing Limits, Risking 'Cod War'," Times, 2 September 1972, N. Y. T., 4; "When the forces of law and emotion clash over the unlovely cod," Times, 29 August 1972, 10; "Iceland patrol boats take photographs as British trawlers haul in catches," Times, 2 September 1972, 4.

49. "Iceland minister's threat that trawlers will be arrested within 48 hours," Times, 4 September 1972, 1; "British Say Icelanders Harassed a Trawler," N. Y. T., 3 September 1972, 35; "Iceland's Fishermen Warn They'll Act Against British," N. Y. T., 5 September 1972; Hannes Jonsson, Friends in Conflict: The Anglo-Icelandic Cod Wars and the Law of the Sea (London, England: C. Hurst & Com-

pany; Hamden, Conn.: Archon Books, 1982), 135 (hereafter Jonsson, Friends in Conflict).

50. "Kappmesser am Bug," 122; Jonsson, Friends in Conflict, 135-136; Albert Jonsson to author, 27 March 1990. I will not repeat citations here of incidents listed in Appendix 3. According to Jonsson, the C. G. did not use the cutter in the 12-mile conflict because the Icelanders began to work on negotiations with the British "and did not want to jeopardise such efforts." Given the fact that negotiations did not begin in earnest until 1960 after the failure of the 2nd UNCLOS in 1960, his explanation does not seem plausible. But from the time of the cutter's development until 1960, I theorize that the Icelandic government did not want to perform any action to turn public sentiment against its cause at the 2nd UNCLOS, and thus chose not to use such a controversial item. After 2nd UNCLOS, Jonsson's explanation may have been the reason.

51. Pleadings, United Kingdom, 376.

52. "Iceland to reject talks if Britain sends warships," Times, 7 September 1972, 1; Gunnlaugur Thordarson, "The International Court of Justice the only solution," Morgunbladid, 4 October 1972, in "Landhelgiskver: A fishery limit booklet. A reprint of two newspaper articles on the fishery limit question and the International Court of Justice" (Reykjavik, 1972), 38.

53. Scholten, "The Germano-Icelandic Fishing Dispute, 1972-1975," 221.

54. "Gunboat cuts British trawler's gear," Times, 6 September 1972, 1; "A British Frigate Sails for Iceland," N. Y. T., 7 September 1972, 9; Hart, Case Study, 28. I will not repeat citations for incidents which are listed in Appendix 3.

55. "Iceland patrol boats take photographs as British trawlers haul in catches," Times, 2 September 1972, 4; "Gunboat cuts British trawler's gear," Times, 6 September 1972, 1; "Iceland to reject talks if Britain sends warships," Times, 7 September 1972, 1; "A British Frigate Sails for Iceland," N. Y. T., 7 September 1972, 9; Hart, Case Study, 33. This region was normally under NATO patrol to track Russian warships exiting the Barents Sea, particularly submarines, plus frigates have an anti-submarine warfare role. Since it is unlikely that a single vessel would depart on a NATO exercise, the vessel

was probably assigned to these rotational duties. The only unusual fact was that the Aurora's departure was announced, which may have been done to unnerve the Icelanders and force them back to the table.

56. "Britain may send in Navy to aid trawlers," Times, 20 October 1972, 1; "Fishing support ships denied help in Iceland," Times, 21 October 1972, 6; "Two British frigates stand by in fish war," Times, 24 October 1972, 1; "British Shun Iceland Ships," N. Y. T., 22 October 1972, 24; Debates, (Commons), vol. 843 (1972), col. 459-461, w.243-244; Debates, (Commons), vol. 845 (1972), col. w.18. The Hansard citations give the date of the Aldershot incident as October 16. Due to the date of the newspaper reports, the incident more probably occurred on the 18th.

57. "Patrol prepares to fire on British trawlers," Times, 17 January 1973, 6. Since the source describes this as the first firing attempt, the Wyre Vanguard incident in October and other incidents apparently all occurred inside the 12-mile limit, so perhaps this was probably the first firing in the disputed waters.

58. "Trawlers ready to quit unless Navy moves in," Times, 19 January 1973, 1; "Ocean-going tug sent to help British trawlers," Times, 20 January 1973, 1; "British Tug to Aid Boats off Iceland," N. Y. T., 20 January 1973, 10; "Inside the news--briefly," C. S. M., 25 January 1973, 10.

59. "W German vessel's trawl wires cut off," Times, 22 January 1973, 5; Debates, (Commons), vol. 849 (1973), col. 35-39, 921, w.209-270.

60. "Another tug to aid trawlers," Times, 9 February 1973, 2; "Call for a truce after collision off Iceland," Times, 22 June 1973, 1; see Appendix 3.

61. Jonsson, Friends in Conflict, 137.

62. "5,000 flee island as volcano erupts," Times, 24 January 1973, 1; "Iceland calls for better proposals from Britain," Times, 31 January 1973, 5; "Cod war: Iceland's fight for survival," Times, 3 May 1973, 18; "Stolzes Volk" (Proud People), Der Spiegel 27 (5 February 1973), 69; Hart, Case Study, 36.

63. "Freedom of action for Icelandic gunboats," Times, 14 May 1973, 6; "Two British frigates standing by as final safeguard for trawlers against Icelandic attack," Times, 17 May 1973, 6; "Iceland asks for Russian gunboat,"

Times, 19 May 1973, 1; "British Boats Quit Icelandic Waters In Fishing Dispute," N. Y. T., 18 May 1973, 75; "British Navy Ships Sent Near Iceland To Help Trawlers," N. Y. T., 20 May 1973, 13; Debates, (Commons), vol. 857 (1973), col. 53; Parliamentary Debates (Lords) vol. 342 (1973), col. 822 (hereafter Debates, (Lords)); Hart, Case Study, 39.

64. "Iceland bans aircraft from using Nato base at Keflavik," Times, 21 May 1973, 1; "Call to ban all Nato flights from Iceland," Times, 24 May 1973, 6.

65. "Embassy is attacked by Icelandic rioters," Times, 25 May 1973, 7; "Fleet of Soviet warships nears Iceland," Times, 26 May 1973, 1; "Several Thousand Icelandic Protesters Attack British Embassy," N. Y. T., 25 May 1973, 3; "Iceland Apologizes to Britain For Youths' Attack on Embassy," N. Y. T., 26 May 1973, 6. Although these accounts tell about student rioters, a photo accompanying the May 25 Times article clearly shows middle-aged citizens clutching objects to hurl.

66. "A Shelled Trawler Repaired by British," N. Y. T., 28 May 1973, 30; Debates, (Lords), vol. 343 (1973), col. 14.

67. "Iceland expels British diplomat after his comments on gunboat positions," Times, 31 May 1973, 1; "Briton Expelled by Iceland," N. Y. T., 31 May 1973, 13; "Inside the news -- briefly," C. S. M., 31 May 1973, 8.

68. "Reykjavik exploits its propaganda chances," Times, 2 June 1973, 1.

69. "British trawlerman 'accuses colleagues'," Times, 11 July 1973, 4. Fish have an internal sac called a swim bladder used as a buoyancy chamber. When a fish is caught below a certain depth (about 35-50 feet in fresh water, more in salt water) and brought to the surface, it can not discharge the air from the bladder, and it bloats. If the fish is deep enough to cause extreme expansion, the bladder bursts and the fish will die; if the bladder does not burst, the fish can not swim below the surface and it becomes prey to birds or dehydration by the sun.

70. Jonsson, Friends in Conflict, 148. See Appendix 3.

71. "Iceland asked to cut diplomatic link with Britain," Times, 3 September 1973, 3; "Threat by Iceland to break with Britain," Times, 8 September 1973, 1; "Iceland threatens break in diplomatic relations," Times, 12 September 1973, 7; "Iceland's Cabinet Cautions Britain," N. Y. T., 12 September 1973, 7.

72. "Iceland moderates attitude on ramming," Times, 20 September 1973, 9.

73. "Heath offer twice fails to stop Icelandic threat over frigates," Times, 28 September 1973, 1; "Iceland Bids Britain Withdraw Warships By Next Wednesday," N. Y. T., 28 September 1973, 11; "Inside the news -- briefly," C. S. M., 28 September 1973, 8.

74. "New talks plan put to Iceland," Times, 16 September 1972, 4; "Iceland is ready for unilateral discussions," Times, 20 September 1972, 4; Parliament, The Fisheries Dispute, 7; Barston and Hannesson, "The Anglo-Icelandic Fisheries Dispute," 575.

75. "Sir Alec arranges new Iceland talks," Times, 29 September 1972, 59; "Icelandic Fisheries," Survey n.v. (December 1972), 521.

76. "New talks with Iceland tomorrow," Times, 4 October 1972, 6; "Icelandic fishing limit talks to be extended," Times, 7 October 1972, 4; "Progress made in Icelandic fishing limit talks," Times, 9 October 1972, 4; "Norway may extend fishing limit," Times, 25 October 1972, 8; "Icelandic Fisheries," Survey n.v. (December 1972), 521.

77. Debates, (Commons), vol. 846 (1972), col. 904-905; Debates, (Commons), vol. 847 (1972), col. 636-637; Pleadings, United Kingdom, 282-283.

78. Debates, (Commons), vol. 849 (1973), col. 34; Pleadings, United Kingdom, 283, 391. Since this 6-week period was during the Valafell eruptions when the gunboats were otherwise engaged, it is not known precisely what McKenzie would have been protesting.

79. "Attack by gunboat causes trawlers to collide," Times, 14 March 1973, 1; "No response by Iceland to talks proposal," Times, 15 March 1973, 5; Pleadings, United Kingdom, 284.

80. "Cod war talks open today," Times, 22 March 1973, 8; "Top-level talks on cod war open in Iceland," Times, 23 March 1973, 10; Parliament, The Fisheries Dispute, 15-16.

81. "Iceland threatens to arrest British trawlers as talks break down," Times, 5 May 1973, 1; Debates, (Commons), vol. 855 (1973), w.333-334; Debates, (Commons), vol. 856 (1973), col. 37; Pleadings, United Kingdom, 396-397; Parliament, The Fisheries Dispute, 18, 21-22.

82. "Hopes for an interim agreement to end cod war with Iceland," Times, 4 May 1973, 8. When I inquired of Icelanders about the two deaths and asked if there were any indemnity payments by either side, they denied all knowledge of such deaths, but said that there were no claims made that they knew of.

83. "Call to ban all Nato flights from Iceland," Times, 24 May 1973, 6.

84. "Iceland Bids NATO Press the British," N. Y. T., 29 May 1973, 14; "Caught in the Nato net," Times, 29 May 1973, 13.

85. "Icelandic Bid to NATO," and "U.S.-Icelandic Talks Due," N. Y. T., 30 May 1973, 9.

86. "Iceland expels British diplomat after his comments on gunboat positions," Times, 31 May 1973, 1; "Threat by Iceland to quit Nato in six weeks," Times, 4 June 1973, 1; Nixon quoted in "Nixon Hopeful Over British-Icelandic Fishing Dispute," N. Y. T., 1 July 1973, 2.

87. "Iceland asks for revision of defence treaty," Times, 13 June 1973, 1.

88. "Britain expected to come under pressure at Nato talks to take frigates out of Icelandic waters," Times, 14 June 1973, 4.

89. Bjorn Bjarnason, "The Security of Iceland," Cooperation and Conflict: Nordic Journal of International Politics 6 (1972), 74-75.

90. "Inside the news -- briefly," C. S. M., 14 June 1973, 10.

91. "Iceland ready to give Norway fish rights," Times, 28 June 1973, 4.
92. "Iceland moderates attitude on ramming," Times, 20 September 1973, 9.
93. "Dr Luns tries to keep US base in Iceland," Times, 17 September 1973, 5; "Iceland warning to Nato chief over the cod war," Times, 18 September 1973, 8.
94. Quoted in "Iceland moderates attitude on ramming," Times, 20 September 1973, 9.
95. "Icelanders reject British proposal on rammings," Times, 22 September 1973, 4.
96. "Anglo-Icelandic Fisheries Dispute," Survey n.v. (November 1973), 447.
97. "Mr Heath in cod war talks with Dr Luns," Times, 1 October 1973. "Britain Agrees to Pull Frigates From Icelandic Area," N. Y. T., 3 October 1973, 3.
98. "Britain offers to withdraw cod war frigates," Times, 2 October 1973, 1; U.N. General Assembly, 28th sess., Official Records, Meetings, 2135th Plenary Meeting (New York, 1973) A/PV.2135, 17.
99. "Iceland agrees to talks after Heath order for Navy to withdraw," Times, 3 October 1973, 1; Jonsson, Friends in Conflict, 149.
100. "Iceland-U.S. base talks," C. S. M., 5 October 1973, 1; "US-Icelandic talks relieve tension over Nato base," Times, 5 October 1973, 9.
101. "Icelandic Leader and Heath Concur In Fishing Dispute," N. Y. T., 16 October 1973, 7; "Prime Ministers in friendly talks on cod war," Times, 16 October 1973; "Formula is found to end the cod dispute," Times, 17 October 1973, 1.
102. "Communists in Iceland reject cod war terms," Times, 19 October 1973, 11.
103. Barston and Hannesson, "The Anglo-Icelandic Fisheries Dispute," 582.

104. "Communist decision ends cod war," Times, 9 November 1973, 1; "Majority in Althing for ending cod war," Times, 13 November 1973, 7; "Pact ending cod war put into effect," Times, 14 November 1973, 1.

105. United Kingdom, Parliament, Exchange of Notes Constituting an Interim Agreement in the Fisheries Dispute between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Iceland, Reykjavik, November 13, 1973, Cmnd. 5844 (London: H.M.S.O., 1973), 3-4.

106. The Atlantic Treaty Association is ". . . a federation of the citizens' committees in each of the Allied [NATO] countries organized to help mobilize public support for NATO." Eugene V. Rostow to author, 15 February 1990. From literature obtained on the ATA, the following are the national affiliates which figured in the cod war decision: Association of Western Co-operation (Iceland), The British Atlantic Committee, and The Atlantic Council of the United States.

107. Heimir Hannesson to author, 21 August 1990, and 17 October 1990.

108. Hannesson to Author, 17 October 1990.

109. Ibid.

110. Ibid.

111. Debates, (Commons), vol. 855 (1973), col. w.221; Debates, (Commons), vol. 857 (1973), col. w.167-168; Benno Wasserman, "The Cod War," Contemporary Review 225 (July 1974), 10.

CHAPTER 6

THE 200-MILE DISPUTE

Iceland's 200-mile declaration for further fisheries limits came in 1975, but some problems associated with the declaration were a continuation of events which antedated the 50-mile announcement. From 1971 to 1975, several issues, including the 50-mile dispute, the Keflavik base closure, and implementation of further fisheries' conservation measures, conditioned the development of Iceland's domestic politics. Although a full investigation of these matters would be inappropriate in this discourse, it is necessary to discuss the problems briefly for a better comprehension of the reasons why Iceland made its 200-mile declaration.

The reader will recall that the continuation of U.S. troops at Keflavik Air Base was a major political issue during the 1971 election campaigns in Iceland, and that during the 50-mile crisis continued Icelandic membership in the North Atlantic Treaty Organization (NATO) also came into question. From that time, the Icelandic parties took the following stances: The Independence Party wanted a review of the defense treaty with the U.S., but urged caution about any changes in Icelandic policy regarding the base and NATO affiliation; the Progressives wanted to

remain in NATO, but also wanted the U.S. to remove its troops; the Social-Democrats wanted to remain in NATO, but were more cautious about removing U.S. troops, although they believed that Icelanders might to take over some duties, thus decreasing the total number of U.S. soldiers at the base; the People's Alliance Party wanted both the removal of U.S. forces and an end to Icelandic participation in NATO, but they did not make the issue a condition for entering into the coalition government in 1971; the Association of Liberals and Leftists generally wanted to stay in NATO, but some members wanted both termination in the Alliance and removal of U.S. troops.¹

Support for termination and removal gained strength in all parties in May 1973 when the events in the fisheries worsened. Since the military at Keflavik was called the Icelandic Defense Force, Icelanders began to expect the U.S. to defend them against British warships. Within days of the frigates' entering the 50-mile zone, the People's Alliance Party called for total withdrawal from NATO, not only because a NATO ally was using force against Iceland, but also because the British conducted reconnaissance flights out of Keflavik Air Base. By May 30, Agustsson announced that the Icelandic government would "very soon" give notice for withdrawal of the 3,300 U.S. troops.² By October 19, three days after Heath and Johan-

nesson announced their breakthrough in negotiations, public opinion had become so anti-NATO that one Icelander told a British journalist that the "feeling was comparable to the anti-EEC sentiment last year in Norway." The Icelander thought that pro-NATO parties would not fare well, had there been an election at that time.³

In early 1974, "a group of fourteen pro-American professionals (among them several right-wing university teachers) drew up a petition, addressed to the Althing asking that no changes be made in the existing treaty. . . ." Although some individuals questioned the group's methods, they collected 55,522 signatures, about half of the electorate. The pro-American sentiment then became manifest in local elections, and ultimately in a general election later that year.⁴ Their efforts paid off, because the U.S. and Iceland exchanged notes on October 22, 1974, which essentially maintained the status quo, although an agreed minute attached to the notes contained the statement: "The two Governments will study ways to further the cooperation between the Icelandic Defense Force and the Icelandic Coast Guard, civil defense, and civil aviation authorities."⁵ In short, this was probably a compromisory clause for lack of U.S. aid during the 50-mile dispute.

In early November 1975, just days before the beginning of the 200-mile cod war, "leftist politicians again [were] agitating for a review of the base issue. . . ." By the end of the month, with the new dispute in full stride, the Icelandic government warned that it would quit the Alliance and "close an American-manned post monitoring Soviet sea and air activity" if British vessels did not withdraw.⁶ By January 12, Iceland was threatening to break diplomatic relations with Britain, and Tomas Tomason, the Icelandic representative to NATO, "warned in a speech to the [NATO] Council that Iceland could both leave NATO and break relations if the incidents [with the Royal Navy] continued."⁷ But on February 27, when fishermen blocked the entrance to Keflavik Base to protest a lack of U.S. support, Prime Minister Geir Hallgrimsson stopped the men, contending that their action did not serve Icelandic interests in the cod war.⁸ The reason, which will become evident during discussions of the diplomatic events, was that NATO was quietly assisting behind the scenes.

Another fact that the reader will recall is that the Icelandic election of 1971 resulted in the coalition government composed of the Progressive and People's Alliance Parties, and the Association of Liberals and Leftists; furthermore, this was the first government since 1959 in which the Independence Party was in opposition. Because

the tripartite coalition members had such varying views on the 50-mile cod war, ministers often made differing policy statements, leaked information to the press, and used their positions to express personal opinions. The result was an escalation of violence in the waters, and confusion for the British who had to untangle the contradictory statements.⁹

Some seven months after the end of the dispute, in an attempt to curb inflation, Prime Minister Johannesson brought a bill to the Althing on May 2, 1974 to freeze wages. The Union of Liberals and Leftists opposed the bill, stated that they would resign, and urged all cabinet members to follow their lead. When the two opposition parties called for a vote of no confidence on May 9, Johannesson instead dissolved the Althing, and scheduled new elections for June 30.¹⁰ Although the immediate factor creating the governmental dissolution was Johannesson's bill, it was simply the final item of contention when added to the differences over handling the 50-mile cod war, the Keflavik closure, and the related NATO-membership issue. But the politicians were able to maintain solidarity for one final issue. They passed a bill on May 13, which amended the 1948 Fisheries Conservation Law, and empowered the government to enact fisheries conservation laws up to two hundred miles from baselines.¹¹

After the Icelandic election, the apportionment of seats in the Althing was as follows: Independence Party 25 (up three), Social-Democrats 5 (down one), Liberals and Leftists 2 (down three), Labor Alliance 11 (up one), and Progressives 17 (no change). President Eldjarn chose Independent Geir Hallgrimsson of the Independence Party as the new Prime Minister. After seven weeks, Hallgrimsson announced the formation of his government in alliance with the Progressives, with the agenda that they would adopt a 200-mile fisheries limit, and maintain the status quo regarding Keflavik and NATO. Arguments over governmental portfolios and specifics in their agenda caused the delay in Hallgrimsson's announcement. Appointments to cabinet posts which the new P.M. made from his party included Mathias Bjarnason as the Minister of Fisheries, and Gunnar Thoroddsen to the Minister of Industry position. Former P.M. Olafur Johannesson retained the Justice portfolio (and thus head of the Coast Guard). But perhaps the most surprising announcement was that Einar Agustsson, whose handling of the 50-mile dispute received much criticism from the Independence Party, retained his job as Foreign Minister. The compromise the coalition reached on the 200-mile limit was that it would take effect during the autumn of 1975, a little over a year away. Since they

could not agree on the air base and NATO issues, they simply chose to make no change.¹²

Although implementation of a 200-mile limit dated to the early 1950's when Chile, Ecuador, and Peru made such declarations, the Icelanders based their case on the work that was underway at the Third United Nations Conference on the Law of the Sea (3rd UNCLoS). A Kenyan proposal for a 200-mile economic zone on August 7, 1972, started the events. Then, from April 2 to August 10, 1973, a total of thirty-one nations, including Iceland, made various proposals for a limit of two hundred miles.¹³ By 1975, the conference's single negotiating text had emerged as follows: Article 45 allowed sovereign rights to all resources in the sea, including the living resources; Article 46 specified that the exclusive economic zone (EEZ) was to be a maximum of 200 nautical miles; Article 50 gave the coastal state the right to determine the total allowable catch (TAC) within its EEZ; Article 51 said that, if a coastal state does not take the TAC for a species within its EEZ, it must allow other nations to fish for that species within the zone, but the coastal state still retains control over all conservation measures within the EEZ; Article 60 gave police powers within the EEZ to the coastal state.¹⁴

Because an international movement for fisheries conservation was about to emerge and endorse Iceland's conservation efforts, the question arises as to why the Icelanders were again acting unilaterally. The answer was that the work at the 3rd UNCLOS, although going well, was progressing too slowly, and the Icelanders again feared for their cod stocks. Studies by British and Icelandic scientists, including one which the Marine Research Institute in London published shortly after the 200-mile cod war began, "warned that the cod stocks in Icelandic waters could be completely exhausted by 1979."¹⁵ Specifically, said Icelandic Ambassador to Britain Niels Sigurdsson, Iceland feared the Russians, Poles, and East Germans, whose "modern fleets could have destroyed Icelandic stocks in two years." He believed that it was only the 50-mile declaration in 1972 which temporarily kept the Russian fleet at bay.¹⁶

The Icelandic government formally announced its intent to implement the 200-mile limit in June 1975. About a month later, on July 15, Fisheries Minister Bjarnason announced that the limit would take effect on October 15. He added that, although the government intended to conduct discussions with interested nations, they expected opposition on the issue.¹⁷ Interestingly, while in opposition, the Independence Party had supported as a matter of cour-

tesy the British insistence on referring the 50-mile dispute to the International Court of Justice (ICJ). Now that they led the government, Hallgrimsson and his people took an anti-ICJ stance, believing that the 200-mile limit was a de facto matter because of the support for it at the 3rd UNCLOS.¹⁸ Of course, the fact that the ICJ had ruled against Iceland in 1974, despite the Icelandic adamancy that the Court had no jurisdiction in the dispute, could well have influenced the Party's decision not to support another hearing before the court.¹⁹

Hallgrimsson proclaimed that Iceland's implementation of the new limit on October 15, marked the end of a 30-year struggle. But the limit was not applicable to the British until November 14, when the 1973 settlement of the 50-mile dispute expired.²⁰ West German fishermen also refused to recognize the new limit, and remained in the 200-mile limit on October 15. They were actually continuing their dispute over the 50-mile limit, but Iceland settled came with the Germans on November 20, and the Althing approved this agreement 42 to 18 eight days later.²¹

The British realized that arranging another agreement with Iceland would be a lengthy process, so the British ambassador to Iceland, John East, tried to arrange for the start of talks in early 1975. The two sides actually be-

gan informal, albeit high level, talks in May, when James Callaghan, then the Secretary of State at the Foreign and Commonwealth Office (FCO), met with Hallgrimsson in Brussels. In June, Hallgrimsson met with Prime Minister Harold Wilson in London, and again with Callaghan in Helsinki on July 30. During the latter conference, Callaghan told the Icelander that the British were anxious to begin immediate discussion.²²

An unusual development occurred four days later, on August 3, when Prince Charles went on a 6-day salmon fishing trip to Iceland. His itinerary included a dinner with Hallgrimsson.²³ Protocol would have called for Charles to meet with President Eldjarn, particularly since the role of the Icelandic President, like that of the Royal Family, is primarily symbolic. Thus, a more normal procedure would have been for Charles to dine with Eldjarn and have a pleasant but perfunctory meeting with Hallgrimsson. Finally, it would have been normal to announce a meeting with Eldjarn, but not necessarily one with the Prime Minister. Yet there was no mention of a meeting with the President, although such an event may well have occurred. Because of these anomalies, it is probable that Charles carried a message from Wilson and/or Callaghan that talks on the 200-mile limit needed to begin. If so, such an

arrangement would have carried a double meaning, because of Charles' rank in the Royal Navy!

Agustsson finally replied in mid-August that he would invite British officials for talks about their trawlers' continued use of the 200-mile zone, but could not do so until the cabinet decided where to hold the talks, a decision it would probably make on the 18th.²⁴ The result was that a delegation led by Roy Hattersley, Minister of State at the FCO, and Edward Bishop, Minister of State at the Ministry of Agriculture, Fisheries and Food (MAFF), met in Reykjavik with Agustsson and his delegation on September 11. They spoke for an hour in the morning and three hours in the afternoon, but the British returned to London with only an agreement for further talks to be held in London in October. Agustsson stated that the British needed to formulate a proposal; Hallgrimsson added that the proposal had to contain drastic cuts in the British catch; Bjarnason concluded that they would not be able to continue fishing within the 50-mile limit after the 1973 interim agreement expired.²⁵

The second round of talks took place on October 23-24, with Agustsson and Thoroddsen leading the Icelandic delegation to London. On the first day, Agustsson accepted the proposal that they base any new terms on the 50-mile interim agreement. On the second day, the Ice-

landers said that the total annual cod catch by all nations in the Icelandic waters needed to be reduced from the 340,000 - 360,000 tons currently taken to about 230,000 tons; they also said that they would consider reducing the total U.K. catch allowance by the same proportion as the total reduction. The delegations agreed to hold scientific and technical discussions on the state of the fish stocks in the Icelandic waters as soon as possible, and to schedule another level of ministerial meetings. But the Icelandic members refused to agree to an extension of the interim agreement until such time as they reached a new compact.²⁶

The scientists met in Reykjavik on November 5-6. Both sides agreed that the cod stocks were being fished too heavily, but they disagreed over the methodology used to compute the cod's TAC. Iceland derived 230,000 tons based on surveys of fish under one year old, but the British said that it was more appropriate to look at evidence from the catch of previous year classes, and thus said that the TAC should be 250,000 tons in 1976 and 265,000 thereafter. One point which the scientists agreed upon was not to divulge their results to the press. This meeting became the basis for all subsequent discussions, but since the scientists could not agree, it was inevitable that the politicians would follow suit.²⁷

Hattersley was in the United States in mid-November, but announced that he would cut his trip short and go to Reykjavik for talks on November 16, three days after the expiration of the 50-mile interim agreement. The British believed that, because of the planned talks, there would be no problems on the fishing grounds when the agreement ran out. The press also learned that the TAC figure which the scientists derived was 230,000 tons, i.e. the Icelandic figure, and so there was a rumor that Hattersley would push for a British catch figure of 70,000 tons.²⁸ Although the speculation may have been accurate about Hattersley, the soothsayers were wrong about the possibility of trouble.

