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LETTER DATED 23 JANUARY 1976 FROM THE PERMANENT REPRESENTATIVE
OF ICELAND TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF
THE SECURITY COUNCIL

The following document constitutes a complete English language translation of the transcripts made of the hearings held under the maritime inquiry conducted in two different courts of law in Iceland, namely the Maritime and Commercial Courts of the City of Reykjavík and the Town of Siglufjörður on 19 and 24 December 1975, into the incident which occurred on 11 December 1975 in the entrance of the East Coast fiord of Seydisfjörður, Iceland, involving, on the one hand, two British tugboats, the Lloydsman and the Star Polaris, and the platform supply ship Star Aquarius, and on the other the Icelandic Coast Guard vessel Thor. This incident was the subject of the 1866th meeting of the Security Council on Tuesday, 16 December 1975.

Now that the evidence of eyewitnesses, presented under oath to a court of law in the course of hearings conducted under a court inquiry, has become available, there seems to be an even stronger reason to conclude that the British public vessels involved in this action entered an area inside internationally recognized territorial waters, with the direct intent of creating and provoking an incident, possibly with the objective of sinking one of the ships belonging to the fleet of the Icelandic Coast Guard, ships that vary in size from some 200 tons to 1,050 tons, commissioned for the purpose of dealing with fishery protection, salvage and rescue work, hydrographic research, surveying and lighthouse duties.

It is clear from the testimony presented in the court hearings that the British vessels entered Icelandic territorial waters and were lying approximately 1.1 nautical miles from shore, not for the purpose of seeking shelter from bad weather (the wind velocity was no more than 5-6 degrees Beaufort scale), but to transport water from one ship to the other, or between the Lloydsman and Star Aquarius, when the Coast Guard vessel Thor came upon them.

In the normal course of performing his duties as a law enforcement officer the Commander of the Thor approached the British ships for the peaceful purpose of finding out about the reason for their presence inside internationally recognized territorial limits and, with this in mind, sent continuously signals to stop by Aldis lamp, siren and flag, and by VHF radio. None of these signals were ever heeded by the British ships. Instead of answering these signals to stop and explain their presence, they seized the opportunity, when the Coast Guard vessel

had come to a virtual stand-still, to ram the ship repeatedly, first the Star Aquarius and then the Lloydsman, causing a great deal of damage to the Coast Guard vessel. This is made abundantly clear from evidence presented to the maritime court of inquiry, including a film and a series of photographs which were taken from the Coast Guard plane which was present over the area when the incident occurred.

Not only did this action constitute a flagrant violation of international rules of navigation, but it placed the lives of the members of the Coast Guard vessel's crew in grave danger.

It is furthermore clear from the said evidence that many of the remarks made by the British Permanent Representative in his statement before the Security Council on Tuesday, 16 December 1975, are either unfounded allegations or purely fictitious. One of the statements made by him was to the effect that an armed boarding party in combat dress had been photographed when making ready for boarding one or more of the British tugboats.

This is proved by the court hearings to be a complete fabrication, for the evidence shows beyond any doubt that no such combat dress exists in the Icelandic Coast Guard Service, that no such boarding party was formed, and no one on board the Coast Guard vessel was armed in any way whatsoever. Furthermore, the rubber dinghy referred to in the statement made by the British Permanent Representative was tied up in its usual place on board ship, and no attempt was made to make this loose, for there never was any intention to do so, and this would have been in contradiction to the Commander's intent in approaching the ships as an official Icelandic law enforcement officer within the recognized territorial waters of a sovereign State. He gave orders to stop, by three different types of signals, as he was entitled to do for the purpose of investigating the presence of foreign ships far inside the territorial waters of Iceland. But the British ships, instead of replying to these signals, seized the chance of repeatedly ramming the Coast Guard vessel when it had slowed down and almost come to a stand-still.

It is furthermore worth pointing out that the description of these events as presented by the British Permanent Representative does not stand to reason in the light of the obvious fact, as made clear by the evidence presented to the court, that the Coast Guard vessel had almost stopped and that the Lloydsman, which in the beginning of the action had been lying still with a rope and a water-hose running between her and the Star Aquarius, picked up speed after the Star Aquarius had rammed the Thor, and came up behind the ship and followed up the first ramming by two more, which can be described as sneak attacks.

There is every reason to believe, therefore, that this was nothing but a premeditated and planned attack upon an Icelandic Coast Guard vessel on an ordinary mission of law enforcement, on the part of the British vessels, at the instigation and under the supervision of the British warships now protecting the unlawful operation of British fishing trawlers inside the 200-mile fisheries jurisdiction of Iceland.

I have the honour to request that this letter together with the enclosed documents be circulated as an official document of the Security Council.

(Signed) Ingvi INGVARSSON
Permanent Representative of Iceland
to the United Nations

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Annex*

A. TRANSCRIPT FROM THE RECORD OF THE REYKJAVIK
MARITIME AND COMMERCIAL COURT

Maritime inquiry into the collision of the Coast Guard vessel
Thor and the British tugboats Star Aquarius and Lloydsman off
the mouth of Seydisfjordur on Thursday, 11 December 1975

19 and 24 December 1975

Year 1975, on Friday 19 December, Mr. Emil Ágústsson, Judge of the Reykjavik Civil Court, convened the Reykjavik Maritime and Commercial Court in the court room of the Reykjavik Civil Court at Túngata 14, and presided over the Court with his associate members, Kristján Adalsteinsson, Captain, and Andrés Guðjónsson, Headmaster.

Case before the Court:

To conduct a maritime inquiry into the collision of the Coast Guard vessel Thor and the British tugboats Star Aquarius and Lloydsman off the mouth of Seydisfjordur on Thursday, 11 December last.

Present on behalf of the petitioner, the Icelandic Coast Guard Service, is Jón Magnússon, Barrister-at-Law, and presents exhibits Nos. 1-22, 15 photographs, a film, 4 photographs, a photostat copy from the logbook, and a copy of a cable reading: Present on behalf of the ship's underwriters, Icelandic Fishing Vessels Joint Insurance Institute, is Sveinbjörn Jónsson, Barrister-at-Law. Present on behalf of the State Directorate of Shipping is Jón Wiium, and on behalf of the Public Prosecutor Bragi Steinarsson.

Judge: Summoned before the Court is the Commander of the Coast Guard vessel Thor.

Witness: Helgi Hallvardsson, Commander of the Coast Guard vessel Thor, born on 12 June 1931, residing at Lyngheidi 16, Kópavogur.

Judge: I exhort you to tell the truth, Helgi. This incident, Helgi, which occurred there on Thursday, 11 December, if you would explain the circumstances of how this came about, and how it occurred?

Witness: On Thursday, 11 December 1975, the Coast Guard vessel was outward bound in the fiord of Seydisfjordur after having completed an ordered assignment.

* The English translation of the annex and its attachments was supplied. Section C contains a list of documents, including those reproduced in the present annex.

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At 1221 hours the following observation was made of two tugboats sighted at the mouth of the fiord of Seydisfjordur:

Tugboat 039 degrees true, distance 2.9 nautical miles;

Brimnes, 317 degrees true, distance 0.6 nautical miles;

and simultaneously the third tugboat was observed at position 077 degrees, distance 3.4 nautical miles.

