



## Bréfa- og málasafn, landhelgismálið 1960 og ódagsett skjöl, líklega frá sama ári

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– Ólafur Davíðsson – Foreign Office – British Embassy– Viðræðunefndin, 22. október 1960 –  
Gerðardómsákvæði – Ódagsett trúnaðarskjöl

## *Tekið af vef Borgarskjalasafnsins*

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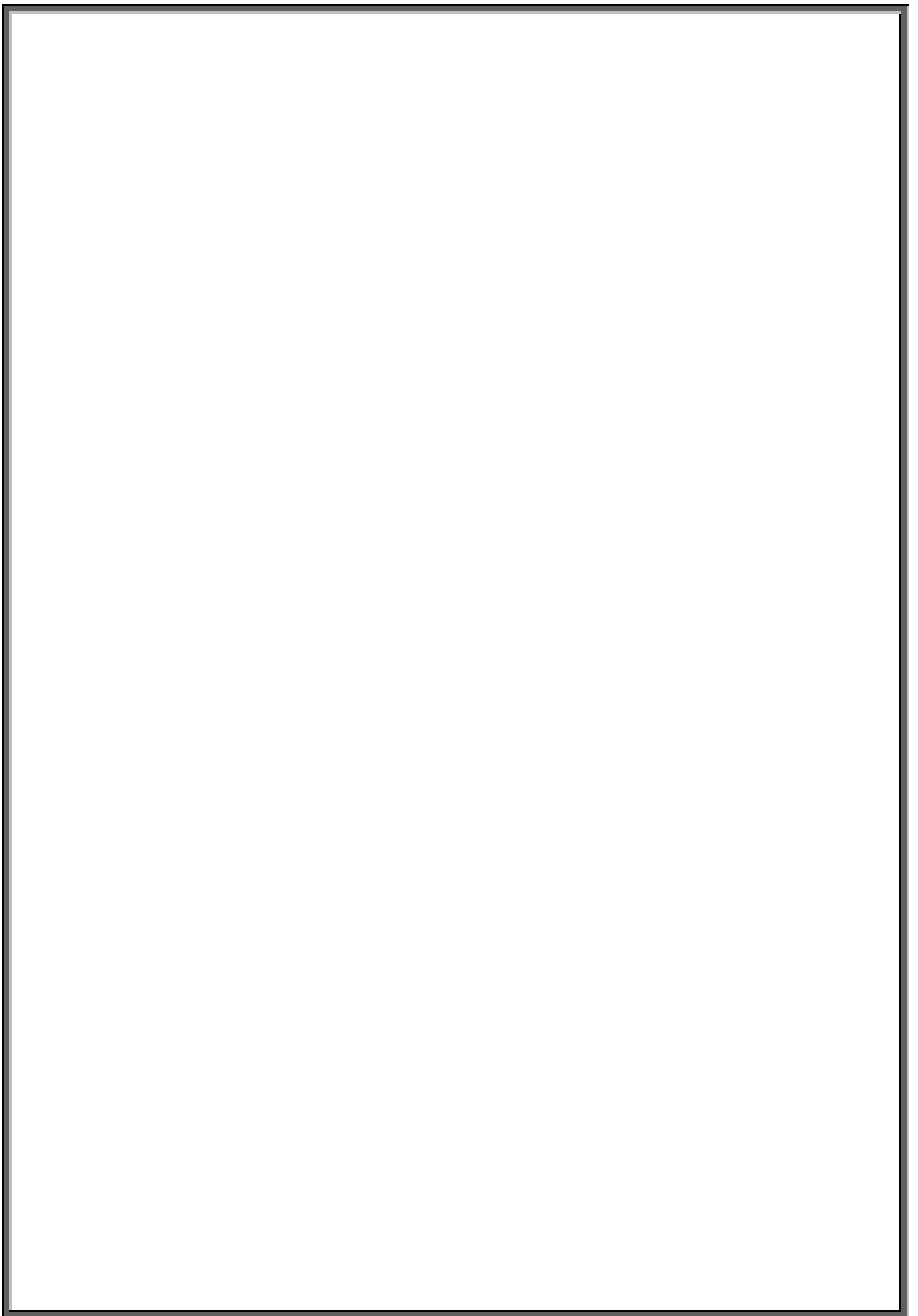
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***Einkaskjalasafn nr. 360***

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BRITISH EMBASSY  
REYKJAVIK

January 1, 1960.

My Dear Foreign Minister,

I received last night the following personal message from Mr. Selwyn Lloyd which he has asked me to deliver to you at the earliest opportunity.

"At our talk in Paris on the 17th of December I promised I would try to give you my Government's view before the end of the year on the question of seeking a modus vivendi between our two countries on fishery matters pending the outcome of the Conference on the Law of the Sea.

"I regret that owing to the Christmas holidays I have not yet been able to consult my colleagues about our talk. I have however been giving some further thought to the question of a modus vivendi and my preliminary views are as follows.

"Her Majesty's Government are still anxious that the Conference on the Law of the Sea should take place in the best possible atmosphere and, as I told you, we should like before the Conference to conclude some provisional arrangement with the Icelandic Government which is satisfactory to both parties and does not prejudice our respective juridicial positions.

"We, for our part, are still willing to enter into direct negotiation with your Government for such an arrangement. In view of the difficulties on both sides however I have been considering whether there might not be more hope of bringing about a modus vivendi through the good offices of one or more third parties. It occurs to me that Mr. Lange, the Norwegian Minister of Foreign Affairs, and Monsieur Spaak would be eminently suitable to fulfil this role if they were willing.

"Before pursuing this suggestion further I should be grateful to know whether you think that your Government might be willing to consider an approach to Monsieur Spaak and Mr. Lange if the latter are willing, in principle, to offer their good offices".

With all good wishes for a happy and prosperous New Year.

Yours sincerely,

A. C. Stewart (Signed)

His Excellency  
Mr. Gudmundur I. Gudmundsson,  
Minister for Foreign Affairs,  
Reykjavik.

## I.

Your Excellency,

I have the honour to refer to the discussions which have taken place in Reykjavik and London this autumn between representatives of our respective Governments concerning the fishery dispute between our two countries. I now have the honour to make the following proposals for the settlement of the dispute.

- (1) The United Kingdom Government will no longer object to a twelve mile fishery zone around Iceland measured from the base lines specified in paragraph (11) below which relate solely to the delimitation of that zone.
- (11) The base lines which will be used for the purpose referred to in paragraph (1) above will be those set out in Icelandic Regulation Number 70 of July 1st 1958, as modified by the use of base lines drawn between the following points:-
- A. Point 1 (The Horn to Point 5 Asbutharif).
  - B. Point 13 (Langanes) to Point 16 (Glettinganes).
  - C. Point 51 (Geirfugladrangur) to Point 42 (Skalasnagi).
  - D. Point 36 (Einidrangar) to Point 51 (Geirfugladrangur).

These modifications will enter into force immediately.