The British delegates began their talks on November 15, but the Icelanders had already cut two vessels' wires on that day, prompting Hattersley to protest and announce that there would be no talks if harassment continued.²⁹ After the talks ended, the incidents resumed, so the government hired three oil rig supply vessels, the Star Aquarius, Star Polaris, and Star Sirius, on November 17, and dispatched the vessels to the Icelandic grounds to join the MAFF support vessels. The support craft, Othello, Hausa, and Miranda, had already either taken their positions on the grounds, or were en route. During the operations, Othello was to give weather infor-

mation and account for the trawlers, and Miranda, which arrived on November 28, was to provide Red Cross support. The Star vessels were to establish boxes in concert with the trawler skippers, and provide protection duties.³⁰ On November 19, Hattersley met with Frederick Peart, the Minister of Agriculture, Fisheries and Food, and members of the fishing industry. They all agreed to send the ocean-going tugs to the fishing grounds which had worked so well in 1973, so Lloydsman, Euroman, and Statesman joined the effort. Additionally, the Royal Air Force (RAF) began reconnaissance flights over the area in Nimrod aircraft.³¹

The protection vessels either did not arrive quickly enough, or else they were unable to perform their function adequately, because on November 24, 80 per cent of the trawlers' captains fishing within the 200-mile zone voted to leave the area unless they received protection from the Royal Navy. Consequently, at 11:30 a.m. on the 25th, the Ministry of Defense and the FCO issued a joint statement that, due to the high number of trawl cuttings, the government was sending R. N. vessels to protect the trawlers from Icelandic Coast Guard gunboats. H.M.S. Leopard, which the government had previously dispatched to the region outside of the 200-mile zone, arrived later that day, and two other frigates would arrive in the waters on the 29th.³² The Icelandic government reacted to the naval

presence on the 26th by closing all ports to R. N. vessels, support vessels, and trawlers, closing Icelandic airspace and airports to RAF planes, and threatening both to break diplomatic relations with Britain and to boycott the NATO meeting scheduled for December in Brussels.³³

To counter the British armada, the Icelandic Coast Guard had two fixed-wing aircraft, three helicopters, and seven gunboats. But because the 200-mile limit created such an extensive patrol area, the government was ordering an additional aircraft.³⁴

Unlike the events of the two previous cod wars which took time to build in intensity, in this dispute the two sides essentially resumed battle where they had left off two years previously. Thus there were reports of rammings and threats of gunfire in less than a month's time. The first serious incident occurred on December 11, when Thor attempted to arrest Lloydsman, Star Aquarius, and Star Polaris for entering Icelandic territorial waters. After sustaining a considerable amount of damage, the C. G. vessel fired at Lloydsman, and apparently achieved a hit. Callaghan met with Agustsson at the NATO Ministers' Council meeting in Brussels later in the day and protested the incident, but the Icelandic government called upon the President of the U.N. Security Council "to convene an urgent meeting" to discuss the incident. President Ivor

Richard of Britain called the meeting, then invoked Council Rule 20, which allowed him to temporarily step down because the incident involved his country. This was only the second time in history that a Council President invoked the rule. The Council took no action over the incident, prompting the Icelanders to hold a court of inquiry, and to submit a transcript of the court proceedings to the Security Council in January, showing the probability that the British were at fault on December 11. The Council's response was one of total apathy; it did not even pass a resolution to take note of the material.³⁵

Events took a serious turn for the worse on January 16, when the Althing's 7-member Foreign Relations Committee voted unanimously to urge a diplomatic break with Britain. The vote ostensibly came as a result of a collision one week earlier in which Thor sustained serious damage. Hallgrimsson said that he probably would enforce the decision, but would wait until the 19th to do so. The delay was to allow Callaghan to meet with NATO Secretary-General Joseph Luns, and then give the British Foreign Secretary time to withdraw the warships. Wilson and Callaghan met in Copenhagen to discuss the matter on the morning of the 19th, then Callaghan spoke with Luns in Brussels that evening. As soon as they had finished their meeting, Callaghan announced the withdrawal. On the fol-

lowing day, other members of the government confirmed not only the withdrawal, but also the cessation of RAF flights.³⁶

While the naval vessels were out of the area, the two sides held a lengthy round of discussions, during which time at Callaghan's request, the fishermen ceased trawling activity. Because they lost their catch through this inactivity, they received recompense from the government under the "Iceland (Compensation to Fishermen) Scheme" totalling £74,358. When the talks failed, the C. G. gunboats resumed cutting British trawls. The Icelandic government would not order a cessation of the cuttings, because it viewed any such move to be an acquiescence in the cod war. Consequently the R. N. vessels reentered the area on February 4.³⁷

The first casualty of this cod war occurred on February 4, the day that the R. N. returned. That morning, a C. G. gunboat cut the wire on a British trawler, and the whipping cable struck one of the vessel's crew members. The seaman recovered, but had the dubious distinction of being the sole casualty of the cod war.³⁸

For the next three months, these dangerous events continued. At least once every week, and often much more frequently, there were reports of serious collisions, which often occurred during attempted or successful maneu-

vers to cut the trawl lines. Each side blamed the other, and called the collisions deliberate rammings. Yet the R.N. captains earned the ire of the men in their command for their reputed docility regarding the gunboats, and also the wrath of the trawlermen whenever a gunboat succeeded in its cutting attempt. The C. G. vessels were supposedly so successful that one British correspondent suggested using explosive devices against the cutting equipment. On May 10, in a joint meeting between representatives of the Defense Ministry, MAFF, and the fishing industry, the government officials made the same suggestion, but the fishermen vetoed the idea.³⁹

On May 3, the trawlermen threatened to pull out of the Icelandic waters by noon of the following day if the government did not resolve two issues. The first was that they receive better naval protection; second, because of gunboat harassment, they wanted compensation for not being able to fish. This was to be similar to the money they had received in February, but, as the government taxed the February payment, they demanded that this one be tax free. When they did not receive notification of the annuity on May 5, they left the 200-mile waters. After just a few hours, the trawler owners ordered them to return following talks with Austin Laing, the Director of the British Trawlers' Federation.⁴⁰ The following day, the government

increased by two the number of frigates in the zone, and also dispatched another tug to assist. The captain of the Icelandic C. G. vessel Baldur also reported that the frigate Mermaid sent him the following message: "We in the frigates are no longer restricted by our authorities in ridding off Icelandic Coast Guard vessels which attempt to harass British trawlers. Do you understand?" Subsequently, on the night of May 6/7, the number and severity of incidents was such that the British Minister of Defense termed it the "worst night so far" in the cod war.⁴¹

After that "worst night," the incidents gradually began to subside, both in number and in intensity, as diplomatic efforts finally began to take effect. Then came an announcement from the new Foreign Secretary, Anthony Crosland, on May 30, that the frigates were to leave the area by 9:00 p.m. that day.⁴² The trawlermen did not know it, but their war was about to end.

When Hattersley cut short his trip to the U.S. and flew to Reykjavik, he and Bishop conducted the first substantive talks with the Icelanders on November 15-17. When the Icelanders suggested a catch quota of 65,000 tons, the same figure mentioned to the scientific team earlier in the month, Hattersley made a 5-point proposal: 1) a limited catch for the British; 2) such limit to be 110,000 tons, but they might consider another figure

greater than 65,000 tons; 3) an increase in the mesh size of British nets to comply with new regulations which the Icelandic government was about to impose on its own people; 4) British mediation with the European Economic Community (EEC) on behalf of Iceland; and 5) joint talks between the British and Icelandic fishing industries concerning landing rights. The Icelanders would not budge off their 65,000-tons figure, so the talks collapsed, and the British returned to London on the night of the 17th.⁴³

On December 9, Agustsson announced that he would meet Callaghan in Brussels during a NATO meeting on December 11, for discussions about the cod war, but added that he did not expect the meeting to have any positive results. When he left for the meeting on the 10th, he said that he had agreed with Callaghan to hold these discussions, but the British Foreign Minister denied his concordance, although he added that he was willing to continue talks if Iceland stopped its ramming incidents. During the meeting, which was strained because of the incident between Thor and Lloydsman, Agustsson affirmed that the offer of 65,000 tons was non-negotiable, and also stated that there could be no further talks until after the R. N. vessels had withdrawn. Callaghan tried to elicit support from other NATO members by telling them that the frigates would leave when the gunboats stopped interfering with

British fishing. On both the 11th and the 12th, Hattersley also talked with Agustsson, telling the Icelander that the British wanted to negotiate on the catch quota, and that they would be flexible. Agustsson replied that he would report the proposition to the government.⁴⁴

On January 8, Iceland requested that NATO hold a special meeting on January 12 to discuss the worsening situation in the cod war, and also asked Luns to mediate on the matter. Luns replied that he would not announce his decision until after the special meeting, but if he did make a trip to Iceland, he would also make a reciprocal journey to London. Iceland apparently wanted to attain NATO support at the meeting, because the members were being more sympathetic toward Britain at this time than during the two previous cod wars.⁴⁵ Also on the January 8, Iceland threatened to break diplomatic relations with Britain over the worsening conditions on the fishing grounds.⁴⁶ The reader will recall that the Althing Foreign Relations Committee voted on the 16th to break relations, supposedly over the incident between Thor and Leander that occurred on the 9th. Yet this first threat on the 8th to break relations came prior to the ramming incident. When noting the similarities between the incidents of both the 7th and the 9th (although there was no collision on the 7th), the lack of an incident on the day

of the diplomatic threat, and the passage of a week's time between the provoking incident (the 9th) and the resolution by the Foreign Relations Committee (the 16th), one can only wonder what missing details there are for this account.

Nonetheless, NATO held the requested special meeting of ambassadors on January 12. During the session, Tomasson threatened that his nation would leave the NATO alliance if British warships did not exit the fisheries zone. After the meeting, Luns announced that he would go to Reykjavik, and hoped to go to London as well.⁴⁷ The next day, Johannesson reiterated that his government would break diplomatic ties with Britain if the warships did not vacate the disputed waters, adding that they had a deadline of forty-eight hours.⁴⁸

Luns arrived in Reykjavik on the 14th on a fact-finding mission. Hallgrimsson met him, and expressed the sentiment that he expected the visit to have results, although they might not be readily apparent, thus hinting that there were further matters occurring privately which he had not publicized. In turn, Luns said that he hoped to help end the cod war. The men met for two days, then Luns returned to Brussels, having apparently held off Iceland's diplomatic break.⁴⁹ But on the evening of the 19th, Iceland issued a midnight ultimatum for Britain to

remove its vessels. Luns called Hallgrimsson to express his dismay, adding that the ultimatum was making the situation very difficult for him. But, as noted above, Callaghan met the deadline, and Hallgrimsson announced that he would continue official ties with the British.⁵⁰

In fact, following a two-hour cabinet meeting, the Icelandic Prime Minister stated on January 21, his intent to announce the next day his decision about further talks in London, but he first wanted to have more discussions with the Foreign Relations and Fishing Limits Committees. The cabinet agreed on the 22nd that he should journey to London for talks, so he announced that he would arrive in Britain on the 24th.⁵¹

The two sides held this round of talks January 24-27, principally at the Chequers, the Prime Minister's official country home. Hallgrimsson, Sigurdsson, the Head of the Legal Department in the Foreign Ministry (who was possibly Hans Andersen), and the Chairman of the Althing's Foreign Relation Committee, met with Wilson, Callaghan, Peart, Hattersley, Bishop, and East; both teams also included other officials and scientific advisors. On the 24th, Hallgrimsson and Wilson met for five hours. On the next day, the scientists met at the Ministry of Agriculture, Fisheries and Food, and the legal experts met at the Foreign Office. That evening, Hallgrimsson went to Cal-

laghan's private residence for unscheduled talks then the two Prime Ministers met again on the 26th and 27th. During at least one of the sessions between the Prime Ministers, Callaghan and Peart were also present. At issue in the discussions was the TAC for the Icelandic waters, the British scientists maintaining their view of 300,000 tons, and the Icelanders insisting on 230,000 tons. During the sessions, press reports speculated that the British dropped their demand for a quota to 80,000 tons, but that the Icelanders lowered their previous offer to 40,000-45,000 tons. When the talks bogged down over this issue, Hallgrimsson returned home on the evening of the 27th, but Wilson left open the possibility of the Icelanders returning for another round.⁵²

Minister of Justice Johannesson committed a most unusual breach of diplomatic ethics on February 1, when he gave his personal opinion in a public statement. He said that he did not believe the most recent talks held the basis for an agreement, but thought that the rest of the Progressive Party members would soon follow his lead. As might be expected after such a declaration, the cabinet rejected the British offer two days later, saying that the British did not sufficiently recognize the need for Icelandic preferential rights. The speculative reports about the quota numbers discussed during the sessions had been

correct, since he said that the British were demanding somewhere between the figures of 65,000 and 84,000 tons of cod, but that they also wanted minimum and maximum figures established for the TAC. He did not tell what his team had been demanding of the British.⁵³

Due to the rejection, Callaghan instructed the British fishermen to resume work, and that the indemnity would end that day. He also said that the trawlers would have naval protection if necessary, which previous discussion shows they received. Presumably as a consequence of these British actions, the Icelanders made another announcement to break diplomatic relations, but NATO officials made an appeal on the 5th that they not do so.⁵⁴

On the following day, the British government made a startling announcement.

. . . [F]ollowing talks at the Ministry of Agriculture, Fisheries and Food, the British trawling industry agreed, pending the conclusion of an agreement with Iceland, to limit both the size of the trawler fleet and their annual catch and to continue to observe the conservation areas recognized under the Interim Agreement of 1973. . . .

The total size of the fishing fleet would be limited to 105 vessels as opposed to 139 in the 1973 agreement. The annual catch of cod would be limited to 85,000 tons, compared with about 113,000 tons last year. The total catch of all fish would be limited to 100,000 tons as opposed to the average of 130,000 tons during the period of the Interim Agreement.⁵⁵

Undoubtedly this announcement was more of a factor than the NATO appeal to wait on a diplomatic rupture, because,

on the evening of February 6, the Icelandic cabinet decided not to make the diplomatic break from Britain. The Icelanders also stated that they were prepared for future talks, but that the frigates must first depart the 200-mile limit. The British government acted as though the decision took them by complete surprise.⁵⁶

During these announcements on February 6, Luns was in the U.S. for meetings with President Ford, Secretary of State Kissinger, Secretary of Defense Rumsfeld, and the retiring U.S. Ambassador to NATO, Mr. Bruce. The meetings, which lasted for several more days, included discussions about the cod war; consequently, Luns placed a courtesy call to Agustsson to inform him of his meetings. When he received this news, Agustsson called for an immediate break with London, but Hallgrimsson continued to urge restraint.⁵⁷ Agustsson may have taken this stance with the thought that Luns was working a deal between the British and the Americans.

Upon his departure from Washington, Luns travelled to London, where he met with Wilson on February 11-12. Although he said that he was not acting as a mediator, he made the trip so that the British could explain their self-imposition of restrictions, and also ask if the British would accept him as a mediator.⁵⁸

Another unusual event occurred on February 16. Hannes Jonsson, the Icelandic Ambassador to the Soviet Union, "refused to receive Sir Howard Smith, the new British Ambassador," citing the presence of British frigates in the 200-mile zone and calling Smith a hypocrite for referring to good relations between the two countries. By his own admission, Jonsson's superiors had two options: they could fire him; or they could break diplomatic relations with Britain.⁵⁹ After Thor was in a collision with the frigate Lowestoft on the 18th, the cabinet made its decision in an emergency meeting to break ties with Britain effective the following day. They cited as their reasons the British refusal to recall the frigates from the 200-mile zone, repeated rammings by the R. N. vessels, and the trawlermen's catch of small fish in designated conservation areas. Although this was the first such occurrence between two NATO countries, Agustsson announced that the break would not effect Keflavik, that both nations would continue to attend all NATO functions together, and that Luns would still try to help in the cod war.⁶⁰

Hallgrimsson's government also appeared at this time to be in trouble on the home front. On February 14, the fishermen called a strike for higher wages. Three days later, the entire nation was paralyzed when the unions called a general strike. The shut down, along with the

government's delay in breaking diplomatic relations, prompted the opposition to table a motion for a vote of no-confidence, but after an all-night session of the Althing on February 23/24, the resolution failed to pass by a vote of 41 to 18.⁶¹

The circumstances of the diplomatic break demand some further analysis. Earlier in the month, Johannesson made his open condemnation of the British proposal for settlement, then called for an immediate break with Britain. Jonsson, who had been a member of Johannesson's personal staff when Johannesson held the Prime Ministership, committed a highly undiplomatic act, then acknowledged that his deed would cause either an end to his political career or force the government to take a specific action. The government is also faced with a general strike, a situation which frequently topples governments. Yet that problem did not arise overnight; given the fact that there had been at least two previous general strikes during the lives of the majority of the members of government, if not during their political careers, it is likely that they knew the probability of the strike taking place well in advance of its actual occurrence. Given these facts, the possibility exists that individuals manufactured the diplomatic crisis as a means of diverting attention from

domestic problems, and thus saved the government during the vote of no-confidence.

During the next three months, all outward efforts by Britain and Iceland to find a solution to the cod war were fairly well at a stand-still. There were still trips to NATO meetings, or to other nations for normal diplomatic talks, and on occasion the subject of the cod war arose, but, with one exception, these efforts never led to a resumption of talks. But major change occurred in Britain, which impacted on the final outcome of the dispute -- Harold Wilson resigned as Prime Minister and James Callaghan received the bid to take his place shortly thereafter. When he moved up, Callaghan appointed Anthony Crosland to replace himself as the Foreign Minister.

The one diplomatic event which aided in the outcome of the crisis during these three months occurred on April 20, when Hattersley was in Oslo for discussions with Norwegian Foreign Minister Knut Frydenlund. Hattersley told the Minister "that Britain was ready to consider any proposal or mediation offer which could end the fishing dispute with Iceland."⁶² One month later, Crosland was in Oslo to attend the NATO Ministers' Conference, with Hallgrimsson and Agustsson also present. Frydenlund and Luns met with the two Icelanders, after which the Icelanders agreed to

meet with Crosland at their Embassy. That meeting started the events which were to end the conflict.⁶³

The first meeting between Crosland and Agustsson took place on May 18, and the two men agreed to remain in touch. The next day Frydenlund arranged for them to meet again. The two men talked for over an hour in "frank" discussions, during which time Agustsson suggested that the British remove their frigates from the 200-mile zone without insisting that Iceland curb the gunboats' protection duties. During a press conference on the 20th, when asked if there could be assurances that the C. G. vessels would cease harassing British trawlers if the frigates did withdraw, Agustsson flatly stated "no." This dashed all hopes for a possible settlement, an opinion which he confirmed on the following day by stating that Iceland was considering withdrawal from NATO if there was no settlement within six months. But later that day, Hallgrimsson, who was vacationing in Helsinki, flew to Oslo for talks with Crosland, giving the impression that there might be a settlement within a week.⁶⁴

While these conferences were taking place, Callaghan had a meeting with the members of his cabinet whose duties directly involved them in the dispute. They were attempting to decide if the cost of naval support outweighed the income generated from fishing activity, or if it would be

better to accept an agreement for a smaller catch.⁶⁵ It is highly likely that Crosland's talks with Agustsson on the previous day prompted this cabinet meeting.

On May 24, Hallgrimsson also held a closed cabinet meeting to consider a proposal for the end of the cod war. The offer was for a short-term agreement that would allow a small number of trawlers, about fifteen to twenty, to fish within the 200-mile zone for an unlimited catch, in return for removal of the frigates and cessation of Nimrod reconnaissance flights. Significantly, a magazine quoted Josepsson that he would support a short-term agreement.⁶⁶ Two days later, the Icelanders held several meetings, including a joint session of the Fisheries and the Foreign Affairs Committees, separate meetings of the Progressive and the Independence Parties, and a combined meeting of the coalition government members. The gunboats were generally absent from the waters at this time, which the British saw as a positive sign. Crosland maintained a vigil to fly to Oslo at a moment's notice for talks.⁶⁷ Two days later, the situation appeared to have worsened when, despite Josepsson's earlier approval, all three opposition parties announced that they were against any deals with the British, because the fish stocks were too far depleted to allow for one.⁶⁸

But two days after that, May 30, the British government ordered its frigates out of the 200-mile zone, and requested that the trawlers stop fishing from 9:00 p.m. that night until 9:00 a.m. on June 2. Each vessel that complied was to receive a stipend for the period. The government then announced that settlement talks would resume in Oslo the next day. Crosland led a team of eight other officials to meet Agustsson, Bjarnason, and seven other Icelanders at the Norwegian government's guest house. The talks made excellent progress, but simply took longer than anticipated because of the large number of fishing and legal experts. The formal talks ended at 6:00 p.m., but after Frydenlund hosted a dinner, Crosland met with Agustsson for private talks, and their subordinates did likewise. They signed an agreement on the following day, June 1, to take immediate effect.⁶⁹ Interestingly, the Althing did not vote on the agreement, so the Icelandic negotiating team probably had prior approval to place the agreement into effect.

The final accord was very complex. It limited the British catch by allowing an average of twenty-four trawlers per day within the zone, with a complicated set of rules for computing that figure; the trawlers allowed in the zone would come from an authorization list; if the Icelanders stopped a vessel that was infringing the rules,

they would notify a support vessel, then cross that trawler off the list; there were several conservational areas, and net size restrictions, plus the British could come no closer than twenty miles to the baselines; Britain would intercede with the EEC on Iceland's behalf for the instatement of a tariff reduction protocol; the agreement was non-prejudicial to either side; and finally, the agreement would remain in effect for six months, unless renegotiated.⁷⁰

Yet, just as in the 50-mile dispute, there was quite a bit of private activity during these events, with much, if not all of that work again occurring under the auspices of the Atlantic Treaty Association (ATA). Much of that activity began with the efforts of Eugene V. Rostow in the United States, who was then the president of the ATA. Rostow had an impressive list of credentials: he had worked several times for the State Department, having held the Fishing and Law of the Sea portfolios; he was a professor of international law at Yale University, where Gerald Ford had been one of his students; he knew National Security Advisor Brent Scowcroft and Secretary of State Kissinger, both in a professional and personal relationship. His work on the cod war began when he talked with Luns in Paris sometime in 1975, and Luns expressed a desire to settle the fishing disputes quickly. Consequent-

ly, around August 1975, Rostow sent a letter to Rumsfield proposing that he attempt to settle the German dispute. Rumsfield forwarded the letter to Scowcroft, who gave Rostow the green light.⁷¹

Since he was already trying to settle the dispute between Iceland and Germany, Rostow became involved in the dispute with the British from its start. His contact in Britain was Sir Frank Roberts, who was a former British Ambassador to Moscow and to NATO; in Iceland, his contacts were Heimir Hannesson, an attorney working for the government, and Gudmundur Gardarsson. Through them, he also met Hallgrimsson and Agustsson.⁷² In early December, after the November talks had aborted, Rostow telephoned Hannesson and advised him that Iceland should apologize for the trawl cuttings, and also enter into a truce whereby Iceland would cease harassments in return for a temporary cessation of British fishing during conservation negotiations. Although Hannesson did not readily accept the idea, Rostow was emphatic and pressed his point.⁷³

When the two sides met at Brussels in December, the British government had determined to reach a public agreement based on arrangements which Rostow had concluded with Hannesson and Roberts. The talks in Brussels began well, especially the first meeting with Callaghan. Although Hannesson believed that they were close to an agreement,

the talks aborted as a result of the events between Thor and the three support ships on December 11. Both at that meeting and at the special U.N. Security Council meeting, Callaghan and Ivor Richard conducted informal meetings with the Icelanders "in a most conciliatory and least provocative manner possible" in an attempt to impress upon them the British desire for negotiations. Later that month, members of the FCO congratulated Rostow for his efforts with Hannesson in attempting to find a solution.⁷⁴

Rostow wrote to Roberts in early January to convey Hannesson's belief that a settlement was still attainable. In order to achieve this goal, Rostow proposed removing the naval vessels from the 200-mile limit with the understanding that the Icelandic vessels would receive instructions to halt their trawl cutting. He also proposed that the British remove their trawlers from the waters to aid the negotiation process. If that were to occur, Hannesson believed that the government would still accept the figures discussed in December. He also cautioned Roberts that if someone were killed in the rammings, "the political situation in Iceland will then be nearly uncontrollable. Opposition members are pressing hard for withdrawal from NATO."⁷⁵ As we have seen, the British took Rostow's advice to remove the frigates and cease fishing. These

events would also explain Hallgrimsson's remark to Luns which hinted at private negotiations.

When Luns was attempting to avert the diplomatic break and arranging the meeting in January, an Icelander, whose name remains classified by U.S. officials, kept in close touch with Ambassador East, and suggested to Roberts that they cancel a meeting in London between unspecified persons which had been arranged for the same time as the Luns visit. The Icelander believed that having two sets of talks simultaneously would create confusion, but Roberts believed that the visit would be useful for future developments. This same unknown Icelander stressed that it would be imperative for the navy to withdraw. He believed that the gunboats would be inactive in their trawl cuttings, but could not give a firm commitment. Both Roberts and this person believed that there should be some good faith shown, with details worked out after the fact.⁷⁶

The most important ATA involvement came during the last few days before the final settlement. On the evening of May 26, Hannesson had two telephone conversations with Rostow. As a result, later that night and again on the following day, London changed its position on some facets of a final agreement, primarily regarding what would transpire after any temporary settlement expired. When

that point received clarification, all the other items in the final settlement were minor and readily soluble. On May 28, the French embassy, which was acting as the caretaker for British interests, sent a message to some cabinet member which was so urgent that the messenger passed it into an on-going cabinet meeting. Shortly after that, presumably after the settlement and reestablishment of relations, the British Embassy informed Hannesson that the work which he, Rostow, and Roberts had performed had removed an obstacle in the final settlement. Since the road block was gone, Crosland went to Oslo to sign "the formula already agreed upon in all major points." Agustsson was aware that Crosland had a message to deliver on the night before the official negotiations, i.e. May 31, when Crosland visited him in his room, but neither he nor Bjarnason knew that the agreement was pre-arranged.⁷⁷

Hannesson said that the people who entered into the 50-mile agreement were the same individuals who devised the 200-mile agreement, including Johannesson as the Minister of Justice. "The 200 miles settlement was 'staged' through Oslo at Britain's request." One of the individuals involved was Minister of Industry Thoroddsen. "Even the Ministers who went to Oslo -- did not realize, that what happened there was decided beforehand. The British knew -- and had agreed. Washington also knew."⁷⁸ Rostow

concurred with that assessment: ". . . the U.S. Government took no position in the controversy, except to encourage me to go on with the effort."⁷⁹ But there may have been one other factor in the final settlement about which even these individuals may have been unaware.

About April 24, 1976, Kissinger stopped in Britain for a breakfast talk with Crosland while he was en route to Africa. They were to discuss the situation in Rhodesia.⁸⁰ But a study of Callaghan and his policies had this to say about the two men:

[I]nstead of involving the Labour Party in foreign-policy making, Callaghan sought his inspiration elsewhere. In large measure, his own stature rose and fell in time with that of Dr Henry Kissinger, whose relationship with Callaghan was, throughout, close both personally and politically.⁸¹

Although this passage concerned Callaghan's role as Minister of State, if he had consulted Kissinger concerning the cod war, it was unlikely that he would have terminated such assistance after he attained the Prime Ministership. Thus, although he makes no mention of these events in his memoirs, Kissinger himself may have had a hand in helping to solve the conflict when it was then at an impasse. Whether or not such was the case, the important fact was that the cod wars were over.

NOTES

1. Bjorn Bjarnason, "The Security of Iceland," Cooperation and Conflict: Nordic Journal of International Politics 6 (1972), 65-66.
2. "British trawlers leave 50-mile limit in protest at lack of protection," The Times (London), 18 May 1973, 1 (hereafter Times); "Iceland Accuses the British of 'Invasion'," The New York Times, 22 May 1973, 3 (hereafter N. Y. T.); "Iceland expels British diplomat after his comments on gunboat positions," Times, 31 May 1973, 1.
3. "Christopher Hitchens, "The Nelson Touch," New Statesman 86 (October 5, 1973): 457.
4. Sigurdur A. Magnuson, "Iceland and the American Presence," Queen's Quarterly 85 (Spring 1978), 82-3 (hereafter Magnuson, "Iceland and the American Presence"); Thrainn Eggertsson, "Determinants of Icelandic Foreign Relations," Cooperation and Conflict: Nordic Journal of International Politics 9 (1975), 93; Bjorn Bjarnason, "Iceland's Position in NATO," The Atlantic Community Quarterly 15 (Winter 1977-78), 401 (originally delivered at the Atlantic Treaty Association Annual Assembly, Reykjavik, 26 August 1977). Magnuson criticized the methods employed, "the rule being to have the director of every major concern and company sign his name at the top of the list and then send it down to his subordinates. This proved highly effective. At the same time, the group refused to take part in any public debate about its campaign. . . ." (83). Undoubtedly, at least some of the fourteen members who began the campaign were ATA members (see Chapter 5, note 106).
5. "Iceland. Defense. Continuation of Agreement of May 5, 1951," in U.S. Department of State, United States Treaties and Other International Agreements, vol. 25, part 3 (Washington D.C.: U.S. Government Printing Office, 1975)
6. "Iceland political sparks re-fire NATO-base debate," The Christian Science Monitor 4 November 1975, 7 (hereafter C. S. M.); "Iceland Warns NATO," N. Y. T., 29 November 1975, 12.
7. "Icelandic Fisheries," Survey of Current Affairs n.v. (February 1976), 64.

8. "Icelandic Premier halts protest outside US base," Times, 28 February 1976, 4.
9. Jeffrey A. Hart, The Anglo-Icelandic Cod War of 1972-1973: A Case Study of a Fishing Dispute, Institute of International Studies Research Series, no. 29 (Berkeley: University of California, 1976), 50-51.
10. "Icelandic coalition splits over anti-inflation bill," Times, 7 May 1974, 5; "Iceland's Coalition Splits on Inflation," N. Y. T., 7 May 1974, 8; "Election in Iceland Is Called for June," N. Y. T., 1974, 18; "Inside the news -- briefly," C. S. M., 10 May 1974, 8.
11. Hannes Jonsson, Friends in Conflict: The Anglo-Icelandic Cod Wars and the Law of the Sea (London, England: C. Hurst & Company; Hamden, Conn.: Archon Books, 1982), 153 (hereafter Jonsson, Friends in Conflict).
12. "Premier in Iceland Quits After Setback To Leftist Coalition," N. Y. T., 3 July 1974, 8; "Iceland Party Picks Supporter of NATO To Be Next premier," N. Y. T., 27 August 1974, 6; "Inside the news -- briefly," C. S. M., 28 August 1974, 6; "New Icelandic coalition is expected today," Times, 27 August 1974, 4; "Right-wing coalition Cabinet for Iceland," Times, 28 August 1974, 3; "Iceland to keep US force at Keflavik air base," Times, 30 August 1974, 5.
13. Hans G. Andersen, "The Icelandic Fishery Limits and the Concept of the Exclusive Economic Zone," Ulflojur 27 (No. 3 supp. 1974), 15.
14. "Third United Nations Conference on the Law of the Sea, Single Negotiating Text; Part II (III), The Exclusive Economic Zone," reprint in Iceland, Ministry for Foreign Affairs The Fishery Limits off Iceland 200 Nautical Miles (Reykjavik: Setborg, January 1976), 21-23, 26 (hereafter Iceland, Fishery Limits off Iceland 200 Miles).
15. "The Times Diary," Times, 21 November 1975, 16.
16. "Threat that led to 200-mile limit," Times, 20 November 1975, 5.
17. Parliamentary Debates (Commons), vol. 894 (1976) col. w.87 (hereafter Debates, (Commons); written replies will be referred to by "w." preceding the column number); "Iceland extends fishing limit by 150 miles," Times, 16 July 1975, 1.

18. Heimir Hannesson to author, 17 October 1990.

19. For the complete ruling, see International Court of Justice, Pleadings, Oral Arguments, Documents: Fisheries Jurisdiction Cases, vol. 1, United Kingdom of Great Britain and Northern Ireland v. Iceland (The Hague, 1975); and International Court of Justice, "Fisheries Jurisdiction Case (United Kingdom of Great Britain and Northern Ireland v. Iceland)," in Reports of Judgments, Advisory Opinions and Orders [The Hague, 1974(?)].

20. "Inside the news -- briefly," C. S. M., 16 October 1975, 2; "Iceland Extends Her Fishery Limit," N. Y. T., 16 October 1975, 5.

21. Following "Skippers demand Navy protection," Times, 20 November 1975, 1; following "Union official seeks truce with Iceland," Times, 29 November 1975, 5; for a more detailed account of the dispute with Germany, see Gregory J. Scholten, "The Germano-Icelandic Fishing Dispute, 1972-1975," Proceedings of the Fourteenth European Studies Conference, ed. Karl Odwarka (Cedar Falls, Iowa: European Studies Journal, University of Northern Iowa, 1989), 221-230.

22. "Icelandic Fisheries," Survey n.v. (August 1975), 316; "Fishing Industry," Survey n.v. (March 1976), 117; Debates, (Commons), vol. 897 (1975), col. 479. From the locations and individuals involved, the Brussels and Helsinki meetings may have been during NATO business.

23. "Inside the news -- briefly," C. S. M., 5 August 1975, 2.

24. "Britain invited by Iceland to new fishing limit talks," Times, 19 August 1975, 3.

25. Debates, (Commons), vol. 897 (1975) col. w.737; "Iceland to take hard line in talks on fishing limits," Times, 11 September 1975, 6; "Mr Hattersley rules out new cod war," Times, 12 September 1975; 5; "Britain expected better progress on fisheries," Times, 13 September 1975, 5.

26. "Framework agreed for bargain with Iceland," Times, 24 October 1975, 5; "Further talks to be held on fishery limits," Times, 25 October 1975, 4; Debates, (Commons), vol. 898 (1975), col. 1577; "Icelandic Fisheries," Survey n.v. (December 1975), 479-480.

27. "'Experts' talks on cod stocks end," Times, 7 November 1975, 5; Iceland, Ministry of Fisheries, Cod War III between Iceland and Great Britain: The Status of the Fishstocks in Icelandic Waters (Reykjavik: Ministry of Fisheries, December, 1975), 21; Iceland, Fishery Limits off Iceland 200 Miles, 61.