This determines the position of the first mentioned ships at 1.1 nautical miles from shore, while the position of the third tugboat was at a distance of 1.6 nautical miles from shore.

The two first mentioned tugboats were so close to each other that they appeared as one dot on the radar screen.

Since the tugboats were far inside the Icelandic territorial limit we immediately put on full speed.

At 1225 hours the following cable was sent to the control centre of the Icelandic Coast Guard Service: "Are approaching three tugboats inside territorial limit off entrance of Seydisfjordur. Are underway to order them outside."

At 1225 hours an international "L" signal was sent by Morse with Aldis lamp, and at the same time an alert was sounded since my intention was to usher the ships outside the territorial limit.

Soon thereafter the ships were identified as the Lloydsman and Star Aquarius.

The third tugboat now headed out to sea and its name could not be seen. On the other hand it was heard by radio telephone that this was the Star Polaris.

At 1228 hours the Coast Guard plane TF SYR flew over the tugboats, and then circled over the ships for the duration of the engagement.

The Coast Guard vessel sent continuously signals to stop by Aldis lamp, siren and flag, and the tugboats were also ordered to stop by VHF, channel 16 and 14.

A towline was now sighted from Star Aquarius to Lloydsman, and it was assumed that the latter was having some trouble.

At 1235 hours the following fix was made:

Borgarnes distance 1.9 nautical miles,

Skálaneshlíð distance 2.5 nautical miles.

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At the same time the Coast Guard vessel proceeded alongside the Star Aquarius on the starboard side at reduced speed. At the same time the Star Aquarius made a sharp turn to starboard and rammed the Coast Guard vessel's port side at the quarter.

The action of the tugboat was so sudden that there was no time to alert the crew on board the Coast Guard vessel of the imminent danger, which as usual is done by means of a special call system throughout the ship.

When the collision occurred the Lloydsman had picked up full speed close to the stern of the Coast Guard vessel.

After this the Star Aquarius headed for open sea, but the Lloydsman closed in on the Coast Guard vessel's port side, showing all signs of ramming.

At 1239 hours the following fix was made:

Álftanes, distance 2.5 nautical miles,

Borgarnestangi, distance 3.0 nautical miles.

The Coast Guard vessel's guns were now manned, since it seemed clear that the Lloydsman had the intention of ramming the vessel inside the territorial limits of Iceland.

At 1241 hours the Lloydsman rammed the Coast Guard vessel on its port quarter near the funnel.

Simultaneously a blank warning shot was fired in the direction of the tugboat, and the following fix was made:

Álftanes, distance 2.5 nautical miles,

Borgarnestangi, distance 3.3 nautical miles.

Shortly after this the Lloydsman headed once again for the Coast Guard vessel, aiming for its port side. The Coast Guard vessel succeeded in preventing a collision by turning sharply to port at top speed.

At 1245 hours the following fix was made:

Álftanes, distance 2.6 nautical miles,

Borgarnestangi, distance 3.6 nautical miles.

At 1247 hours the Lloydsman again rammed the Coast Guard vessel very hard on its port side.

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At 1250 hours the following fix was made:

Álftanes, distance 2.7 nautical miles,

Borgarnestangi, distance 4.6 nautical miles.

The Lloydsman now headed out of the territorial limit.

At 1254 hours the Coast Guard vessel called the Lloydsman by VHF radio, channel 16. The tugboat was warned that if it did not stop immediately it would be fired on with solid shots.

At 1256 hours a solid round was fired at the funnels of the Lloydsman. It is not known whether that shot hit the tugboat, but it did not stop.

At 1258 hours another solid round was fired at the funnels of the Lloydsman, and it is considered certain that this shot hit the tugboat, but where is not known. Both solid rounds were fired from the aft gun of the Coast Guard vessel, which has a calibre of 47 millimetres.

At 1258 hours an order was received from the Coast Guard Service to cease any further engagement with the tugboats.

The Coast Guard vessel thereupon immediately headed for shelter.

It should be pointed out that throughout the engagement the Coast Guard vessel observed all the ordinary international rules of navigation, and in accordance with these gave the required sound signals.

Signals to stop were also given from time to time during the engagement.

It should also be pointed out that the tugboats did not answer the orders of the Coast Guard vessel transmitted over the VHF radio.

As an attachment to this report is a preliminary description of the damages suffered by the Coast Guard vessel.

Weather: WNW 5-6, sea 4, intermittent hail squalls.

W: This is in accordance with a report which I submitted to the Director of the Coast Guard Service.

J: The witness hereby submits this report to the Court, and it is marked as exhibit No. 24. He also submits exhibit No. 25, a sea chart, a/ and the witness furthermore submits to the Court the ship's logbook. The witness further submits as exhibit No. 26 a description of the damages suffered by the Coast Guard vessel.

a/ The chart appears at the end of this document.

J: I should like to ask you, Helgi, when you are sailing there out of the fiord of Seydisfjordur, who were present on the bridge at the time, you yourself and?

W: Myself, yes, along with the three mates, the wireless operator and one seaman at the wheel.

J: Your report here, which you have now presented to the Court, refers to a number of fixes having been made. Who carried out these fixes?

W: They were made by the first and second mates, under my supervision, and the third mate recorded them.

J: Four photographs have been submitted to the Court here, Helgi, do you know who took these photographs?

W: These photographs were taken by the first mate, Fridgeir Olgeirsson.

J: I should like to ask you, Helgi, there under these conditions, when the tugboats are there close by you, and then on top of you, as you put it, what were the sound signals they gave in connexion with changes and such things, how did they indicate their changes?

W: They gave no sound signals, they gave no sound signals when they changed their course.

J: You state here in the report: "The Coast Guard vessel's guns were now manned ..." etc, and then that a blank warning shot had been fired, and then a solid round was fired, who took these decisions to use the guns?

W: I did.

J: Did they give no signals, did they never make any contact with you while this was going on?

W: None, they neither gave any signal with their sirens or attempted to make contact with us.

J: No Morse or?

W: No Morse or anything.

J: When this incident there is at its height, Helgi, these ramblings as you describe them, it is perhaps difficult to explain what you were thinking, whether this constituted a grave and imminent danger for your ship and your crew?

W: Well, I must say quite honestly that one perhaps did not fully realize this at the moment these events were taking place, for one was busy with various

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things connected with these. Flagrant rammings were taking place, and this was inside the Icelandic territorial limit, and a direct attack, if one can put it that way, and I was determined to stop this.

J: You did not assess this at the time from the viewpoint of the danger involved?

W: No, I did not because I have always looked upon our job with the Coast Guard Service and onboard the Coast Guard vessels in such a way, it is never possible to assess our work from the viewpoint of the danger involved, for we must perform our duties as we go along, so to speak.

J: Helgi, what was the reason why you sailed in the direction of the tugboats to begin with?