- (111) For a period of three years from the acceptance of these proposals, the Icelandic Government will not object to vessels registered in the United Kingdom fishing within the outer six miles of the fishery zone referred to in paragraph (1) above within the following areas during the periods specified:-
- (1) The Horn (Point 48) - Langanes (Point 12) (June to September).
  - (2) Langanes (Point 12) - Glettinganes (Point 16) (May to December).

- (3) Glettinganes (Point 16) - Setusker (Point 20) (January to April and July to August).
  - (4) Setusker (Point 20) - (Point 30) (March to July).
  - (5) Point 30 - 20 degrees west longitude (April to August).
  - (6) 20 degrees west longitude - Geirfugladrangur (Point 51) (March to May).
  - (7) Geirfugladrangur (Point 51) - Bjargtanger (Point 43) (March to May).
- (iv) There will be however no fishing by vessels registered in the United Kingdom in the outer six miles of the fishery zone referred to in paragraph (1) during the aforesaid period of three years in the following areas:-
- (1) Between  $63^{\circ} 50'$  north latitude and  $64^{\circ} 13'$  north latitude south of Faxaflói,
  - (2) between  $64^{\circ} 40'$  north latitude and  $64^{\circ} 52'$  north latitude (Snæfellsnes),
  - (3) between  $65^{\circ}$  north latitude and  $65^{\circ} 20'$  north longitude.
  - (4) between Bjargtanger (Point 43) and the Horn (Point 48).
  - (5) off the mainland between  $18^{\circ} 30'$  east longitude and Point 8 (the precise area to be determined).
  - (6) between  $14^{\circ} 58'$  west longitude and  $15^{\circ} 32'$  west longitude (Mýrabugt).
  - (7) between  $16^{\circ} 12'$  west longitude and  $16^{\circ} 46'$  west longitude (Ingólfshöfði).

(v) The Icelandic Government, while continuing to work for the implementation of the Althing resolution of May 5, 1959, regarding the extension of fishery jurisdiction around Iceland, will give to the United Kingdom Government six months notice of any such extension, and in the case of a dispute in relation to such an extension, the matter shall,

at the request of either party, be referred to the International Court of Justice.

I have the honour to suggest that this note and Your Excellency's reply thereto confirming that the proposals set out in this Note are acceptable to the United Kingdom Government, shall be regarded as constituting an agreement between our two Governments on this matter which shall enter into force immediately.

II.

Your Excellency,

I have the honour to acknowledge the receipt of Your Excellency's Note of today's date reading as follows:-

( as in I. )

I have the honour to state 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, the proposals set out in your Note are acceptable to the United Kingdom Government, and I confirm that your Note and my present reply thereto shall be regarded as constituting an agreement between our two Governments on these matters which shall enter into force immediately.

Hugleiðingar um tvær leiðir,

eftir símtal 29. des. 1960.

Þær tvær leiðir, sem hér ræðir um eru leið eitt, þ.e. samningur á grundvelli viðræðanna við Breta á þessu hausti og leið tvö, þ.e. samningur um viðurkenningu Breta á 12 mílum frá grunnlinum eins og þær eru nú.

1. Í baráttunni hér heima um 12 mílurnar vorið og sumarið 1958 var af okkar hálfu lögð á það mikil áherzla, að grunnlinur yrðu færðar út, eftir því, sem samningurinn frá Genf gerði mögulegt. Var þá helzt talað um grunnlinurnar á Húnaflóa og sunnan Langaness, en talið mjög vafasamt, að nokkuð yrði unnt að breyta línunni á Selvogsbanka og ekki var minnst á línuna á Faxaflóa.

2. Í viðræðunum í NATO í ágúst 1958 var ekki rætt um grunnlinubreytingar, heldur óljósar hugmyndir um útfærslu við Suðvestunland og Vestfirði langt út fyrir 12 mílur, en þá gengið útfrá, að ekki yrði um útfærslu annarsstaðar að ræða.

3. Í Genf vorið 1960 var reynt að fá Breta til að viðurkenna 12 mílurnar án nokkurs frests, þó annars yrði gerð samþykkt um 10 ára frest almennt. Ekki var þá rætt um neðnar grunnlinubreytingar.

4. Eins og málin standa nú er hægt að fá viðurkenningu Breta á 12 mílunum. Því til viðbótar er hægt að fá viðurkenningu þeirra á grunnlinubreytingum á fjórum stöðum, á Húnaflóa, sunnan Langaness, á Selvogsbanka og á Faxaflóa. Á móti þessu fengju Bretar svo að veiða á svæðinu milli 6 og tólf mílna um þriggja ára bil, en þó aðeins um takmarkaðan tíma á hinum ýmsu svæðum, eða frá þremur uppí átta mánuði. Þó yrðu hlutar af þessu svæði aldrei opnaðir fyrir Bretum, en það eru neta-svæðin fimm, á Breiðafirði, við Snæfellsnes, við sunnanverðan Faxaflóa, við Ingólfshöfða og útaf Hornafirði. Er hér um að ræða öll hin þýðingarmestu veiðisvæði bátaflotans milli 6 og 12 mílna á þeim tímabilum, sem þessi svæði annars eru opin. Auk þess er svo svæðið milli Grímseyjar og lands lokað. Svæðið fyrir Vestfjörðum yrði svo með öllu óhreyft, 12 mílur eins og áður.

Með þessu erum við búnir að ná útúr Bretum meira en björtustu vonir stóðu til þegar viðræðurnar hófust í haust og raunverulega eru þeir búnir að ganga inn á allt, sem við höfum farið framá, að því er snertir svæðin og tímabilin svo og gildistímann og ekkert, sem ekki er samkomulag um, miðað við það, sem sett hefir verið fram af okkar hálfu. Viðhorfið hefir því gerbreytt frá því, sem var í Genf í vor.

5. Það sem vinnst fyrst og fremst við leið eitt eru að sjálf-sögðu grunnlinubreytingararnar. Alls er hér um að ræða svæði til viðbótar því, sem nú er, sem nemur lauslega reiknað um 1250 mílum<sup>2</sup>.

Talið hefir verið, að ef ætti að sækja þessar breytingar fyrir dómi, væri aðeins ein þeirra nokkurnveginn örugg, þ.e. á Húnaflóa. Breytingin, sem nú er fánæg sunnan Langaness er talin meiri en reglurnar heimila og yrði línun sennilega dregin í punkt 14. Mjög vafasamt hefir verið talið, að nokkur breyting á Selvogsbankalínunni stæðist og ef



um einhverja breytingu gæti verið að ræða þar þá væri hún aðeins smávægileg. Sú breyting, sem nú er fæanleg með samningi samsvarar um 40% af þeim svæðum öllum, sem grunnlíubreytingarnar gefu í viðbót. Hér er um svo stórkostlegt hagsmunamál vélbatautgerðarinnar að ræða, að erfitt er meta þá þýðingu, sem það mundi hafa fyrir framtíðina. Loks er svo grunnlíubreytingin á Faxaflóa, sem hefir verið tálín eigi síður hæpin fyrir dómi en Selvogsbankalínan. Enda þótt hún nái ekki yfir svæði, x nema sem svarar um helmingi af Selvogsbankasvæðinu er sú breyting samt afar þýðingarmikil fyrir vélbatautgerðina.