28. "New British-Icelandic talks in effort to avert another 'cod war'," Times, 13 November 1975, 4.

29. Debates, (Commons), vol. 901 (1975), col. 171-2, 174. See Appendix 4 for the incidents. The citations in the appendix will not be repeated here.

30. "British trawlermen work easily under threat of fresh attacks," Times, 29 November 1975, 5; "Icelandic Fisheries," Survey n.v. (December 1975), 479.

31. Debates, (Commons), vol. 901 (1975), col. 173-174, 218; "Skippers demand Navy protection," Times, 20 November 1975, 1; "Trawlermen fear for jobs as Navy goes," Times, 21 January 1976, 8.

32. "Icelandic Fisheries," Survey n.v. (December 1975), 479; Debates, (Commons), vol. 901, (1975), col. 666-670; "Inside the news -- briefly," C. S. M., 25 November 1975, 2.

33. "Iceland shuts its ports to cod war vessels," Times, 27 November 1975, 1; "Iceland Closes Air To British Planes In Fishing Dispute," N. Y. T., 27 November 1975, 14.

34. "New British-Icelandic talks in effort to avert another 'cod war'," Times, 13 November 1975, 4; "The Times Diary," Times, 21 November 1975, 16; Gudmundur Kjaernested to author, 13 March 1990. The 13 November article said seven vessels, the 21 November article said six. Kjaernested lists Thor, Odinn II, Aegir II, and Tyr as C. G. vessels, Arvakur as a lighthouse keeper, and Ver and Baldur as "foggers." The Tyr in this case was a different craft from the Hval-Tyr in the 50-mile war. It was a new gunboat which entered service earlier that year. After discussing the matter with a native Icelander, I have come to the conclusion that a "fogger" is probably a mobile fog horn which deploys to dangerous areas during periods of heavy fog. I will omit the designation "II" in further discussion of Odinn and Aegir and refer to all vessels as gunboats.

35. Debates, (Commons), vol. 902 (1975), col. 822; U.N. Security Council, Official Records: Thirtieth Year, Supplement for October, November and December 1975, Letter Dated 12 December 1975 from the Representative of Iceland to the President of the Security Council (New York, 1976) S/11907, 65; U.N. Security Council, Official Records: Thirtieth Year, 1866th Meeting: 16 December 1975, Note from Iceland delivered to UK Ambassador in Reykjavik on December 12, 1975 (New York, 1983) S/PV.1866, 1; also see Appendix 4, note 270.

36. "Iceland sets time limit for frigates," Times, 17 January 1976, 4; "British Warships Leaving Iceland," N. Y. T., 20 January 1976, 5; Debates, (Commons), vol. 903 (1976), col. 1137-1138.

37. "Britain ready to discuss quotas with Iceland," Times, 5 February 1976, 8; Debates, (Commons), vol. 909 (1976), 45; "Icelandic Fisheries," Survey of Current Affairs, n.v. (February 1976), 65.

38. "Fishing Industry," Survey n.v. (March 1976), 118; "Icelandic Dispute Eased By Britain," N. Y. T., 31 May 1976, 1.

39. "The angry men of the Iceland Patrol," Times, 16 March 1976, 14; "Trawlers reject protective gear," Times, 17 May 1976, 1.

40. "Trawlermen in cod war threaten to pull out," Times, 4 May 1976, 1; "Trawlers sail back to disputed waters," Times, 6 May 1976, 6.

41. United Nations Security Council, Official Records: Thirty-First Year, Supplement for April, May and June 1976, Letter Dated 11 May 1976 from the Representative of Iceland to the President of the Security Council (New York, 1977) S/12072, 23 quotes the captain of Mermaid; "Worst night so far in cod war," Times, 8 May 1976, 1 quotes the Defense Minister.

42. "Icelandic Dispute Eased By Britain," N. Y. T., 31 May 1976, 1.

43. Debates, (Commons), vol. 901 (1975) col. 171-172; "Navy to protect British trawlers after collapse of Icelandic talks," Times, 18 November 1975, 1.

44. "Icelandic minister will meet Mr Callaghan," Times, 10 December 1975, 5; "Icelanders shoot at British ships," Times, 12 December 1975, 1; Debates, (Commons), vol. 902 (1975), w.532-533; "Not War, But Not Far Short," The Economist 257 (13 December 1975), 19.
45. "Dr Luns may be asked to mediate after Nato ambassadors discuss worsening of the cod war," Times, 10 January 1976, 3.
46. "Icelandic Fisheries," Survey of Current Affairs n.v. (February 1976), 64.
47. "Icelandic threat to quit Nato," Times, 13 January 1976, 6; "Inside the news -- briefly," C. S. M., 13 January 1976, 2.
48. "Iceland Vows Break In Ties With Britain Over Fishing Dispute," N. Y. T., 14 January 1976, 2.
49. "Near miss as cod war takes to air," Times, 15 January 1976, 1; "Dr Luns takes hopeful view of cod war," Times, 16 January 1976, 1.
50. "Royal Navy pulling out of the cod war," Times, 20 January 1976, 1; "Inside the news -- briefly," C. S. M., 21 January 1976, 2.
51. "Iceland delays decision on invitation to London," Times, 22 January 1976, 8; "Iceland Premier agrees on talks," Times, 23 January 1976, 1.
52. "Search for a face-saving formula to end cod war," Times, 26 January 1976, 4; "Mr Wilson tells trawlers to avoid confrontation," Times, 27 January 1976, 1; "Cod war talks fail to find acceptable solution," Times, 28 January 1976, 1; Debates, (Commons), vol. 904 (1976), col. 425; "Icelandic Fisheries," Survey of Current Affairs, n.v. (February 1976), 64-65.
53. "Iceland minister sees no basis for fishing peace," Times, 2 February 1976, 1; "Iceland rejects Britain's terms to end cod war," Times, 4 February 1976, 1.
54. Debates, (Commons), vol. 904 (1976), col. 1197; "Iceland decides not to break diplomatic relations with Britain," Times, 7 February 1976, 1.
55. "Icelandic Fisheries," Survey of Current Affairs n.v. (February 1976), 63.

56. "Iceland decides not to break diplomatic relations with Britain," Times, 7 February 1976, 1.

57. "Dr Luns to raise cod war during US visit," Times, 9 February 1976, 5; "Nato leader in cod war talks at White House," Times, 11 February 1976, 5; "Inside the news -- briefly," C. S. M., 10 February 1976, 2.

58. "Dr Luns invited to London for more cod war talks," Times, 10 February 1976, 1; "Dr Luns to present British view to Iceland," Times, 12 February 1976, 7.

59. "Iceland's ambassador in Moscow snubs Britain," Times, 17 February 1976, 6; Jonsson, Friends in Conflict, 173.

60. "'Iceland to cut British link today'," Times, 19 February 1976, 1; "Iceland breaks links with Britain as cod war intensifies," Times, 20 February 1976, 1; "Iceland air base unaffected by break," Times, 21 February 1976, 4; "Iceland Breaks Relations With Britain Over Fishing," N. Y. T., 20 February 1976, 3.

61. "Gales force trawlers off Iceland to move south," Times, 16 February 1976, 4; "Full stop in capital" in "In brief," Times, 18 February 1976, 10; "Iceland rulers challenged as strike continues," Times, 23 February 1976, 4; "Icelandic gunboat loses part of its bridge after steering into path of British frigate," Times, 25 February 1976, 6. Since the Althing has 60 members, we might assume that Hallgrimsson abstained in the voting.

62. "Crosland-Kissinger talks on Rhodesia this week," Times, 21 April 1976, 7.

63. Jonsson, Friends in Conflict, 179-181.

64. "Icelandic and British Aides Meet Over Fishing Dispute," N. Y. T., 20 May 1976, 14; "Britain and Iceland in surprise talks on ending cod war," Times, 20 May 1976, 7; "Dr Kissinger advises West to tolerate Soviet military might," Times, 21 May 1976, 1; "Hopes for early end of cod war revive," Times, 22 May 1976, 5.

65. "Hopes for early end of cod war revive," Times, 22 May 1976, 5.

66. "Short-term accord on cod in sight," Times, 25 May 1976, 6.

67. "Mr Crosland stands by for cod war message," Times, 27 May 1976, 4.

68. "Icelandic MPs oppose cod war deal," Times, 29 May 1976, 3. It is possible that Josepsson's influence was so small because of the few members in the Althing from his party.

69. Debates, (Commons), vol. 912 (1976), col. w.617; "Inside the news -- briefly," C. S. M., 1 June 1976, 2; "Britain and Iceland Begin Fishing Negotiations," N. Y. T., 1 June 1976, 4; "Hopes rise for cod war twice as frigates leave disputed zone," Times, 31 May 1976, 1; "Mr Crosland reports progress in cod talks," Times, 1 June 1976, 1; "Six-month agreement signed in Oslo ends the cod war," Times, 2 June 1976, 1.

70. United Kingdom, Parliament, Exchange of Notes between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Iceland concerning Fishing in the Icelandic Fisheries Zone (with related documents), Oslo, 1 June 1976, Cmnd. 6545 (London: H.M.S.O., 1976), 3-4.

71. Eugene V. Rostow to author, 15 February 1990, and 27 April 1990; "Memo, Mr. Clift to General Scowcroft, Subject "Letter to Eugene V. Rostow Regarding FRG-Iceland Fisheries Dispute" dated September 25, 1975," in White House Central Files, Subject File, Box 13, Folders BE 4-20-6 (Executive) (Gerald R. Ford Library, Ann Arbor, Mich., 1975-1976).

72. Eugene V. Rostow to author, 15 February 1990; Heimir Hannesson to author, 27 April 1990. Rostow misstated Gardarsson's name, Hannesson supplied the correct one.

73. "EVR [Rostow] to Sir Frank K. Roberts, dated December 8, 1975," in White House Central Files, Subject File, Box 12, Folders FO 3-1/Fisheries (General) (Gerald R. Ford Library, Ann Arbor, Mich., 1975-1976) (hereafter location cited as GRF MSS Box 12).

74. "EVR [Rostow] to Sir Frank K. Roberts, dated January 8, 1976" and "[Sir Frank K. Roberts] to Gene [Rostow], dated December 22, 1975, both in GRF MSS Box 12.

75. "EVR [Rostow] to Sir Frank K. Roberts, dated January 8, 1976," in GRF MSS Box 12.

76. "Frank K. Roberts to Eugene Rostow, January 16, 1976," in GRF MSS Box 12. When I requested a declassification of this document, the individual's name was withheld.

77. "Heimir [Hannesson] to Eugene V. Rostow, June 21, 1976," in GRF MSS Box 12; Heimir Hannesson to author, 17 October 1990.

78. Heimir Hannesson to author, 21 August 1990.

79. Eugene V. Rostow to author, 15 February 1990.

80. "Crosland-Kissinger talks on Rhodesia this week," Times, 21 April 1976, 7.

81. Peter Kellner and Christopher Hitchens, Callaghan: The Road to Number Ten (London: Cassell & Company Limited, 1976), 135.

CHAPTER 7

CONCLUSIONS

The Icelanders first noticed effects of the 4-mile declaration by late 1953. Olafur Thors announced in October, that the fish supply had begun to show an increase. The Icelanders also said that the overall catch had increased by two-thirds in that year, with the cod increase being 87 per cent, the first such increases since 1949.¹ Yet conservation may not have been the only motive for increasing the fisheries limit. One British writer cited numerical increases of the smallest Icelandic motor boats from 1952 through the mid-1960's as another possible cause for the action.² If he is correct, then the 12-mile extension may also have been partially made to accommodate these additional small craft. But whether increase of their limits was specifically for conservation of the stocks or to gain exclusivity for their own fishermen, the net result was an increase in the overall Icelandic take, and that was the ultimate goal.

Perhaps the most significant aspect of the 4-mile dispute was the landings ban. The ban worked to the advantage of the Icelanders, since they expanded not only their markets, but also their processing industry. The expansion particularly worked to the benefit of the freez-

ing industry, bringing about increased employment while also increasing the sales value of their product.³ Yet the fatal aspect of the landings ban was that the Icelanders did not forget that British fishermen had perpetrated this act. When the three cod wars erupted, Icelandic officials probably recalled the boycott when they strengthened their resolve to defeat the British fishermen.⁴ In fact, we might even take the Icelandic attitude one step further: sources refer to the 4-mile dispute and the three cod wars,, but the British action was an attempt to force Icelandic capitulation by economic warfare, just as Napoleon sought a victory over the British with the Continental System. In that vein, we might appropriately speak of four cod wars.

During the initial calls for a 12-mile limit, one study of Icelandic newspapers for the period January 1 to September 15, 1958, reveals that the push for extension came solely from within the government, with the public supporting the idea after the government began its campaign.⁵ During this drive for extension, the Communist Party actually overplayed the reality of national unity on the issue, thus creating a seeming unity, in the eyes of the nation and the British. When the British refused to abide by the new limits, the unity became a reality.⁶ Furthermore, since the Icelandic Communists had lost a

portion of their following in 1956 after the Soviet Union invaded Hungary, the 12-mile limit became a rallying call for independence and patriotism which the Communists used to recoup their support during the 1958 elections.⁷

Although the fishing industry in Britain is localized and its members do not play as big a role in national politics as do workers in other sectors, there was still some political consideration during the 12-mile cod war in approximately six constituencies.⁸ Yet it was apparently minor enough for Gilchrist to believe that Britain would have to concede defeat, and then take some face-saving concession which Iceland would allow them to have. Thus, he believed that his role was to keep the political scene safe from "the British trawler interests and their jingoistic supporters. . . ."⁹

Gilchrist considered two factors to be the cause of his government's placing such great emphasis on the navy's role during the 12-mile cod war. Following the Suez Crisis, the influence of the British Foreign Office was at an ebb, which allowed the Attorney-General to have a larger than normal voice in foreign affairs, a situation compounded by the lack of a legal department in the Foreign Office.¹⁰ Hence, rather than resorting to diplomacy, the government was reacting to the situation by defending their definition of international law. Second, when the

Icelanders stormed Gilchrist's residence, their action caused a shift in international opinion, particularly on the part of the Americans, away from perceiving Britain in the part of a bully.¹¹ Yet the presence of the Royal Navy was the real problem in the cod war, rather than the lack of British recognition of the 12-mile limit. Olafur Thors spoke on the subject at the United Nations on October 5, 1959.

It gives me pleasure to remind the Assembly that Prime Minister Nehru of India recently refused to negotiate with the Chinese Government while their soldiers remain on Indian soil. We in Iceland reject any talks with the United Kingdom while their warships remain in our waters. We will not accept any gunboat diplomacy.¹²

Ultimately, this naval presence forced the Icelanders to pressure Britain through NATO, a ploy that worked because of the importance which the United States placed upon the base at Keflavik.¹³

A major problem during both the 4-mile and 12-mile disputes was that Iceland would not submit to the International Court of Justice (ICJ). One reason for their refusal in 1952 was that such action would have bound them to a precedent.¹⁴ The British believed they solved the problem in the event of future extensions with the 1961 Agreement. In November 1960 during the negotiations that resulted in the 1961 settlement, Olafur Johannesson supported ICJ adjudication, saying that the government should

have made the 12-mile extension "in such a way that we would be prepared to submit it to a ruling of the International Court."¹⁵ Prime Minister Gudmundsson reasserted in March 1964 the government's intent to use the ICJ for any future disputes over extensions, stating: "The agreement on the jurisdiction of the International Court of Justice is a safeguard which secures that no party goes further than international law permits and which prevents that a party resorts to the use of force. . . ."¹⁶ But when Johannesson refused to recognize the Court's jurisdiction in 1972, he did not state his reasons; the government simply maintained that they had been coerced to reach a settlement in 1961. Perhaps their justification was a letter which Douglas-Home sent to Gudmundsson in December 1960 during the NATO meeting in Paris, just prior to the final round of settlement talks. He concluded his letter:

I am making this suggestion in the earnest hope that it will enable us to reach a settlement of a dispute whose continuance might have such dangerous consequences for all of us. I greatly hope that it will be acceptable to your Government.

Jonsson said that the Johannesson government interpreted "dangerous consequences" as having been a threat to the Gudmundsson government, and thus the argument that the agreement came under conditions of duress.¹⁷

When the 50-mile dispute began, and continuing until the end of May 1973, the Johannesson government never

linked the Keflavik question to the fishing issue. One reason was to avoid placing a strain on the 3-party coalition. Another was the practical consideration that Iceland was a small nation and simply did not have a large enough governmental staff to handle two major diplomatic issues simultaneously.¹⁸ It was also in the interests of NATO and the United States to ensure that the Icelandic government did not link the two issues. Although it would seem that any such linkage would help the Soviet Union, both American and Soviet interests "in the law of the sea [ran] in the same direction. For military and commercial reasons, these two nations wish[ed] as few international restrictions as possible."¹⁹ Ultimately, the U.S. did become involved, both through the Atlantic Treaty Association and when Nixon asked Luns to mediate a settlement.

The United States perhaps had a responsibility to become more involved in the situation due to its leadership position in NATO. But in his memoirs, Kissinger revealed that he did not wish to become involved. He records the following event from the Nixon-Pompidou summit.

I sat there in wonderment. Here was an island with a population of 200,000 threatening to go to war with a world power of 50 million over codfish, and here was a superpower [U.S.] that considered it necessary (a) to express a view and (b) to restrain not the stronger but the weaker. Nixon and Rogers made soothing noises while the Icelandic ministers implacably insisted on what in any previous period would have seemed suicide.²⁰

When asked why Kissinger took this attitude toward these events, none of the individuals involved in the dispute whom I contacted had a satisfactory reply. Heimir Hannesson suggested that Kissinger was attempting to be humorous because of his simplistic understanding of the situation, and that a person of Kissinger's diplomatic stature would not make such a remark in seriousness.²¹ But if that were the case, why would he even make the statement? The only plausible conclusion is that Kissinger totally misunderstood the importance of the issue to the Icelanders; if that assumption is correct, we must wonder if his attitude influenced Nixon to remain reticent about not involving the U.S. until Iceland actually linked Keflavik with the fishing dispute.

The effects that the 50-mile dispute had on the British economy were largely predictable. By April 1973, prices rose due to decreases in the catch, but this also meant that fishermen at Hull and Grimsby were making good wages.²² That situation changed in 1974 and 1975 when the fuel crisis began to take its toll on the fishermen, at which time, fish prices had stabilized, but increased costs of fuel and other oil-based products brought losses of unparalleled proportions to the industry.²³ The result was that the number of vessels in the British Trawlers' Federation located at Hull, Grimsby, Fleetwood, Lowestoft,

and North Shields dropped from 362 in late 1974 to 253 in November 1975; those in the Scottish Trawlers' Federation at Aberdeen and Granton decreased from 127 to 99 during the same period.²⁴ Even though the British-landed fresh and frozen fish were sold at high prices, the Icelandic, Norwegian, and Polish fleets were landing frozen fish in Britain at lower prices. British fishermen began a blockade of Grimsby and Immingham on March 24, to protest their situation; by April 1, the blockade had spread to fifty ports from the Humber north into Scotland.²⁵

During the 200-mile dispute, consumer prices continued to climb; on the weekend of November 27, 1975, just two weeks after the start of the dispute, prices for cod climbed ten per cent, bringing the retailer 65-70 pence per pound. One year later, when the British vacated the 200-mile zone after the 6-month interim agreement, the price per pound had reached about 80-90 pence.²⁶

Following the 6-month interim agreement on June 1, 1976, the European Exchange Commission (EEC) negotiated with Iceland for continued British utilization of the 200-mile zone after the agreement's expiration, under the aegis of the EEC's Common Fisheries Policy, but the organization had no success in their attempts. As a result, "[s]ince 1976 only Icelandic vessels have fished within the 200 mile EEZ [exclusive economic zone - the 200-mile

limit], the exceptions being tiny catches allocated to the Faroese and the Belgians."²⁷ For Britain, the result has been a decline in the number of fishermen, from 34,000 in 1973 to 24,000 in 1979. By January 1979, in Grimsby trawlers decreased from 115 to thirty-three; in Hull from fifty-four to eight, plus thirty-four freezer vessels; in Fleetwood from forty to sixteen; and in Aberdeen from eighty-one to fifty-six.²⁸ By the late 1980's, trawlermen at Grimsby attained their livelihood totally in the North Sea, as part of the mid-water fleet. The vessels at Aberdeen now work as supply craft for the oil-rig platforms on the North Sea oil field.²⁹ These circumstances changed the nature of the British retail fish market, so that by 1980, the fishmonger had virtually disappeared, since most fish was sold as frozen food. Yet, the amount of fish sold in Britain from Icelandic waters remained the same as before the 200-mile limit came into effect, with the majority of landings being cod from Icelandic vessels.³⁰ Even so, because Icelandic scientists can now predict fluctuations in fish stocks, and thus the total allowable catch, the Icelandic government continually revises the catch figure for its fleet, providing each vessel with a limited fishing season and catch quota.³¹ Thus the Icelanders ensure that there is no longer a danger of over-fishing their waters.

One legacy of the cod wars is that the Third United Nations Conference on the Law of the Sea concluded in 1978 in success, after having met its objectives, unlike its two predecessors. Article 2 defined the territorial sea at twelve miles, including the air space, seabed, and subsoil. Articles 56 and 57 defined the exclusive economic zone (EEZ) at two hundred miles, wherein the coastal state has sovereign rights over the living and non-living resources of the seabed, subsoil, and waters.³² Many individuals writing on the topic have theorized that the conference concluded with these results because nations like Iceland led an attack by developing nations against the "colonial attitude" of narrowly defining freedom of the seas.³³

Since Iceland was not alone in this anti-colonial fight, a wide EEZ probably would have emerged without the Icelandic impetus. The width for that EEZ might even have been two hundred miles, due to such claims by Chile, Ecuador, and Peru in the 1950's. But Iceland set a precedent for another, and perhaps more important, aspect of international law. In 1973, Australia and New Zealand brought to the ICJ a suit against France for an injunction against atmospheric nuclear tests by the French. Just as Iceland had done during the previous year, France refused to acknowledge the Court's jurisdiction.³⁴ In fact, from

1972, when Iceland refused to recognize ICJ jurisdiction, through October 1989, every defendant had followed on the Icelandic path of non-recognition.³⁵

A setback which Britain suffered in carrying out the cod wars was the stigma of waging war against a helpless nation. In June 1976, right after the 200-mile dispute ended, the Soviet Defense Ministry published a report on "imperial aggression," and listed Great Britain "as the world's worst postwar [World War II] aggressor in terms of numbers of conflicts and incidents."³⁶ Although few persons acquainted with Soviet foreign policy would accept such an accusation, it is highly noteworthy that the Soviet government ranked Britain above the United States in aggression, particularly when this report appeared so soon after the Viet Nam Conflict. Perhaps Callaghan best stated the reason why the British were willing to risk world approval by strong-arming Iceland: "England is protecting the concern of Europe in the North Atlantic."³⁷ If it is of any consequence to history, the British government did acknowledge in 1978 that it made a bad decision in opposing Iceland, at least in the 200-mile dispute, if not also the earlier ones.³⁸

Perhaps the most serious mistake is being made at this moment, both by Britain and by Iceland. In the only major study of the cod wars, a political scientist wrote

that in each of the three cod wars "several people were injured or killed."³⁹ But an official pamphlet distributed by the Icelandic Coast Guard states that "the three 'Cod Wars' eventually came to an end with no loss of life." And in another of its pamphlets, the Coast Guard writes: "It was just plain luck that there were no major accidents during the cod wars."⁴⁰ In light of the statement from the first pamphlet, it would be interesting to know what the Coast Guard considers to be a "major accident." Due to the low number of deaths and injuries, the cod wars do not even merit consideration as a minor skirmish, but that does not excuse official denials of such deaths.

Just as serious as this denial is the omission of the cod wars from most historical works covering this period. For example, Harold Macmillan did not even mention the cod wars in his memoirs. The majority of books which address these disputes do so in one or two sentences or a paragraph at most. Even publications concerned specifically with this topic treat it in a cursory fashion. The author of one such work was a British jurist who discussed the impact of the 50-mile dispute as it was in progress in 1973. He so briefly reviewed "the historical background" that he devoted less than one page to pertinent facts and characterized the dispute as "almost as old as Iceland's

status as an independent State, which she gained in 1944." Not only does he neglect to mention that fishing disputes between the two nations began at least as early as the 1890's, but he totally ignored the 4-mile dispute.⁴¹

The fishing disputes between Britain and Iceland, despite their being called "cod wars," are clearly and properly not identified among the principal conflicts of recent history. But they surely deserve greater historical recognition than they have received primarily because if all nations claimed a 200-mile EEZ, the result would entail at least one-third of all oceanic territory.⁴²

Another argument for studying the cod wars is their providing one of the best illustrations of the great extent to which "politics centers on domestic issues and domestic issues often shape foreign policy positions."⁴³

Finally, the great extent to which attempts to settle the cod wars involved so many international organizations help illustrate the strengths and limitations of these organizations in trying to resolve serious questions of international law. The inability of these organizations to find a settlement ultimately necessitated the direct involvement of the Atlantic Treaty Alliance. Only through this effort was any resolution found.

NOTES

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11. Ibid., 16.
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19. Bruce Mitchell, "Politics, Fish, and International Resource Management: The British-Icelandic Cod War," The Geographical Review 66 (April 1976) 133.
20. Henry A. Kissinger, Years of Upheaval (Boston: Little, Brown and Company, 1982), 172-173.
21. Heimir Hannesson to author, 17 October 1990.
22. "More tugs of war inside Iceland's limits," The Economist 247 (28 April 1973), 88.
23. "Fishing Industry," Survey n.v. (March 1976), 119.
24. "The 'cod war' -- a costly dispute nobody wants," Times, 20 November 1975, 23. Since there were no distant water vessels at North Shields, Lowestoft, or Granton, these numbers also reflect losses to the mid-water fleet. However, their loss may be due to some of the distant water vessels beginning to fish in the mid-water fleet's traditional grounds.

25. "Inside the news -- briefly," The Christian Science Monitor 25 March 1975, 6 (hereafter C. S. M.); "Britain's fishermen protest frozen imports," C. S. M., 2 April 1975, 6. It is not known what the outcome of the blockade was.
26. "Dispute with Iceland means dearer fish this weekend," Times, 28 November 1975, 6; "Inside the news -- briefly," C. S. M., 2 December 1976, 2. This latter article gives the price as \$1.48 per pound; my personal recollection is that the exchange rate was around \$1.80 at that point in time, hence the figure in the text.
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31. "A Harvest For All Time," in series "The Blue Revolution" (InCA [Films] in assoc. with The Discovery Channel, 1990).
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33. See for example Jonsson, Friends in Conflict, 189-196.
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APPENDIX 1

TRAWLER INCIDENTS FOLLOWING THE 4-MILE DECLARATION

| <u>Date</u> ¹ | <u>Incident</u> ² |
|--------------------------|--|
| 7/23/52 | S. V. Jones was convicted of fishing inside the 4-mile limit with the trawler <u>York City</u> (Grimsby); he was fined £2,000, G&C; on 9/9/53 the paper stated that this was the first fine in the 4-mile dispute, listed his fine at £1,970, and said that he was appealing. ³ |
| 1/30/53 | The trawler <u>Viking Alliance</u> (Aberdeen) put into Reykjavik with boiler trouble; all repair shops refused to provide service and thus the ship's crew made its own repairs. ⁴ |
| 2/12/53 | The trawler <u>Clamor</u> (Aberdeen) put into Reykjavik with a broken drive gear; an engineering firm reputed the assistance ban and fixed the vessel because the condition endangered the trawler's crew. ⁵ |
| 9/9/53 | Albert W. Meech with a crew of twenty who left port on 8/31 aboard the trawler <u>British</u> (Grimsby) were held in Seydisfjordur for fishing violations off Glettinganes. Meech was fined Ikr 74,000 (£1,920). ⁶ |

- 10/4/53 (Belgium) Skipper Henricus Boyden and Mate Henri Derient were convicted in the Westmann Islands court of illegal fishing with the trawler Van Dyck (Ostend); they were fined Ikr 120,000 (£2,600) and Ikr 80,000 (£1,700) respectively.⁷
- 3/30/54(?) Frank Padley was convicted of fishing inside Faxafloi aboard the 524T trawler Sletnes (Grimsby, owned by Renovia Steam Fishing Co., Ltd.) which left port 3/20; he was fined Ikr 74,000 (£1,610), G&C, vessel confiscated.⁸
- 4/27/54(?) Nicholas Wright was convicted of fishing inside Icelandic territorial limits with the 406T trawler Red Knight (London) and was fined Ikr 74,000 (£1,700), G&C.⁹
- 6/29/55 Jasper Andersson was convicted in Neskaupstaður court of fishing in Icelandic waters with the trawler Kingston Chrysolite (Hull); he was fined Ikr 74,000 (£1,600), G&C; he will appeal.¹⁰
- 7/21/55 Arthur Bruce, who left port on 7/14, was arrested by a gunboat on the 380T trawler Valafell (Grimsby, owned by Consolidated Fisheries); he was convicted 7/22(?) for

fishing illegally; he was fined £1,600 and his gear was confiscated.¹¹

10/29/55 John Emmons was convicted of fishing in Icelandic waters with the 422T trawler Patandi (Grimsby); he was fined Ikr 74,000 (£1,600), G&C.¹²

2/17/56 Coast Guard Catalina aircraft escorted the 659T trawler Cape Cleveland (Hull) to Nordfjord, circling overhead during the ten hour journey, threatening to open fire if the skipper did not proceed as directed; the skipper was convicted on 2/19/56 of illegal fishing and fined Ikr 90,000 (almost £2,000), G&C.¹³

8/22/56 The 581T trawler Sisapon (Grimsby) was arrested while fishing off the east coast.¹⁴

(The following incidents occurred after the dispute settlement.)

