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CABINET

ICELAND FISHERIES DISPUTEMemorandum by the Minister of Agriculture and Fisheries

On 18th December, 1952, the Cabinet invited me to have a discussion with representatives of the fishing industry with a view to enabling Her Majesty's Government to inform the International Court that if the restrictions on our trawlers imposed by the Iceland Government were raised pending a decision by the Court, the ban on landings of Iceland fish in this country would also be lifted (C.C.(52) 106th Conclusions, Minute 6).

2. The meeting was held at York on 30th December with representatives of the organisations of trawler owners, skippers and mates, and fish merchants at the ports of Grimsby, Hull and Fleetwood; representatives of the organisations of skippers and mates and of fish merchants at Aberdeen were also present. These are the four ports concerned with the Iceland dispute. I was accompanied by the Parliamentary Under-Secretary of State for Scotland.

3. We gave a full account of the present situation, and made it clear that the Iceland Government were still showing themselves quite unyielding despite all the efforts of Her Majesty's Government to negotiate a compromise settlement on the basis of the reference of the dispute to the Permanent Commission to be set up under the Overfishing Convention of 1946. We explained that the Iceland Government were not expected to budge from their position that the new fishery limits are to be permanently maintained and will not be made the subject of negotiation or arbitration on conservation grounds, but will be insisted upon as being legally well based.

4. We said there were therefore three broad courses of action to be considered. The first was for the present deadlock to be allowed to continue and for both sides to remain indefinitely in their present position. This would be difficult. Public opinion was likely to apply increasing pressure for some solution to be found, and such pressure would become very difficult to resist if the loss of the Icelandic supplies of fish should eventually lead to a shortage and high prices. The second course would be to apply force, since persuasion had failed. This would mean insisting upon the observance of the old fishery limits and protecting our trawlers up to those limits, with all the risks of coming to blows that would be entailed. Such action could not, however, be contemplated: Iceland was an allied member of the North Atlantic Treaty Organisation and an important factor in Atlantic defence. The remaining course was to refer the dispute to the decision of the International Court of Justice. This would be the more fitting as the Iceland Government were now standing on supposed legal right rather than on the ground of the conservation of the stocks of fish. If the dispute were so referred, the presentation and the hearing of the case would take a year or more and during that time the whole matter would be sub judice. The question therefore arose whether private action on the part of the industry to ban the entry of Icelandic fish should not cease pending the judgment of the International Court.

11

5. If the Government should decide to refer the dispute to the Court, would the industry agree not to prevent as from the time when the dispute was referred to the Court, the entry of Icelandic fish through our fishing ports and would the skippers and mates agree not to take strike action? We asked the representatives of the industry to recognise that the British case before the Court might be better regarded if the industry withdrew their economic sanctions, even though Iceland should not take corresponding action by withdrawing to the old fishery limits while the dispute was sub judice.

6. The Parliamentary Under-Secretary of State and I then left the representatives of the industry to discuss the situation together. Upon our return we were given this statement of their unanimous view:

"We are prepared to have the dispute submitted to the Permanent Commission to be set up under the Overfishing Convention and to abide by the decision of that Commission provided that Iceland is prepared to do likewise. Until the case has been decided by the Commission, the ban on Icelandic landings remains in force.

In the interim period before the Commission meets, we are prepared to consider any approach which may be made by the Icelandic interests."

7. I pointed out that this was no answer to the question which had been put, and that the Foreign Secretary could not be expected to see any point or advantage in putting to the Iceland Government a proposal they had already completely rejected. The representatives of the industry showed themselves reluctant, however, to discuss the reference of the dispute to the International Court, at least at the present time, and they asked that if possible the Government should avoid going to the Court. On being urged further they said that they would readily remove their sanctions against Icelandic fish if the Icelandic Government were willing to suspend the operation of their new fishery limits until the Court gave judgment on the dispute; but they were not prepared to remove their sanctions against Icelandic fish if the Iceland Government were were not so willing.

8. I believe there are three factors determining the attitude of the industry. The first is a general feeling among the leaders of the industry that Iceland cannot hold out very much longer and will soon be obliged to seek a compromise settlement. The second is that the fish merchants are evidently persuaded that the risk of a shortage of supplies before this winter is out should be faced in the interests of the larger objective; and the industry may be the more ready to take this risk because the supply position has been easy over the last few weeks and there is some evidence that the demand for fish is not so keen or strong as in recent winters. The third factor is that the industry are clearly fearful of an unfavourable judgment from the International Court and of the possible consequences of such a judgment in limiting their access to fishing grounds adjacent to other countries.

9. The meeting concluded with our stating that Ministers would now have to consider the situation in the light of what had transpired; and the following statement for the Press was agreed and issued:-

"The Minister of Agriculture and Fisheries and the Parliamentary Under-Secretary of State for Scotland today met representatives of the fishing industry at the ports of Grimsby, Hull, Aberdeen and Fleetwood. The representatives of the industry were informed of the situation with regard to the Icelandic fisheries dispute following the recent conversation with Mr. Thors, the Icelandic Minister of Fisheries, which was the subject of a statement by the Parliamentary Under-Secretary of State for Foreign Affairs in the House of Commons on 17th December. The present position was fully reviewed, and Ministers were informed of the viewpoint of the industry."