6. Ef grunnlíubreytingar yrðu ekki gerðar nú með samningi væri hugsanlegt að hefja aðgerðir á grundvelli Genfarsamningsins frá 1958.

Trúlega yrði þó að líða einhver tími áður en til þess yrði gripið, nema þá, að Bretum væri gefið það í skyn við lausn deilunnar, að slíkt væri í undirbúningi og yrði framkvæmt fljótlega. Gera yrði ráð fyrir, að öllum ráðstöfunum í þá átt yrði vísað til dóms og samkvæmt því, sem áður segir yrði annaðhört að miða þær ráðstafanir við það, sem talið væri líklegt að stæðist fyrir dómi og þá yrði það aðeins hluti af því, sem nú er fæanlegt með samningi eða þá að farið væri til hins ýtrasta eins og nú er fæanlegt og eiga þá á hattu að tapa málinu að verulegu leyti fyrir dómnum. Slíkur málarekstur mundi í öllum tilfellum taka langan tíma, varla undir 2 árum.

7. Frá því ríkisstjórnin ákvað á sl. sumri að taka upp viðræður við Breta hefir málið, af hennar hálfu og stuðningsflokkar hennar ávallt verið flutt á grundvelli þeirrar lausnar, sem nú er fæanleg, þ.e. tilslökun um takmarkaðan tíma innan 12 mánaða á vissum svæðum og tímum en á móti því kæmi aukin trygging okkar fiskveiðihagsmuna. Þessu meginatriði í öllum málflutningi ríkisstjórnarinnar er nú náð, eins og áður segir og betur en björtustu vonir stóðu til í upphafi samningaviðræðnanna.

8. Ef nú yrði horfið frá þessum grundvelli og leið tvö farin í staðinn yrði að sjálfsögðu að gera kunnugt hvað annað hefði verið í boði, enda mundu Bretar vafalaust gera það kunnugt frá sér.

Má því gera ráð fyrir, að stjórnarandstaðan mundi þegar grípa málið upp og bera fram róttækar tillögur um grunnlíubreytingar. Ríkisstjórnin og stuðningsflokkar hennar kæmst þá í þá aðstöðu að verða að vera á móti slíkum tillögum, þar sem hún teldi vantanlega heppilegra að fara varlega. Veri slík aðstaða vægast sagt afar erfið eftir það, sem á undan er gengið. Ef lítið er lengra fram í tímann er sennilegt, að hvor stjórnarandstöðuflokkurinn, sem kemist í ríkisstjórn mundi setja fram kröfu um grunnlíubreytingar og þá þakka sér þær breytingar, sem fengjust með illu eða góðu. Mundu þeir þá vafalaust ekki hika við að fara í hart við Breta og jafnvel neita að fara fyrir dóm, enda ekki skyldugir til þess, þar sem samningurinn frá Genf er ekki fullgiltur og óvíst hvenær það verður. Mundi þeim þannig gefast tækifæri til að halda uppi áframhaldandi illindum gegn Bretum og NATO, enda þótt svo setti að heita, að núverandi deila væri leyst.

9. Ef samið yrði um leið eitt er vafalaust, að aðrar þjóðir og þá fyrst og fremst Þjóðverjar mundu óska eftir að fá að sigla í kjölfarið. Ef horfið yrði að því að semja við þá, sem telja verður eðlilegt, ætti að nota tækifærið til að reyna að fá ívilnanir viðskiptalegs eðlis á sama hátt og Norðmenn eru nú að reyna í sambandi við samninga um 12 mánuði við Noreg. Höfum við stórkostlega hagsmuni þar

einmitt nú á næstunni í sambandi við tollabreytingar, sem verða vegna sameiginlega markaðsins og munu koma afar illa ef ekki verður unt að fá einhverjar verulegar ívilnanir okkur til handa. Mundi því aðstoða okkar batna mjög mikið, ef unt yrði að semja við Þjóðverja, Einnig koma Belgar hér til greina, en þeir eru meðlimir í sameiginlega markaðnum og geta því haft áhrif á gang mála þar, en þeir hafa einmitt allmikla hagsmuni hér við land.

10. Allt þetta, sem hér hefir verið sagt finnst mér mæla mjög með því að farin verði leið eitt og þeim mun meira, sem eg hugleiði þessar tvær leiðir finnst mér sú fyrri skynsamlegri og raunar sú eina, sem til greina geti komið eins og málum nú er komið.

Dani Ólafur

Útdráttur úr hvítu bókinni "The Icelandic Efforts  
for Fisheries Conservation", bls. 22.

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The Government of Iceland has always been willing to submit the question as to whether the 1952 Regulations are in conformity with international law to the International Court of Justice, provided that all points of difference be referred to the Court and provided further that the landing ban be lifted. These conditions have not been met with on the part of the United Kingdom.

Gerðardómsákvæði á grundvelli samþykktá frá Genfarráðstefnunum.

I.

Á fyrri Genfarráðstefnunni (1958) varðandi réttarreglur á hafinu var m.a. undirrituð "Convention on Fishing and Conservation of the Living Resources of the High Seas", sbr. skýrslu íslensku sendinefndarinnar um þá ráðstefnu, fskj. IV. Í samningi þessum er byggt á þeirri meginreglu, að þau ríki, sem hagsmuna hafi að gæta af fiskveiðum á úthafinu, reyni að ná samkomulagi um nauðsynlegar ráðstafanir til að vernda fiskistofnana á hinum ýmsu veiðisvæðum. Eri slíkar viðræður ekki árangur innan tiltekins tíma, er ráðgert, að strandríkið geti einhliða sett reglur, er byggðar séu á eftirfarandi sjónarmiðum:

- (a) That there is a need for urgent application of conservation measures in the light of the existing knowledge of the fishery;
- (b) That the measures adopted are based on appropriate scientific findings;
- (c) That such measures do not discriminate in form or in fact against foreign fishermen.

Verði ágreiningur vegna slíkra ráðstafana skal honum vísað til gerðardóms, sem nánari reglur eru settar um í 9. grein samningsins. Er þar miðað við 5 manna gerðardóm, og komi aðilar sér ekki saman um, hverjir skuli vera meðlimir hans, mun forstjóri Sameinuðu þjóðanna í samráði við forseta alþjóðadómsins og forstjóra FAO tilnefna meðlimina úr hópi sérfræðinga í lögfræðilegum og vísindalegum atriðum varðandi fiskveiðar. Gerðardómur skal kveða upp úrskurð sinn innan 5 mánaða, en þann frest má framlengja um 3 mánuði, þegar sérstaklega stendur á.