4/18/57(?) The trawler Wellard (Grimsby) was arrested for alleged illegal fishing.¹⁵

4/18/57(?) The trawler Kingston Andalusite (Hull) was arrested for alleged illegal fishing.¹⁶

4/26/57 The skipper of the trawler Lord Tedder (Hull) pled not guilty but was convicted of illegal

fishing; he was fined Ikr 74,000 (£1,600), G&C; he will appeal.¹⁷

5/2/57 The skipper of the trawler Howard (Hull) pled not guilty at Reykjavik court but was convicted of illegal fishing off Geirfugladrang; he was fined Ikr 74,000 (£1,600), G&C, but will appeal.¹⁸

8/17/57(?) A. Ebenezersson told a Reykjavik court that the current carried him inside the Icelandic limits but he was convicted of fishing in Icelandic waters with the 692T trawler Northern Isles (Grimsby); he was fined Ikr 74,000 (£1,600), G&C.¹⁹

10/15/57(?) The Icelandic C. G. vessel Thor arrested the 604T trawler Banquo (Hull) for alleged illegal fishing off Langanes; 10/17(?) Skipper Joseph Jennings was convicted of fishing in Icelandic territorial waters; he was fined Ikr 74,000 (£1,800).²⁰

11/24/57 Ernest Johnson was convicted at Reykjavik court of fishing inside the Icelandic limits with the 579T trawler Loch Seaforth; he was fined Ikr 74,000 (£1,640).²¹

12/18/57(?) W. A. Hardis was convicted of illegally fishing in Icelandic territorial water with the

613T trawler Churchill (Grimsby): he was fined Ikr 74,000 (£1,500).²²

2/10/58(?) (Faeroes) Hjalmar Gosdal was convicted of fishing in Icelandic waters with the trawler Tindhómur; he was fined Ikr 74,000 (£1,650), G&C.²³

3/20/58(?) Albert Victor Meech was convicted of fishing within Icelandic waters with the trawler Bombardier (Grimsby); he was fined £1,600.²⁴

3/22/58 Thor arrested J. F. Leighton for alleged illegal fishing in Icelandic territorial waters with the trawler Junella (Hull). Also charged with illegally stowing his gear, he was found not guilty on 3/25/58(?).²⁵

4/13/58 W. Border was arrested for allegedly fishing in Icelandic waters with the 581T trawler Loyal (Grimsby); he was convicted 4/17(?) and fined Ikr 74,000 (£1,630); he will appeal.²⁶

4/13/58 John Meadows was arrested for allegedly fishing in Icelandic waters with the 626T trawler Northern Pride; he was convicted 4/17(?) and fined Ikr 74,000 (£1,630); he will appeal.²⁷

8/--/58 The Icelandic C. G. vessel Odinn fired shots at the 620T trawler Northern Sky for fishing 2-1/2 miles off the Icelandic coast; the coast

guard boarded the vessel; on 8/12 Skipper Albert Kissack was convicted of fishing in Icelandic waters; he was fined Ikr 100,000 (£2,200), £700 costs, £1,800 gear, £240 catch.²⁸

8/29/58 Thor arrested George Harrison for fishing within the 4-mile zone with the 400T trawler Lord Plender (Fleetwood); Harrison stated that he had dropped anchor due to an approaching storm but was convicted on 8/30; he was fined Ikr 74,000 (£1,600 or \$4,500), costs, G&C.²⁹

APPENDIX 2

TRAWLER INCIDENTS FOLLOWING THE 12-MILE DECLARATION

| <u>Date</u> ³⁰ | <u>Incident</u> |
|---------------------------|--|
| 9/1/58 | The Icelandic Coast Guard (C. G.) vessel <u>Aegir</u> approached the trawler <u>Vascama</u> when the Royal Navy (R. N.) frigate <u>Palliser</u> , supposedly with its guns manned, crossed from port in front of <u>Aegir</u> at a distance of ten yards. The C. G. vessel avoided a collision by stopping engines. ³¹ |
| 9/2/58 | The C. G. vessel <u>Maria Julia (M. J.)</u> approached and possibly tried to board the trawler <u>Lifeguard</u> but did not make an arrest due to the presence of a R. N. vessel and due to threats from the fishermen with fire hoses, hot water (probably from the fire hoses), iron bars, (probably heated), axes, and axe handles. ³² |
| 9/2/58 | Both C. G. vessels <u>Thor</u> and <u>M. J.</u> approached the 238T trawler <u>Northern Foam</u> (Grimsby) in a dense morning fog; apparently in retaliation for the incident on 9/1/58, <u>Thor</u> sent a party of six to ten men aboard the trawler after Lt. Cmdr. R. C. Mayne of the R. N. ship <u>Eastbourne</u> |

said to immobilize the trawler. Mayne went aboard Thor to protest. After returning to his vessel, he sent his men to Northern Foam to remove the Icelanders. However the C. G. captain refused to allow his men to return, since they were forced off the vessel while carrying out their duties. Mayne put them ashore within one-quarter mile of the Keflavik base on 9/13/58 under cover of darkness.³³

9/3/58 The C. G. vessel Albert had a minor collision with the trawler Burfell. Eastbourne appeared on the scene with guns manned.³⁴

9/4/58 The R. N. vessel Russell blocked C. G. vessel Aegir from approaching British trawlers when Aegir changed course to ram Russell; the latter maneuvered to avoid a collision.³⁵

9/5/58 Both Thor and M. J. had parties ready to board the trawlers Lancella and St. Nectan, each of which had men ready to repel the Icelanders. The Coast Guard jammed the radio frequencies used by the British.³⁶

9/8/58 Seven crewmen from M. J. attempted to board the trawler Stella Canopus (Hull), whose crew repelled the attempt by pelting the Icelanders

with rotten potatoes and using broom sticks to shove the M. J. away.³⁷

- 9/9/58 The crew of the Icelandic C. G. vessel Odinn bombarded the trawler Loch Fleet with dried cod; the British responded in kind.³⁸
- 9/9/58(?) R. N. vessels prevented Icelandic gunboats from arresting the trawlers Kingston Garnet and Cold Steamer. The arrest attempt took place at night with the aid of searchlights.³⁹
- 9/10/58 Men of Odinn attempted a boarding of the 486T trawler King Sol; in so doing, the British rammed the C. G. vessel and captured a grappling hook intended to foul their nets. Both vessels sustained slight damage. The same vessels had a similar collision on either 9/9 or 9/10.⁴⁰
- 9/15/58 The men of Thor attempted to board the 397T trawler Red Lancer, but the R. N. destroyers Hogue and Lagos and the trawler Arctic Explorer chased them away.⁴¹
- 9/26/58(?) While the R. N. vessel Diana transported a sick man ashore and was thus unable to protect the trawlers, seven men from the M. J. boarded the 477T Paynter (Grimsby) in the Butterscotch area, supposedly fourteen miles off shore.

The Icelanders disabled the trawler's engines and supposedly beat Chief Engineer Percy Cowling with rubber hoses.⁴²

9/29/58 Aegir approached the trawler Afridi about six miles from the baselines, ordering the vessel to stop for prior violations. The trawler ignored the orders for two hours, apparently receiving encouragement from the captain of the R. N. vessel Decoy. The crew of Aegir then fired three blank shots on the trawler after it was outside the 12-mile limit and the crew had stowed their gear. (This was apparently the first firing incident of the 12-mile war.)⁴³

10/6/58 M. J. closed to within twenty yards of the trawler Kingston Emerald and sent several signals ordering it to stop for boarding. The trawler crew ". . . replied instead with rude language and even tried to ram the patrol boat. The trawler's crew was armed with long knives." While the Kingston Emerald fled at top speed, the Icelanders fired either three or five blank shots at a distance of one hundred yards.⁴⁴

10/8/58 Aegir approached the Afridi (Grimsby) outside the 12-mile limit at night and with no lights. The trawler's captain, Mr. A. Sterman, did not stop when ordered, so the Aegir fired a warning shot, came along side, and repeated the order to stop. Instead Sterman tried to get in touch with a R. N. vessel, so the Aegir began to jam the radio and fired another shot, at which time Sterman did get in touch with Decoy.⁴⁵

10/15/58(?) Thor, with a boarding party ready, fired five blank shots at the trawler Cape Campbell (Hull) which was fishing outside of the 12-mile limit. The crew of Kingston Emerald saw and placed their vessel between the two, which allowed the Cape Campbell's crew to lift their nets and escape.⁴⁶

11/12/58 Thor surprised the 413T trawler Hackness (Fleetwood) with its gear not stowed about 2-1/2 miles off shore and gave chase seaward. Four blank shots fired by the C. G. vessel had no effect; Hackness finally stopped after the C. G. apparently fired a live shot. A few minutes later Russell appeared and the C. G. and R. N. captains discussed the situation,

the Icelander insisting upon taking the trawler to port. After about an hour and fifty minutes, Hackness tried to depart, for which the C. G. threatened to resume fire; the R. N. captain stated he would sink Thor if it did so. The C. G. captain abandoned his arrest attempt and Russell escorted Hackness out of the 12-mile limit. The British later stated that Hackness was damaged at the time Thor took up the chase, but that it began beyond the 3-mile limit. In what was probably this incident, Skipper W. W. V. Evans accused Iceland of firing live ammunition at his vessel. Iceland rejoined the accusation stating that the live round was fired in front of the vessel. (Officially, Britain still only recognized the 3-mile limit.)⁴⁷

2/1/59

Thor fired a blank shot at 300T Valafell (Grimsby) for fishing 3.2 miles off shore. Thor marked the location with a buoy. As this occurred, the R. N. destroyers Agincourt and Corunna appeared, the latter threatening to open fire on Thor if the C. G. vessel fired again. One of the British commanders went on board Thor for discussions. Roland Pretioris,

skipper of Valafell, did not dispute the location, as he had experienced a radar outage. However, the R. N. would not allow Pretioris to leave pending a clarification of the matter, thus all parties contacted their superiors for instructions. On 2/5, the trawler owners, Rhondela Fishing Company, Ltd., instructed Pretioris to submit to arrest. He was sick in the hospital during the trial on either 2/7 or 2/8. The court found him guilty of fishing within the 12-mile limit, fining him Ikr 74,000 (£1,620/\$4,500) plus G&C. Rhondela paid an additional Ikr 71,000 (£1,540) in lieu of the confiscation. On 2/9 the British Admiralty denied that the order to submit came from within the government, but that it came from the trawler owners. When Pretioris appealed the decision, the court increased his fine to £2,200. (This was apparently the first actual arrest of the 12-mile war.)⁴⁸

3/25/59

Thor found the 421T trawler Carella fishing 3.5 miles from the baselines and ordered it to stop. When the vessel refused, the captain of Thor notified Palliser and invited the R. N.

captain aboard to discuss the situation and fix positions. The Briton initially agreed, but then refused the invitation, requesting that the C. G. captain come aboard his vessel. He accepted, but the Briton would not accept the position of Carella as stated by the Icelander, giving no reason why. The Icelander returned to his vessel. The captain of Palliser instructed Carella to continue fishing outside the 4-mile zone, then escorted it out of the 12-mile zone. The R. N. commodore in charge of the protection operations instructed the captains of both Palliser and Carella to use all means of resisting arrest.⁴⁹

4/14/59 Odinn found the 823T trawler Swanella (Hull) 3-1/2 miles off shore. When the trawler refused to stop, Odinn fired first two blank shots, then two "sharp" (live) shots, all apparently across the trawler's bow. As the C. G. crew was preparing to board the trawler, the R. N. vessel Scarborough approached and ordered the trawler to leave. As it left, the crew apparently told the C. G. vessel, with encouragement from the R. N. vessel, that they

would ram Odinn at full speed if the Icelanders tried to stop them again.⁵⁰

4/24/59

Aegir caught the trawler Lord Montgomery fishing inside the 4-mile limit, forcing the fishing vessel to stop after firing three rounds across its bow. The frigate Tenby came up and refused to allow Aegir to make an arrest. While awaiting word from London, the R. N. vessels Tenby, Dundee, and possibly Scarborough stood watch to ensure that the Icelanders did not make an arrest. Finally the trawler owners, Wyre Trawlers Ltd., told Skipper George Harrison to submit. The Icelanders initially charged him with fishing inside the 4-mile zone. On 4/25 they levied a total of six charges, two as captain of Lord Montgomery and four while sailing Lord Pender; on 4/26 they levied 17 further charges, for a total of 23. Only the first was for fishing inside the 4-mile zone. The others, which came from the logs of the six C. G. vessels and its airplane, were for violations within the 12-mile zone. The charges were 21 counts of illegal fishing and two counts of illegal stowage of gear. In his defense, he

stated that he was under orders from both the owners and the British government to fish within those waters. On 4/29, despite a plea for leniency from his attorney as a pawn in an international game, the court found him guilty, fined him Ikr 147,000 (£3,260), C&G, and three months confinement.⁵¹

4/29/59 Icelandic C. G. vessel Albert found the trawler Ashanti (Grimsby) fishing within the 4-mile limit. The crew of the R. N. destroyer Barrosa concurred that Ashanti was inside the limit, but refused to allow the arrest and escorted the trawler to a different fishing box. Albert followed the trawler until May 5, at which time the R. N. destroyer Cavendish informed Albert that Ashanti was returning to port. Albert continued to follow, but Barrosa stated that it would escort the trawler all the way to Grimsby, at which the Icelanders broke off 120 miles off their coast.⁵²

4/29/59 During the morning hours, the R. N. destroyer Contest approached M. J. then sailed along parallel to the Icelander's port side. Suddenly it turned in front of M. J.. It trailed a wire or hawser about 300 meters long with a

flotation device on the end and attempted to circle it around the C. G. vessel. M. J. had to slow down to avoid the wire. Contest made this maneuver several times, then tried to ram the stern of M. J. for about thirty minutes. The destroyer repeated the tactic in the afternoon.⁵³

4/30/59 Contest repeated its attempt to foul M. J. with a trailing wire during the morning and afternoon hours.⁵⁴

4/30/59 Thor approached the trawler Arctic Viking, claiming that it was fishing within the 12-mile limit, although the British maintained that it was outside the limit. While following Arctic Viking for an hour and forty minutes, Thor fired either eight (Icelandic count) or twelve (British count) shots at the trawler. Three shots were "non-explosive, i.e. solid shot rather than blanks. The captain of Thor said that he fired from one hundred yards with the nearest shot thirty to fifty yards off the trawler's bow, but the trawler crew maintains that the shots came from as close as twenty yards and landed as close as 3-4 yards. Thor broke off the

engagement when Contest came on the scene and fired three star shells at a range of 10,000 yards. The British vessel then apparently tried its snaring tactics with the hawser on Thor.⁵⁵

- 5/10/59 Thor attempted to board 421T trawler Avon River (Aberdeen) when Contest stopped the effort. The Icelanders stated that they were going to help the trawler with its gear.⁵⁶
- 5/10/59 Thor tried to remove a buoy placed by the 697T trawler Lord Beatty (Hull) when Contest ordered it to stop.⁵⁷
- 5/16/59 Odinn was going to send a boarding party on the trawler Samuel Hewitt (Fleetwood) when Skipper Victor Buschini ordered his men to rig anti-boarding nets. This action prompted the C. G. vessel to fire a blank from its forward gun at a range of twenty feet. A piece of the wadding injured deck hand William Brown when it hit the Briton in the head. At this point the R. N. vessel Chaplet came up in response to calls from the trawler. (This is the first reported injury in the cod war.)⁵⁸
- 5/21/59 The Icelandic Supreme Court increased the 1957 fine of Skipper Arthur Salters from Ikr 74,000

(£1,640) to Ikr 100,000 (£2,200) for a violation of the 4-mile limit at that time.⁵⁹

5/22/59

Odinn approached the trawler St. Just when the destroyer Chaplet took up a parallel course on Odinn's port side. According to the Icelanders, the destroyer "circled and 'buzzed' the Odinn before hitting her in the stern, destroying her lifeboat and damaging her railings." In addition the davits for the lifeboat received damage and the C. G. vessel was apparently stuck under Chaplet's bow for a time. After the incident, the destroyer sailed off with no communication. It had attempted to ram Odinn on several other occasions during the week. The British gave two accounts. One was that the collision was an accident; second, they said that the two vessels were on a parallel course approaching St. Just when Odinn cut across the destroyer's bows and bumped into it.⁶⁰

5/31/59

M. J. approached the trawler Lord Lloyd within the 4-mile limit. After dropping a buoy and fixing the position, it ordered Lord Lloyd to stop. When the trawler refused, M. J. fired a blank shot, apparently at a distance of 60-

100 feet. The R. N. frigate Duncan sailed up with all its guns brought to bear on M. J., ordering the Icelanders to break off as the trawler was outside the 4-mile limit, and threatening to open fire if M. J. did not move off.⁶¹

6/3-6/4/59 M. J. chased Lord Lloyd until poor weather forced the C. G. captain to break off. The R. N. frigate Malcolm accompanied the trawler.⁶²

7/7/59 Aegir fired one or two blanks at the trawler Northern Dawn off the north coast near the 12-mile limit. The R. N. was in the vicinity. The trawler steamed off to avoid arrest.⁶³

7/7/59 Albert fired either three blank and three live shots or four blank and one live shot at the trawler Robert Hewitt off the southeast coast outside the 12-mile limit. In the account of one live shell, it landed a mile astern of the trawler. The R. N. was in the vicinity. The trawler steamed off to avoid arrest.⁶⁴

7/8/59 Aegir fired two blanks at the trawler Conan Doyle off the northeast coast near the 12-mile limit.⁶⁵

- 9/1/59 Thor attempted to send a boarding party on both the trawlers Clan Campbell and Man O'War when the R. N. destroyer Trafalgar prevented the arrest.⁶⁶
- 11/6/59 M. J. attempted to arrest the 531T trawler Stella Dorado for fishing inside the 4-mile limit when th R. N. destroyer Dunkirk prevented the arrest. Apparently the C. G. vessel pursued the trawler after the destroyer left the area.⁶⁷
- 2/21/60 Albert fired six probable blanks at the 666T trawler James Barrie (Hull) which was fishing five miles off the coast. The purpose was to send a boarding party on the trawler. Captain William Clarke of James Barrie, who sent half of his crew armed with broom and mop handles to repulse the attempt, reputedly jettisoned his gear and steamed off under the protection of Palliser. Clarke later said that Albert's crew cut one wire of his trawl and the other snapped.⁶⁸
- 2/28/60 Thor fired blanks at the trawler Camilla.⁶⁹
- 3/1/60 Albert pulled alongside the 455T trawler Bengali (Grimsby) and fired several rounds until a R. N. vessel came to the trawler's

aid. This occurred after the trawler crew had stowed their nets and had begun to sail for home.⁷⁰

4/-/60(?) William "Billy" Clark apparently caught fishing within the 12-mile limit with James Barrie during the 2nd UNCLOS and moved off when warned. In late May the B. T. F. suspended him for three months for the infraction. (Also see next item.)⁷¹

4/-/60(?) Harry Patmore also caught fishing within the 12-mile limit during the 2nd UNCLOS with Kingston Sardius (Hull). Patmore contacted the R. N. vessel Battleaxe which did not complain of his location, but he moved off when warned. Along with Clark, he received a three month suspension from the B. T. F. Both individuals believe that the suspension is improper since they immediately moved off when warned.⁷²

6/27/60(?) Sometime during the week of June 27-July 2, Maurice Call was repairing the gear on his trawler Thuringia (Grimsby) within the 12-mile limit. Albert fired live shells at the trawler, one of them landing nine feet away.⁷³

- 6/28/60 Thor sent a boarding party with clubs aboard Northern Queen, one of ten trawlers within the 12-mile limit. The trawler's skipper said that he was a mile outside the limit, then locked himself in his cabin because the C. G. men wanted to take him off in a launch. The Icelanders drew pistols on both the mate and radio man, but not before the latter had contacted Duncan. About twenty R. N. men, apparently also armed with clubs, went aboard the trawler, whereupon the Icelanders withdrew under protest. This was the first such incident after the 2nd UNCLOS.⁷⁴
- 6/28/60 An unidentified C. G. vessel tried to arrest the trawler Kingston Jade (Hull) for fishing inside the 12-mile limit, but Duncan intervened.⁷⁵
- 7/1/60(?) Captain Len Brown claimed that his trawler, Grimsby Town, came under bombing attack by an Icelandic Catalina plane dropping incendiary flares, at a time when he was one mile beyond the 12-mile limit.⁷⁶
- 7/4/60 Apparnetly Odinn once again tried to arrest the Kingston Jade for fishing three miles inside the 12-mile zone and Duncan interferred,

stating that both the trawler and gunboat were outside the limit. Apparently for one of these two incidents, on 7/19 James Shaughnessy became the seventh Hull skipper to receive a suspension. The Kingston Stern Trawling Co. imposed the three month penalty despite the fact that Shaughnessy had 44 years with the company and was the skipper with the biggest catch in 1959.⁷⁷

7/6/60 Thor attempted to arrest the 668T Lifeguard (Grimsby) when Palliser intervened. After receiving orders from the Admiralty, the frigate would not allow the arrest because the trawler was outside both the 4- and 12-mile limit.⁷⁸

7/10/60 Odinn fired several warning shots at Grimsby Town, then fired two shots through the trawler's funnel in an attempt to arrest the British vessel. Palliser and two other vessels arrived and prevented the arrest. Iceland cited promises from the trawler owners to keep vessels out of the 12-mile zone.⁷⁹

9/15/60 Captain Percy A. Bedford used his vessel, the 656T Wyre Mariner (Fleetwood) to tow the 397T Lord Lloyd into an Icelandic port, thereby

saving the latter vessel from sinking. While in port, the C. G. arrested him for fishing within the 12-mile limit on 7/7 and ignoring signal rockets. On 7/19(?) he received a fine of Ikr 200,000 (£2,000) or a term of seven months. The C. G. did not confiscate his gear because it was new, nor did they confiscate his catch as it came from a different voyage.⁸⁰

(The following incidents occurred after the exchange of notes during the period in which the Britons could fish in the outer six miles of the 12-mile limit.)

3/21/61(?) Thor arrested the trawler Othello (Hull) for fishing in a closed portion of the outer 6-mile zone. Captain Richard Taylor stated that he thought he was out of the area, but that rough seas may have made his position uncertain. The C. G. said that his powerful radar would have picked out the land and thus made his position clear. On 4/21 he received a fine of Ikr 230,000 (slightly over £2,000), G&C.⁸¹

4/9/61 Aegir arrested the 684T trawler Kingston Andalusite (Hull). Skipper Gilbert Casson

found guilty of illegal fishing on 4/14, fined Ikr 230,000 (£2,150) plus costs, G&C.⁸²

- 4/26/61 The trawler Starella (Hull) was arrested; Skipper Turner convicted of illegal fishing and fined Ikr 172,000 (£1,600), G&C.⁸³
- 7/4/61 The trawler Khartoum (Grimsby) was arrested for fishing within the 6-mile limit. Captain John Gordon Sleight stated that he was in bed at the time, and that the mate had the helm. Nonetheless, the court fined him Ikr 190,000 (£1,800/\$5,000).⁸⁴
- 8/5/61 Thor arrested the 536T trawler Southella (Hull). Captain George Pearson received a fine of £2,100.⁸⁵
- 9/23/61 A C. G. aircraft spotted the 785T trawler Kingston Amber (Hull) "fishing in a prohibited zone." On 9/25 Captain John William Moore received a fine of Ikr 260,000 (£2,100).⁸⁶
- 11/13/61 When Albert attempted to arrest the 711T trawler Grimsby Town (Grimsby), Captain Donald Lister made two threats to ram and sink the C. G. vessel. Lister subsequently received a fine of Ikr 200,000 (£1,600), G&C (value Ikr 300,000); he also received a suspended sentence for resisting arrest. Lister subse-

quently stated that he made the threats because the gunboat fired six blank and six live shots at his vessel. Albert's captain said that he gave a warning to Lister to stop.⁸⁷

3/20/62 Wyre Mariner was arrested two miles inside of the 6-mile limit. Captain Perry Bedford received a fine of Ikr 200,000 (£1,670), G&C (value Ikr 75,000 or £625).⁸⁸

4/18/62 The 473T trawler Ben Lui (Aberdeen) was arrested for illegal fishing. The fisheries protection vessel Russell came to its assistance and took positions. Despite evidence presented by the captain of Russell, the trawler captain was still convicted. He received a fine of £2,,200, court costs, G&C. He will appeal.⁸⁹

5/23/62 Thor arrested the 703T trawler Yardley (Grimsby) one mile inside the fisheries limit. On 5/24 Captain Joshua Baxter received a fine of Ikr 200,000 (£1,660), G&C (value about the same as the fine).⁹⁰

5/31/62 The 557T trawler Ross Stalker (Grimsby) was arrested. The skipper was convicted on 6/3 of fishing inside Icelandic waters. He received

a fine of Ikr 200,000 (£1,660), G&C (value Ikr 254,000 or £1,700)⁹¹

- 6/18/62 Thor arrested the 677T trawler Northern Queen (Grimsby).⁹²
- 9/12/62 The 799T trawler Northern Jewel (Grimsby) was arrested for illegal fishing after the arresting vessel fired three warning shots. Captain Malcolm Smith pleaded guilty. On 9/13 he received a fine over £2,000, G&C (value £2,000). (This was the first noted instance of a trawler captain pleading guilty.)⁹³
- 9/13/62 During the sentencing of Captain Smith, the 366T trawler Margaret Wicks (Fleetwood) was arrested. On 9/14 Captain Mecklenburgh received a fine of Ikr 260,000 (£2,160) for fishing within the Icelandic zone, G&C (Value £1,350). (Also see below 11/16/62.)⁹⁴
- 10/14/62 The trawler Dragoon (Fleetwood) was arrested. On 10/16 Captain Roy Belter received a fine of Ikr 230,000 (£1,900), G&C.⁹⁵
- 11/16/62(?) The trawler Lord Middleton (Fleetwood) was arrested for fishing within the Icelandic limits. Russell was on the scene and accompanied the trawler to the Icelandic port. Captain John Mecklenburg received a fine of

Ikr 260,000 (£2,160), G&C. He also received a 45-day suspended sentence for obstruction and threats against the C. G. men.⁹⁶

4/28/63

The 250T trawler Milwood (Aberdeen) was apparently fishing in international waters when Odinn approached. The trawler collided with Odinn in what may have been a deliberate ramming. Odinn then raised the signal flag "heave to or be fired upon." The trawler's captain, John Smith, called for help, but Lt. Cmdr. Hunt, captain of Palliser, advised Smith to submit and sent his men aboard the trawler to disable the engines. He did so because he believed that Smith's conduct was such as to be a danger to himself in that he was going to try to outrun the C. G. vessel. Smith then told his crew to go aboard Palliser. Instead of remaining aboard his vessel while the C. G. towed it to port, Smith escaped and went aboard the trawler Juniper, whose captain refused to take Smith to Reykjavik. Palliser took the trawler crew to the Orkney Islands and from there the men flew home. Smith was apparently with his men, possibly after transferring to the R. N. vessel from Juniper when

they were clear of the troubled waters. After arrival back in Aberdeen, both the government and the trawler's owners advised Smith to go back to Iceland for trial. He refused to do so because the only evidence used in the Icelandic courts is the testimony of the C. G. captains. Because of his adamancy, the Reykjavik court ordered the trawler held, a move confirmed by the Icelandic Supreme Court on 6/26. Further, the courts decided that both the owners and Mr. Smith should go on trial and set the date for 9/5. On 8/26 the owners guaranteed a bond of £10,000 for the release of their vessel and it returned to Aberdeen on 9/1. The court actually met to hear the case against Mr. Smith on 9/2, 10/29, and 11/7, and adjourned in each instance. Apparently Smith never did return for trial.⁹⁷

6/5/63

Odinn arrested the trawler Northern Sky for illegal fishing inside the 6-mile limit. Captain Barry Green denied the allegation.⁹⁸

7/-/63(?)

The trawler Dorade (North Shields) was arrested by Icelandic authorities. As of 7/11 it was still under detention.⁹⁹

10/21/63 An unidentified C. G. vessel placed a shot over the bow of Lifeguard to effect an arrest. On 10/24, Skipper Oleson received a fine of Ikr 160,000 (£2,150) for fishing inside the 12-mile line.¹⁰⁰

10/26/63 Odinn arrested the 538T trawler Peter Cheyney for fishing in Icelandic waters. On 10/27 Captain Dennis Pougher admitted to the offense, stating that his radar had broken down. He was convicted and fined Ikr 300,000 (£2,500/\$7,000).¹⁰¹

11/15/63 James Barrie was arrested for illegal fishing. Captain Richard Taylor said that he was inside the Icelandic waters when arrested but was not fishing. He was convicted and received a fine of Ikr 300,000 (£2,500) for illegal fishing.¹⁰²

(The following incidents occurred after the expiration of the interim period when Iceland allowed the British to fish in the outer six miles of the 12-mile limit.)

8/31/64 Thor arrested the 422T trawler Ross Khartoum (Grimsby) within the 12-mile limit. When the crew attempted to cut the trawl and escape, the C. G. vessel fired three blanks then three live shots, convincing the trawler crew to stop. On 9/3 Captain Dennis Speck pleaded

guilty of illegal fishing and received a fine of Ikr 260,000 (£2,160), G&C.¹⁰³

- 9/15/64 Dragoon was arrested for fishing within the 12-mile limit. On 9/17 the skipper received a fine of Ikr 260,000 (£2,300), G&C.¹⁰⁴
- 9/21/64 Odinn arrested the 338T trawler Wyre Vanguard (Fleetwood). On 9/23 Captain William Spearpoint received a fine of 260,000 (£2,150), G&C.¹⁰⁵
- 9/23/64 Captain Richard Taylor acquitted on charges of illegal fishing with James Barrie.¹⁰⁶
- 10/19/64(?) The B. T. F. protested to the Icelandic authorities about detaining the trawler Prince Philip (Fleetwood) for eight days. This caused the 5,000 stone (70,000 lbs.) of fish on board, worth an estimated £7,000 to go bad, in addition to the £5,000 fine levied on Skipper William Rawcliffe for illegally fishing within the 12-mile zone. The owners had offered to leave Rawcliffe, the mate, and the chief engineer in the hands of the authorities, plus made a bond guarantee of £10,000, all to no avail.¹⁰⁷
- 11/13/64 William Smith, captain of the trawler Cape Spartel (Hull) received a fine of Ikr 260,000

(£2,150), G&C for fishing in Icelandic waters.¹⁰⁸

- 12/11/64 Harry Shakespeare Ford, captain of the trawler Kingston Jacinthe (Hull) received a fine of Ikr 260,000 (£2,166), G&C for fishing in the 12-mile zone.¹⁰⁹
- 1/29/65 Odinn chased the trawler Peter Scott (Hull) for two hours before arresting the vessel for fishing three miles inside of the 12-mile zone. Captain Richard Taylor received a fine of Ikr 350,000 (£2,920), a 45-day sentence, G&C. The court set his fine at the largest levied for illegal fishing to date because of Taylor's 1962 suspended sentence.¹¹⁰
- 3/22/65(?) Geoffrey James Peterson, skipper of the trawler Bradman (Grimsby), received a fine of Ikr 260,000 (£2,160) for fishing within the 12-mile zone.¹¹¹
- 5/14/65(?) Thor chased the trawler Aldershot (Grimsby) for four hours during which time the owners told Skipper Leslie Cumby to stop, but he replied that he definitely would not. After Thor caught up with the vessel and the C. G. men boarded it, Cumby pointed a "life-saving rocket gun" [a flare gun] at the Icelanders.