W: Well, now, it was as it is explained here at the outset of the report, the Coast Guard vessel was outward bound in the fiord of Seydisfjordur after having completed an assignment we had been ordered to carry out by the control centre of the Coast Guard Service, who had asked that we, according to a request from the Mayor of Seydisfjordur, inspect three mines which were considered to be afloat in Seydisfjordur. Immediately at daybreak on Thursday, 11 December, we started a search for these mines and put out a rubber dinghy of ours, and this was just by Hånefsstadaeyrar, and with the help of the police ashore, who had sighted these mines, or these unidentified objects, we found this floating in the vicinity of Hånefsstadaeyrar, and then this proved to be floats from the British underwater minefield which is located there in the fiord. These floats were then pulled into port, and just before this task had been completed we had received a cable from the control centre of the Coast Guard Service to go and inspect three tugboats which were present in the mouth of Seydisfjordur. And this is how that event started. When we had completed this task, i.e. the rubber dinghy had pulled the float to shore, then it was pulled onboard and left outside on the helicopter deck. We usually keep it inside the helicopter shed, but we left it there on top of the deck both to dry it, and also because it was now about noon, so it was decided to place it inside the shed after lunch. Yes, I would like to point out that this report, which has been submitted to the Court, is drawn up by me and my mates, all of us together.

The Coast Guard Service's Barrister: I would like, as the result of an occasion given by Ivor Richard in his speech before the Security Council of the United Nations on 16 December 1975, to ask the Commander of the Thor whether there was, on board the Thor, as is stated in the speech of the British representative: an "armed boarding party", and whether some men on board the Thor had been armed, when this encounter was taking place?

W: This is utterly absurd.

The Coast Guard Service's Barrister: Did any conversation take place between crew members on board the Thor and the Lloydsman?

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W: No conversations took place between the Lloydsman and the Thor except that two crew members on board the Thor observed a man standing on the starboard bridge wing of the Lloydsman, waving his clenched fists and shouting: "Kill them all". My boatswain was a witness to this, and a greaser, and they were standing on the helicopter deck, and this man, as I have said, seemed to be urging the crew of the Lloydsman to commit such an act. The distance between these men was very short, but as I have said the boatswain and a greaser were the witnesses to this, and they could describe this in more detail.

J: Present at the maritime inquiry has also been Thórhallur Hálfðánarson from the Maritime Safety Committee.

Summoned before the Court now was:

W: Fridgeir Olgeirsson, residing at Dalaland 2, Reykjavik, born on 3 October 1936, first mate of the Coast Guard vessel Thor.

J: I admonish you to tell the truth. I see that you have a copy of the Commander's report in front of you; have you been acquainting yourself with its contents?

W: Its contents are well known to me, as I participated in the work of drawing up this report with the Commander and the other mates.

J: And the statements contained therein are correct?

W: Everything in the report is correct.

J: Who made these fixes there?

W: These fixes were made by me on a radar Sperry MK 12, but they were recorded by the third mate, who also marked these on a chart.

J: Four photographs have been submitted as exhibits, do you know about these?

W: These photographs were taken by me from the bridge of the Coast Guard vessel.

J: With respect to damages suffered by the Thor, did you inspect these personally when the incident had ended?

W: No, I did not, actually, except to a partial extent. On the other hand these damages were inspected mainly by our boatswain, Magnús Gardarsson, and the Chief Engineer, but on the other hand, yes, I did have a brief look at the damage, and this is purely a perfunctory survey. Other damages could easily appear, which are not recorded with us. A damage such as this can without any doubt cause injury which is not apparent at once.

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J: I am now going to show you exhibit No. 26, is this the survey that you are talking about?

W: This is the survey that I mentioned, and it is drawn up by me, but as I am saying this is only preliminary, and it says right here at the beginning that it is only a perfunctory survey, as other damages could quite easily appear, but it could be some time until they become apparent, and by such tremendous impacts as occurred under this incident it is quite probable that, for instance, the foundations of the main engines be dislocated. This could have the result that at a later date leakage starts to occur by the stern tubes, or even that the supporting axle bearings, the propeller bearings, could begin to give way.

J: I would like just to ask you in connexion with your rubber life dinghy, when these incidents occur, where is it situated?

W: It is located up on the helicopter deck by us, we had been carrying out a piece of work inside Seydisfjordur, and we had just before completed this task, and we had not finished putting it away in the usual manner inside the helicopter shed, so it was just lying outside on the helicopter deck, with the motor mounted, ready for use, in other words. It is customary, however, in winter time, to take it inside, but in the summer it frequently happens that it is left outside on the deck part of the voyages, according to what assignments are on hand.

J: There is one thing I should like to ask you about, when this violent action was going on there, what was in your mind in respect of danger for your ship and your crew, how did you look upon things at the time, let us say that once again a tugboat struck you, or?

W: It is a little difficult to answer this. I don't think the thought entered your mind that your life was in real peril, for as yet, in our judgement, this cod war has not reached the ultimate stage where injury to human life has become a deliberate objective, and judging by the way he approached us it seems that it was not his direct intent to force us under, for if he had struck us further forward then it would have been no heavy task for him to sink us. It is mainly the helicopter platform which sustains the principal damage, which is our best defence, the intent seems to be purely that of molesting us, in other words to make us incapable of carrying out the task which has been assigned to us. I don't know, but I believe that we did not really think that human life was in danger there.

J: But the ship itself, let us assume that the electricity had broken down, or a leakage had started?

W: Yes, as the report of the Commander points out, then naturally the first objective of this action is that of driving these ships outside the Icelandic territorial limits, but of course when the Star Aquarius had rammed us, then our viewpoint has changed, quite naturally, for then this act constitutes an attack upon the Icelandic State, in our opinion, and then we of course make an attempt to stop the party involved with the aim of having him brought before the law courts,

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Lloydsman: "Yes, we expect there's some damage. Star Aquarius and we collided with the Thor, and Lloydsman damaged the Thor quite a lot on the port-side above the waterline. It's possible we also damaged her under the waterline."

...

Galatea to Lloydsman: "We'll reach you about quarter past two, about 1415 hours. ..."

Galatea asks the Lloydsman whether the Star Polaris is also near them like the Star Aquarius, to which Lloydsman replies: "... Yes, they are just ahead of us."

Lloydsman: Replying to query about Coast Guard vessel Thor "... as far as we can see they are heading back to Seydisfjordur and they are not low in the water, but we suspect we have damaged her under the waterline ..."

... Galatea to Lloydsman: "Can you tell us about damages on the Star Aquarius?"

Lloydsman: "Wait while I ask the bridge."

Lloydsman to Galatea: "The Star Aquarius reports some minor damages, only some minor damages."

Galatea to Lloydsman: "Where was the Star Polaris in relation to you and the other ships when the collision happened?"

(... static noise ...)

Galatea: "Did you get any pictures of the collision?"

Lloydsman: "No, there was no one with a camera ready, but there was an Icelandic aeroplane overhead ... over the area, they probably took some pictures, I expect."

Galatea: ... "Where is the Thor now in relation to your position."

Lloydsman: "They have disappeared in the direction of Seydisfjordur ..."

Galatea: "Did they seem at all low in the water to you ... were they sagging."

Lloydsman: "Not as far as we could see."

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J: Did you take any part in drawing up this report?

W: Oh, yes, we participated in this all four of us.

J: I would like to ask you how you felt and what your thoughts were while this action was taking place, inasmuch as this might have constituted grave danger for your ship, and crew, through these ramming, whether you realized this at the time, and then in what manner?

W: I was not of that opinion, really, did not think there was any grave danger as long as the ship could not hit us in other parts than it did, and the shape of the boat is such that she is not able to reach in over the hull of the ship as long as the helicopter platform is in the way, but of course when this had been badly damaged, he had to stop.

J: Then I should like to ask you, did the tugboat attempt to hit your bows?