## II.

Á seinni Genfarráðstefnunni 1960 var samþykkt ályktun, þar sem gert var ráð fyrir því, að strandríki, sem byggðu afkomu sína að verulegu leyti á fiskveiðum, gætu krafist forgangsréttar til fiskveiða á svæðum utan hinna eiginlegu fiskveiðitakmarka og þá jafnframt miðað við, að ágreiningur í þessu efni yrði borinn undir gerðardóm samkvæmt 9. gr. ofangreinds samnings frá fyrri Genfarráðstefnunni.

## III.

Á báðum Genfarráðstefnunum reyndi íslenska sendinefndin að fá samþykktar tillögur um, að þar sem þjóð byggði afkomu sína á fiskveiðum, gæti hún sjálf ákveðið víðáttu lögsögu sinnar innan sanngjarnrar fjarlægðar (unfram almennu regluna, t.d. 12 mílur), enda skyldi ágreiningur í því efni borinn undir gerðardóm samkvæmt Genfarsamningnum. Þessar tillögur fengu ekki samþykktar og báru ýmsir því við, að með þeim væri of langt gengið, þar sem þær miðuðu við einkarétt hlutaðeigandi þjóðar til veiða innan fiskveiðitakmarka, sem yrðu rýmri en almennt væru talin gilda. Þar væri því ekki um að ræða fiskifræðileg atriði fyrst og fremst, eins og í tilvikum, sem lýst er í I. og II. hér að ofan, heldur aðallega og jafnvel eingöngu lögfræðileg atriði, sem gerðardómur samkvæmt Genfarsamningnum væri ekki fær um að úrskurða. Íslenska sendinefndin hélt sínum tillögum þó til streitu vegna þess, að vænlegra þótti til árangurs að styðjast við fyrirkomulag, sem Genfarráðstefnan sjálf hafði gengið frá.

## IV.

Spurningin er, hvort fyrirkomulagið frá Genf gæti orðið liður í samkomulagi við Breta að því er snertir framtíðarætlanir Íslendinga. Virðist ótvíveitt, að almenn tilvísun til þess kerfis mundi alls ekki aðgengileg af Breta hálfu. Myndu þeir fyrst og fremst telja, að gerðardómur væri ekki til þess fallinn að skera úr um lögfræðilega hlíð

málsins. Jafnvel þótt fallist yrði á gerðardóminn í sjálfu sér, yrði að tiltaka nánar eftir hvaða reglum skyldi dæna og myndi þá eðlilegast að þeirra dómi, að fara ekki lengra en samkomulag varð um efnislega á Genfarráðstefnunum, þ.e. að sanna þyrfti vísindalega nauðsyn og að alls ekki mætti mismuna útlendingum, og ekki kæmi til greina að strandríki hefði nema forgangsrétt. Ef Íslendingar héldu því fram, að þeir ættu að hafa einkarétt á svæðum utan 12 mílnanna, væri farið langt út fyrir það, sem Genfarráðstefnurnar samþykktu og kæmi það því ekki til greina samkvæmt því kerfi, sem þar var ákveðið.

Virðist ljóst, að tilvísun til alþjóðadómstólsins myndi hagkvæmari fyrir Íslendinga en notkun Genfarkerfisins, er fæli það í sér, að sanna þyrfti vísindalega nauðsyn og ekki mætti mismuna útlendingum.

- (a) That there is a need for repeat collection of observation material in the light of the existing knowledge of the fishery;
- (b) That the studies adopted are based on appropriate scientific findings;
- (c) That such measures do not discriminate in fact or in fact against foreign fishermen.

Virði ágreiðingar væru stígra aðlösaðar því myndi vísað til gerðardóms, sem myndi sýna að settar væru í þ. grein samninganna. Er þar síðan við þ. grein gerðardóms, og hafi sáttir þar ekki stætt um, þyrfti að hafa vísindalega nauðsyn, sem þyrfti sönnunlega þýðinguna í samhengi við þær aðrir alþjóðadómstól og fustjórnir þar tilvísna aðlösaðar til þess efnisráðs í Hagfræðilögum og vísindalega nauðsyn samkvæmt Genfardómi. Gerðardómur skal byggja upp á grundvelli þess í máli, og þar hafa að þyrftingum að þ. máli, þær óeðlilega stættir í.

A I D E M E M O I R E

4. (Upon further reflection the Icelandic Government is willing to resume discussions on the basis of) The Ministry has carefully studied the contents of the Embassy's Aide-Memoire of November 26, 1960, concerning the talks which took place in London at the beginning of this month. In order to clarify the situation, the Ministry wishes to state the following:

2. At the beginning of the talks the Icelandic representatives said that the Icelandic Government was prepared to recommend certain points to its supporters<sup>riar</sup> as a reasonable settlement. The United Kingdom representatives could not agree to these points in their entirety and the talks were then directed towards the objective of ascertaining the maximum possible area of agreement which then would be substituted for the points contained in the original statement made by the Icelandic representatives for recommendation by the Government to its supporters. As the Embassy is aware, it has from the beginning been anticipated - and the Althing has been so informed - that before the final decision could be taken on the part of Iceland any proposed settlement would have to be approved by the Althing. In view of this no final agreement could have been made in London during the exploratory talks.

3. The Icelandic Government examined the situation in the light of the London talks and communicated its views to the British Ambassador on November 24th.

4. (Upon further reflection the Icelandic Government is willing to resume discussions on the basis of the London talks but on the understanding that base-line changes would take effect immediately).

5. The Icelandic Government very much regrets if the United Kingdom Government does not find it possible to resume discussions on this basis.

The Icelandic Government is of the opinion that the United Kingdom Government should be prepared to consider a proposal for the resumption of a reasonable settlement. The United Kingdom representatives should not insist on their points in their entirety and the talks should be directed towards the objective of ascertaining the various possible areas of agreement which they would be substituted for the points mentioned in the original statement made by the Icelandic representatives for recommending the agreement to its supporters. As the Ministry of Home Affairs has been so informed - that before the final decision could be taken on the part of Iceland any proposed settlement would have to be approved by the Althing. In view of this no final agreement could have been made in London during the exploratory talks.

6. The Icelandic Government considers the situation in the light of the London talks and communicated its views to the British Ambassador on November 27th.



- 2 -

A I D E M E M O I R E

Her Majesty's Government are greatly concerned to learn that the Icelandic Government now wish to re-open all the points which were discussed during the talks held in London at the beginning of this month. At the close of the talks in London the Icelandic representatives stated quite categorically that an agreement on the basis defined at the final meeting on the 4th of November would be acceptable to the Icelandic Government. This basis was:-

- (I) that a 12 mile fishery limit off Iceland would not longer be opposed by the United Kingdom;
- (II) that during a transitional period of 4, or possibly 5, years there would be restricted fishing by British vessels in the 6 - 12 mile zone;
- (III) that an area off the North West coast outside the 12 mile line would be reserved at certain seasons during the transitional period for Icelandic smallboat fishermen;
- (IV) that there would be some adjustment of base-lines which would become effective about half-way through the transitional period;
- (V) that the Icelandic Government would give an assurance as regards future action on the following lines:-

"The Icelandic Government will not take any action to exclude vessels registered in the United Kingdom from fishing in any area outside the 12 mile limit except in

accordance with the terms of a subsequent international agreement embodying a generally accepted rule of law in relation to fishery limits, or in conformity with a rule of International Law, established by general consent, which would permit such an extension of fishery jurisdiction. Any dispute as to whether such a rule exists may be referred at the request of either party to the International Court of Justice."