The C. G. forced the vessel at gun point to shore, where Cumby faced initial charges of illegal fishing. He received a sentence [full charges not specified] of four months, but returned to Britain during his appeal.¹¹²

11/26/66 An unidentified C. G. vessel pursued the trawler Ross Renown (Grimsby) in heavy fog then arrested the vessel for fishing one and one-half miles inside the 12-mile limit. On 11/29 Captain John Denison received an acquittal on charges of illegal fishing. Apparently there were no other charges because the fog was so thick that he could not see the pursuing gunboat.¹¹³

4/25/67 The C. G. forced Bernard Newton to take his 760T trawler Brandur (Grimsby) into port pending investigation for illegal fishing. He said something heavy was in his trawl net. Thinking it might be a mine, he used extra caution to haul it in, and his vessel drifted into Icelandic waters. During the investigation, Bernard slipped out of Reykjavik harbor with two Icelandic policemen on board. The authorities did not notice his vessel's absence for several hours, and only found him

after mounting an air search. Meanwhile, to make good his escape, he had repainted his registration, with two different false numbers depicting Hull as his home port. The C. G. finally recaptured him after a chase. He initially received a fine of Ikr 300,000 (£3,000), G&C (valued at Ikr 383,000) for illegal fishing, plus a 3-month sentence for illegally leaving Iceland while his case was in progress. He apparently lost his appeal since another source gave his fine at Ikr 400,000 and his sentence as six months. He received a reprieve after serving a small portion of the prison term.¹¹⁴

- 9/1/67 The 661T trawler Bombardier was arrested for illegal fishing eight miles inside of a bay. Captain Wallace Wilson received a fine of Ikr 400,000 (£3,330) on 9/3.¹¹⁵
- 9/10/67 Captain Sheldon Stokes received a fine of Ikr 350,000 (£3,000), G&C for illegal fishing within the 12-mile limit with the trawler Volessus (Grimsby).¹¹⁶
- 9/16/67(?) Thor arrested 309T trawler Ben Arthur (Aberdeen). Captain Thomas Hornby received a fine

of Ikr 350,000 (£3,000), G&C for fishing inside territorial waters.¹¹⁷

10/25/67 The 722T trawler Lord Tedder (Hull) was arrested for fishing inside Icelandic waters.¹¹⁸

11/11/68 The 431T trawler Boston Phantom (Fleetwood) was arrested for illegal fishing. Captain William Rawcliffe received a sentence of two months and a fine of Ikr 600,000 (£4,350) on 11/15. He set sail on bond of Ikr 1,600,00 (£11,600).¹¹⁹

9/20/69 The trawler Lucita (Hull) was arrested for fishing more than a mile inside the Icelandic limits. Captain Michael Anthony paterson received a fine of Ikr 700,000 (£3,300) on 9/22.¹²⁰

APPENDIX 3

TRAWLER INCIDENTS FOLLOWING THE 50-MILE DECLARATION

Date Incident¹²¹

- 9/5/72 The Icelandic Coast Guard (C. G.) vessel Aegir ordered the trawler Peter Scott (Hull) to stop fishing and leave the waters. The trawler crew responded by playing "Hail Britannia" over the loudspeaker, which prompted the C. G. to move in and attempt to cut the trawl lines of the British vessel. The Icelanders did cut one line, but the trawler recovered its trawl and catch. Repairs totalled £150.¹²²
- 9/5/72 The C. G. vessel Odinn attempted to cut the trawl of a Fleetwood trawler, apparently at the same time as the above incident.¹²³
- 9/9/72 Captain Albert Watson of the trawler Wyre Conqueror (Fleetwood) said that the crew of Aegir attempted to put a boarding party on his vessel during the night, and, when they were unsuccessful, chased the trawler for two hours to high seas. The C. G. denies the allegations.¹²⁴
- 9/12/72 Aegir encountered five trawlers fishing near the 12-mile line and instructed them to move.

Although the British fishing support vessel Miranda radioed them that they were to resist, SSAFA did leave. When the others remained, Aegir cut both trawls on Lucida by steaming at full speed across its stern. The lost gear had a value of £1,669.07. SSAFA may have tried to intervene in the cutting.¹²⁵

9/12/72 Shortly after the above incident, Aegir unsuccessfully tried to cut a wire on SSAFA, but a towing block received damage.¹²⁶

9/12/72 Three hours after the Lucida incident, Aegir cut the wires of the trawler Wyre Victory. One warp flew back aboard the trawler, thus endangering the crew. The lost gear was valued at £1,968.42.¹²⁷

9/22/72 Odinn approached seven trawlers and warned them to leave or have their gear cut. When they refused, Odinn attempted to cut the wires of Starella.¹²⁸

9/22/72 In the above group, Odinn succeeded in cutting both wires of the trawler Kennedy (Fleetwood). The lost gear had a value of £2,070.34.¹²⁹

9/22/72 Odinn attempted to cut the wires of the trawler Wyre Captain. One source said that the attempt was unsuccessful because the trawler

Ella Hewett (London) "threw large amounts of nylon netting into the sea, evidently to foul [the Odinn's] propellers," with C. G. vessel taking evasive maneuvers to avoid the netting. Another source with more credibility said that Odinn succeeded, with the lost gear having a value of £1,705.38.¹³⁰

- 10/16/72 Aegir fired shots at an unidentified trawler. (Tentative incident; see endnote.)¹³¹
- 10/17/72 Aegir warned the trawler Wyre Corsair that it was fishing illegally and gave it fifteen minutes to haul in its nets and depart. The C. G. men ignored protests from the British fishing support ship Othello and, after 25 minutes, began cutting operations. After an additional five minutes, they cut both of the trawler's lines. The lost gear cost £2,109.00.¹³²
- 10/17/72 Odinn fired three shots, possibly blanks, across the bow of the trawler Wyre Vanguard. The trawler had its gear stowed and returning home, but was inside the 12-mile limit.¹³³
- 10/18/72 Aegir warned the trawlers Aldershot and Ross Revenge to move out of the area, giving them fifteen minutes to haul nets. The commander

of Othello protested, which the captain of Aegir acknowledged. After forty minutes they did cut the trawls of Aldershot. In turning away, Aegir hit the trawler in the stern. As a result Aldershot was holed in the side. Initially Great Britain accused the C. G. vessel of trying to ram the trawler; Iceland said that it resulted from the trawler's attempt to ram Aegir. The lost gear cost £1,732.31. The total cost of gear, repairs, and escort from two British trawlers to the Faeroes was £16,765.50. After this incident, the captain of Aegir said that he would in the future cut the trawl lines without giving a warning.¹³⁴

10/29/72 Odinn approached the trawler Real Madrid (Grimsby), which was sheltering off the coast, and ordered it to stand by for boarding. When the trawler moved off, Odinn fired two blank shots across its bow.¹³⁵

11/23/72 Odinn approached a group of seven British trawlers and ordered them to leave on the grounds that they were disturbing the lines of Icelandic long liners. The Britons apparently were also throwing "iron bolts and other

missiles at the crew of an Icelandic boat. . . ." The British fishing support vessel Ranger Briseis warned the Odinn off, but the C. G. ignored the warning. Odinn cut wires of the trawler Vianova, losses amounting to £1,890.52. The C. G. vessel was unsuccessful in cutting the wires of Wyre Captain. After cutting Vianova's wires, the British trawlers retaliated by throwing "stones and lumps of metal" at the gunboats.¹³⁶

11/25/72 (Federal Republic of Germany) Aegir came upon the trawler Erlangen and began to circle. After about twenty minutes, it cut one of the trawler's lines without warning. The line snaked through the air and struck Jürgen Hänse in the head. The captain transferred Hänse to the German fishing research vessel Walter Herwig which took him to Neskaupstadur for hospitalization. On 11/29 he was in a Reykjavik hospital. He later died from his injuries. This was the first dispute involving the F. R. G.¹³⁷

11/25/72 (F. R. G.) Following the above incident, both Aegir and Thor interfered with the trawlers Flensburg, Tiko I, Sirius, Sagitta Maris, and

Arcturus. Aegir cut one line of Arcturus, but the C. G. captain first warned the German by radio to clear his sailors off the deck.¹³⁸

12/10/72 During a severe gale, Aegir harassed both trawlers Northern Queen (Grimsby) and William Wilberforce (Hull), apparently cutting the lines of one of them.¹³⁹

12/27/72 Odinn ordered a group of trawlers to leave. Skipper Harry Eddam of Benella (Hull) acknowledged the message but continued to fish, whereupon the C. G. vessel cut its wires with no further warning. Eddam initially estimated the lost gear at £1,000, but later put his estimate at £2,086.47.¹⁴⁰

12/28/72 Odinn approached four trawlers and attempted to cut the wires of Ross Rodney. Captain Mick Patterson interposed his vessel, Brucella (Hull) between the two so as to prevent the cutting. In the process, he collided with the C. G. vessel, supposedly destroying its bulwark. Patterson later said that he "bumped" Odinn on the stern and saw no damage to either vessel.¹⁴¹

- 1/6/73 (F. R. G.) An unidentified C. G. vessel cut the wires of the factory trawler Berlin (Brem-erhaven).¹⁴²
- 1/7/73 Aegir told the trawler Boston Blenheim (Hull) to leave the 50-mile zone. When it did not, the C. G. vessel cut one wire on the trawler. Aegir also attempted to cut the wires of four other trawlers.¹⁴³
- 1/7/73 A few hours after the above incident, Odinn warned the trawler Westella (Fleetwood) out of the area. When it did not leave, the C. G. cut both of the trawler's wires with an estimated loss of £2,000. Othello protested.¹⁴⁴
- 1/8/73 According to the C. G., the 790T trawler Lancella (Hull) set a collision course for one of its gunboats. The C. G. vessel managed to avoid a collision by moving to full speed.¹⁴⁵
- 1/12/73 Odinn apparently requested the 790T trawler Ross Renown (Grimsby) to cease fishing for one hour. When the trawler refused, the C. G. threatened to cut the trawler's wires. When it still refused, the C. G. made good on the threat. The lost gear cost £2,122.78.¹⁴⁶

- 1/12/73 Aegir cut both wires of the trawler Ross Kandahar. The replacement gear cost £1,773.21.¹⁴⁷
- 1/16/73 The C. G. gunboat Tyr warned the trawler Vanessa to cease fishing in the 50-mile limit. When it refused, the gunboat approached the trawler but six other trawlers attempted to ram the C. G. vessel. This prompted the Icelanders to prepare their gun, thus forcing the Britons off. Later Tyr managed to cut one wire of Vanessa.¹⁴⁸
- 1/17/73 Tyr approached the trawler Luneda, warning the vessel to haul its gear or have its wires cut. When the trawler refused to comply Tyr made two unsuccessful cutting passes. About an hour later, as the trawler was hauling its gear upon completion of its trawling run, Tyr made another pass and was this time successful at cutting both wires. The lost gear cost £368.73 on the first passes and £1,853.68 on the successful run.¹⁴⁹
- 1/21/73 (F. R. G.) An unidentified C. G. vessel warned two trawlers to move out of the 50-mile zone. One vessel complied, but Sirius (Bremerhaven)

continued fishing. The C. G. vessel then cut both of the trawler's wires.¹⁵⁰

1/23/73 Tyr cut one trawl of the trawler Ross Altair with no warning while the trawler was towing. Another vessel recovered the lost warp. Repairs cost £70.82.¹⁵¹

3/5/73 Aegir approached several trawlers, began to harass them and gave warning that they were to leave the area. When they did not, the C. G. vessel cut one wire on Ross Resolution.¹⁵²

3/5/73 A few hours later, Aegir approached the trawler St. Chad and attempted to cut its lines, but the tug Statesman prevented its success. The tug even cut off and captured Aegir's cutting gear, and sent it to Hull.¹⁵³

3/5/73 After still a few more hours had passed, Aegir cut one line of the trawler Port Vale, but the vessel recovered its gear.¹⁵⁴

3/5/73 At some time during these incidents, possibly in conjunction with the Ross Resolution incident, Aegir cut one line of the trawler Arctic Vandal.¹⁵⁵

3/5/73 In the same area as the above incidents, Odinn cut one wire of William Wilberforce. One of the two vessels involved in these incidents

also harrassed the trawlers Ross Kelvin and Ross Khartoum.¹⁵⁶

- 3/6/73 Aegir attempted to cut the lines of Vanessa when Brucella and several other trawlers intervened, apparently trying to ram the gunboat. In defense, the Icelanders fired two blanks at Brucella, and possibly more at other vessels.¹⁵⁷
- 3/6/73 Aegir cut one line of the trawler Ross Kelvin.¹⁵⁸
- 3/6/73 At the same location some hours later, Aegir cut both lines of the Brucella and one line from Vanessa.¹⁵⁹
- 3/6/73 Odinn cut both lines of Real Madrid.¹⁶⁰
- 3/7/73 Aegir harassed a group of ten trawlers. After about an hour, it cut both lines of Spurs.¹⁶¹
- 3/7/73 A few hours later, near the same area, Thor approached Grimsby Town and cut both lines with no warning.¹⁶²
- 3/8/73 Aegir cut one line of the Real Madrid, but the trawler recovered its gear.¹⁶³
- 3/10/73 Aegir approached the trawler Newby Wyke from starboard and suddenly crossed the stern, cutting one line without warning. The trawler recovered its gear but lost its catch.¹⁶⁴

- 3/11/73 Aegir approached the trawler Ross Canaveral (Hull). As the crew was attempting to recover their gear which was stuck on the bottom, the gunboat cut one of the lines.¹⁶⁵
- 3/13/73 Thor cut one line and partially severed the second line of the trawler Irvana (Fleetwood).¹⁶⁶
- 3/14/73(?) As a result of an attempt by Aegir to cut trawl lines at night, the trawlers Arsenal and Aldershot collided while taking evasive action. Both vessels received damage but there were no injuries.¹⁶⁷
- 3/14/73 Thor approached the a group of about thirty trawlers. As the crew of Boston Explorer was bringing in the gear at the end of their trawling run, Thor cut across the stern and cut one line. The crew retrieved the gear, but the trawl was ruined.¹⁶⁸
- 3/14/73 After this incident, Thor turned to Boston Blenheim and cut both lines without warning. The lost gear had a value of £2,305.00.¹⁶⁹
- 3/14/73 Thor then moved to Benvolio and cut one of its lines. The repair and replacement cost £267.90.¹⁷⁰

- 3/14/73 A few hours later, Thor cut one warp of the trawler Northern Sceptre.¹⁷¹
- 3/17/73 Odinn cut one line and damaged the other line of the trawler Robert Hewitt. Although the crew recovered their gear and spliced the lines, on the next cast off, the lines broke and they lost the trawl. The value was £2,254.14. Iceland said that they did not cut the trawl lines, but merely the "foot rope" or "bobbing wire," i.e. smaller lines used to control the fishing apparatus.¹⁷²
- 3/18/73 Odinn was harassing a group of trawlers, weaving among them and passing close to them, with both tugs Statesman and Englishman protecting the British vessels. At 17:42 (GMT) Odinn was 400 yards from the nearest vessel with Statesman located between them and Englishman astern of its sister ship, when Odinn fired two live rounds across the bow of Statesman, with no damage ensuing. The C. G. captain said he took this action because the tug had tried to ram his vessel several times. The British deny this statement. This was the first use of live rounds in the 50-mile war.¹⁷³

- 3/18/73 (F. R. G.) Iceland admitted cutting the line of an unidentified trawler.¹⁷⁴
- 3/18-19/73 In retaliation for the above firing, four hours later both Statesman and Englishman began to chase Odinn, apparently in an attempt to ram the C. G. vessel. The gunboat managed to escape because of better speed.¹⁷⁵
- 3/19/73 Tyr threatened to fire on the trawlers Falstaff (Hull) and Ross Canaveral, allegedly for attempting to ram the C. G. vessel.¹⁷⁶
- 3/25/73 Brucella was fishing near the 12-mile line when it tried to protect the lines of Wyre Defence from Aegir . In the process, Brucella apparently tried to ram the C. G. vessel. The Icelanders fired three blanks toward the trawlers, with at least one shot going over the bow of Brucella.¹⁷⁷
- 3/25/73 Several hours after the above incident, Aegir cut both lines of the trawler Wyre Defence, resulting in lost gear valued at £2,146.63.¹⁷⁸
- 3/26/73 Aegir cut both wires of the trawler St. Leger (Hull).¹⁷⁹
- 3/26/73 A few minutes after the above incident, St. Leger warned the Icelandic trawler Gudbjartur Kristjan that it was going to destroy the

latter's nets in retaliation for losing their gear. The Icelanders called for help when St. Leger turned toward them, prompting the return of Aegir. The C. G. vessel fired six blank shots toward the British vessel, and threatened to fire live shot if it did not leave.¹⁸⁰

3/29/73

The 567T trawler St. Chad (Hull) went aground so Statesman sent a life boat to pick up the eighteen crew members. The captain and mate stayed aboard the tug, but the rest of the crew was put aboard Othello which took them to Ijsafjord. The Britons never doubted they would receive permission to land, but a large crowd, comprised mainly of teenagers, booed and spit on them when they arrived. Their rescuers took them to a Salvation Army hostel, where they received good treatment before journeying to Reykjavik for a flight home. The captain and mate apparently did not go ashore so as to avoid arrest and prosecution.¹⁸¹

4/2/73

Aegir approached a group of thirteen vessels and warned them to leave. When they did not, Aegir cut both wires of Ross Resolution, which

lost its entire trawl. The lost gear was valued at about £2,000.¹⁸²

- 4/2/73 About an hour later Aegir fired one live and two blank rounds at Englishman which was protecting the above group of trawlers. The tug was apparently trying to ram the C. G. vessel.¹⁸³
- 4/2/73 After less than a half an hour, Aegir cut one wire of the trawler Kingston Emerald, but the vessel recovered its gear.¹⁸⁴
- 4/3/73 Tyr cut both wires of St. Leger for not leaving the 50-mile zone.¹⁸⁵
- 4/3/73 During the above incident, the trawler Maretta tried to ram Tyr.¹⁸⁶
- 4/7/73 Odinn cut both wires of the trawler St. Dominic. The lost gear was valued at £2,887.77.¹⁸⁷
- 4/11/73 Odinn cut one wire of Wyre Victory, but the trawler recovered its gear.¹⁸⁸
- 4/12/73 Thor cut one line of the trawler Belgaum. Ten minutes later, Thor cut both lines of the trawler Primella. Two hours later, while moving up the coast, Thor fired a blank at Englishman. At midday, Thor approached a group of trawlers with its cutting gear in the water and fired two blank rounds in their

direction. Some hours later Thor again approached a group of trawlers (possibly the same group) and fired another blank shot.

Finally, Thor fired a blank round at Irvana.¹⁸⁹

4/12/73 Odinn approached a group of trawlers then made an unsuccessful cutting run on Boston Explorer. It then made a run on Joseph Conrad and cut one of its wires.¹⁹⁰

4/16/73 Odinn cut one line of the trawler Boston Kestrel.¹⁹¹

4/17/73 Thor fired a blank round at Primella.¹⁹²

4/18/83 An unidentified C. G. vessel cut both lines of Aldershot.¹⁹³

4/22/73 Aegir cut one wire of the trawler Volesus.¹⁹⁴

4/23/73 The Icelandic C. G. reported that an unidentified British trawler fired a flare gun at its patrol aircraft. The shell burst near the plane.¹⁹⁵

4/23/73 Thor cut both lines of SSAFA (Fleetwood). The lost gear was valued at £2,332.44.¹⁹⁶

4/23/73 As a result of the above cutting, about twenty trawlers formed up to encircle or ram the C. G. vessels, swarming in on Arvakur, the smallest operated by the C. G. and which carried no deck gun. In self defense, the

crew of Arvakur opened fire with rifles. Ten shots hit 678T Brucella in the bridge and lifeboat and ten more shots also hit 883T Portia in the bridge and lifeboat. Thor came into the foray firing five blank rounds at the British trawlers. Both St. Leger and Brucella then steamed with full speed at Thor. St. Leger hit the C. G. vessel, holing itself in the bow and damaging Thor's stern. This prompted the C. G. crew to fire three live rounds over St. Leger. About an hour later Thor fired one more round at the trawler Macbeth. There were no casualties in any of these incidents, however St. Leger had to go to port for repairs. This was the first incident in which rounds of any type actually hit a British vessel.¹⁹⁷

- 4/24/73 On its sixth attempt, Aegir cut both lines of the trawler Notts Forest. The lost gear had a value of £2,040.43¹⁹⁸
- 4/25/73 An unidentified C. G. vessel cut one trawl of the trawler Lord Jellicoe.¹⁹⁹
- 5/4/73 After approaching Wyre Victory (Fleetwood), the crew of Tyr uncovered the deck gun, threatened to fire, then cut one of the traw-

ler's lines. This was in retaliation for the trawler's alleged actions of running over the lines of Icelandic boats.²⁰⁰

5/4/73 During the above incident, the trawler Crystal Palace apparently attempted to ram Tyr.²⁰¹

5/12/73 As Thor tried to cut the wires of Crystal Palace, Englishman came up in an attempt to ram the C. G. vessel, which retaliated by firing a blank shot at the tug. About a half hour later, the tug Irishman made a ramming run and Thor also fired a blank at it. Captain John Rimmer of Crystal Palace observed approximately ten men dressed in rubber suits and helmets, and led by an officer with a rifle, on board Thor. He assumed this was a boarding party.²⁰²

5/14/73 As Thor and Tyr approached a group of 24 trawlers, Thor had its gun manned and its cutting gear deployed, and Tyr had on deck a boarding party dressed in rubber suits and helmets. Tyr ordered Lord Alexander to stand by for boarding, so Macbeth (Hull) and Northern Jewel (Grimsby) approached the gunboat, with Macbeth interposing itself between the Icelander and Lord Alexander. When Macbeth

did so, Tyr fired a solid shot which landed close to the trawler, then fired another shot across the bow of Northern Jewel. The entire group of trawlers then hauled in their nets and chased the two C. G. vessels for over two hours.²⁰³

5/14/73(?) Othello went to Akureyri to drop off a seriously ill fisherman when "schoolboys threw fish, stones and eggs at the support vessel," whose crew responded with garbage and beer cans.²⁰⁴

5/16/73 Thor approached a trawler to cut its wires when Statesman steamed up to drive it off, allegedly making a ramming run. They both made tight circles around the trawler before Thor retreated with its rear guns manned.²⁰⁵

5/16/73 Due to the amount of harrassment, the "gunboats made fishing impossible."²⁰⁶

5/21/73 Thor was shadowing the British fishing fleet then turned in the direction of a single F. R. G. trawler, with the R. N. frigate Cleopatra following. At a distance of four miles, Thor turned on a collision course for the frigate, which turned away at a distance of one-quarter mile. Thor continued on its

course, crossed the R. N. vessel's wake, then turned sharply, causing a large wake to hit the frigate from a distance of one hundred yards. This was the first incident with a R. N. vessel.²⁰⁷

5/25/73 The R. N. frigates Jupiter and Cleopatra, along with two unidentified tugs, boxed in Odinn so that the C. G. vessel could not interfere with a group of more than thirty trawlers.²⁰⁸

5/26/73 The 884T trawler Everton (Grimsby) was fishing alone about seventy miles from the nearest vessel when Aegir approached. At the C. G. vessel's approach, the trawler hauled its nets and began to steam off, but the Icelanders ordered it to stop for boarding. When Everton did not comply, Aegir fired several blank shells in its direction and stated that it would fire live rounds if the trawler did not stop. The British skipper still refused, so the Icelanders fired nine rounds of solid 57 mm shells into the trawler's bow and fish hold. Captain Kjaernested of Aegir warned Captain George Mussell prior to each shot and allowed Mussell to send a crewman to inspect

the damage after each shot. Although there were no injuries, the shelling caused the vessel to take on water. Later Kjaernested characterized Mussell as a "gentleman" [i.e. for not surrendering his vessel]. Aegir radioed to Reykjavik that any further shooting would endanger Everton's crew. They broke off the attack when the trawler C. S. Forester came to assist Everton. Forester escorted its sister ship from the area and several hours later came to assist in pumping. This was the first time that a British vessel received damage from an Icelandic cannon.²⁰⁹

6/1/73

Arvakur, which is normally assigned as a lighthouse repair vessel, approached a group of eleven trawlers which were fishing under the protection of Irishman and the R. N. frigate Scylla. The C. G. vessel tried to cut the lines of Vivaria (Grimsby) twice. On both attempts the tug forced it away, bumping the smaller vessel in the process. Irishman next passed a line under the C. G. vessel, which Reykjavik claimed was an attempt to foul its propellor, but which the British said was an attempt to take away the vessel's trawl cut-

ter. Arvakur then moved to the trawler Gavina and cut one of its lines. After this success, it made two unsuccessful cutting passes on Belgaum (Grimsby), but had a collision with the trawler in the process. It next had collisions with both Vivaria and Irishman, causing damage to the trawler's bridge, and a split in the tug's stem while it was trying to protect the trawler. One of the collisions with the tug holed the C. G. vessel above the water line, but it was not in danger of sinking, as the initial reports from the Icelandic government stated. Both sides accused the other of deliberately rammings. On 6/7 Arvakur was in dry dock for repairs received in this incident, with cost of the work estimated at £8,000.²¹⁰

6/5/73 Officials in London (not further identified) said that Thor cut the wires of Boston Kestrel (Fleetwood), but the C. G. denied it on 6/6.²¹¹

6/7/73 Aegir attempted to harass a group of 42 British trawlers guarded by the R. N. frigate Scylla. As Aegir tried to approach a trawler, the frigate interposed itself. Apparently the two vessels were on a parallel course for a

few moments when the C. G. vessel turned into the frigate, causing minor damage to the R. N. vessel.²¹²

6/21/73 Both Odinn and the tug Lloydsman received damage in a collision. According to the Icelanders, Odinn was not harassing any trawlers, but the tug approached and stayed on a parallel course for some time, then suddenly turned into it at full speed. Odinn tried to reverse out of the British vessel's path but could not. Odinn probably sustained damage, as it immediately went to port with the tug following to the 4-mile limit. The tug has a ruptured water tank. As a probable result of this incident, Odinn spent several weeks in port to have its bow repaired.²¹³

6/27/73 Thor cut both lines of Arctic Vandal. Although the frigate Charybdis was in the vicinity, visibility was poor.²¹⁴

6/28/73 (F. R. G.) Albert fired across the bow of the trawler Thunfisch, first with a blank then a live shell, after which the trawler departed.²¹⁵

7/2/73 (F. R. G.) Aegir unsuccessfully attempted to cut the wires of the trawler Düsseldorf.²¹⁶

7/2/73

(F. R. G. and G. B.) About an hour and a half later, Aegir approached four F. R. G. trawlers accompanied by the supply ship Fritjof and ordered them to leave the area. Three vessels left, but Teutonia did not. This prompted Aegir to attempt cutting its lines, but Fritjof intercepted the C. G. vessel, which narrowly avoided a collision. Consequently Aegir fired one blank across the trawler's bow and possibly attempted to board the trawler. The shell nearly hit the R. N. frigate Leopard, which had been following the C. G. vessel, despite the fact that the nearest British trawler was 20-30 miles away. The R. N. crew went to general quarters and threatened to fire on Aegir if it were to fire at the German vessel again and the crew manned one of its guns. Aegir turned straight at the frigate prompting the R. N. vessel to put on a burst of speed and train its gun on the C. G. vessel. Aegir retreated after circling the frigate. The R. N. afterwards stated that they sometimes followed the C. G. vessels away from the trawlers and defended the actions of

its crew by saying that the German vessel had no other protection.²¹⁷

- 7/7/73 (F. R. G.) Thor cut the lines of Berlin. Three other German trawlers were present at the time.²¹⁸
- 7/8/73 (F. R. G.) Aegir ordered the trawler Hugo Homann to stop for boarding. When the vessel refused, Aegir fired several blank shots, then the Icelanders warned the German crew below decks that they were going to fire live shot. After the warning they fired 13-15 rounds, of which at least three were live.²¹⁹
- 7/11/73 Aegir cut both wires of Boston Explorer while Charybdis and Lloydsman stood by unable to assist.²²⁰
- 7/13/73 Aegir cut the wires of Wyre Vanguard (Fleetwood) which was fishing with Gavina and while Irishman attempted to provide protection.²²¹
- 7/14/73 (F. R. G.) Aegir fired at Teutonia.²²²
- 7/15/73 (F. R. G.) Fourteen German trawlers were fishing in the vicinity of several British and Icelandic vessels when Aegir fired a blank over the bow of Teutonia then told the Germans to lift their nets.²²³

- 7/15/73 Aegir eluded the R. N. frigate Gurkha and cut the wires of Wyre Vandal, despite the fact that Irishman and eight other trawlers were in the area at the time.²²⁴
- 7/15/73 The trawler Boston Comanche chased the Icelandic trawler Bjartor, apparently in an attempt to ram the vessel, and may have tried to cut the Icelandic's lines. The Icelandic captain said that the British trawler was a mere ten to twenty yards behind him during the chase.²²⁵
- 7/16/73 A group of five British trawlers attacked the Icelandic trawler Gullver, attempting to ram the vessel. They only stopped when Englishman stated that they would lose its protection if they continued and Aegir had steamed into the area. Englishman also warned the trawlers to stay out of the 12-mile zone or else they would lose its protection. Two British trawlers also harrassed the Icelandic trawler Bardo. When Aegir entered the area, Gurkha, which was following, initially refused to tell the trawlermen to cease their activity.²²⁶
- 7/17/73 Aegir came upon seven British trawlers fishing under the protection of the R. N. vessel Berwick and the tugs Irishman and Englishman.