W: Yes, he did not have a chance to do so because she did not have sufficient speed to strike the bow.

J: But did you think he was attempting to hit your bow?

W: Yes, I would think so. Otherwise he tried to concentrate on this damage, where the ship had been damaged and was weak. You see that he never tries to head for the starboard side, but tries instead to hit the damaged part where Star Aquarius had already hit us.

J: But if he had struck your bow?

W: If he had struck the bow?

J: Yes.

W: Yes, then we would have been in danger, the bow and where the deck is lowest, he could have come on top there and pushed the ship down.

J: But what I was asking before was whether he made an attempt to do this?

W: I dare not assert anything on what he was thinking, but undoubtedly he sees it himself that it must - if he wants to reach the result of sinking the ship, then the greatest likelihood of being able to do this is to do it in this manner.

J: To go for the bow?

W: Yes. But he didn't have a chance to do this the way we manoeuvred our ship.

J: Yes, the way you manoeuvred, but what I was asking you is whether you noticed in fact that he attempted to go for your bow?

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W: It would never have come to this because we were steaming at such speed, it was attempted to manoeuvre in such a way that he couldn't reach any further forward.

J: Yes, but of course he could not follow your manoeuvres, except what he is able to see, he cannot follow the engine room telegraph on board your ship?

W: No, I do not dare say anything definite about that, what it is like, exactly.

J: The witness stepped down.

Next witness called before the court:

W: My name is Halldór Gunnlaugsson, living at Vífilsgata 19, Reykjavik, born on 15 March 1944, third mate on the Coast Guard vessel Thor.

J: I admonish you to speak the truth. I see that in front of you there is a copy of the Captain's report. Is this document known to you?

W: Yes.

J: And its content matter?

W: Yes.

J: Are the statements contained therein correct?

W: Yes.

J: What part did you play in drawing up this report?

W: I write down the events as they happen, according to instructions from the Captain and as I observe them.

J: Don't you make position fixes independently?

W: No, written down according to the first mate.

J: I would only like to ask you, when these events are caused by the tugboat, what you personally thought the danger was, how grave it was, for Thor and her crew?

W: At the time when the collision took place?

J: Yes, in other words as has been made clear, that they do not ram you once but twice. It has been described how he hit you at the aft part of the helicopter platform, and thereabouts?

W: I consider it to have been considerable and decisive, very grave; if the ship had, for example, struck us a little further forward, then this could have been very decisive.

J: Then I should like to ask you, did you follow the movements of the tugboats there when they hit you, whether he made attempts to strike you further forward, or whether he concentrated his effort there?

W: I could not follow this since the chart desk is situated in such a way, it is on the starboard side of the bridge, a partition in between there, but I followed this by looking out from time to time to see what was going on, but not continually since I was engaged in writing down what was going on.

J: Were they heavy blows?

W: Yes, but everyone can see from where the blow comes that the ship has a greater chance to give way in the water, to turn, than if the blow had struck closer to the middle or further forward.

J: The witness stepped down. The photostat of exhibit No. 23 was compared with the ship's logbook, and it proved to be a photostat copy of the opening in the logbook from 11 December last. The Judge signed the logbook as having been exhibited in the Court. The Counsel from the Icelandic Fishing Vessel Joint Insurance Institute submits exhibit No. 27, a request for court appointed appraisers.

Next witness called before the court:

W: Bjarni Ólafur Helgason, born on 7 May 1930 living at Thrastalundur 17, Gardahreppur.

J: Your occupation?

W: Commander in the service of the Coast Guard, Commander in the Air Squadron on the Coast Guard plane TF SYR.

J: I would like to ask you, Bjarni, about your role, we are here discussing the collision or rammings, played in these events?

W: Yes, we were there in the Coast Guard plane TF SYR on a usual inspection flight off the East Fjords, and received a cable just past 11 o'clock from the control centre of the Coast Guard, that there were supposedly some British tugboats in shelter close to Seydisfjörður and we are asked to inspect this and see what is going on. Well, we soon headed for this point, and well, just about 1230 o'clock we reached the area, it had been snowing further outside, but it cleared up when we came closer to shore. We spotted two ships there, which are lying very close in the mouth of Lodmundarfjörður, and about 1230 we were above the ships, and we then see that these are the Lloydsman and Star Aquarius, and we see that between them there is a line and also a waterhose, and it was quite clear that one of the ships was drawing water from the other.

J: How far do you think you were from the shore, where you were at this time?

W: I did not know this precisely, we were not making any special fix of this, but I estimate that it was a very short distance from shore, 1 to 1-1/2 nautical miles, something like that, off Borgarnestangi. Well, we see that the Thor is coming out of the mouth of Seydisfjordur, and had about 2 nautical miles to go when we were over the ships, and we see that he signals to the ships to stop by Aldis lamp, we see this clearly, and about the same time the captain informs the Coast Guard plane by VHF that he intends to stop the ships and see what is going on. Now we also see that the third ship, which seemed to be the Star Sirius, is inward bound and seems to be heading for the other ships that were there close together. But then he turns to starboard and heads outward when he sees Thor coming out of the mouth of Seydisfjordur. Well, after this we keep over the ships in our plane, and become witnesses to the events which took place there, that they, in other words, drive into the port side of the Thor, the tugboats there, Lloydsman and Star Aquarius. I should like to point out specially that as I said before, we followed all the events quite precisely, and there was no doubt whatever that the Thor had not manned her guns when she approaches the ships, and it was not until after the collision occurred that any shooting took place. We saw it quite clearly when they fired, for we saw the flash from the gun. I filmed this, as you know, and although the film could be better, then I do think that in all essentials it shows what happened there, the preceding causes and the events which occurred there.

J: An exhibit has been submitted to this court, No. 17, a reel or a film, do you recognize ...?

W: I cannot, of course, say whether this is that particular reel, until I see it.

J: It says here written on it: 11 December 1975?

W: Yes, this could very well be it, but as I say ...

J: Is this not your handwriting?

W: No, I have not written this.

J: But is this the same type of reel as that which would have come out of your camera?

W: Yes, this is the same type, oh, yes, the same kind of film as was there.

J: Oh, still photos?

W: Still photographs were also taken in the plane, not by me, but by passengers who were along, and they are in large measure - they show the events clearly, almost exactly as the camera film does, even though from a different angle.

/...

J: On cause given by the Judge the Counsel for the Coast Guard Service states: in the early morning of Friday I received the film reel which has been submitted to the court, from the hand of the man who developed it, and handed it over to the Director of the Coast Guard Service who placed it into a marked envelope, which it is now in. Those 15 photographs which have been submitted to the court this time are taken out of this same film reel and show the course of events in still photographs.

J: Bjarni, I should like to ask you, now that you are there in the airplane over the area, do you follow events then from the air, looking over the area and seeing what takes place; if you could describe to us what you felt like, or what ideas you had on whether the tugboat had actually intended to drive the Coast Guard vessel down, or what ideas you had as it all looked to you up above the whole thing?

W: My personal opinion is, and even conviction, that this was a deliberate ramming on the part of the tugboat, for it was quite clear, both on the photographs, that he turns sharply towards the port side of the Thor, and I was in fact quite astonished over this attack, and not least because they must have seen the airplane circling above them, could even have known there were newspapermen on board, and that there were witnesses to this act, and that the action by the Thor had not given any reason for such behaviour which involved a ramming on their part.