The United Kingdom Delegation said that these terms went well beyond their instructions but they nevertheless undertook to refer them to their Ministers. As a result the Delegation has since received new instructions which, it was hoped, might now make agreement possible.

During the talks in London it was made quite clear on the British side that there could be no question of concessions either on tariffs or on the landings agreement as part of an agreement involving such severe restrictions on fishing by British vessels as those proposed in the terms discussed with the Icelandic representatives. Furthermore, an assurance in the form quoted above, as accepted by the Icelandic representatives on the 4th of November which provides for reference of any dispute to the International Court, is a fundamental condition of any agreement as far as Her Majesty's Government are concerned. As regards new base-lines the Icelandic representatives themselves proposed that these should not be introduced until half-way through the transitional period if this would help in obtaining acceptance of the modifications which were proposed. It was also

November 26, 1950.

stated on the Icelandic side that the transitional period would be either 4 or 5 years depending on the degree to which the Icelandic proposals on base-lines were met.

In Her Majesty's Government's view the London talks were extremely useful in narrowing the differences between the two sides and opened up possibilities of compromise on some points but if the Icelandic Government wish to change the basis agreed in London, which was stated by the Icelandic representatives to be acceptable, it is hard to see how further progress can be made. Her Majesty's Government regret, therefore, that they cannot agree to resume negotiations in Reykjavik on the new basis indicated to Her Majesty's Ambassador on the 24th of November. Her Majesty's Government hope, however, that the Icelandic Government will urgently reconsider their attitude in the light of these representations and agree to resume the talks on the basis defined at the meetings in London. If so, they will be very ready to send a delegation to resume the talks in Reykjavik on the 30th of November.

(iii) that an area off the North West coast outside the 12 mile line would be reserved at certain seasons during the transitional period for Icelandic smallboat fishermen;

(iv) that there would be some adjustment of base-lines which would become effective about half-way through the transitional period;

(v) that the Icelandic Government would give an assurance as regards future action on the following lines:-

British Embassy, Reykjavik. The Icelandic Government will not take any action to exclude vessels registered in the United Kingdom from fishing in any area outside the 12 mile limit except in

Mr. Chairman,

My U.K. colleague has given an accurate description of the situation. I only want to add that my Government is very glad that this long and difficult dispute has at long last been brought to an end. It had for much too long a period embittered the relationship between two Allies who otherwise are bound by traditional ties of friendship. It is, of course, of inestimable value to get a friendly solution of the problem. In that connection I want to inform the Council that my Government decided to grant an amnesty in connection with past violations by British trawlers inside the 12 mile limit of our Regulations from 1958, establishing the 12 mile limit.

I think, Mr. Chairman, that the solution of the dispute is a matter for rejoicing for all concerned and I would conclude by saying that my Government thoroughly agrees with the last remarks of Sir Paul, namely that NATO at various times has been very helpful in trying to get the Parties together and trying to find a solution. M. Spaak, M. Basdevant and others spent a lot of time on this endeavour. For that we are grateful and I am sure all the members of the Council share that view.

CONFIDENTIAL

I am glad to be able to inform the Council, with the agreement of my Icelandic Colleague, that a settlement of the Fisheries Dispute between the United Kingdom and Iceland was concluded by an Exchange of Notes in Reykjavik on March 11. I am arranging for copies of the text of the Exchange of Notes to be circulated to Delegations.

2. The main provisions of the settlement are that there should be a transitional period of three years during which United Kingdom vessels will be able to continue to fish in certain areas and at certain seasons of the year in the zone between 6 and 12 miles off Iceland. In addition, provision is made for certain modifications in favour of Iceland of the base lines from which the 12-mile fishery zone defined in the Exchange of Notes is measured. These modifications are explicitly stated to relate solely to the delimitation of that zone. After the 3 year transitional period Her Majesty's Government will no longer object to the exclusion of British trawlers from the whole of the 12-mile fishery zone around Iceland. The Iceland Government, for their part, undertake to give six months' notice of any further intended extension of their fishery jurisdiction. They also agree that any dispute in relation to such an extension shall, at the request of either party, be referred to the International Court of Justice. The settlement is without prejudice to the rights of Her Majesty's Government under international law towards third parties. The Exchange of Notes will be registered with the United Nations in accordance with Article 102 of the United Nations Charter.

/ 3.

CONFIDENTIAL

CONFIDENTIAL

- 2 -

3. The settlement has brought to an end an unhappy dispute which had been going on since September 1958, when the Icelandic Government claimed an extended fishery limit of 12 miles. Several attempts were made by NATO to bring about a modus vivendi between the United Kingdom and Iceland, but a basis for agreement could not then be found.

4. On August 10, 1960, the Icelandic Government agreed to enter into bilateral discussions with Her Majesty's Government and these began at official level on October 1. The settlement to which they have led is based in principle on the fishery aspects of the United States "Canadian proposal which failed by one vote to secure acceptance at last year's Law of the Sea Conference. This is modified, however, to take account of Iceland's special dependence on fisheries, which Her Majesty's Government have always recognised.

5. The settlement has been criticised both in Iceland and the United Kingdom. This is perhaps inevitable, given the conflict of interest which gave rise to the dispute, but it is, in Her Majesty's Government's view, a workable compromise. We hope it will open a new chapter in Anglo/Iceland relations and will assist our co-operation with Iceland in NATO, to which Her Majesty's Government attach the greatest importance.

6. I should like to conclude by paying tribute to the efforts which NATO have made since 1958 to bring about a settlement of this dispute. These efforts were not successful at the time, but I think my Icelandic Colleague will agree that they helped to bring the two parties together.

CONFIDENTIAL

CONFIDENTIAL

Your Excellency,

The discussions which have taken place between representatives of our respective Governments concerning the fisheries dispute have now been concluded. It is the understanding of my Government that this dispute can be settled on the following basis:

1. The United Kingdom Government no longer opposes the 12 mile fisheries limit around Iceland.
2. The following base-lines enter into force immediately:

1 - 5  
12 - 16  
51 - 42  
35 - 39

3 A. For a period of 3 years British trawlers may engage in trawling within the zone from 6 to 12 miles as follows:

- 1) Horn - Langanes (with the exception of the area between Grimsey and the mainland, delimited by lines drawn from the southern-most tip of Grimsey to basepoints 6 and 8)  
June - September
- 2) Langanes - Glettinganes  
May - December
- 3) Glettinganes - Setusker (20)  
January - April and July - August
- 4) Setusker - Mýrnatangi (30)  
March - July
- 5) Mýrnatangi - 20° w.l.  
April - August
- 6) 20° W.L. - Geirfugladrangur (51)  
March - May
- 7) Geirfugladrangur - Bjargtangar (43)  
March - May
- 8) Bjargtangar - Straumnes (46)  
June - October
- 9) Straumnes - Horn  
March - June