At the appearance of the C. G. vessel, five of the trawlers left. The R. N. frigate Lincoln then appeared with tires placed as fenders on its sides. The vessel apparently tried to ram Aegir and when it could not, it finally stopped in front of the C. G. gunboat, thus causing a collision. Lincoln sustained minor damage but there was none to Aegir.²²⁷

7/20/73

The R. N. frigate Arethusa and either Aegir or Odinn sailed on a parallel course together at a speed of 8-9 knots at a distance of about fifteen yards. After 50-90 minutes, the Icelandic vessel sounded its siren twice, the signal for a turn to port, the side on which the British vessel sailed. The frigate maintained its course when the Icelander turned, causing the C. G. vessel to hit it on its starboard side. The collision damaged the frigate's guardrail and ripped off its accommodation ladder; the gunboat also sustained slight damage. The Icelandic government said that the R. N. had instituted a new policy of trying to damage the gunboats.²²⁸

8/2/73

According the C. G. , Lloydsman rammed Albert with minor damage to both vessels. Iceland

said that its vessel was not involved in trawl cutting at the time.²²⁹

8/10/73 A frigate and a gunboat were involved in a collision.²³⁰

8/14/73 After finding the trawler Lord St. Vincent (Hull) inside the 12-mile limit, Aegir chased the trawler for 150 miles. Despite the fact that the gunboat can make twenty knots and the trawler's maximum speed is twelve knots, Aegir did not attempt to make an arrest, either because the support ship Sirius was following, or because of rough seas. Although the support vessel had orders to intervene only if the C. G. vessel endangered the lives of the trawler's crew, Iceland said that it interfered. The captain of Aegir said that Captain Robert Turner of Lord St. Vincent was polite with him but was rude to the captain of Sirius. On 8/18, after returning to port, Turner denied the illegal fishing charge, but the trawler's owners offered to put up £5,000 for any offense. The British government said that it would not extradite Turner as he had broken no British law.²³¹

- 8/22/73 An unidentified C. G. vessel fired three blanks at Kennedy and chased it for two hours until the R. N. frigate Andromeda arrived and intervened.²³²
- 8/27/73 Aegir cut both wires of Ella Hewett and Wyre Corsair. At the time of the incident, Wyre Corsair was flying the skull and crossbones. The incidents occurred too swiftly for the frigates in the area to intervene.²³³
- 8/29/73 The R. N. frigate Apollo was shadowing Aegir. When the two vessels were abeam at an interval of two hundred yards, the gunboat sounded two blasts on its horn, accelerated, and turned across the frigate's bow. Apollo took evasive action, but the two collided. Aegir apparently also had a collision with Statesman. After these incidents, the Aegir went inside the 12-mile limit so that a crew member could repair the damage. As the man was using an electric welding iron, a wave washed over the vessel, causing his electrocution. One report stated that Apollo passed by close enough that its wake actually caused this fatal wave, but witnesses on board the frigate had earlier

remarked about the danger of the man's work in rough seas.²³⁴

- 9/5/73 Albert came upon a group of British trawlers in fog and began acting as a trawler and began to close on St. Alcuin (Hull) with its cutter deployed. The trawler realized what was occurring in time to take evasive action, but the cutter became entangled in its trawling gear. After a tug-of-war, the line from the C. G. vessel snapped and the trawler sailed off with a second captured cutter.²³⁵
- 9/7/73 While coming to the assistance of a trawler under harassment from Aegir, the R. N. frigate Lynx missed a collision with the gunboat by five feet after taking evasive action.²³⁶
- 9/8/73 Twenty-three miles inside the 50-mile limit, Thor cut the lines of Northern Sky with the R. N. frigate Jaguar standing nearby.²³⁷
- 9/10/73 While attempting to cut the lines of a trawler in darkness, Thor had a collision with Jaguar, the twelfth collision of the cod war.²³⁸
- 9/14/73 Two unidentified C. G. vessels cut the wires of two British trawlers, also unidentified.²³⁹
- 9/19/73 Aegir was moving toward a group of trawlers in heavy fog when Lincoln drove it off several

times. According to the R. N., Aegir tried to ram the frigate at least twice during the incident. The C. G. stated that the frigate attempted the rammings.²⁴⁰

9/22/73 Aegir and Lincoln once again collided twice with some damage to the C. G. vessel but no injuries. Although the British maintained that it was a collision, the Icelanders said that Lincoln rammed their vessel.²⁴¹

9/24/73 According to an Icelandic C. G. report, Englishman tried to ram Odinn only six miles off the coast, which prompted the C. G. vessel to fire two blanks at the tug.²⁴²

9/27/73 The captain of Thor claimed that while he was headed toward shore, the R. N. frigate Whitby put out "ramming fenders," went to full speed, and set a collision course for his vessel. Although he went to full astern to lessen the impact, the frigate left a fender behind. The R. N. said that Thor turned into the frigate, thus causing the collision.²⁴³

9/30/73 Thor cut both lines of the 712T trawler Arctic Warrior (Hull) about twenty-five miles inside the 50-mile limit.²⁴⁴

10/9/73 Odinn came upon six trawlers fishing eleven miles off the coast and ordered them away. Five vessels moved off immediately; the sixth did so after several warnings.²⁴⁵

(The following incidents occurred after the exchange of notes between Britain and Iceland, during the two-year period in which Iceland let the Britons fish in designated areas of the 50-mile limit. There was no settlement with West Germany.)

11/-/73(?) (F. R. G.) Sometime during the week of 11/17 - 11/23, the C. G. seized Arcturus (Bremerhaven). In Reykjavik, the skipper received a fine of \$12,300 for fishing inside the 50-mile limit.²⁴⁶

1/2/74 Odinn arrested St. Dominic (Hull) for fishing inside an illegal area. Although they waited for Miranda to arrive and ascertain the location, the support ship took too much time, so the C. G. captain marked the spot with a buoy and let the trawler proceed. On 1/7 an Icelandic court found that the trawler was fishing thirteen miles inside of a banned area and removed the vessel from the eligibility list for fishing within the 50-mile zone.²⁴⁷

7/19/74

Thor found the 768T stern trawler C. S. Forester (Hull) fishing 1.6 miles inside the 12-mile limit. When ordered to stop, Skipper Richard Taylor cut his own trawls and left at full speed. Thor followed, giving several warnings including firing blanks, and the British support vessel Hausa even told Taylor to stop. He did not, so Thor fired solid shot. At least four of the shells hit the trawler, one of them in the engine room which crippled the vessel. Forester was then towed to port so that the crew could stand trial in police court. On 7/23 Taylor received a sentence of thirty days, a fine of £5,000, his 200T catch valued at £30,000, and gear. Taylor served twenty days and then was allowed to return home on December 30. He said that his time was pleasant and that he had many friends in Iceland. For example, the captain of Thor who chased him, gave him an Icelandic jersey as a Christmas present.²⁴⁸

9/29/74

(F. R. G.) An unidentified C. G. vessel cut the wire of one vessel and "chased five others alleged to be fishing illegally in Iceland's disputed waters."²⁴⁹

- 11/24/74 (F. R. G.) Aegir fired three shots at the 724T Arcturus. Although the German captain stopped, Aegir fired a fourth round. (At least one of the rounds was live.) Aegir then sent a 7-man boarding party onto the trawler, after which all radio communications ceased, and took the vessel to Reykjavik. On 11/28 the German skipper was given a fine of Ikr 1.5 million (£5,500) for fishing inside the 50-mile limit.²⁵⁰
- 9/15/75 (F. R. G.) The C. G. announced that it had cut the lines of the trawler Hans Bockler for fishing within the 50-mile limit.²⁵¹

APPENDIX 4

TRAWLER INCIDENTS FOLLOWING THE 200-MILE DECLARATION

| <u>Date</u> | <u>Incident</u> |
|-------------|---|
| 9/6-7/75 | (F. R. G.) An unidentified icelandic C. G. vessel cut the hawsers of an unidentified trawler. ²⁵² |
| 10/16/75 | (F. R. G.) The Icelandic C. G. vessel <u>Tyr</u> cut both wires of the 1,397T trawler <u>Altona</u> , one of twenty German trawlers fishing illegally. ²⁵³ |
| 11/15/75 | An unidentified C. G. vessel cut one wire of the trawler <u>Primella</u> thirty-five miles off the Icelandic coast. ²⁵⁴ |
| 11/15/75 | An unidentified C. G. vessel cut one wire of the trawler <u>Boston Marauder</u> . ²⁵⁵ |
| 11/19/75(?) | An unidentified C. G. vessel cut both wires of the trawler <u>St. Giles</u> , despite the fact that other fishing vessels attempted to protect it. ²⁵⁶ |
| 11/20/75 | <u>Tyr</u> unsuccessfully tried to cut the wires of the trawler <u>Benella</u> (Hull). ²⁵⁷ |
| 11/21/75 | A few hours after the above incident, <u>Tyr</u> cut one wire of the trawler <u>Real Madrid</u> , one of a group of vessels fishing about forty miles off the coast. ²⁵⁸ |

- 11/21/75 According to the Icelandic C. G., the trawler Lord Jellicoe unsuccessfully attempted to ram one of the C. G. vessels. The trawler was one of six British vessels fishing under the protection of the support ship Othello off the northwest coast.²⁵⁹
- 11/22/75 An unidentified C. G. vessel cut the wires of the trawler Ross Sirius.²⁶⁰
- 11/25/75 The Icelandic C. G. vessel Aegir cut both wires of the trawler William Wilberforce (Grimsby). The incident occurred about thirty miles off the coast. In an attempt to protect the trawler, the R. N. frigate Leopard made a dash for the trawler at the same time as the gunboat.²⁶¹
- 11/29/75 The trawler Black Watch was fishing with six other vessels when its crew saw Thor approach on radar. Although Black Watch had just lowered its net, the captain decided to raise it due to the gunboat's approach. As the crew reversed the winch, a trawler chain snapped and whiplashed into the hamstring of crew member Dennis Pickering. Despite a blizzard with winds to 75 m.p.h., Miranda quickly came to aid Pickering. After a doctor boarded the

trawler, he and the injured man were unable to transfer to the support vessel due to the weather, thus both vessels sailed toward Seydisfjord. As they neared the coast, the doctor and Pickering were able to board Miranda, but the Britons received permission to transfer the injured man to a local hospital. During these events, Thor circled the trawler for about six hours but made no attempt to cut its wires.²⁶²

12/1/75 Tyr harassed the trawlers Boston Sterling and Irwana but both vessels managed to bring in their nets before the gunboat could take action.²⁶³

12/1/75 And unidentified C. G. vessel shined lights on the trawlers Portia (Hull) and Belgaum (Grimsby), but apparently only wanted to identify them.²⁶⁴

12/2/75 The Icelandic C. G. vessel Arvakur cut both wires of the trawler Port Vale, which was fishing alone off the north coast about two hundred miles from the safety box which the Royal Navy had established. After cutting the wires, the C. G. vessel escorted the British

vessel to the box, where it joined 49 other trawlers.²⁶⁵

12/2-3/75 On the night of 12/2, the Icelandic C. G. vessel Odinn sailed close to the trawler fleet off the southeast coast and drew off the R. N. frigates Falmouth and Brighton. A few hours later, Aegir left Seydisfjord and travelled to the northeast of the fleet while Odinn drew the frigates to the southwest. In this way Aegir hid from the R. N. radar so that in the early morning of 12/3 it was able to sail into the trawler fleet. It cut the wires of Boston Comanche (Grimsby) and shined bright lights onto the bridges of Falstaff (Hull) and Ross Leonis (Hull). The trawlers could not call for help because Aegir jammed the frequencies which they used on the VHF radio. The defense vessel Euroman and the tug Lloydsman followed Aegir into the pack but were unable to stop the vessel. The crew of Aegir put a further scare into the trawlermen by simulating calls to Tyr, whose captain the British fear the most.²⁶⁶

12/4/75(?) Odinn moved to the south of the trawler fleet off the southeast coast, drawing off Falmouth

and the fishing protection ship Star Aquarius. Thor then came from the north, using a snow-storm for cover. The support ship tried to intercept Thor but first had to identify it in the storm, which made it possible for the C. G. vessel to outrun it. Brighton, Euroman, and Lloydsman all tried to converge on Thor, but the Icelander had its cutter out and was able to make it to the trawler Ross Ramillies (Grimsby) first and cut one of its wires. Thor then went after the wires of Black Watch, but it had already hauled in its gear.²⁶⁷

12/6/75

After cutting the wires of two unidentified trawlers, Thor received damage to its flight deck in what the C. G. captain called a ramming from Euroman. At one point in the incident, the Icelandic crew uncovered its gun but Brighton's crew said that they would return fire. The crew on Brighton attempted to capture Thor's cutting gear until the commander of the fisheries protection contingent, Commander John Tait, ordered his captains to cease.²⁶⁸

12/9/75

Three C. G. vessels moved into the British trawler fleet simultaneously which allowed

Thor to cut both wires of St. Giles (Hull). The British crew responded by telling Brighton to sink the Icelandic vessel. The frigate expected a boarding attempt, but there was none.²⁶⁹

12/11/75 Lloydsman, Star Aquarius, and fishing protection vessel Star Polaris entered Icelandic waters to weather out a storm at the mouth of Seydisfjord. As the vessels were preparing to get under way, and while Lloydsman and Star Aquarius were transferring water 1.1 miles from shore, Thor came from the town of Seydisfjordur, approached the British vessels, and gave the signal for them to stop, using signal lamp, siren, flag, VHF radio, and megaphone. The gunboat finally caught up to them 1.9 miles from shore with a boarding party on deck. The Icelanders contended that, as Thor came alongside of Star Aquarius, the British vessel turned into the gunboat's port quarter, then both Star Aquarius and Lloydsman repeatedly rammed the vessel before turning out to sea. Two Icelandic crew members who were on deck at the time saw a man on the bridge wing of Lloydsman shaking his fist and shouting

"kill them all." In retaliation Thor fired two live shots at the vessels, one of which apparently hit Lloydsman in the hull. Thor sustained the following damage: a broken and buckled flight deck for a length of nineteen meters and depth of four and one-half meters; a broken boat crane; a broken funnel, including the internal blowers; unspecified damage to a few of the interior work rooms; and minor leakage. Although the British maintain that Thor rammed their vessels, still and motion pictures taken from the C. G. aircraft TF-SYR circling overhead during the incident depicts the British to be at fault.²⁷⁰

12/18/75 Odinn cut one line of the trawler Crystal Palace (Grimsby), but the vessel retrieved its gear. The incident resulted in several support ships chasing the C. G. vessel and Euro-man making an attempt to ram it.²⁷¹

12/28/75 After taking a look at three trawlers which were not fishing at the time, Tyr made a straight pass at eighteen knots toward one which did not haul in its nets. The R. N. frigate Andromeda set a course to cut the C. G. vessel off, forcing Tyr to slow in an

attempt to pass astern. Nonetheless, the gunboat collided with the R. N. vessel, making a small hole above its water line and slight damage to the frigate. Captain Robert Gerhen of Andromeda said that he held course to protect the trawler, but Iceland maintained that this was a deliberate ramming attempt.²⁷²

1/4/76

Aegir attempted to cut a wire on the trawler Ross Resolution (Hull), but when the cutting apparatus became imbedded in the wire, the crew apparently had to cut it free of their vessel. Aegir also tore a block and tackle from the trawler Prince Philip (Grimsby), after which the R. N. frigate Gurkha chased it off.²⁷³

1/7/76

According to Iceland, the R. N. frigate Naiad repeatedly tried to ram Tyr.²⁷⁴

1/7/76

Thor tried to force Andromeda into a collision with Ross Resolution. Ten minutes later the frigate set a course to keep Thor from Portia, but the gunboat altered its course and speed to create a collision with the R. N. vessel. When this occurred, Andromeda four times sounded six short blasts, the signal for another vessel to take action so as to avoid a

collision, then accelerated and turned in its own collision avoidance efforts. Nevertheless, Thor continued on course and speed, and collided with the frigate, putting a twelve foot dent in the British vessel's stern. Had Andromeda not taken its action, the collision would have been in the area of its engine and mess rooms. Although Iceland accused the R. N. of attempting to sideswipe the C. G. vessel with its stern, a Reuters correspondent on board Andromeda corroborated the fact that the gunboat was at fault.²⁷⁵

1/9/76

Thor tried to move into a group of trawlers but the R. N. frigate Leander was keeping it away. On eight occasions the two vessels engaged in close maneuvering at speeds up to twenty knots, often only a few feet separating them. On two of those occasions, Thor turned in front of the frigate, then immediately turned away, apparently in an attempt to force the R. N. vessel off course. On its third attempt at this, Thor did not turn back in time and Leander's bow hit the C. G. vessel in the stern. This collision damaged the gunboat's flight deck and dented the frigate's

stern. The Icelandic captain said that the British vessel was trying to "kill" them, but once again a Reuters reporter verified the British version. While this incident was in progress, Naiad was keeping U'yr away from British trawlers and the R. N. frigate Bacchante was doing likewise with Aegir.²⁷⁶

1/14/76 Lt. Michael Mullane, pilot of a "Wasp" helicopter off Leander said that the pilot of the Icelandic C. G.'s Fokker "Friendship" aircraft dropped about three hundred feet in altitude and headed toward him, forcing him to make a controlled descent to an altitude of eighty feet. At this point the "Friendship" passed over him about one hundred feet higher. Mullane did not think that the C. G. pilot intended to hit him.²⁷⁷

1/19/76 While attempting to cut the lines of 594T Lord Jellicoe (Grimsby), Aegir collided with the trawler, causing the fishing vessel's hull to split above the water line. The British skipper said that the gunboat misjudged during its cutting run and the Icелander said that the Briton had deliberately reversed to cause the ramming.²⁷⁸

- 1/26/76 Tyr cut the lines of Boston Blenheim.²⁷⁹
- 2/2/76 Tyr cut the lines of Ross Khartoum (Grimsby).
Iceland said that Tyr warned the vessel three times but that it kept fishing and hoisted the skull and crossbones, but Lloydsman said that the gunboat made its cutting run while the trawler was hauling in its nets.²⁸⁰
- 2/5/76 The Icelandic C. G. vessel Baldur cut the wires of 740T Loch Eriboll (Hull) about 22 miles off the northeast coast. Iceland said that the vessel was in a "special conservation area," but the British said that they had not received such word.²⁸¹
- 2/6/76 The Icelandic C. G. said that the R. N. frigate Juno rammed Tyr. The gunboat sustained slight damage.²⁸²
- 2/6/76 A few hours after the above incident, Tyr cut the wires on three trawlers.²⁸³
- 2/9/76 The R. N. frigate Diomedes had "to take sharp evasive action" to prevent a ramming by Tyr.²⁸⁴
- 2/9/76 Baldur attempted to cut the lines of the trawler Boston Explorer, but the British vessel hauled its nets before the gunboat could act.²⁸⁵

- 2/12/76 Baldur attempted to cut the lines of the trawler Ross Rodney but the Icelandic captain misjudged his run so that the cutter ripped the side of the trawler's hull then passed over the deck, causing a danger to the British crew.²⁸⁶
- 2/12/76 The British said that after the above incident occurred, Baldur turned hard aport in front of Diomede, forcing the frigate to also turn hard aport and reverse its engines. Despite the evasive tactic, the two vessels collided. Iceland accused the frigate of making four ramming runs on the C. G. vessel, but the British maintained their version of events.²⁸⁷
- 2/18/76 Aegir made dummy cutting runs around a group of trawlers. The R. N. frigate Scylla accompanied the gunboat at a distance of eighty feet abeam. Aegir made a live cutting attempt on William Wilberforce, but only managed to cut a hawser (one of the control lines for the trawl).²⁸⁸
- 2/18/76 Thor had been harassing a group of trawlers with the R. N. frigate Lowestoft performing shadow duties on this vessel, with distances as close as sixty feet abeam. At some point

in the day, the gunboat came to a halt in the water away from the trawlers. Suddenly, with no warning or evasive action, it started up as the frigate was crossing on its front, despite the fact that Lowestoft gave six blasts on its horn (see above). Thor hit the frigate, putting a dent six feet long and eighteen inches deep in the British vessel's hull below its gun turret. The Icelanders blamed the British for the ramming, saying that the vessel cut across Thor's path while it was moving, and that the gunboat tried to evade by going full astern.²⁸⁹

2/19/76 After being hove to, Aegir suddenly darted out on a trawl cutting attempt with Scylla in close accompaniment. The gunboat cut both lines of the trawler Royal Lines (Grimsby), which was hauling in its catch. One of the whipping line ends hit a crew member in the back, but the doctor who examined him on board the support vessel Miranda said that his injuries were not serious.²⁹⁰

2/19/76 Thor cut the wires of Ross Leonis.²⁹¹

2/20/76 A correspondent on board Tyr reported that the R. N. frigate Yarmouth tried to ram the gun-

boat, narrowly missing the Icelandic vessel's stern.²⁹²

- 2/22/76 According to a British correspondent on board Scylla, Odinn passed dangerously close to the frigate, at one point only a yard away from the British vessel's side.²⁹³
- 2/23/76 A group of six trawlers chased off Baldur then resumed fishing. When the C. G. vessel returned, the R. N. frigate Bacchante warned the trawlers of the fact, but Arctic Vandal continued to fish. The gunboat made several cutting forays accompanied by the frigate, then managed to turn inside of the R. N. vessel and cut Arctic Vandal's wires. The captain of the trawler subsequently blamed Bacchante for the gunboat's success.²⁹⁴
- 2/23/76 Using similar tactics as described above, Tyr cut the lines of the trawler Luneda (Fleetwood).²⁹⁵
- 2/23/76 An unidentified C. G. vessel played a game of close quarters maneuvering with Scylla for a period of 2-1/2 hours.²⁹⁶
- 2/25/76(?) For several hours Thor and Yarmouth ran a series of close parallel maneuvers. Thor closed on the frigate, and the two vessels

collided; the Icelandic vessel lost six guard-rails and the British vessel lost two. The vessels then separated to a distance of one hundred feet with Thor on the port side. The gunboat turned into the frigate, when the latter had the right of way according to the rules of sailing. Although Yarmouth went full astern and tried to evade Thor, the two collided, tearing the starboard wing of the bridge superstructure off of the C. G. vessel.²⁹⁷

2/25/76(?) Tyr, flagship of the C. G. fleet, narrowly missed a collision with Scylla, the British task force's current command ship.²⁹⁸

2/26/76 The British Defense Ministry announced that Tyr created a danger to navigation by trying to outmaneuver Scylla while attempting to cut the lines of Benella.²⁹⁹

2/28/76 Baldur and Yarmouth were running parallel at speeds up to 24 knots when suddenly the gunboat cut across the path of the frigate in an attempt to attack a group of seven trawlers. Although Yarmouth reversed engines, it could not avoid the Icelandic vessel, which made no attempt to avoid the collision. Consequently

the frigate hit Baldur amidships. This may have been a staged incident, as the Icelandic Fokker "Friendship" circling overhead possibly had reporters on board.³⁰⁰

3/4/76 In an attempt to show off its superior abilities for a reporter, Naiad steamed in circles around Aegir, sometimes passing extremely close to the C. G. vessel's bow. During this display, an individual on the frigate's command deck held up a map with a large zero drawn in. Whenever Aegir approached the trawlers, Lloydsman would come up on a stern-end collision course, then rush past.³⁰¹

3/5/76 Naiad was taking on fuel from a R. N. support vessel with both vessels steaming at the normal twelve knots when Baldur stopped in their path, forcing the British vessels to halt the procedure with an emergency break off. (This is the first such incident.)³⁰²

3/10/76 The Icelandic C. G. said that the R. N. frigates Diomede and Mermaid, the trawler Primella, and the tugs Euroman and Statesman boxed in the gunboat Baldur, then Diomede rammed the Icelandic vessel on its stern. The C. G. called this the most violent attack so far.³⁰³

- 3/13/76 Britain said that, after Juno took evasive action, Tyr collided with the frigate on the vessel's port bow. The C. G. vessel then deliberately rammed the frigate on the port quarter which started a fire, and only prompt action by two of the British crew members kept the fire from becoming serious. Iceland, however, says that Juno was at fault.³⁰⁴
- 3/13/76 Iceland claims that Mermaid hit Thor in the stern at high speed.³⁰⁵
- 3/26/76 Baldur had a "grazing" collision with the R. N. frigate Galatea which resulted in a two-square foot hole above the water line in the frigate's side.³⁰⁶
- 3/27/76 Iceland contended that Diomede attempted to ram Baldur over twenty times with four such tries successful. The British said that Baldur tried to approach a group of tugs when the frigate interposed, resulting in some period of close quarters maneuvering during which the gunboat tried to swing its stern into the R. N. vessel. The first collision resulted in "extensive damage" to the gunboat and the final one put a gash four meters by one meter in the side of the frigate. At this

point Galatea came up with its guns manned but unarmed. Captain Hoskuldur Skarphedinsson of Baldur said that the crew of this frigate trained both guns and rockets (sic - missiles) on his vessel, acted as though they were going to use them, and followed him in this threatening manner for some time as he returned to the coast.³⁰⁷

3/30/76 Aegir alleged seeing Bacchante within Icelandic territorial waters without obtaining permission to enter or notifying Icelandic authorities of its intent to enter. Britain said that it was actually 6.4 miles outside of the baselines (i.e. 2.4 miles outside of territorial waters) at its closest approach.³⁰⁸

4/1/76 Tyr had several collisions with the R. N. frigates Tartar and Salisbury with minor damage sustained by all three vessels. Each side blamed the other of rammings.³⁰⁹

4/1/76 Odinn tried to get at a group of British trawlers but Scylla prevented the attempt. Although the two vessels did not collide, at one point they were sailing only six inches apart.³¹⁰

- 4/22/76 Tyr cut the lines of two unidentified trawlers.³¹¹
- 4/22/76 Aegir missed several trawlers by as little as forty feet while dashing among them at top speed in a dense fog.³¹²
- 4/24/76(?) Crystal Palace sailed inside the Icelandic 12-mile limit. Odinn pursued it halfway to the Faeroes Islands but the trawler received no assistance from either Galatea or Hausa because this action was in violation of the 1961 Agreement. The Prime Minister refused to give Captain Helgi Hallvardsson permission to use his cannon to effect the arrest.³¹³
- 4/24/76(?) Tyr collided with Naiad. According to the British captain, this occurred as the gunboat cut across the frigate's bow.³¹⁴
- 4/26/76(?) Aegir was in a collision with Euroman and sustained some damage.³¹⁵
- 4/30/76 Odinn passed within twenty feet of Mermaid while making a move to cut the lines of the trawler Arctic Corsair (Hull). After three cutting attempts, Odinn collided with the trawler, tearing a four foot hole in the British vessel's stern. Although a team from Galatea made emergency repairs on the trawler,

Captain Charles Pitts decided for the safety of his crew to return to port and have permanent repairs made.³¹⁶

- 4/30/76 An unidentified C. G. vessel cut the lines of the 431T trawler Arctic Kestrel (Fleetwood).³¹⁷
- 5/3/76 Odinn cut the lines of Arctic Kestrel.³¹⁸
- 5/6/76 Iceland accused Mermaid of ramming Baldur, with Gurkha and Statesman also attempting to hit the vessel. The incident with Mermaid resulted in the frigate sustaining a large hole in its hull.³¹⁹
- 5/6/76 Iceland claimed that Gurkha made twenty-one attempts to ram Odinn, with three attempts successful. The accusation said that this was an attempt to sink the gunboat.³²⁰
- 5/6/76 Iceland accused Falmouth and Galatea of ramming Tyr with several attempts made by Lloydsman. During one of the attempts by Galatea, the gunboat listed far enough to raise its prop out of the water and the frigate sheared off the blades.³²¹
- 5/10/76 Iceland said that Salisbury made four attempts to ram the C. G. vessel Ver while the gunboat was not near any trawlers.³²²

- 5/10/76(?) Iceland said that four British support vessels tried to ram Baldur.³²³
- 5/12/76 Four British trawlers were returning from waters off Greenland when Aegir intercepted them forty-five miles off the northwest coast of Iceland. Iceland said that one, Primella, was fishing. Aegir told this vessel to stop and had an armed boarding party ready. When the trawler did not comply, Aegir fired three shots across its bow and one shot across its stern; three of the shots were live. At this point the other trawlers made a protective barrier around Primella and an R. A. F. Nimrod on the scene relayed a message from the R. N. vessels that they would take defensive action if Aegir did not stop. Lowestoft intercepted the trawlers for protection and Aegir stopped its harassment. The B. T. F. subsequently stated that Skipper Ray Johnson of Primella had stopped to make repairs when the boarding threat occurred.³²⁴
- 5/20/76 Aegir and Salisbury had another collision, resulting in damage to both vessels.³²⁵
- 5/22/76 Iceland accused two of the frigates of ramming two of its patrol boats.³²⁶

- 5/23/76 In a press conference, Captain Kristin Arnason of Ver said that Captain John Tait of Leander was guilty of attempted murder since Tait came straight at his vessel at a speed of thirty knots. The British said that Ver, with its trawl cutter deployed, swerved three or four times in front of the frigate so as to ensure that there would be a collision.³²⁷
- 5/27/76 Tartar "had a slight brush" with Aegir with no damage to either vessel.³²⁸
- 5/28/76 The Icelandic C. G. accused British frigates and support vessels of attempting to ram Baldur, but the gunboat escaped.³²⁹

APPENDIX 5

Gott Strafe Iceland!³³⁰

O land of Nelson, Frobisher and Drake,
Stand by your trawlermen for freedom's sake,
Unite beneath the crossbones and the skull
Against a foe two-thirds the size of Hull!

How dare these popgun Vikings set at naught
The verdict of the International Court?
Our cause is just and guaranteed by God:
All hands on deck for country, Queen and cod!

What is this Althing where their leaders meet?
The world's most ancient parliamentary seat
Goes back, they say, a thousand years -- so what?
A Navy frigate could despatch the lot.

What if their independence is at stake?
The North Atlantic is a British lake,
And sagas of the past will not avail
When pipsqueak nations twist the lion's tail.

There's more to this than meets the casual eye,
The Nato powers have other fish to fry:
Our early warnings would look pretty sick
Without the radar base at Keflavik.

Let us so bear ourselves that men will say
After the heat and burden of the day:
'This was their finest hour', though British
ships
That seek to fish may find they've had their
chips.

APPENDIX 6

SEATS WON IN THE ALTHING BY PARTY³³¹

| <u>Election Year</u> | <u>'46</u> | <u>'49</u> | <u>'53</u> | <u>'56</u> | <u>'59-1</u> | <u>'59-2</u> | <u>'63</u> | <u>'67</u> | <u>'71</u> | <u>'74</u> | <u>'78</u> |
|--------------------------------------|------------|------------|------------|------------|--------------|--------------|------------|------------|------------|------------|------------|
| <u>Party</u> | | | | | | | | | | | |
| Independence | 20 | 19 | 21 | 19 | 20 | 24 | 24 | 23 | 22 | 25 | 20 |
| Progressive | 13 | 17 | 16 | 17 | 19 | 17 | 19 | 18 | 17 | 17 | 12 |
| Social- Democrat | 9 | 7 | 6 | 8 | 6 | 9 | 8 | 9 | 6 | 8 | 14 |
| Socialist | 10 | 9 | 7 | -- | -- | -- | -- | -- | -- | -- | -- |
| People's Alliance | -- | -- | -- | 8 | 7 | 10 | 9 | 10 | 10 | 11 | 14 |
| National Preservation | -- | -- | 2 | -- | 22 | 0 | 0 | 0 | -- | -- | -- |
| Union of Liberals and Leftists | -- | -- | -- | -- | -- | -- | -- | -- | 5 | 2 | -- |

(Note: dash indicates the party did not run; zero means the party ran but won no seats)

APPENDIX 7

GROWTH OF SEA CLAIMS -- 1960 to 1972³³²

| | 3 | 4 | 5 | 6 | 9 | 10 | 12 | 18 | 30 | 50 | 100 | 110 | 110-112 | 130 | 170 | 200 | Archipelago |
|---------------------------|----|----|----|----|----|------|----|----|-----|-----|---------|-----|---------|--------|-----|-----|-------------|
| Territorial Sea Claims | | | | | | | | | | | | | | | | | |
| 1960.....26 | 4 | 1 | 10 | 1 | 1 | 13 | -- | -- | -- | 1 | -- | -- | -- | -- | 1 | 1 | 2 |
| Oct.1972.....27 | 4 | -- | 12 | -- | 1 | 50 | 1 | 2 | -- | -- | 1 | 1 | 1 | 1 | 1 | 7 | 2 |
| Exclusive Fisheries Zone | 4 | 6 | 10 | 12 | 18 | 20km | 30 | 50 | 100 | 110 | 110-112 | 130 | 170 | 20-200 | 200 | | |
| Fishing Conservation Zone | -- | -- | -- | 17 | -- | -- | -- | 1 | -- | 1 | -- | -- | -- | -- | 1 | 4 | |
| Pollution Control Zone | -- | -- | -- | -- | -- | 1 | -- | -- | 1 | -- | 4 | -- | -- | -- | -- | 1 | |

JURISDICTIONAL LIMITS CLAIMED -- 1971

| Number states making claim: | 3 | 4-10 | 12 | 18-30 | 100-130 | 200 |
|-----------------------------|----|------|----|-------|---------|-----|
| | 13 | 8 | 69 | 3 | 5 | 12 |

Indicates the number of countries claiming the specified distance; all distances in nautical miles unless otherwise specified. (The discrepancies in these two sources points out the problem of classifying the claims of individual states during these years.)