J: When you observe this like that from the air, Bjarni, the tugboat comes like that, as you describe it, head on, this time you are the Commander of the aircraft, and you are experienced also at sea on board the Coast Guard vessels, these attempts at ramming as you say, or deliberate ramming on their part, were they only directed towards the aft part of the ship, or let us say if he had hit the bow of the Thor?

W: No, it was quite clear that they wanted to hit him where it was worst, and it was then just a hit-and-miss thing that they did not strike her further forward, for naturally the Thor made the manoeuvres, made the changes in her course which could prevent them for the most part from hitting her, but it was clear both from the speed and other such things that they deliberately intended to drive her down. I have been present when they have sailed, both warships and others, that they have given a hard bash perhaps with their sterns and tried to cause damage that way, but this was no such thing, this was plainly a deliberate ramming and an attempt made to aim the blow amidships, and he made at least one or two attempts which failed, the Lloydsman did, which I saw ended astern of the Thor.

J: Have you served on board the Thor?

W: I have served on board the Thor, yes, I have served there for some considerable time, both as captain and as a mate.

J: As you see this, let us take an example here, you see it from the air and he heads for him like this on his port side, you used the term hit-and-miss, what do you call hit-and-miss, was it the speed of the Thor which perhaps determined that he struck the quarter port side, aft of the bridge?

W: It's exactly that, it's exactly that which determines this, he perhaps reckons that the speed of the Thor is so high, that he strikes her further aft than he maybe intends to do.

J: What is the speed of the Thor when it's steaming like this?

W: I don't know what speed it was on this time, but ...

J: This usual full speed?

W: If I remember right her speed is about 17 miles or thereabouts, yes, I think I am safe in saying that her speed is something over 17 miles.

J: But what do you think, Bjarni, if the Lloydsman had, in this instance, if she had come at her, for example, near the bridge wing?

W: If she had hit the bridge itself then the prow had definitely cut into the bridge, well, and there were men there. If she had hit her further forward, then her final direction is such that she would have ended up by damaging her below the waterline, and thereby she would have cut a hole into her. There the boat deck ...

J: And the further forward you go ...?

W: The greater the danger, yes.

J: I am going to repeat to you once again, Bjarni, because you have such a good general view over this scene, then I am going to repeat so that it comes out quite clearly, your viewpoints concerning the movements of the Lloydsman, that she directed her course particularly in such a way that she struck the Thor aft of the bridge, or in other words that it was a hit-and-miss affair that ...?

W: As far as I could see they tried to hit her amidships, although it happened that she struck her where she did, for when she was right alongside of her, then we saw that she made a sharp turn, turned full wheel into her, and I do not know whether she gave any signal on the siren or anything like that, that of course we could not hear up in the airplane, and whatever communications they may have exchanged, that I cannot say. But this is what it looked like seen from our position in the air, that this was a completely deliberate attempt to drive the ship down.

J: Do you consider then, Bjarni, that this constituted a direct danger for the ship and the crew?

W: That is my opinion of it, absolutely, I have absolutely no doubt whatever about this - this was gross and highly culpable recklessness, and as I have said both the ship and the crew of the Thor are put in grave danger of their lives, quite definitely.

/...

J: In direct continuation of this, Bjarni, now you see there that when they start shooting at them from the Thor, thus maybe in order that I may perhaps determine the timing just a little better, this opinion that you just finished expressing, whether this was at hand before they took to the gun, this danger situation which you were talking about?

W: No, I do not believe so because the gun is not used until after the ships have begun their ramming manoeuvres, and I should like to say as my own opinion, if I may, that I would without hesitation have ceased upon exactly the same - my reaction would have been exactly the same as Helgi's, for the way I see it he was literally defending his own crew, and it has become abundantly clear in our previous cod wars that the only thing these fellows really understand is the gun, and nothing else.

J: What I mean is that your opinion is that this danger, which you have already mentioned, this is already present when they turn to the use of the gun?

W: No, what I was saying is that the gun is not used until the ramming has begun, the two ships sail on a straight course almost side by side, and then I look upon it as a relatively innocent kind of cruising, until she begins to turn and ram.

J: In other words, then the gun is manned?

W: Yes, then we see it from the aircraft that the guns are manned, and as I stated earlier in my testimony, then we also see the flash of light so that we knew when they fired and when they didn't.

J: But when you see the flash of light and the guns manned, hasn't the Lloydsman by then already rammed her?

W: Yes, then he has - he fires a blank shot after - the Aquarius he starts the collision, he starts the ramming and then a blank shot is fired, and then we saw a bigger flash of light than when a sharp shot is fired, and it was exactly this that I saw clearly, it was after the Aquarius ramming that they started using the guns.

J: The witness stood down.

In accordance with exhibit No. 27, a request for a court appointment dated today, the court appointed the following individuals being competent and objective for carrying out the required task, Jón B. Hafsteinsson, naval engineer, Reynimelur 80 and Jóhann Indridason, blacksmith, Víkurbakka 40. They are required to submit a written appraisal, as accurately as they can according to their best knowledge and conscience, and be prepared to certify this by oath or word of honour, if required to do so. The appraisers shall notify the following individuals of when their appraisal is to be carried out: the applicant,

/...

Sveinbjörn Jónsson, Barrister-at-Law, on behalf of the Icelandic Fishing Vessels Joint Insurance Institute and the Coast Guard Service. In accordance with paragraph 4 of article 139 of the Act on Civil Proceedings it is decided that the appraisers shall have completed their appraisal at the earliest possible date.

Year 1975, on Wednesday, 24 December, Mr. Emil Ágústsson, Judge of the Reykjavik Civil Court, convened the Reykjavik Maritime and Commercial Court in the court room of the Reykjavik Civil Court at Túngata 14, and presided over the Court with his associate members, Kristján Adalsteinsson, Captain and Andrés Guðjónsson, Headmaster.

Case before the Court:

To conduct a maritime inquiry into the collision of the Coast Guard vessel Thor and the British tugboats Star Aquarius and Lloydsman off the mouth of Seydisfjörður on Thursday, 11 December last.

Present on behalf of the petitioner, the Icelandic Coast Guard Service, is Jón Magnússon, Barrister-at-Law, on behalf of the State Directorate of Shipping, Jón Wiium, and on behalf of the Public Prosecutor, Bragi Steinarsson.

An inquiry into the said event took place on 19 December last. This inquiry is now continued for further proceedings.

J: Present as witness before the court is:

W: Leif Bryde, wireless operator, serving on board the Coast Guard vessel Tyr, living at Laufvangur 4, Hafnarfjörður, born on 30 April 1940.

J: I draw your attention to the fact that you are here before a court of law, and I, therefore, admonish you to tell the truth.

W: Yes.

J: You mention here that you were serving as a wireless operator on board the Tyr. It has now appeared that your role in this lies in some listening that you performed - or some communication that you followed?

W: Yes, I followed the conversations between the tugboat Lloydsman and the warships, particularly Galatea and Falmouth.

J: Where were you situated at the time?

W: We were, as far as I remember, in the fiord of Bakkaflói, or near there.

J: The reason why you hear this?

/...

W: I always follow what is said on this wave length, which the Englishmen use a lot, on the medium-wave band 2226, and I always keep my set open.