3 B. Protected areas between 6 and 12 miles.

*accepted*

*from all* In the following areas, however, there will be no British trawling [during the next 3 years]

- 1) Between  $63^{\circ}37'$  N.L. and  $64^{\circ}13'$  N.L. (south Faxaflói)
- 2) "  $64^{\circ}40'$  N.L. "  $64^{\circ}52'$  N.L. (at Snæfellsnes)
- 3) "  $65^{\circ}$  N.L. "  $65^{\circ}20'$  N.L. (Breiðafjörður)
- 4) "  $14^{\circ}58'$  W.L. "  $15^{\circ}32'$  W.L. (Mýrabugt)
- 5) "  $16^{\circ}12'$  W.L. "  $16^{\circ}46'$  W.L. (Ingólfshöfði)

4. Protected areas outside the 12 mile limit.

There will be no British trawling during the next 3 years inside the following areas between 12 and 18 miles:

- 1) Bjargtangar - Barði (45)  
January - April
- 2) Barði - Horn  
November - February

The Icelandic Government will continue to work for the implementation of the Althing Resolution of May 5, 1959, regarding the extension of fisheries jurisdiction around Iceland. Six months notice will be given of the application of any such extension and in case of dispute the measures, will, at the request of either Party, be referred to the International Court of Justice.

I would propose that in your reply to this Note you will confirm the above understanding.



Copy

BRITISH EMBASSY,  
REYKJAVIK.

December 14, 1960.

My Dear Foreign Minister,

I have been asked to convey to Your Excellency the following personal message from my Secretary of State:

"Her Majesty's Ambassador has reported to me the Icelandic Government's latest proposals for a settlement of the fishery dispute as set out in the draft exchange of notes which you handed to him on December 10. I am afraid I must tell you that these proposals have come to my Government as a severe shock and disappointment. I need hardly say that we wish for nothing more than to strengthen relations between our two countries, as traditional friends and as fellow members of N.A.T.O. To that end we have striven hard to reach a settlement of the dispute. You have told us that your Government also sincerely desires a settlement. This had encouraged us to hope that despite the difficulties on both sides, it would be possible to find a compromise between our respective positions. It was in the spirit of compromise and in an earnest attempt to reach an agreement that we put forward the proposals which the Ambassador conveyed to you on December 9.

"These went a very long way to meet you in recognition of Iceland's special situation in regard to fisheries. Not only were we willing to accept a transitional period much shorter than that envisaged in the United States/Canadian proposal, but in recognition of your Government's internal difficulties we were to go much further. We were willing to agree to a severe curtailment of our industry's freedom to fish within

the six to twelve mile zone, to accept the immediate introduction of four new base lines for the purpose of delimiting that zone, and even to consider the exclusion of our vessels from an area outside the twelve miles during a reasonable transition period. The cumulative effect of these further concessions by us would have been to deprive our industry of most of the benefits which the transitional arrangements were intended to provide. Finally we were prepared to accept a less satisfactory form of assurance in regard to future action by the Icelandic Government than that which we considered desirable.

"Your Government's present position appears, if I may say so, to take little account of our proposals, and your draft exchange of notes does not, as we would wish, constitute an agreement between the two Governments. Nor do the Icelandic proposals meet our three basic requirements for the terms of an agreement which were explained in the Ambassador's oral communication of December 9. These are:-

- (1) the assurance should be set out in an exchange of notes expressly stated to constitute an agreement which would in Her Majesty's Government's view, be the only way of binding both parties to accepting the jurisdiction of the International Court of Justice in the event of any dispute arising over extensions of fishery jurisdiction. We regard this as essential if we are going to achieve stability in our future fishery relations as we earnestly desire;
- (11) the transitional period should be five years, although in order to meet you we have offered to consider a shorter period if you were ready to eliminate the outside areas in return for additional restrictions on our vessels in the six to twelve mile zone off the north west coast;

His Excellency Mr. Gustafur L. Gudmundsson,  
Minister for Foreign Affairs,  
Reykjavik.

(111) it should be expressly stated as part of the agreement that the proposed base line changes, to be introduced on the entry into force of the agreement, are solely for the purpose of the delimitation of the fishery zone around Iceland.

In addition, the proposals envisaged for the restrictions on our vessels in the six to twelve mile zone go beyond what we had been led to believe in London would be acceptable to you.

"I was glad to hear that you had informed Mr. Steward that your Government might be prepared to meet us to some extent over the formula on base lines as set out in paragraph 3 (111) above. I much regret however that even if this point were satisfactorily settled, your Government's proposals in their present form would be wholly unacceptable to us.

"I am sure you realize as I do the serious consequences which would result if we failed to reach agreement and in particular the harm which would be caused to Anglo-Icelandic relations. I sincerely trust therefore that your Government will be prepared to reconsider their position."

Yours sincerely,

(A. C. Stewart)

His Excellency Mr. Gudmundur I. Gudmundsson,  
Minister for Foreign Affairs,  
Reykjavik.

Foreign Office,  
S.W.1.

December 21, 1960.

My dear Foreign Minister,

As I told you yesterday, Her Majesty's Government in the United Kingdom would be prepared to accept a settlement of the Fisheries dispute on the terms which are, as explained below, embodied in the two draft Exchanges of Notes which I am sending you herewith. It is my understanding that the substance of these terms, at which we have arrived after such lengthy discussions, is also acceptable to your Government and that the only point of difference remaining between us is the form which the settlement should take.

You explained to me that the Icelandic Government see difficulty in calling the settlement an agreement and in accepting the registration with the Secretariat of the United Nations of a document which embodies the proposed arrangements for continued fishing inside 12 miles during the transitional period. I explained to you that Her Majesty's Government consider it essential that the terms of the Assurance that any dispute on future extensions of fishery jurisdiction beyond 12 miles would be referred to the International Court of Justice, should be embodied in a form which is an Agreement registered with the Secretariat of the

His Excellency

Mr. G.I. Gudmundsson

United Nations in accordance with the provision of the Charter. Article 102 of the Charter specifically provides that unless so registered the Agreement cannot be invoked before any organ of the United Nations.

In order to assist the Icelandic Government in overcoming the difficulty to which you referred, Her Majesty's Government would be prepared to accept an arrangement divided into two halves, namely:-

- (1) an agreement in the terms of the draft Exchanges of Notes Nos. 1 and 2 attached dealing with the jurisdiction of the International Court of Justice in any future dispute, which would be registered with the Secretariat of the United Nations under Article 102 of the Charter, and
- (11) an Exchange of Notes as set out in the draft notes Nos. 3 and 4 attached which would not be registered with the Secretariat of the United Nations but which would state the terms on which the fisheries dispute had been settled.

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.

