

**FISHERIES JURISDICTION CASE (FEDERAL REPUBLIC OF GERMANY
v. ICELAND) INTERIM PROTECTION**

Order of 17 August 1972

In two separate Orders, issued on 17 August 1972, each adopted by fourteen votes to one, the Court indicated interim measures of protection in the Fisheries Jurisdiction cases (United Kingdom v. Iceland; Federal Republic of Germany v. Iceland).

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UNITED KINGDOM v. ICELAND

In the first of the two Orders, the Court indicated, pending its final decision in the proceedings instituted on 14 April 1972 by the Government of the United Kingdom against the Government of Iceland, the following provisional measures:

(a) the United Kingdom and the Republic of Iceland should each of them ensure that no action of any kind is taken which might aggravate or extend the dispute submitted to the Court;

(b) the United Kingdom and the Republic of Iceland should each of them ensure that no action is taken which

might prejudice the rights of the other Party in respect of the carrying out of whatever decision on the merits the Court may render;

(c) the Republic of Iceland should refrain from taking any measures to enforce the Regulations of 14 July 1972 against vessels registered in the United Kingdom and engaged in fishing activities in the waters around Iceland outside the twelve-mile fishery zone;

(d) the Republic of Iceland should refrain from applying administrative, judicial or other measures against ships registered in the United Kingdom, their crews or other related persons, because of their having engaged in fishing activities in the waters around Iceland outside the twelve-mile fishery zone;

(e) the United Kingdom should ensure that vessels registered in the United Kingdom do not take an annual catch of more than 170,000 metric tons of fish from the "Sea Area of Iceland" as defined by the International Council for the Exploration of the Sea as area Va;

(f) the United Kingdom Government should furnish the Government of Iceland and the Registry of the Court with all relevant information, orders issued and arrangements made

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concerning the control and regulation of fish catches in the area.

The Court also indicated that unless it had meanwhile delivered its final judgment in the case, it would, at an appropriate time before 15 August 1973, review the matter at the request of either party in order to decide whether the foregoing measures should continue or needed to be modified or revoked.

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FEDERAL REPUBLIC OF GERMANY v. ICELAND

In the second Order, the Court indicated, pending its final decision in the proceedings instituted on 5 June 1972 by the Federal Republic of Germany against the Republic of Iceland, the following provisional measures:

[Paragraphs (a), (b), (c), (d) and (f) of the second Order are in the same form, *mutatis mutandis*, as in the first; paragraph (e) reads as follows:]

(e) the Federal Republic should ensure that vessels registered in the Federal Republic do not take an annual catch of

more than 119,000 metric tons of fish from the "Sea Area of Iceland" as defined by the International Council for the Exploration of the Sea as area Va;

The Court also indicated that unless it had meanwhile delivered its final judgment in the case, it would, at an appropriate time before 15 August 1973, review the matter at the request of either party in order to decide whether the foregoing measures should continue or needed to be modified or revoked.

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For the purposes of the proceedings leading to the issue of these Orders the Court was composed as follows: President Sir Muhammad Zafrulla Khan; Vice-President Ammoun; Judges Sir Gerald Fitzmaurice, Padilla Nervo, Forster, Gros, Bengzon, Petrán, Lachs, Onyeama, Dillard, Ignacio-Pinto, de Castro, Morozov, Jiménez de Aréchaga.

Vice-President Ammoun and Judges Forster and Jiménez de Aréchaga appended a Joint Declaration to each Order.

Judge Padilla Nervo appended a Dissenting Opinion to each Order.