J: Did you know in advance that something was going on, or how did this happen?

W: I knew earlier in the morning that they had gone in there, or at least I had a strong suspicion of it, I felt I heard it from their conversations that they had gone in there.

J: The tugboats?

W: The tugboats, yes and also that Lloydsman was going to draw water from Star Aquarius, and then our airplane was also flying, so that I was up above during the noon hour, which otherwise is not the case usually, and therefore I followed this exchange from the start when Lloydsman first called up the warships.

J: And did you then overhear these conversations yourself?

W: I overheard them myself, yes.

J: Did you record it on tape or ...?

W: I recorded them on tape, yes.

J: Got that reel there?

W: I've only got it all recorded, then the report afterwards, which the Lloydsman gives to the warship about the progress of events.

J: Did you get it then, did you hear it?

W: Yes.

J: And you record it?

W: Yes, I record it.

J: But the communication between them?

W: No, that doesn't exist.

J: Did you not record that separately?

W: I didn't record it separately on a tape cassette, because it covers a long time.

J: And now I ask you as a wireless operator, when you are sitting like this by your equipment, and you are listening to this, don't you have this running at the same time?

W: I have a large tape recorder running, a four-channel tape recorder, but from that I only recorded this report.

J: This, what you are holding, is that recorded from that tape?

W: It is recorded from that tape, yes.

J: The witness now submits exhibit No. 28, a recording tape, which is, as already stated, a copy of the said recording which the witness mentioned. He also submits a copy of the aforementioned magnetic tape, which is marked as exhibit No. 29. The witness explains, however, that he himself did not personally make the copy No. 29 of the magnetic tape No. 28.

W: But read it all through, I have read it all through.

J: And what is copied there is correct?

W: Yes.

J: You mentioned here before that you knew that the tugboats were in there and were taking on water as you explain it. Where did you get this information?

W: I, as I say, I always followed what was said on this wave length and in the mornings just after 10.30, 20 minutes before 10 o'clock, then the trawlers all report their positions to the support vessel, and if I remember right it was after the trawlers had finished this that the Lloydsman informs them that he is there intending to take on water.

J: Did he report his position?

W: Yes.

J: In such a way that you knew exactly where he was located?

W: Yes, pretty closely, it is reported on a plotting chart, you see, so it cannot be far off, and in fact could not be anywhere else than there.

J: I should like to ask you in this connexion when you receive this information, do you, for example, inform your captain of this?

W: I pass it on to the captain, yes and he again sent a cable to the headquarters of the Coast Guard Service.

J: I would like to ask you now concerning this reel of which a copy has now arrived, when - what information do you pass on to the Coast Guard Service about this and when do you eventually hand in this information that you have there?

W: On the tape?

J: Yes.

W: Yes, not of course until we came into port now, I made this copy of the magnetic tape later the same day because I had to rewind twice a day this reel which I have got on the principal tape recording set on board the ship, and then in accordance with instructions from the captain - he in other words asked me to record a copy of this.

J: When was this?

W: That day, the same day when the events took place.

J: You mentioned that he communicated with the Coast Guard Service here, was that the same day, did you know that he had done so?

W: Oh, yes, yes, a cable was sent about it.

J: That this had been - had been overheard?

W: Yes.

J: If we just go over the course of events, when you hear about this that they were going in there?

W: Either that they have already reached close to the - that they are close to the mouth of Seydisfjörður, or that it is their intention to go there to take on water, but whether the tugboats had reached there first, or whether the small tugboats and the Lloydsman were then going to use the opportunity there while in shelter to draw water from the Star Aquarius.

J: In other words the first thing that happens?

W: Yes.

J: And do you then inform the captain of this?

W: This I inform the captain of and he reports this to the Coast Guard Service ...

J: Did you send that cable?

W: I sent that cable, yes, that these ships are probably located there in the mouth of Seydisfjörður.

J: The next thing you hear?

W: The next thing I hear is probably there during the noon hour, and then when the Lloydsman calls the warships on their wave length 2226 and informs them that the Thor is under way outward bound from Seydisfjörður and seems to be starting an attack on them and is steaming toward them.

J: How about the timing of what is received like this when you keep the tape open? Do you note the time?

W: No, I don't have the chance to note the time on this.

J: But cables from your ship to the Coast Guard Service, is that the only cable saying that they were there?

W: I don't remember another cable in connexion with that.

J: Of course no cable goes out from the ship except through you?

W: No, no, but I don't remember but this one cable, where we let them know that they are there, or are probably there.

J: But when this conversation which is now recorded here, is there no exchange of cables between you and shore about these conversations?

W: From us?

J: From you, yes?

W: Not there at this time, that was somewhat later, then a query arrives from the Coast Guard Service on whether we have a recording of this exchange of words between the warships and the Lloydsman.

J: You say of this exchange of words?

W: Or, let us say, of the exchange of words before and after the collision.

J: Some definite, or whether you had?

W: A query comes from the Coast Guard Service on whether we have a tape recording of the conversations exchanged by the Lloydsman and the warships before and after the collision.

J: Your reply?

W: Then we just reply that we have a recording of Lloydsman's report to the warship.

J: You say a little later, when?

W: Ah, well, when?

/...

J: I mean, now we are talking maybe in terms of minutes, hours or days.

W: That this arrives from the Coast Guard Service?

J: Yes.

W: It was a few days later that they ask about it.

J: Can you in your own mind try to make it a little more precise what ...?

W: Ah, well when they ask us whether we have the recording?

J: Yes.

W: Yes, ...

J: The maritime inquiry is conducted on 19 December, is it before or after?

W: It is before we return to port, we returned on the 20th, it was the 18th or 19th, that is soon before we return to port.

J: Well, your reply to whether you have it?

W: Yes.

J: When did the Coast Guard Service here ashore receive the actual tape reel?

W: The tape reel they get after we returned to port now yesterday, yesterday.

J: Yesterday?

W: Yesterday, yes.

J: You did not dispatch these conversations from you to them?

W: No.

J. There is one thing that I would just like to ask, a maritime inquiry into these collisions there was conducted on 19 December last, in the course of that inquiry then nothing revealed itself of what is appearing here now, on the other hand yesterday Morgunbladid carried a piece picking this up. I would like to ask you whether you have any explanation of how it is that Morgunbladid is the first to bring this out, did you give them some information?

W: No, it is definitely not obtained from me because I did not have it jotted down point by point like this, these conversations there. I cannot say who could have provided them with this, but of course anyone can listen to this there out east and could have followed what was happening.

/...

J: You have not spoken to any journalists?

W: I have not spoken to any journalists, no.

J. The witness states: Seen from my standpoint, then it seems - then there was no naval officer on board the Lloydsman, rather there is a captain there whom I consider definitely to be the same captain as was there in the last cod war and whose first name is Norman I think for I have often heard him talking with the trawler skippers and he seems to be a great friend of theirs and was clearly very aggressive in the last cod war, but I was then serving on Odinn when the Lloydsman rammed us then and he seems to have been alone on board there now and direct the action himself until after this event, then I notice that a naval officer has come on board, for I noticed it from the pronunciation that quite a different person was speaking and I also noticed that the warship asked I think it was the warship Falmouth which asks the warship Galatea whose - who had - whose decision it had been that they go in there, Lloydsman and the tugboats, then that they should start pumping water between the ships. Nothing ever came out of this except that Lloydsman had done this at his own decision.