Yours sincerely,

Home (sign)

DRAFT NOTE FROM THE FOREIGN MINISTER OF ICELAND

Your Excellency,

I have the honour to refer to the discussions which have taken place in Reykjavík and London this autumn between representatives of our respective Governments concerning the fisheries dispute between our two countries, and to the settlement of that dispute the terms of which are set out in Notes exchanged this day between us on behalf of our respective Governments.

I further have the honour to make the following proposal:-

The Icelandic Government will continue to work for the implementation of the Althing Resolution of 5th May, 1959, regarding the extension of fisheries jurisdiction around Iceland, but shall give to the United Kingdom Government six months' notice of any such extension, and in case of a dispute in relation to such extension, the matter shall, at the request of either party, be referred to the International Court of Justice.

I have the honour to suggest that this Note and Your Excellency's reply thereto accepting the above proposal shall constitute an agreement on this matter between our two Governments which shall have effect from today's date.

I have the honour to be, etc.

DRAFT UNITED KINGDOM REPLY TO No. 1

Your Excellency,

I have the honour to acknowledge receipt of Your Excellency's Note of today's date reading as follows:-

(as in No. 1)

I have the honour to confirm that the proposal made in Your Excellency's Note is acceptable to the Government of the United Kingdom and that that Note, together with this reply, shall constitute an agreement on this matter between our two Governments which shall have effect from today's date.

I have the honour, etc.

DRAFT NOTE FROM THE FOREIGN MINISTER OF ICELAND

Your Excellency,

I have the honour to refer to the discussions which have taken place in Reykjavik and London this autumn between representatives of our respective Governments concerning the fisheries dispute between our two countries. In view of these discussions, my Government is willing to settle the dispute on the following terms:

1. The United Kingdom Government will no longer object to a twelve-mile fishery zone around Iceland measured from the base lines specified in paragraph 2 below which relate solely to the delimitation of that zone.
2. The base lines which will be used for the purpose referred to in paragraph 1 above will be those set out in the Icelandic Regulation No. 70 of 1st July, 1958, as modified by the use of base lines drawn between the following points:
  - A. Point 1 (Horn) to Point 5 (Asbutharif)
  - B. Point 12 (Langanes) to Point 16 (Glettinganes)
  - C. Point 51 (Geirfugladrangur) to Point 42 (Skalasma gl)
  - D. Point 35 (Eindrangar) to Point 39 (Geirfugladrangur)

These modifications will enter into force immediately.

3. For a period of three years from the date of Your Excellency's reply to this Note, the Icelandic Government will not object to vessels registered in



the United Kingdom fishing within the outer six miles of the fishery zone referred to in paragraph 1 above within the following areas during the periods specified:

- (1) Horn (Point 48) - Langanes (Point 12)  
(June to September)
- (II) Langanes (Point 12) - Glettinganes (Point 16)  
(May to December)
- (III) Glettinganes (Point 16) - Setusker (Point 20)  
(January to April and July to August)
- (IV) Setusker (Point 20) - (Point 30)  
(March to July)
- (V) Point 30 to 20° West longitude  
(April to August)
- (VI) 20° West longitude - Gerifugladrangur (Point 51)  
(March to May)
- (VII) Geirfugladrangur (Point 51) - Bjargtangar  
(Point 43) (March to May)

4. There will, however, be no fishing by vessels registered in the United Kingdom in the outer six miles of the fishery zone referred to in paragraph 1 during the aforesaid period of three years in the following areas:

- (1) Between 63° 37' north latitude and 64° 13' north latitude south of Faxaflói
- (II) Between 64° 40' north latitude and 64° 52' north latitude (Snæfellsnes)
- (III) Between 65° north latitude and 65° 20' north latitude
- (IV) Between Bjargtangar (Point 43) and Horn  
(Point 48)

- (v) Off the mainland between  $18^{\circ} 13'$  east longitude and Point 8 (the precise area to be determined)
- (vi) Between  $14^{\circ} 58'$  west longitude and  $15^{\circ} 32'$  west longitude (Myrabugt)
- (vii) Between  $16^{\circ} 12'$  west longitude and  $16^{\circ} 46'$  west longitude (Ingolfshöfði).

I have the honour to suggest that this Note and Your Excellency's reply thereto will confirm that its contents are acceptable to the United Kingdom Government, and that the settlement of the dispute has been accomplished on the terms stated therein. The settlement will become effective forthwith.

DRAFT UNITED KINGDOM REPLY TO NO. 3

Your Excellency,

I have the honour to acknowledge receipt of Your Excellency's Note of today's date reading as follows:

(As in No. 3)

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, 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 will become effective forthwith.

BRITISH EMBASSY,  
REYKJAVIK,

December 16, 1960.

I have been asked to convey to Your Excellency the following personal message from Mr. Macmillan.

"I had very much hoped that the negotiations between our two Governments for a settlement of the dispute over fishery limits, which began after our meeting, might now be within sight of a conclusion satisfactory to both sides. Unfortunately this does not seem to be the case.

"Our Foreign Secretary has now communicated to your Government a revised draft exchange of notes which embodies certain outstanding points which are of vital importance to us. I most earnestly hope that you will be able to accept this exchange of notes. I appreciate that you are facing a very difficult problem and I have had this much in mind. But I do assure you that we can go no further in order to reach agreement upon this basis. If the present negotiations break down we should be bound to publish the details of our negotiations to the world and, if we did so, I sincerely believe they would give ample evidence that my Government have been prepared to make very large concessions in order to secure a settlement.

"I must also regret, as I told you in Keflavik on September 25th, that our Government have no power to prevent British trawlers from fishing within the twelve mile limit in what we regard as high seas. If the present negotiations break down, we could certainly not prevent their doing so without enacting legislation which would be impossible to carry in our Parliament. The situation which would thus arise would face us with very distressing decisions on the question of protection.

January 14, 1960.

"I must therefore appeal to you most earnestly to see if we cannot now bring these negotiations to a conclusion."

(H.M. Ambassador)

His Excellency  
Mr. Olafur Thors.

AFRIT AF HRAÐSKEYTI FRÁ GUÐMUNDSSON, PARIS, DAGS.

18. DESEMBER 1960, KL. 19.27.

ITARLEGAR VIÐRÆÐUR GRUNÐVELLI FÖSTUDAGS ORÐSENDINGAR  
EN ERFITT SAMKOMULAG ÞÁ FRAMSETT NY HUGMYND VEL  
TEKIÐ STOP REYNI FA TILBOÐ VAL MILLI LEIÐA VÆNTI  
SVARS HVERRI STUNDU STOP FER LONDON KVÖLD NANAR  
MORGUN STOP VINSAMLEGAST LATIÐ VITA HEIMA

Framhaldsviðræður við Breti.

Viðræðunefndin er sammála um að leggja til, að atriði þau, sem greind eru í hjálögðu fylgiskjali I verði lögð til grundvallar framhaldsviðræðum. Er þar gert ráð fyrir ýtrustu grunnlíubreytingum. Þari hinsvegar svo, að Bretar vilji einungis miða við þær grunnlíubreytingar, sem þeir nefndu í lok fyrri umræðna, þ.e. yfir Húnaflóa, sunnan Langaness og að óverulegu leyti yfir Selvegsbanka, mundu liðirnir II, 1. og 3. Fylgiskjale I verða svo sem greinir í Fylgiskjali II.