APPENDIX 8

DEMERSAL CATCH IN THE ICELANDIC AREA³³³

| Year | Catch in Tons | | | Percentage of Total | |
|------|---------------|---------|-------|---------------------|---------|
| | Iceland | England | Total | Iceland | England |
| 1920 | 117.2 | 122.1 | 331.4 | 35.4 | 36.8 |
| 1921 | 118.8 | 76.7 | 314.6 | 37.8 | 24.4 |
| 1922 | 157.9 | 105.1 | 425.5 | 37.1 | 24.7 |
| 1923 | unk | 126.2 | unk | unk | unk |
| 1924 | 214 | 159.2 | 472 | 45.3 | 33.7 |
| 1925 | 225 | 172.3 | 511 | 44 | 33.7 |
| 1926 | 163.8 | 162.2 | 462.1 | 35.4 | 35.1 |
| 1927 | 250.2 | 186.4 | 638.8 | 39.2 | 29.2 |
| 1928 | 279.8 | 153.7 | 613.1 | 45.6 | 25.1 |
| 1929 | 291.7 | 147.9 | 626.6 | 46.6 | 23.6 |
| 1930 | 352.2 | 163.4 | 725.9 | 48.5 | 22.5 |
| 1931 | 311.3 | 180 | 722 | 43.1 | 24.9 |
| 1932 | 287.8 | 195.1 | 697.2 | 41.3 | 28 |
| 1933 | 327.7 | 183.2 | 725.8 | 45.2 | 25.2 |
| 1934 | 312.1 | 177.8 | 671.6 | 46.5 | 26.5 |
| 1935 | 266.1 | 187.3 | 617.6 | 43.1 | 30.3 |
| 1936 | 142.5 | 177.3 | 462.1 | 30.8 | 38.4 |
| 1937 | 139.8 | 183.2 | 465 | 30.1 | 29.4 |
| 1938 | 144.9 | 164.4 | 487.8 | 29.7 | 33.7 |
| 1939 | 165.4 | 4 | 304.8 | 54.3 | 1.3 |
| 1940 | 187.7 | 51.3 | 239 | 78.5 | 21.5 |
| 1941 | 201 | 29.3 | 230.3 | 87.3 | 12.7 |
| 1942 | 240 | 35.6 | 275.7 | 87.1 | 12.9 |
| 1943 | 253.1 | 40.8 | 293.9 | 86.1 | 13.9 |
| 1944 | 307 | 47.9 | 354.8 | 86.5 | 13.5 |
| 1945 | 276.7 | 9.2 | 286 | 96.7 | 3.2 |
| 1946 | 252 | 54 | 337.7 | 74.3 | 16 |
| 1947 | 276.6 | 75 | 364 | 76 | 20.6 |
| 1948 | 371.6 | 122.3 | 545.4 | 68.1 | 22.4 |
| 1949 | 364.2 | 134.7 | 593 | 61.4 | 22.7 |
| 1950 | 323 | 155.8 | 616 | 52.4 | 25.3 |
| 1951 | 342.2 | 169.6 | 684.4 | 50 | 24.8 |
| 1952 | 352.9 | 149.1 | 724.1 | 48.7 | 20.6 |
| 1953 | 365.1 | 242 | 870 | 42 | 27.8 |
| 1954 | 388.6 | 234.4 | 881.1 | 44.1 | 26.6 |
| 1955 | 397.3 | 199 | 820 | 48.5 | 24.3 |
| 1956 | 391.9 | 181.7 | 767 | 51.1 | 23.7 |
| 1957 | 352 | 208.1 | 743.3 | 47.4 | 27.9 |
| 1958 | 374.3 | 217.5 | 797.4 | 46.9 | 27.3 |
| 1959 | 367.4 | 176.6 | 710.9 | 51.7 | 24.8 |
| 1960 | 405.1 | 173.5 | 758.9 | 53.4 | 22.8 |
| 1961 | 350.4 | 184.2 | 679.9 | 51.5 | 27.1 |
| 1962 | 340 | 203.5 | 714.7 | 47.6 | 28.5 |
| 1963 | 359.7 | 213.4 | 735.9 | 48.9 | 29 |
| 1964 | 398.1 | 210.2 | 763.6 | 52.1 | 27.5 |
| 1965 | 364.6 | 223.9 | 744.3 | 49 | 30.1 |
| 1966 | 325 | 169.5 | 648.2 | 50.1 | 26.1 |
| 1967 | 310 | 185.5 | 665.9 | 46.6 | 27.9 |
| 1968 | 361.6 | 156.8 | 687.4 | 52.6 | 22.8 |
| 1969 | 443.9 | 134.7 | 741.3 | 59.9 | 18.2 |
| 1970 | 471.3 | 164.7 | 788.1 | 59.8 | 20.9 |
| 1971 | 415.7 | 210 | 799.2 | 52 | 26.3 |

APPENDIX 9

TOTAL COD CATCH IN ICELANDIC WATERS (in tons) 334

| Year | Icel. | Eng. | Scot. | FRG | Faer. | Fra. | Nor. | Hol. | Bel. | Pol. | Den. | Swe. | USSR | Total |
|------|--------|--------|-------|-------|-------|------|------|------|------|------|------|------|------|--------|
| 1946 | 199196 | 36846 | 4756 | 11011 | 15000 | --- | 188 | 27 | 894 | --- | --- | --- | --- | 267887 |
| 1947 | 200242 | 52369 | 4068 | 10817 | 15000 | 1905 | 57 | --- | 5150 | --- | --- | --- | --- | 289608 |
| 1948 | 213177 | 90702 | 4147 | 11193 | 15000 | 2830 | 13 | 242 | 3184 | --- | 8 | --- | --- | 340496 |
| 1949 | 221419 | 91125 | 4954 | 24120 | 15000 | 1538 | 108 | --- | 4387 | --- | 16 | --- | --- | 362667 |
| 1950 | 197433 | 108901 | 5218 | 30327 | 15000 | 98 | 892 | 970 | 4249 | --- | 267 | --- | --- | 363355 |
| 1951 | 183252 | 103483 | 2652 | 33805 | 15000 | 579 | 3831 | 342 | 5591 | --- | 45 | --- | --- | 348482 |
| 1952 | 237314 | 94568 | 1560 | 41803 | 15014 | --- | 4108 | 99 | 4940 | --- | 16 | 16 | --- | 399943 |
| 1953 | 263516 | 173798 | 1418 | 56005 | 16215 | --- | 7465 | --- | 7634 | --- | --- | 10 | --- | 526061 |
| 1954 | 306191 | 165694 | 1467 | 45253 | 15365 | --- | 7224 | 116 | 6220 | --- | --- | --- | --- | 547530 |
| 1955 | 315438 | 138705 | 1028 | 48236 | 18667 | --- | 7053 | --- | 9002 | --- | 1 | --- | --- | 538130 |
| 1956 | 292586 | 127786 | 2529 | 30071 | 16187 | --- | 4575 | --- | 6975 | --- | --- | --- | --- | 480709 |
| 1957 | 247087 | 144265 | 1360 | 23292 | 20924 | --- | 8231 | 2 | 6748 | --- | --- | --- | --- | 451909 |
| 1958 | 284407 | 150517 | 1204 | 37849 | 17875 | --- | 6829 | --- | 9946 | --- | --- | 56 | --- | 508683 |
| 1959 | 284259 | 112740 | 1347 | 35562 | 7680 | --- | 5460 | --- | 5456 | --- | --- | --- | --- | 452504 |
| 1960 | 295668 | 109414 | 1236 | 37939 | 11781 | --- | 3429 | --- | 5556 | --- | --- | --- | --- | 465023 |
| 1961 | 233874 | 96539 | 2066 | 21776 | 10602 | 77 | 4214 | 70 | 5427 | --- | --- | --- | --- | 374645 |
| 1962 | 221820 | 105144 | 3112 | 34157 | 8657 | 100 | 4700 | 453 | 8199 | --- | --- | --- | --- | 386342 |
| 1963 | 232839 | 123185 | 3180 | 33034 | 6254 | --- | 3510 | --- | --- | --- | --- | --- | --- | 402002 |
| 1964 | 273584 | 122207 | 4582 | 19336 | 6887 | --- | 2688 | --- | --- | --- | --- | --- | --- | 429284 |
| 1965 | 233484 | 128136 | 6781 | 15136 | 5246 | --- | 419 | 512 | 3747 | --- | --- | --- | --- | 393598 |
| 1966 | 223974 | 109038 | 4849 | 9851 | 3414 | 100 | 469 | 78 | 2987 | --- | --- | --- | 995 | 356755 |
| 1967 | 193449 | 126566 | 3607 | 15397 | 2774 | 375 | 185 | --- | 2367 | --- | --- | --- | 302 | 345022 |
| 1968 | 227594 | 111571 | 2832 | 29569 | 4259 | 124 | 277 | --- | 3488 | --- | --- | --- | 1356 | 381070 |
| 1969 | 281680 | 95386 | 3996 | 18125 | 2579 | 124 | 363 | 22 | 2716 | --- | --- | --- | 177 | 405168 |
| 1970 | 302875 | 125235 | 5273 | 26234 | 4254 | 1852 | 382 | --- | 2960 | 1576 | --- | --- | 16 | 470757 |

APPENDIX 10

TOTAL HADDOCK CATCH IN ICELANDIC WATERS (in tons)³³⁵

| Year | Icel. | Eng. | Scot. | FRG | Faer. | Fra. | Nor. | Hol. | Belg. | Den. | Swe. | USSR | Total |
|------|-------|-------|-------|-------|-------|------|------|------|-------|------|------|------|--------|
| 1946 | 14120 | 12078 | 1679 | 4601 | 150 | --- | --- | 45 | 472 | --- | --- | --- | 33145 |
| 1947 | 18601 | 14901 | 2246 | 3762 | 150 | --- | --- | --- | 2019 | --- | --- | --- | 41679 |
| 1948 | 24862 | 23610 | 2907 | 7553 | 150 | --- | --- | 350 | 1314 | 57 | 21 | --- | 60824 |
| 1949 | 30264 | 28683 | 3960 | 10499 | 150 | --- | --- | --- | 2120 | 96 | 170 | --- | 75951 |
| 1950 | 27099 | 26886 | 2271 | 7300 | 150 | --- | --- | 759 | 1640 | 603 | 41 | --- | 66749 |
| 1951 | 22173 | 21576 | 1365 | 7326 | 150 | --- | --- | 220 | 2857 | 362 | --- | --- | 56029 |
| 1952 | 15166 | 18571 | 660 | 7734 | 168 | --- | --- | 41 | 4063 | 84 | --- | --- | 46487 |
| 1953 | 14954 | 28268 | 708 | 6384 | 219 | --- | --- | --- | 4295 | --- | --- | --- | 54828 |
| 1954 | 21322 | 28872 | 611 | 6133 | 435 | --- | --- | 89 | 5187 | 3 | --- | --- | 62652 |
| 1955 | 21703 | 27936 | 683 | 7153 | 359 | --- | --- | --- | 7105 | 6 | --- | --- | 64945 |
| 1956 | 22054 | 23748 | 980 | 8750 | 610 | --- | --- | --- | 6147 | --- | --- | --- | 62289 |
| 1957 | 31302 | 28663 | 1137 | 7796 | 1168 | --- | --- | 29 | 6631 | --- | --- | --- | 76726 |
| 1958 | 28624 | 27483 | 966 | 6311 | 1376 | --- | --- | --- | 5738 | --- | --- | --- | 70498 |
| 1959 | 26534 | 30002 | 811 | 3794 | 1025 | --- | --- | --- | 2412 | --- | --- | --- | 64578 |
| 1960 | 41988 | 31803 | 936 | 6238 | 1330 | --- | --- | --- | 5198 | --- | --- | --- | 87493 |
| 1961 | 51360 | 47164 | 2314 | 4067 | 770 | 125 | --- | 49 | 4237 | --- | --- | --- | 110086 |
| 1962 | 54288 | 51862 | 4024 | 3965 | 919 | 164 | --- | 204 | 4189 | --- | --- | --- | 119615 |
| 1963 | 51834 | 39538 | 3818 | 3064 | 2108 | --- | --- | 198 | 1884 | --- | --- | --- | 102444 |
| 1964 | 56586 | 33269 | 4877 | 2077 | 1200 | --- | --- | 181 | 857 | --- | --- | --- | 99047 |
| 1965 | 53506 | 37643 | 3761 | 1753 | 1006 | --- | 40 | 89 | 1235 | --- | --- | --- | 99033 |
| 1966 | 36028 | 19706 | 1498 | 1139 | 968 | 10 | --- | 6 | 676 | --- | --- | 69 | 60100 |
| 1967 | 37997 | 17409 | 1011 | 1517 | 484 | 916 | --- | --- | 897 | --- | --- | 194 | 60425 |
| 1968 | 34014 | 11906 | 1356 | 2558 | 277 | 6 | --- | --- | 1073 | --- | --- | --- | 51192 |
| 1969 | 35026 | 7809 | 1138 | 1619 | 20 | --- | --- | 26 | 961 | --- | --- | --- | 46599 |
| 1970 | 31833 | 7446 | 1689 | 1676 | 625 | 84 | --- | --- | 1135 | --- | --- | --- | 44488 |

APPENDIX 11

**NATIONS RECOGNIZING PREFERENTIAL FISHING RIGHTS IN 1974
AND THEIR AFFILIATION IN FISHERIES ORGANIZATIONS³³⁶**

| <u>Country</u> | <u>ICNAF</u> | <u>NEAFC</u> |
|----------------|--------------|--------------|
| Belgium | | X |
| Bulgaria | X | |
| Canada | X | |
| Denmark | X | X |
| France | X | X |
| FRG | X | X |
| GDR | X | |
| Iceland | X | X |
| Ireland | | X |
| Italy | X | |
| Japan | X | |
| Netherlands | | X |
| Norway | X | X |
| Poland | X | X |
| Portugal | X | X |
| Romania | X | |
| Spain | X | X |
| Sweden | | X |
| USSR | X | X |
| UK | X | X |
| USA | X | |

1. A question mark after the date indicates the date of a newspaper report with no determination as to the date of occurrence. When the British papers made their first report of an incident, the occurrence was nearly always one day prior to the date of report. There is sometimes a discrepancy between sources for the date of an incident. The sources will be placed into priority order as follows for use of those dates: official documents; British papers; other sources.

2. Unless otherwise stated, the person listed was the skipper of the vessel. When known, the trawlers's home port will be shown parenthetically after its name. The reports frequently listed the pound Sterling amount of fines as "approximately," which caveat will be deleted here. Icelandic law specifies that the gear and catch from a vessel found to be illegally fishing is subject to confiscation; when the court imposed that penalty, I will so indicate by the abbreviation "G&C." In the interest of brevity, the vessels will be identified as to type or affiliation only the first time that the name is given.

3. The Times (London), 24 July 1952, 6; "Trawler detained off Iceland," The Times (London), 9 September 1953, 8 (hereafter cited as Times).

4. "Icelandic retort to ban," Times, 31 January 1953, 6; Parliamentary Debates (Commons), vol. 510 (1953), col. 1818 (hereafter cited as Debates, (Commons); written replies will be referred to by "w." preceding the column number).

5. "Iceland's territorial demarcation," Times, 14 February 1953, 5.

6. "Trawler detained off Iceland," Times, 9 September 1953, 8; "£1,620 Fine on british Skipper," Times, 11 September 1953, 7.

7. "Belgian skipper fined in Iceland," Times, 5 October 1953, 7.

8. "Trawler arrested by Icelandic gunboat," Times 30 March 1954, 6.

9. "Skipper fined £1700," Times, 27 April 1954, 8.

10. "£1,600 fine on Hull skipper," Times, 30 June 1955, 8.

11. "British trawler arrested," Times, July 21, 1955, 6; "British trawler skipper fined," Times, 22 July 1955, 4.
12. "Grimsby skipper fined in Iceland," Times, 31 October 1955, 7.
13. "Trawler arrested by aircraft off Iceland," Times, 18 February 1956, 5; "Hull skipper fined £2,000," Times, 20 February 1956, 6.
14. "Arrest of British trawler," Times, 23 August 1956, 6.
15. In "Telegrams in Brief," Times, 18 April 1957, 9.
16. Ibid.
17. "Alleged illegal fishing by Hull trawler," Times, 3 May 1957, 11.
18. Ibid.
19. In "Telegrams in Brief," Times, 17 August 1957, 5.
20. In "Telegrams in Brief," Times, 15 October 1957, 8; in "Telegrams in Brief," Times, 17 October 1957, 9.
21. In "Telegrams in Brief," Times, 25 November 1957, 7.
22. In "Telegrams in Brief," Times, 18 December 1957, 6.
23. In "Telegrams in Brief," Times, 10 February 1958, 6.
24. In "Telegrams in Brief," Times, 20 March 1958, 8. Meech identified above as "Albert W. Meech" (see note 6). Since firms hire crews by voyage, they are not bound to a single vessel.
25. In "Telegrams in Brief," Times, March 25, 1958, 6; "Iceland court clears trawler skipper," Times, 26 March 1958, 9.

26. "Iceland arrests two Grimsby trawlers," Times, 15 April 1958, 8; "Alleged illegal fishing off Iceland," Times, 17 April 1958, 11.

27. Ibid.

28. "British skipper fined £2,200," Times, 13 August 1958, 7; "Catch Is Confiscated," New York Times, 28 August 1958, 48. [Hereafter N. Y. T.]

29. "British Fishing Boat Is Seized by Iceland," N. Y. T., 29 August 1958, 1; "Iceland Weighing Action on Fishing," N. Y. T., 31 August 1958, 24; "Fleetwood skipper charged," Times, 30 August 1958, 5; "£1,600 fine on Skipper," Times, 1 September 1958, 8.

30. A question mark after the date indicates the date of report. When the British paper gave the date of an incident in the first report of the incident, they nearly always occurred one day prior to the date of report.

31. "Iceland Foiled in Attempts to Seize 2 British Vessels," N. Y. T., 3 September 1958, 6; Iceland, Ministry for Foreign Affairs, British Aggression in Icelandic Waters, Reykjavik: Ríkisprentsmidjan Gutenberg, June 1959, 7 (hereafter British Aggression in Icelandic Waters cited as Iceland, British Aggression).

32. Iceland, British Aggression, 8; "Iceland Sailors Board British Trawler," Times, 3 September 1958, 10; "Iceland Foiled in Attempts to Seize 2 British Vessels," N. Y. T., 3 September 1958, 6.

33. "Iceland sailors board British trawler," Times, 3 September 1958, 10; "Iceland Foiled in Attempts to Seize 2 British Vessels," N. Y. T., 3 September 1958, 1; "Icelanders Put Ashore," N. Y. T., 14 September 1958, 4; "Britain Sends Iceland Terms," C. S. M., 4 September 1958, 4. (The two latter articles state that there were nine Icelandic crew members.)

34. "Trawler in collision with patrol boat," Times, 4 September 1958, 10.

35. "Icelandic Ship Tried to Ram British Ship," N. Y. T., 5 September 1958, 11.

36. "Icelandic Craft Evaded by British," N. Y. T., 6 September 1958, 3.

37. "'Battles' Off Iceland," N. Y. T., 10 September 1958, 8.
38. Ibid.; "British Trawler Tells of Ramming Gunboat," The Christian Science Monitor, 10 September 1958, 10 (hereafter C. S. M.).
39. "British Trawler Tells of Ramming Gunboat," C. S. M., 10 September 1958, 1.
40. "British Trawler Tells of Ramming Gunboat," C. S. M., 10 September 1958, 10; "Grappling attempt," Times, 11 September 1958.
41. "British Rout Gunboat," N. Y. T., 17 September 1958, 11.
42. "Icelanders board British trawler," Times, 26 September 1958, 12; "Britain Says Iceland Defies World Law," N. Y. T., 11 October 1958, 46.
43. "British Protest to Iceland," Times, 4 October 1958, 4; Iceland, British Aggression, 8; International Court of Justice, Pleadings, Oral Arguments, Documents: Fisheries Jurisdiction Cases, vol. 1, United Kingdom of Great Britain and Northern Ireland v. Iceland, (The Hague, 1975), in "Note by the Government of Iceland Dated 18 December 1958," 155 (hereafter Pleadings, United Kingdom). (In "Iceland perils to trawlers," Times, 6 May 1959, 6, Mr. F. Phillips, president of the British Trawlers' Federation stated that live ammunition had been fired on 9/1/59, but there are no confirmations of the allegation. This is most probably the first actual shooting incident.)
44. Iceland, British Aggression, 8 (direct quote); "War of Nerves," N. Y. T., 7 October 1958, 42; "Blank shots from Icelandic gunboat," Times, 7 October 1958, 10; "Note by the Government of Iceland Dated 18 December 1958," in Pleadings, United Kingdom, 155.
45. "Attempt to jam radio by Icelandic gunboat," Times, 8 October 1958, 10.
46. "Trawler forces gunboat away," Times, 15 October 1958, 16.
47. Iceland, British Aggression, 8; "Iceland gunboat chased off," Times, 13 November 1958, 12; "U.S. Jury to Probe Arrest of Ministers," C. S. M., 13 November 1958, 1; "Iceland Is Accused by Britain in U.N.," N. Y. T., 3 De-

ember 1958, 4; "Iceland Refutes Charge," N. Y. T., 6 December 1958, 8; U.N. General Assembly, Sixth Committee, Thirteenth Session, Official Records, 593rd Meeting, (New York, 1958), 225-6, A/C.6/SR.593; Debates, (Commons), vol. 596 (1958), col. 353.

48. Iceland, British Aggression, 9; "Another Fishing Clash," N. Y. T., 3 February 1959, 12; "British Ship Seized by Icelandic Craft," N. Y. T., 6 February 1959, 8; N. Y. T., 8 February 1959, 12; "Trawler saved from arrest," Times, 3 February 1959, 10; "Grimsby skipper in Iceland court," Times, 7 February 1959, 5; "Trawler skipper fined £1,600," Times, 9 February 1959, 6; "Admiralty denial on trawler," Times, 10 February 1959, 6; Debates, (Commons), vol. 599 (1959), col. w.199; Debates, (Commons), vol. 612 (1959), col. w.78.

49. Iceland, British Aggression, 9-10; "Icelandic protest to Britain," Times, 28 March 1958, 6; "Fishing Arrest Foiled," N. Y. T., 28 March 1959, 6. (The N. Y. T., reported the vessel as the 604T Cordella; the other two sources call it Carella, with the Times giving the tonnage.)

50. Iceland, British Aggression, 10; "Warship prevents Iceland arrest," Times, 15 April 1959, 4; "British and Icelanders Clash," N. Y. T., 16 April 1958, 8; "Iceland perils to trawlers," Times, 6 May 1959, 6.

51. "Trawler arrested off Iceland," Times, 25 April 1959, 6; "British skipper in Icelandic court," Times, 27 April 1959, 9; "Iceland sentence on skipper," Times, 30 April 1959, 10; "Iceland fishing protest," 1 May 1959, 10; "Iceland Widens Charge," N. Y. T., 27 April 1959, 3; "Iceland Allowed to Seize Trawler," N. Y. T., 25 April 1959, 4; in "World News in Brief," C. S. M., 30 April 1959, 7; Debates, (Commons), vol. 612 (1959), w.78.

52. Iceland, British Aggression, 11-12; "Destroyer stands by Grimsby trawler," Times, 30 April 1959, 10; "Icelanders chase British trawler," Times, 6 May 1959, 12; "Iceland perils to trawlers," Times, 6 May 1959, 6.

53. Iceland, British Aggression, 10-11; "Warship's wire trailer," Times, 12 May 1959, 8.

54. Ibid; "Iceland perils to trawlers," Times, 6 May 1959, 5.

55. Iceland, British Aggression, 12; "Iceland perils to trawlers," Times, 6 May 1959, 6; "Iceland Fires on Ship," N. Y. T., 6 May 1959, 3; "Warship's wire trailer," Times, 12 May 1959, 8; Debates, (Commons), vol. 605 (1959), 399-400; Debates, (Commons), vol. 606 (1959), w.27.

56. "Iceland's try to board a trawler," Times, 12 May 1959, 8; "British Foil Icelandic Gunboat," N. Y. T., 12 May 1959, 11.

57. "Iceland's try to board a trawler," Times, 12 May 1959, 8.

58. "Icelandic gunboat 'injured seaman'," Times, 29 May 1959, 8.

59. "Iceland increases fine on skipper," Times, 27 May 1959, 8.

60. Iceland, British Aggression, 12-14; "Icelandic ship 'rammed'," Times, 23 May 1959, 6; "Icelandic Vessel Hit," N. Y. T., 23 May 1959, 3.

61. Iceland, British Aggression, 14; "Icelandic gunboat fires at trawler," Times, 2 June 1959, 10. The newspaper article does not mention the use of guns by the frigate.

62. "Icelandic ship chased British trawler," Times, 5 June 1959, 11.

63. "Shots at trawlers," Times, 9 July 1959, 5; Debates, (Commons), vol. 609 (1959), w.10.

64. Ibid.

65. Debates, (Commons), vol. 609 (1959), w.10.

66. "Navy foils boarding party," Times, 1 September 1959, 12.

67. "Hull trawler pursued off Iceland," Times, 7 November 1959, 6.

68. "Trawler 'fired on' off Iceland," Times, 24 February 1960, 9; "Icelandic fish trade 'unfair'," Times, 14 March 1960, 8; "British Say Iceland Fired on Trawler," N. Y. T., 24 February 1960, 5.

69. "Trawler fired on by gunboat," Times, 2 March 1960, 10; "'Fish War' Continues," N. Y. T., 2 March 1960, 13.
70. Ibid.
71. "Two skippers suspended," Times, 27 May 1960, 8. Note difference in spelling of his name from above.
72. Ibid.
73. "Shell was '9 ft. from trawler'," Times, 4 July 1960, 3.
74. "U.K. trawler boarded," Times, 29 June 1960, 14; "Pistols drawn on British mate," Times, 30 June 1960, 7; "British Free a Trawler," N. Y. T., 30 June 1960, 5; "Iceland: British Trawler Arrest Fails" in "World News in Brief," C. S. M., 29 June 1960, 12.
75. "Trawler company's no. 1 skipper suspended," Times, 20 July 1960, 6.
76. Ibid.; "Trawler Attacked by Plane," N. Y. T., 1 July 1960, 2.
77. "Iceland Complains of British Warship," N. Y. T., 5 July 1960, 28; "Trawler company's no. 1 skipper suspended," Times, 20 July 1960, 6.
78. "Royal Navy foils Iceland gunboat," Times, 7 July 1960, 12; "Icelandic Ship Arrest Blocked," N. Y. T., 7 July 1960, 63.
79. "British trawler hit by shots," Times, 12 July 1960, 12; "Iceland Undecided in Fishing Parley," N. Y. T., 9 August 1960, 3; "Reykjavik: British Trawler Hit Twice" in "World News in Brief," C. S. M., 11 July 1960, 6.
80. "British trawler held in Iceland," Times, 16 September 1960, 11; "British skipper fined £2,000," Times, 19 September 1960, 11.
81. "Iceland arrest of British trawler," Times, 21 March 1961, 8; "Iceland fines Hull skipper £2,000," Times, 22 March 1961, 10.
82. "Iceland arrests British trawler," Times, 12 April 1961, 12; "Skipper fined £2,150 by Iceland," Times, 15 April 1961, 8.

83. "Third Hull trawler arrested," Times, 27 April 1961, 14; "Skipper fined £1,600 in Iceland," Times, 1 May 1961, 11.
84. "Grimsby trawler held at Iceland port," Times, 5 July 1961, 12; "Trawler skipper fined £1,800," Times, 6 July 1961, 14; "Iceland Fines British Skipper," N. Y. T., 6 July 1961, 2.
85. "Hull trawler held," Times, 7 August 1961, 7; in "News in Brief," Times, 10 August 1961, 5.
86. "Iceland holds British trawler," Times, 24 September 1961, 4; "Iceland arrest of Hull trawler," Times, 25 September 1961, 12; "Hull skipper fined £2,100," Times, 26 September 1961, 8.
87. "Trawler held by Iceland," Times, 15 November 1961, 14; "Suspended sentence on British skipper," Times, 20 November 1961, 9; "Gunboat fired at us, says skipper," Times, 28 November 1961, 5.
88. "Fleetwood trawler arrested," Times, 22 March 1961, 10; "British skipper fined in Iceland," Times, 26 March 1962, 9.
89. "Icelanders stop Scots trawler," Times, 19 April 1962, 12; Debates, (Commons), vol. 658 (1962), col. 1003-5.
90. "Grimsby trawler held," Times, 24 May 1962, 13; "Skipper fined £1,660 in Iceland Court," Times, 25 May 1962, 8.
91. "Skipper fined £1,660 in Iceland," Times, 4 June 1962, 9.
92. "Trawler arrested," Times, 20 June 1962, 10.
93. "Iceland arrest of Grimsby trawler," Times, 13 September 1962, 8; "British skipper fined £2,000 in Iceland," Times, 14 September 1962, 10.
94. "British skipper fined £2,000 in Iceland," Times, 14 September 1962, 10; "£2,100 fine on British trawler skipper," Times, 15 September 1962, 12.
95. "Fleetwood skipper fined £1,900," Times, 17 October 1962, 11.

96. "Arrest of British trawler," Times, 16 November 1962, 7; "Iceland sentence on skipper," Times, 20 November 1962, 10. This may have been the same man arrested and fined in September, although the name had different a spelling in this account.

97. "Gunboat chase of trawler," Times, 29 April 1963, 6; "Lord Home sees Iceland envoy," Times, 11 May 1963, 7; "British Trawler Fired on Off Iceland, London Hears," N. Y. T., 28 April 1963, 42; "Detained trawler reaches Britain," Times, 2 September 1963, 7; Debates, (Commons), vol. 678 (1963), col. 1288-91; Debates, (Commons), vol. 678 (1963), col. w.37; Debates, (Commons), vol. 680 (1963), col. w.6-7; Debates, (Commons), vol. 681 (1963), col. 7-8; Debates, (Commons), vol. 684 (1963), col. 620. (The N. Y. T. article erroneously reported the vessel as the 81T Millward. The written reply at Debates, (Commons), vol. 678 (1963), col. w.37 spells the vessel's name Millwood.)

98. "Icelandic arrest of British trawler," Times, 6 June 1963, 11.