J: The witness furthermore states: The warship asks if he can confirm that the Thor is sinking, "can you confirm that Thor is sinking"? And then the other one says he cannot say for it seems to him that she keeps her normal course in the direction of the mouth of Seydisfjörður and she doesn't seem to be low in the water.

J: This in other words you remember having ...?

W: Yes, yes, I remember it of course when - I cannot of course recount word by word what they said to each other.

J: The witness stepped down.

The next witness was called:

W: My name is Guðmundur Hjaltason Kjaernested, born on 29 June 1924 in Hafnarfjörður, Commander of the Coast Guard vessel Tyr.

J: I admonish you to speak the truth, Guðmundur.

W: Yes.

J: The witness reports as follows:

W: It was on 11 November last that we let drift in the fiord of Bakkafjörður or near there, the wind velocity was Beaufort scale NW 7 in the region where we were and there had been no fishing weather during the night, it was probably NW 8-9 Beaufort scale on the fishing grounds, and these tugboats

/...

that are serving in our waters have such a contract as I understand it, that they are then permitted to stop working. They are not warships, these are hired boats, so that we can say they are a kind of hired - if I may describe it as is done in foreign languages - these are hired assassins, they receive a certain fee for rendering a certain type of service and their kind of service is that of ramming the Coast Guard vessels. This has happened time and again both in this cod war and in the last one, and they are not there to protect the trawlers but rather to molest the Coast Guard vessels. They pursue us for days on end no matter whether we are near trawlers or somewhere else. This is their primary task. According to this contract of theirs, after what one has heard, then they stop working when the wind has reached a velocity of 9 Beaufort scale. This particular morning the wireless operator told me that he suspected that three of them had arrived at the mouth of Seydisfjörður and were probably moving water from one ship to another, that is the Lloydsman was drawing water from the Aquarius or the Star Polaris, if I remember right. I informed the control centre about this and I think the Thor too, because I knew that she was on her way out of Seydisfjörður or was working there. Well, then around noon the wireless operator informs me that the Thor is having some difficulties, he hears there has been a collision so I begin to listen more closely. This happened pretty quickly in the main and we recorded it on tape, but we did not hear the exchange of conversation between the Thor and the boats on VHF for its range is too short.

J: You have made a slip of the tongue, Guðmundur, to say 11 November, you mean 11 December?

W: Yes, it is 11 December, naturally. This exchange we didn't get to hear, but on the other hand we heard an exchange of words which took place on 2226. Now, well, individual exchanges I do not remember in their entirety, but I do remember, for example, that the warship asked the Lloydsman whether the Thor was sinking and then he replied that he thought they had been damaged "under the waterline", but that she were steaming inward to Seydisfjörður. This I noticed particularly.

J: Do you hear this yourself or ...?

W: I hear this myself for the wireless operator he called me, he says: "Now the Lloydsman is giving a report to the warship" and then I began to listen and I noticed this particularly, he said he thought they had "damages under the waterline" and then the other one repeated at least once or twice whether they were sinking. But I didn't hear him give a direct answer to this except this way only that they were on their way to Seydisfjörður, so that one could understand it that he did not think so.

J: I would like to ask you, Guðmundur, the maritime inquiry into these events took place on 19 December, then these things did not appear, what we are discussing here now. You mentioned here before that you had informed the control centre here in Reykjavík of the tugboats, I would like to ask whether any journalists, now you know as well as we do that all this was published in Morgunblaðið yesterday, I want to ask you whether some journalists had contacted you about this or ...?

/...

W: No, surprisingly enough then no journalist has ever contacted me during this stay ashore, it is the first leave ashore since this started, no one has had any contact with me.

J: But you do not recognize either some contact from your ship in connexion with ...?

W: No, I do not recognize any contact from our ship in connexion with this news item in Morgunbladid, it came to me as a little bit of a - I was called up yesterday morning, I was hardly awake and I had not seen the paper and I was told about this and asked about it, but on the other hand much of what there is in Morgunbladid sounds familiar to me, which I have heard myself, except the timing, this I do not have, but I recognize some of the points contained in this article, I have heard them.

J: Do you mean then that you had heard them out there when this was happening?

W: Oh, yes.

J: Gudmundur, the wireless operator has submitted to the court a tape recording covering parts of these large tapes and also written down a recording of this ...

W: He did not write this.

J: Not this, no, that is quite correct, but nevertheless he submits this?

W: Yes.

J: I should like to ask you Gudmundur whether you had some say in what was taken from the tape reel?

W: I asked him to take the main items and particularly Lloydsman's report of the event, take them and safeguard them. This tape which we have got records on four channels and is running both day and night so that it is a great deal of work to make recordings from it afterwards.

J: But, in other words, you are not involved yourself in what is recorded?

W: I asked him to take this particular report specially, that I remember.

J: I have not had a chance to go precisely into what this recording contains ...

W: I have not heard this recording.

J: You have not heard this recording.

/...

W: No.

J: However, I do not see by a general view of it that it comes out in this recording, what you were mentioning before on whether the questions that were exchanged there, whether the Thor was sinking and other such things, I do not see it from this?

W: This is really the final chapter in these exchanges, that is the report from Lloydsman to the warship, then he has drawn the events together in the form of a report and transmits it to the warship, and this comes over in continuous form. The other material what comes before it that comes across in long intervals and it comes in gradually along with various other material which comes through during the same period of time, for there are more ships that speak on this same wave length, the entire British trawler fleet uses this wave length for their exchange of messages. But this is the final part of this action.

J: The witness states: Well, I do not know for certain but judging from the exchange of conversations between the warships and the Lloydsman afterwards, then I am of the opinion that a Commander from the warship was put on board the Lloydsman after the event took place, this is what we understood, these are the usual tugboat skippers on board there and following this event a Commander was definitely placed over the Lloydsman from the warship, from the warship over on board the Lloydsman.

J: The witness stepped down.

The maritime inquiry is completed.

The Maritime and Commercial Court
is adjourned.

Emil Ágústsson

Kristján Adalsteinsson

Andrés Guðjónsson

Guðmundur Hjaltason

Correct transcript certified.

The Reykjavik Civil Court, 29 December 1975.

(Signed) Emil ÁGÚSTSSON
(stamp of the Reykjavik
Civil Court)

Charge:

kr. 525.00

- Five hundred and twenty-five Krónur 00/100

Paid: E. Á. Signed.

/...

Attachment 1

THE COAST GUARD SERVICE

LG/209

No. 1. Submitted to the Maritime
and Commercial Court of
Reykjavik, 19 December 1975.

E. Á. (signed)

Reykjavik, 18 December 1975

The Reykjavik Civil Court
Túngata 14
Reykjavík

It is hereby requested that a maritime inquiry be conducted into the ramming by the British tugboats Lloydsman and Star Aquarius on the Coast Guard vessel Thor in the mouth of Seydisfjordur on 11 December 1975. Attached are the following reports:

1. Report by the Commander of the Coast Guard vessel Thor, dated 11 December 1975.
2. Report by the Commander of the Coast Guard plane TF-SYR, dated 18 December 1975.

(Signed) Pétur SIGURDSSON

Attachment 2

No. 22. Submitted to the Maritime and
Commercial Court of Reykjavik,
19 December 1975.