Reykjavík, 22. október 1969.

Fylgiskjal I.

During the discussions which took place between representatives of Iceland and the United Kingdom early in October, both parties explained their views and interests and explored possibilities for solving the present dispute. Since then the problems have been further studied by the Icelandic Government and the following points are now on the Icelandic side considered to be a reasonable basis for settlement:

I. Areas within the 6-12 mile zone to be available for British trawlers.

1. Area A (Westman Islands - Basepoint 51) March-May.

2. Area B (Basepoint 51 - Basepoint 1 Horn)

In the area between basepoints 51 and 43 March-May.

In the area between basepoints 43 and 46 July-October.

In the area between basepoints 46 and 1 March-June.

3. Area C (Horn - Langanes) June-September.

4. Area D (Langanes - Basepoint 30)

In the area between basepoints 12 and 16 June-December.

In the area between basepoints 16 and 20 January-March, and July-August.

In the area between basepoints 20 and 30 March-July.

II. Other changes in the present Regulations.

Small Boat Areas

1. Protected net fishing areas within the 6-12 mile zone.

(i) Area B

Between latitudes  $63^{\circ}37'$  North and  $64^{\circ}13'$  North.

Between latitudes  $64^{\circ}40'$  North and  $64^{\circ}52'$  North.

Between latitudes  $65^{\circ}00'$  North and  $65^{\circ}20'$  North.

(ii) Area D

Between longitudes  $14^{\circ}30'$  West and  $15^{\circ}32'$  West.

Between longitudes  $16^{\circ}12'$  West and  $16^{\circ}46'$  West.

2. Baselines.

The present Icelandic baselines were drawn up in 1952. The Hague judgement of 1951 in the Anglo-Norwegian fisheries case was then, of course, carefully studied



and the Icelandic Government considered that the baselines could have been drawn more liberally in conformity with the principles of that judgement. However, it was decided in several instances to draw the lines in a more conservative manner both because a rather novel concept was being dealt with and because it was earnestly hoped that such an approach would meet with greater understanding on the part of those who were most directly concerned. Later developments showed that this was not the case. In addition, further developments have taken place in this field, notably through the conclusion of the Geneva Conference on the Territorial Sea where a solid basis is found for the drawing of direct baselines. Consequently, it has for some time been the policy of the Icelandic Government to revise the present baselines so that direct baselines would be drawn between the following basepoints:

Between 1 and 5  
" 12 " 16  
" 25 " 28  
" 28 " 30  
" 35 " 51  
" 51 " 42

Also the elimination of the pockets created by the present baselines around Grimsey and Hvalsbakur is considered appropriate.

3. Protected Small Boat Areas outside the 12 mile limit.

(i) Area B

In the area between basepoints 43 and 45 January-April

In the area between basepoints 45 and 1 November-February

(ii) Area C

In the area between basepoints 5 and 10 15 September-December

(iii) Area D

In the area between basepoints 16 and 20 September-Dec.

In the area between basepoints 20 and 25 Sept.-February

In the area between basepoints 25 and 30 January-February

4. "Rules of Conduct".

The draft rules for the regulation of fisheries which

were submitted by British representatives would form a useful part of the agreement.

III. Economic Cooperation.

1. The landings agreement now in force should be revised to the effect that the quota would be increased and limitations as to species and carry-overs between periods would be abolished.
2. Economic cooperation in other fields would include tariff reductions on imported fish and fish products.

IV. The length of the transitory period.

The period of the agreement concerning fishing areas would be 3 years.

V. The situation after the termination of the agreement.

Future extension of fishery limits around Iceland would be based either on an agreement (bilateral or multi-lateral) or decisions of the Icelandic Government which would be subject to arbitration at the request of appropriate parties.

Fylgiskjal II

Fáist ekki viðurkenning á grunnlínunum 80rum en á Húnaflóa, við Langanes og aðeins óverulega á Selvegabanka, yrði að fara fram á lokuð svæði unfrám það, sem gert er ráð fyrir í fylgiskjali I fyrir línu- og netjaveiðar íslenskra báta á vertíðum.

Á jásun þessara svæða yrði verndin að ná missunandi langt út fyrir 12 mílur og yrði þá að miða við að komast eins langt og hægt væri á hverju svæði.

Svæðin eru þessi:

1. Netjasvæði: Vestmannaeyjar
2. Línusvæði í Faxaflóa og Breiðafirði
3. Netjasvæði í sunnanverðum Faxaflóa
4. Netjasvæði við Snæfellsnes
5. Netjasvæði á Breiðafirði
6. Línusvæði útaf Vestfjörðum

BRITISH EMBASSY,  
REYKJAVIK.

August 5, 1960.

With a view to reaching agreement, Her Majesty's Government would be willing to enter into negotiations with the Government of Iceland, looking as a whole the

I have been instructed by Lord Home, Secretary of State for Foreign Affairs, to convey to Your Excellency the following personal message which has reached me by telegram: -

"Among the first of my duties on taking up my new appointment has been to consider with my colleagues the problems which arise from the dispute between us over the fishery limits. I recognize that this is a difficult problem for your Government, but I am sure that you also recognize that a very serious situation will arise after August 12th, if no negotiations, either at Governmental level or between our industries, have been initiated by then.

"If we have been unable before August 12th either to settle the dispute or at least to agree to start substantive talks for that purpose, there is no doubt that the British trawlers will in fact resume fishing within twelve miles of Iceland. Her Majesty's Government have no legal power to prevent them from doing so and would be subject to extremely strong pressure to protect British vessels fishing on the high seas. If the dispute between us remains unsettled, we shall be in danger of seriously damaging relations with each other. I trust that you will agree that this is a consequence which it is in the interests of both Governments to avoid. I am convinced that a basis could be found for a satisfactory settlement, but to reach agreement we must talk to each other.

His Excellency

Mr. Guðmundur Í. Guðmundsson,  
Minister for Foreign Affairs,  
Reykjavík.

"With a view to reaching agreement, Her Majesty's Government would be willing to enter into negotiations with the Government of Iceland, taking as a basis the United States/Canadian formula at the 1960 Geneva Conference on the Law of the Sea subject to modification having regard to recognition by Her Majesty's Government of Iceland's "special situation". Talks on this basis would be designed to lead to an agreement which would permit a continuation of fishing by British vessels during a period in the zone between six and twelve miles after which Her Majesty's Government would acquiesce in the exclusion of British vessels from fishing within twelve miles of Iceland. The exact period would be subject to negotiation. We think a period of five years would be fair to both sides. Consideration could also be given to reasonable arrangements designed to avoid interference by trawlers with line-fishing.

"We are ready to begin such talks and I hope you will agree that negotiations between our two Governments should start immediately.

"If you agree that talks should be started, it is important that I should have your agreement by August 8th so that efforts can be made to avoid the serious situation that will otherwise arise on August 12th".