99. Debates, (Commons), vol. 680 (1963), col. w.174.

100. "£2,150 Iceland fine on trawler," Times, 25 October 1963, 10.

101. "British skipper fined in Iceland," Times, 28 October 1963, 9; "Briton fined in Iceland," N. Y. T., 28 October 1963, 19.

102. "Iceland holds Hull fishing boat," Times, 16 November 1963, 8; "Trawler skipper fined £2,500 in Iceland," Times, 18 November 1963, 9.

103. "British trawler held by Iceland," Times, 2 September 1964, 9; "£2,160 fine on trawler skipper," Times, 4 September 1964, 9.

104. "£2,300 Iceland fine on Fleetwood skipper," Times, 18 September 1964, 10.

105. "£2,150 Iceland fine on Fleetwood skipper," Times, 24 September 1964, 18.

106. Ibid.

107. "Protest to Iceland over trawler," Times, 19 October 1964, 8.

108. "£2,150 Iceland fine on Hull skipper," Times, 14 November 1964, 7.
109. "British skipper fined £2,000 in Iceland," Times, 12 December 1964, 6.
110. "Trawler arrested off Iceland," Times, 30 January 1965, 8; "Hull skipper sentenced in Iceland," Times, 2 February 1965, 5.
111. In "Telegrams in Brief," Times, 23 March 1965, 10.
112. In "The News -- briefly," C. S. M., 14 May 1965, 2; "Iceland trial of Grimsby skipper," Times, 15 May 1965, 9; "Skipper to appeal against sentence," Times, 20 May 1965, 13.
113. "Grimsby trawler held by Iceland," Times, 28 November 1966, 1; "Iceland acquittal of Grimsby skipper," Times, 30 November 1966, 7.
114. "British Trawler Taken by Iceland After Chase," N. Y. T., 30 April 1967, 79; "Iceland court puts skipper in custody," Times, 1 May 1967, 4; "Iceland court convicts skipper," Times, 6 May 1967, 1; John C. Griffiths, Modern Iceland (New York: Frederick A. Praeger, Publishers, 1969), 144.
115. "Iceland arrest of trawler," Times, 2 September 1967, 1; "British skipper fined £3,330," Times, 4 September 1967, 3.
116. "Briton to contest £3,000 fine," Times, 11 September 1967, 4.
117. "Trawler arrested," Times, 18 September 1967, 5; "British skipper fined £3,000," Times, 19 September 1967, 6.
118. "Trawler arrested," Times, 26 October 1967, 4.
119. "Trawler arrested," Times, 13 November 1968, 1; "Bail for skipper," Times, 16 November 1968, 1.
120. "British skipper fined £3,300," Times, 23 September 1969, 6.

121. In the previous appendices, it was possible to list the incident with each trawler separately. During the 50- and 200-mile cod wars, it is not such an easy task. Often the Icelandic Coast Guard captains would turn their attention from one vessel to another and back again in an effort to maximize their harassment efforts. Due to this fact, two or more incidents may be given together so as to maintain clarity.

122. "Gunboat cuts British trawler's gear," Times, 6 September 1972, 1; Jeffrey A. Hart, The Anglo-Icelandic Cod War of 1972-1973: A Case Study of a Fishing Dispute, Institute of International Studies Research Series, no. 29 (Berkeley: University of California, 1976), 78 (hereafter Hart, Case Study); Pleadings, United Kingdom, Annex 36, 421.

123. "Gunboat cuts British trawler's gear," Times, 6 September 1972, 1.

124. "Iceland claims a tactical success in cod war," Times, 11 September 1972, 4.

125. "Icelandic gunboat cuts trawl wires of two more British trawlers," Times, 13 September 1972, 4; Pleadings, United Kingdom, Annex 36, 421.

126. Pleadings, United Kingdom, Annex 36, 421.

127. Ibid.

128. Pleadings, United Kingdom, Annex 36, 421.

129. "Trawlers attacked," Times, 23 September 1972, 1; Pleadings, United Kingdom, Annex 36, 421.

130. "Trawlers attacked," Times, 23 September 1972, 1 (report of the attack as unsuccessful); Pleadings, United Kingdom, Annex 36, 421 (reported the attack as successful).

131. Debates, (Commons), vol. 843 (1972), col. 458. This report also talked about incident in which a trawler was holed, and is the only source attributing such serious occurrences to this date. The holing was probably the Aldershot incident of 10/18 discussed below, for which none of the sources recount any tales of shots being fired. Consequently we must look upon this incident with some dubiousness, despite what is normally a high confidence factor for the cited source.

132. "Icelandic gunboat cut trawl lines," Times, 18 October 1972, 5; Pleadings, United Kingdom, Annex 36, 421-2.
133. "Iceland rebuked after trawler is holed," Times, 19 October 1972, 1; Pleadings, United Kingdom, Annex 36, 422.
134. Debates, (Commons), vol. 843 (1972), col. 458-9; "Iceland rebuked after trawler is holed," Times, 19 October 1972, 1; Pleadings, United Kingdom, Annex 36, 422.
135. "Shots fired at British trawler by gunboat," Times, 31 October 1972, 6; Hart, Case Study, 32; Pleadings, United Kingdom, Annex 36, 422. The Times gives the date as 10/30.
136. "Trawlers harassed again by gunboats," Times, 24 November 1972, 1; "Iceland fishing talks to go ahead," Times, 25 November 1972, 5 (first quote); "British Trawlers in Clash With Icelandic Fishing Boats," N. Y. T., 24 November 1972, 23 (second quote); Pleadings, United Kingdom, Annex 36, 422.
137. Hart, Case Study, 32; International Court of Justice, Pleadings, Oral Arguments, Documents: Fisheries Jurisdiction Cases, vol. II, Federal Republic of Germany v. Iceland, (The Hague, 1975), in "Note Verbale of the Embassy of the Federal Republic of Germany in Reykjavik of 1 December 1972," 273 (hereafter Pleadings, Germany, "1 December 1972 Note"); "Chilly Icelandic approach to 'cod war' talks," Times, 27 November 1972, 7; "Icelandic dispute will be raised with Community," Times, 30 November 1972, 7.
138. Pleadings, Germany, "1 December 1972 Note," 273.
139. "British trawler's gear cut by Icelandic boat," Times, 11 December 1972, 1.
140. Hart, Case Study, 34; "Iceland patrol boat cuts nets of Hull trawler," Times, 28 December 1972, 1; "Hull trawler accused of ramming patrol boat," Times, 29 December 1972, 4; Pleadings, United Kingdom, Annex 36, 422.
141. "Hull trawler accused of ramming patrol boat," Times, 29 December 1972, 4; "Trawler skipper denies ramming patrol boat," Times, 30 December 1972, 5.

142. "British protest to Iceland over cut trawl wires," Times, 8 January 1973, 1; "Iceland Slashes Trawler's Line," N. Y. T., 7 January 1973, 7.
143. "British protest to iceland over cut trawl wires," Times, 8 January 1973, 1; Pleadings, United Kingdom, Annex 36, 422.
144. Ibid.
145. "Iceland says Hull trawler tried to ram gunboat," Times, 9 January 1973, 5.
146. "Protest to Iceland at new cutting of trawl wires," Times, 13 January 1973, 4; Pleadings, United Kingdom, Annex 36, 422.
147. Pleadings, United Kingdom, Annex 36, 422.
148. "Icelanders cut wires of British trawlers," Times, 18 January 1973, 7; in "Inside the news -- briefly," C. S. M., 18 January 1973, 8; Pleadings, United Kingdom, Annex 36, 423.
149. Ibid.
150. "W German vessel's trawl wires cut off," Times, 22 January 1973, 5.
151. Pleadings, United Kingdom, Annex 36, 423.
152. "Icelandic gunboats harass more British trawlers," Times, 6 March 1973, 1; Pleadings, United Kingdom, Annex 36, 423.
153. "Protest over trawls cut off Iceland," Times, 7 March 1973, 8; Debates, (Commons), vol. 852 (1973), col. 410-12; Pleadings, United Kingdom, Annex 36, 423.
154. Pleadings, United Kingdom, Annex 36, 423.
155. "Icelandic gunboats harass more British trawlers," Times, 6 March 1973, 1.
156. "Protest over trawls cut off Iceland," Times, 7 March 1973, 8; Pleadings, United Kingdom, Annex 36, 423.
157. "Icelandic patrol ship fires live shots in cod war incident," Times, 19 March 1973, 1; "British Say Iceland Cuts Trawler Lines," N. Y. T., 7 March 1973, 6; in

"Inside the news -- briefly," C. S. M., 7 March 1973, 8; Debates, (Commons), vol. 852 (1973), col. 411-12; Pleadings, United Kingdom, Annex 36, 423.

158. Pleadings, United Kingdom, Annex 36, 423.

159. Pleadings, United Kingdom, Annex 36, 423. The source gave this as a different incident from the firing described above.

160. Ibid. According to Debates, (Commons), vol. 852 (1973), col. 411-12, at least nine vessels from Humber-side had their warps cut.

161. Pleadings, United Kingdom, Annex 36, 423.

162. Ibid.

163. Ibid.

164. Ibid, 424.

165. Ibid; "Cod war trawlermen will be compensated," Times, 13 March 1973, 7. The Times reported that the gunboat cut both lines.

166. "Attack by gunboat causes trawlers to collide," Times, 14 March 1973, 1; Pleadings, United Kingdom, Annex 36, 424.

167. "Attack by gunboat causes trawlers to collide," Times, 14 March 1973, 1.

168. Pleadings, United Kingdom, Annex 36, 424.

169. Ibid.

170. Ibid.

171. Ibid.

172. Ibid; "Icelandic patrol ship fires live shots in cod war incident," Times, 19 March 1973, 1.

173. Ibid.; Hart, Case Study, 37; Debates, (Commons), vol. 853 (1973), col. 29-30; Parliamentary Debates (Lords), vol. 340 (1973), col. 545-6 (hereafter cited as Debates, (H.L.)).

174. "Icelandic patrol ship fires live shots in cod war incident," Times, 19 March 1973, 1.

175. "Trawlermen say that Icelandic gunboat captain panicked in opening fire on British tug," Times, 20 March 1973, 6.

176. Ibid.

177. "Another British trawler fired on off Iceland," Times, 26 March 1973, 1; "Blank shots are again fired at British trawler," Times, 27 March 1973, 1; "British Draw Icelandic Fire," N. Y. T., 26 March 1973, 47; Pleadings, United Kingdom, Annex 36, 424.

178. Pleadings, United Kingdom, Annex 36, 424.

179. "Blank shots are again fired at British trawler," Times, 27 March 1973, 1; Pleadings, United Kingdom, Annex 36, 424.

180. Ibid.

181. "Men of grounded Hull ship come ashore in Iceland," Times, 31 March 1973, 4; Icelanders spat on shipwrecked Britons," Times, 2 April 1973, 6.

182. "Gunboat fires live shells at British support tug," Times, 3 April 1973, 5; Debates, (Commons), vol. 854 (1973), col. w.142-3; Pleadings, United Kingdom, Annex 36, 424.

183. "Gunboat fires live shells at British support tug," Times, 3 April 1973, 5; Debates, (Commons), vol. 854 (1973), col. w.142-3; Pleadings, United Kingdom, Annex 36, 425; "Icelandic Patrol Boat Cuts British Ship's Trawl Wires," N. Y. T., 4 April 1973, 18; Hart, Case Study, 37-8.

184. Debates, (Commons), vol. 854 (1973), col. w.142-3; Pleadings, United Kingdom, Annex 36, 425.

185. "Icelandic Patrol Boat Cuts British Ship's Trawl Wires," N. Y. T., 4 April 1973, 18; Pleadings, United Kingdom, Annex 36, 425.

186. "Icelandic patrol Boat Cuts British Ship's Trawl Wires," N. Y. T., 4 April 1973, 18.

187. Pleadings, United Kingdom, Annex 36, 425.

188. Ibid.

189. Pleadings, United Kingdom, Annex 36, 425. This source shows considerable bias toward the British viewpoint in all of the incidents where other sources are available. Due to that fact, we might assume that complementary sources might have given a slightly different picture of these incidents, plus the several which follow.

190. Ibid.

191. Ibid.

192. Ibid.

193. Ibid.

194. Ibid.

195. "Iceland says trawler fired at aircraft," Times, 24 April 1973, 1.

196. Pleadings, United Kingdom, Annex 36, 425; "Iceland patrol boat rammed in battle with 20 British ships," Times, 25 April 1973, 1.

197. Pleadings, United Kingdom, Annex 36, 425-6; "Iceland patrol boat rammed in battle with 20 British ships," Times, 25 April 1973, 1; "Iceland Fires on British Trawlers," N. Y. T., 25 April 1973, 12; Hart, Case Study, 38.

198. Pleadings, United Kingdom, Annex 36, 426.

199. Ibid.

200. "Iceland threatens to arrest British trawlers as talks break down," Times, 5 May 1973, 1; Pleadings, United Kingdom, Annex 36, 426.

201. "Iceland threatens to arrest British trawlers as talks break down," Times, 5 May 1973, 1.

202. "Freedom of action for Icelandic gunboats," Times, 14 May 1973, 6; "British trawlers leave 50-mile limit in protest at lack of protection," Times, 18 May 1973, 1; Pleadings, United Kingdom, Annex 36, 426.

203. "Armada of British trawlers chases Icelandic gunboats after shots," Times, 16 May 1973, 1; "British trawlers leave 50-mile limit in protest at lack of protection," Times, 18 May 1973, 1; "Iceland Attempts to Boar Ship in Dispute with Britain," N. Y. T., 116 May 1973, 26; Debates, (Commons), vol. 856 (1973) col. 1507-12; Debates, (H.L.), vol. 342 (1973) col. 818-20; Pleadings, United Kingdom, "Note from British Embassy in Reykjavik to Ministry for Foreign Affairs of Iceland, May 17, 1973," 432; Pleadings, United Kingdom, Annex 36, 426.

204. "Armada of British trawlers chases Icelandic gunboats after shots," Times, 16 May 1973, 1.

205. "Two British frigates standing by as final safeguard for trawlers against Icelandic attack." 17 May 1973, 6.

206. "British trawlers leave 50-mile limit in protest at lack of protection," Times, 18 May 1973, 1.

207. "Icelandic gunboat harries British frigate guarding fishing fleet," Times, 22 May 1973, 1.

208. "Gloomy outlook for British negotiators," Times, 26 May 1973, 4.

209. "Iceland says shelling may occur again," Times, 28 May 1973, 1; "Angry notes to UN on cod war," Times, 30 May 1973, 6; "Icelandic Ship Shells British Trawler After Chase," N. Y. T., 27 May 1973, 3; Debates, (Commons), vol. 858 (1973), col. w.133; Pleadings, United Kingdom, Annex 36, 426.

210. "Reykjavik exploits its propoganda chances," Times, 2 June 1973, 1; "'Ramming' claim by Iceland called maliciously misleading," Times, 2 June 1973, 1; "Frigate and gunboat in ramming incident," Times, 8 June 1973, 1; "Iceland Charges Ramming, Heightening Fishing Clash," N. Y. T., 2 June 1973, 3; Pleadings, United Kingdom, Annex 36, 426.

211. "Iceland boycotts Nato meeting over fishing war," Times, 7 June 1973, 8. Since this incident was not reported in Pleadings, United Kingdom, Annex 36, it is doubtful that it actually occurred.

212. "Frigate and gunboat in ramming incident," Times, 8 June 1973, 1; "Iceland Patrol Boat and British Frigate Are in a Collision," N. Y. T., 8 June 1973, 4

which reported the damage as "extensive"; Pleadings, United Kingdom, Annex 36, 426 said the damage was "to the upper deck fittings on her starboard quarter."

213. "Call for a truce after collision off Iceland," Times, 22 June 1973, 1; "Iceland says frigates try to ram gunboats," Times, 21 July 1973, 4; Debates, (Commons), vol. 858 (1973), col. w.294.

214. "Iceland ready to give Norway fish rights," Times, 28 June 1973, 4.

215. "German trawler in Iceland shooting incident," Times, 30 June 1973, 4; "Iceland Fires at Germans," N. Y. T., 30 June 1973, 9; "Grosser Coup" (The Great Coup), Der Spiegel 29 (20 October 1975), 114 (hereafter "Grosser Coup"); Pleadings, Germany, 262-3, "Verbal Note of the Embassy of the Federal Republic of Germany in Reykjavik of 20 July 1973," 277.

216. "Britain rejects Icelandic complaint over frigate," Times, 4 July 1973, 6; Pleadings, Germany, 262-3.

217. "Iceland says frigate threatened to fire," Times, 3 July 1973, 1; "Britain rejects Icelandic complaint over frigate," Times, 4 July 1973, 6; "Britain to Let Ships Return Iceland Fire," N. Y. T., 4 July 1973, 30; Debates, (Commons), vol. 859 (1973), col. 237-8; Pleadings, Germany, 262-3, "Note, 20 July 1973," 277.

218. "Icelandic gunboat opens fire on German trawler," Times, 9 July 1973, 1.

219. "Icelandic gunboat opens fire on German trawler," Times, 9 July 1973, 1; Pleadings, Germany, 262-3, "Note, 20 July 1973," 277.

220. "Trawler's wires again cut by Icelandic ships," Times, 12 July 1973, 5. The article does not say why the tug and frigate could not assist.

221. "British trawler's wires are cut by gunboat," Times, 14 July 1973, 4.

222. Pleadings, Germany, 262-3, "Note, 20 July 1973," 277. There are no further details.

223. "British trawlers take the offensive in cod war," Times, 16 July 1973, 3. This may be the same incident as the preceding one with the date erroneous here.

224. "British trawlers take the offensive in cod war," Times, 16 July 1973, 3.

225. Ibid; "Trawlers try to ram Icelandic vessel," Times, 17 July 1973, 5.

226. Ibid.

227. "British frigate damaged," Times, 18 July 1973, 1.

228. "Iceland says frigates try to ram gunboats," Times, 21 July 1973, 4 reported the gunboat as Odinn; Debates, (Commons), vol. 860 (1973), col. w.335-6 reported it as Aegir.

229. "Cod war lull ends with charge of British ramming," Times, 3 August 1973, 6.

230. Hart, Case Study, 44.

231. "Trawler skipper chased by Iceland Navy faces inquiry," Times, 15 August 1973, 6; "Britain denies Icelandic claim that Navy stopped arrest by gunboat of escaped trawler, 18 August 1973, 4.

232. "Cod war frigate to the rescue" in "In brief," Times, 24 August 1973, 4.

233. "Cables of British 'skull and crossbones' trawler cut," Times, 28 August 1973, 4.

234. "British frigate and gunboat collide off Iceland," Times, 30 August 1973, 5; "British ships blamed for Icelandic gunboat death," Times, 31 August 1973, 3; Hart, Case Study, 44. In letters with the author, several Icelanders denied any knowledge of this death. Some sources described the cod wars as having no loss of life and only minimal injuries, yet this also belies the matter of Hänse's death described above.

235. "Cod dispute tug-of-war," Times, 6 September 1973, 7.

236. "Iceland team in Germany for talks on cod war," Times, 7 September 1973, 7.

237. "British Navy Fooled, Icelanders Say," N. Y. T., 9 September 1973, 9.
238. "Decision on cod war action today," Times, 11 September 1973, 1; "Icelandic and British Ships Collide in Fishing Dispute," N. Y. T., 11 September 1973, 34; in "Inside the news -- briefly," C. S. M., 11 September 1973, 10.
239. "Icelandic air controllers defy ban on RAF," Times, 15 September 1973, 1.
240. "Iceland alleges British rammings," Times, 20 September 1973, 1; "Iceland silent on inquiry," Times, 21 September 1973, 7.
241. "Iceland says British frigate rammed patrol boat," Times, 24 September 1973, 6; in "Inside the news - - briefly," C. S. M., 24 September 1973, 6.
242. "Gunboat fires warning shots at British tug," Times, 25 September 1973, 1.
243. "Heath offers of truce fails to stop Icelandic threat over frigates," Times, 28 September 1973, 1; "Iceland Bids Britain Withdraw Warships By Next Wednesday," N. Y. T., 28 September 1973, 11.
244. "Mr Heath in cod war talks with Dr Luns," Times, 1 October 1973, 1.
245. "British trawlers comply with gunboat's order," Times, 11 October 1973, 7.
246. "West German Ports Ban Icelandic Fishing Boats," N. Y. T., 30 November 1973, 62.
247. "Hull trawler arrested in banned zone off Iceland," Times, 3 January 1974, 1; "Iceland bans trawler" in "In brief," Times, 9 January 1974, 4.
248. "Iceland shells British trawler," Times, 20 July 1974, 1; "Skipper jailed," Times, 24 July 1973, 1; "Jailed skipper comes home," Times, 31 December 1974, 3. See Appendix 2 for further incidents involving Taylor. It is not known whether a C. G. vessel or a British support vessel towed the disabled trawler to port.
249. W German trawlers chased off Iceland," Times, 30 September 1974, 1.

250. "Icelandic ship fires on German trawler," Times, 26 November 1974, 8; "W Germans ban Icelandic boats from landing fish," Times, 30 November 1974, 4; "Grosser Coup," 114.

251. "Trawler's wires cut," Times, 16 September 1975, 6.

252. In "Inside the news -- briefly," C. S. M., 9 September 1975, 2.

253. "Wires of German trawler cut by Iceland gun-boat," Times, 17 October 1975, 5; in "Inside the news -- briefly," C. S. M., 17 November 1975, 2.

254. "Iceland told to leave British trawlers alone," Times, 17 November 1975, 5.

255. Ibid.

256. "RAF watch on trawler fleet off Iceland," Times, 19 November 1975, 1; "Skippers demand Navy protection," Times, 20 November 1975, 1.

257. "Hattersley pledge on British trawlers," Times, 21 November 1975, 8.

258. "Trawl cut after near Iceland ramming incident," Times, 22 November 1975, 4.

259. "Hattersley pledge on British trawlers," Times, 21 November 1975, 8.

260. "Skippers insist on Navy's protection by noon today," Times, 24 November 1975, 1.

261. "Frigates ordered into water off Iceland," Times, 26 November 1975, 1.

262. "Iceland tows cod war vessel out of trouble," 1, continued in "Risk to life in cod war foreseen by Iceland," Times, 1 December 1975, 6.

263. "German offer to mediate in cod war," Times, 2 December 1975, 6.

264. Ibid.

265. "Icelanders force lone skipper back to fleet," Times, 3 December 1975, 6.

266. "Icelandic gunboat runs rings around the Royal Navy," Times, 4 December 1975, 1.

267. "Thor cuts trawler's warp and outpaces warships," Times, 6 December 1975, 4; "3 British Vessels in Action Against Gunboat off Iceland," N. Y. T., 6 December 1975, 9. The Times places this on 12/4 and N. Y. T. on 12/5.

268. "Navy sends third frigate to Iceland," Times, 8 December 1975, 6.

269. "Icelandic minister will meet Mr Callaghan," Times, 10 December 1975, 5.

270. "Icelanders shoot at British ships," Times, 12 December 1975, 1; "Icelandic Gunboat, Rammed, Fires on 2 British Vessels," N. Y. T., 12 December 1975, 4; in "Inside the news -- briefly," C. S. M., 12 December 1975, 2; Debates, (Commons), vol. 902 (1975), col. 822; U.N. Security Council, Official Records: Thirtieth Year, Supplement for October, November and December 1975, Letter Dated 12 December 1975 from the Representative of Iceland to the President of the Security Council (New York, 1976) S/11907, 65; U.N. Security Council, Official Records: Thirtieth Year, 1866th meeting: 16 December 1975, Note from Iceland delivered to UK Ambassador in Reykjavik on December 12, 1975 (New York, 1983) S/PV.1866, 3-4; U.N. Security Council, Official Records: Thirty-First Year, Supplement for January, February and March 1976, Letter Dated 23 January 1976 from the Representative of Iceland to the President of the Security Council (New York, 1977) S/11944, at 21-4, 26-7, 31-2. This final document contains a detailed Icelandic account of the incident, including the Icelandic Maritime Court proceedings at which the C. G. presented a large amount of evidence against the British, including transcripts of radio conversations between the vessels involved and the R. N. frigates (pp. 21-34).

271. "Navy chases gunboat off Iceland," Times, 19 December 1975, 1.

272. "Iceland claims British captain rammed ship," Times, 29 December 1975, 1; "2 Vessels Collide Off Iceland Coast," N. Y. T., 29 December 1975, 5. Debates, (Commons), vol. 903 (1976), col. w.107. The N. Y. T. story is from a Reuters reporter on board the Andromeda; this seemed to verify the Icelandic contention that the British were at fault.

273. "Navy scolds trawlers for taking risks," Times, 5 January 1976, 3.

274. "Gunboat's collision with British frigate 'a deliberate attack'," Times, 8 January 1976, 5.

275. Ibid; "Iceland threat to break relations with Britain," Times, 9 January 1976, 5; Debates, (Commons), vol. 903 (1976), col. w.107.

276. "Cod war collision ends battle of wits," Times, 10 January 1976, 1; "Iceland Charges Ramming By British," N. Y. T., 10 January 1976, 40; Debates, (Commons), vol. 903 (1976), col. w.107.

277. "Near miss as cod war takes to air," Times, 15 January 1976, 1.

278. "Royal Navy pulling out of the cod war," Times, 20 January 1976, 1; in "Inside the news -- briefly," C. S. M., 20 January 1976, 2.

279. "Mr Wilson tells trawlers to avoid confrontation," 27 January 1976, 1.

280. "Trawler's gear cut by Icelandic gunboat," Times, 3 February 1976, 1.

281. "Frigates ordered back to Icelandic waters," Times, 6 February 1976, 1; "Icelandic Fisheries," Survey of Current Affairs n.v. (February 1976), 63.

282. "Iceland decides not to break diplomatic relations with Britain," Times, 7 February 1976, 1.

283. Ibid.

284. "Dr Luns invited to London for more cod war talks," Times, 10 February 1976, 1.

285. Ibid.

286. "Iceland ship blamed for risk to life," Times, 13 February 1976, 6.

287. Ibid.; "Mr Callaghan asks Nato to send cod war observers," Times, 14 February 1976, 5.

288. "Frigate has 6ft dent after gunboat collision," Times, 19 February 1976, 7.

289. Ibid.

290. "Trawlerman is hurt in cod war incident," Times, 20 February 1976, 5; Debates, (Commons), vol. 905 (1976), col. 1519, 1562, 1605.

291. "Wires of British trawler cut by Icelandic patrol," Times, 21 February 1976, 1.

292. Ibid.

293. "Cod war trawlers refuse to go to new fishing area," Times, 23 February 1976, 4.

294. "Hair's breadth manoeuvres off Iceland as frigates face new wave of gunboat attacks," Times, 24 February 1976, 5.

295. Ibid.

296. Ibid.

297. "Icelandic gunboat loses part of its bridge after steering into path of British frigate," Times, 25 February 1976, 6.

298. Ibid.

299. "Dangerous waters" in "In brief," Times, 27 February 1976, 10.

300. "Frigate hits attacking gunboat amidships," Times, 1 March 1976, 4.

301. "'Das sind Räuber und Diebe'" (These Are Robbers and Thieves), Der Spiegel 30 (15 March 1976), 126.

302. "Cod war attempt to halt refuelling," Times, 6 March 1976, 4.

303. "Iceland accuses Britain of worst sea attack," Times, 11 March 1976, 8.

304. "British frigate rammed," Times, 13 March 1976, 1.

305. Ibid.

306. "Nordic call on Britain to pull back warships," Times, 27 March 1976, 3.

307. "Cod war story of machine guns dismissed," Times, 29 March 1976, 6; United Nations, Security Council, Official Records: Thirty-First Year, Supplement for April, May and June 1976, Letter Dated 1 April 1976 from the Representative of Iceland to the President of the Security Council (New York, 1977) S/12035, 3 (hereafter S/12035); United Nations, Security Council, Official Records: Thirty-First Year, Supplement for April, May and June 1976, Letter Dated 9 April 1976 from the Representative of the United Kingdom of Great Britain and Northern Ireland to the President of the Security Council (New York, 1977) S/12046, 9 (hereafter S/12046).

308. S/12046, 3; S/12072, 9.

309. "Iceland reports holing of British frigate," Times, 2 April 1976, 6; "Rammings damage cod war frigates," Times, 3 April 1976, 4; "Frigate Rammed Off Iceland," N. Y. T., 3 April 1976, 10.

310. "Rammings damage cod war frigates," Times, 3 April 1976, 4.

311. "Moves to break cod deadlock made in Norway," Times, 23 April 1976, 8.

312. Ibid.

313. "Iceland bans use of patrol boat gun," Times, 24 April 1976, 4.

314. "Iceland bans use of patrol boat gun," Times, 24 April 1976, 4; caption story for a picture, Times, 27 April 1976, 1. The picture is from the viewpoint of the frigate's bridge with the frigate hitting the gunboat amidships on the port side. The Icelandic vessel appears to have a lean to port, as though it is in the middle of a port turn, which seems to suggest that the British version is correct. It is assumed that the picture relates to the earlier story.

315. Ibid.

316. "Holed trawler 'in no danger' after collision," Times, 1 May 1976, 4; "Mixed EEC reception for Britain's fishery plan," Times, 5 May 1976, 5.

317. "Trawlermen in cod war threaten to pull out," Times, 4 May 1976, 1.

318. Ibid.

319. "Two more frigates to join the cod war," Times, 7 May 1976, 1; United Nations Security Council, Official Records: Thirty-First Year, Supplement for April, May and June 1976, Letter Dated 11 May 1976 from the Representative of Iceland to the President of the Security Council (New York, 1977) S/12072, 23.

320. Ibid.

321. Ibid.

322. S/12072, 23.

323. Ibid.

324. "Icelandic vessel opens fire in attempt to arrest British trawler," Times, 13 May 1976, 1; "Iceland claims to have proof of RAF threats to fire on patrol boat," Times, 14 May 1976, 6; United Nations Security Council, Official Records: Thirty-First Year, Supplement for April, May and June 1976, Letter Dated 25 May 1976 from the Representative of the United Kingdom of Great Britain and Northern Ireland to the President of the Security Council (New York, 1977) S/12086, 35.

325. "Dr Kissinger advises West to tolerate Soviet military might," Times, 21 May 1976, 1.

326. "British Frigates Ram Icelandic Patrol," N. Y. T., 23 May 1976, 7.

327. "'Attempted murder' says Iceland," Times, 24 May 1976, 5.

328. "Mr Crosland stands by for cod war message," Times, 27 May 1976, 4.

329. "Icelandic MPs oppose cod war deal," Times, 29 May 1976, 3.

330. Roger Woddis, "Gott Strafe Iceland!" (poem), New Statesman 84 (September 8, 1972): 316.

Richard F. Tomasson, Iceland, The First New Society (Minneapolis: University of Minnesota Press, 1980), tables 2 & 3, p. 41.

332. E. D. Brown, "Iceland's Fishery Limits: The Legal Aspect," The World Today 29 (February 1973): table 1, p. 76.
333. Pleadings, United Kingdom, Annex 18, p. 398.
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