E. Á. (signed)

The following telegram was sent to the British Embassy in Reykjavik at
1445 hours on 18 December 1975:

Reykjavik, 1014 115/112 18 1439

Express
British Embassy
Laufásvegur 49
Reykjavík

The Coast Guard Service of Iceland hereby informs the Embassy that at
0900 hours on Friday, 19 December 1975 a maritime inquiry will be held in the
court room of the Reykjavik Civil Court at Tungata 14, Reykjavik to inquire into
the ramming of the Coast Guard vessel Thor by the British tugboats Star Aquarius
and Lloydsman, which occurred in the mouth of Seydisfjordur on Thursday,
11 December 1975. Since the two said tugboats are serving in Icelandic waters
in accordance with the decision of the British Government, and consequently under
its responsibility, the Embassy will have the opportunity of naming a representative
to be present at the court inquiry. The Icelandic Coast Guard Service requests
that you notify the owners of the aforementioned tugboats, as well as their
masters, of the said court inquiry.

On behalf of the
Icelandic Coast Guard Service,

Jón Magnússon,
Barrister-at-Law.

(Stamp of the Icelandic
Coast Guard Service)

Signed: Jón M.

Attachment 3

COAST GUARD SERVICE

HH/hj

No. 24. Submitted to the Maritime and
Commercial Court of Reykjavik
on 19 December 1975.

E. Á. (signed)

Coast Guard vessel Thor
11 December 1975

(Stamp of the Coast Guard Service,
15 XII F 75 time received.)

To: The Director of the Coast Guard Service

From: The Commanding Officer of the Coast Guard vessel Thor

Subject: Ramming of the Coast Guard vessel by the tugboats Star Aquarius
and Lloydsman

On Thursday, 11 December 1975 the Coast Guard vessel was outward bound in the fiord of Seydisfjordur after having completed an ordered assignment. At 1221 hours the following observation was made of two tugboats sighted at the mouth of the fiord of Seydisfjordur:

Tugboat 039 degrees true, distance 2.9 nautical miles;
Brimnes, 317 degrees true, distance 0.6 nautical miles;
and simultaneously the third tugboat was observed at position
077 degrees, distance 3.4 nautical miles.

This determines the position of the first mentioned ships at 1.1 nautical miles from shore, while the position of the third tugboat was at a distance of 1.6 nautical miles from shore. The two first named tugboats were so close to each other that they appeared as one dot on the radar screen. Since the tugboats were far inside the Icelandic territorial limit we immediately put on full speed. At 1225 hours the following cable was sent to the control centre of the Icelandic Coast Guard Service: "Are approaching three tugboats inside territorial limit off the entrance of Seydisfjordur. Are under way to usher them outside." At 1225 hours an international "L" signal was sent by Morse with Aldis lamp, and at the same time an alert was sounded since my intention was to usher the ships outside the territorial limit. Soon thereafter the ships were identified as the Lloydsman and Star Aquarius. The third tugboat now headed out to sea and its name could not be seen. On the other hand it was heard by radio telephone that this was the Star Polaris. At 1228 hours the Coast Guard plane TF SYR flew over the tugboats, and then circled over the ships for the duration of the engagement. The Coast Guard

/...

vessel sent continuously signals to stop by Aldis lamp, siren and flag, and the tugboats were also ordered to stop by VHF, channels 16 and 14. A towline was now sighted from Star Aquarius to Lloydsman, and it was assumed that the latter was having some trouble. At 1235 hours the following fix was made:

Borgarnes, distance 1.9 nautical miles,
Skalaneshlid, distance 2.5 nautical miles.

At the same time the Coast Guard vessel proceeded alongside the Star Aquarius on the starboard side at reduced speed. At the same time the Star Aquarius made a sharp turn to starboard and rammed the Coast Guard vessel's port side at the quarter. The action of the tugboat was so sudden that there was no time to alert the crew on board the Coast Guard vessel of the imminent danger, which usually is done by means of a special call system throughout the ship. When the collision occurred the Lloydsman had picked up full speed close to the stern of the Coast Guard vessel. After this the Star Aquarius headed for open sea, but the Lloydsman closed in on the Coast Guard vessel's port side, showing all signs of ramming. At 1239 hours the following fix was made:

Alftanes, distance 2.5 nautical miles,
Borgarnestangi, distance 3.0 nautical miles.

The Coast Guard vessel's guns were now manned, since it seemed clear that the Lloydsman had the intention of ramming the vessel inside the territorial limits of Iceland. At 1241 hours the Lloydsman rammed the Coast Guard vessel on its port quarter near the funnel. Simultaneously a blank warning shot was fired in the direction of the tugboat, and the following fix made:

Alftanes, distance 2.5 nautical miles,
Borgarnestangi, distance 3.3 nautical miles.

Shortly after this the Lloydsman headed once again for the Coast Guard vessel, aiming for its port side. The Coast Guard vessel succeeded in preventing a collision by turning sharply to port at top speed. At 1245 hours the following fix was made:

Alftanes north shoreline, distance 2.7 nautical miles,
Borgarnestangi, distance 4.6 nautical miles.

The Lloydsman now headed out of the territorial limit. At 1254 hours the Coast Guard vessel called the Lloydsman by VHF radio, channel 16. The tugboat was warned that if it did not stop immediately it would be fired on with solid shots. At 1256 hours a solid round was fired at the funnels of the Lloydsman. It is not known whether that shot hit the tugboat, but it did not stop. At 1258 hours another solid round was fired at the funnels of the Lloydsman, and it is certain that this shot hit the tugboat, but where is not known. Both solid rounds were fired from the aft gun on the Coast Guard vessel, which has a calibre of

47 millimetres. At 1258 hours an order was received from the Coast Guard Service to cease any further engagement with the tugboats. The Coast Guard vessel thereupon immediately headed for shelter. It should be pointed out that throughout the engagement the Coast Guard vessel observed all the ordinary international rules of navigation, and in accordance with these gave the required sound signals. Signals to stop were also given from time to time during the engagement. It should also be pointed out that the tugboats did not answer the orders of the Coast Guard vessel transmitted over the VHF radio.

The following is a preliminary description of the damages suffered by the Coast Guard vessel.

Weather: WNW 5-6, sea 4, intermittent hail squalls.

Helgi Hallvardsson, Commander.

Attachment 4

THE COAST GUARD SERVICE

No. 26. Submitted to the Maritime and
Commercial Court of Reykjavik
on 19 December 1975.

E. Á. (signed)

Coast Guard vessel Thor,
11 December 1975.

To: The Director of the Coast Guard Service
From: The Commanding Officer of the Coast Guard vessel Thor
Subject: Preliminary survey of damages suffered by the Coast Guard vessel

The principal damages are a dent in the electricity generator room by the forward end of the electricity control board where a leakage occurred. A dent in the main engine room by the bulwarks gate. The air blower for the main engine room on the port side is out of commission. This is located in the port side funnel. However, full speed (375) can be maintained from time to time. Nothing is to prevent normal speed being kept up. A 19-metre long section of the helicopter platform is broken and buckled, or 24 cross beams, and this damage reaches 4.5 metres inwards. Where this reaches furthest inwards the helicopter platform has all been pushed to the starboard side. The top section of the boat crane is damaged, and the crane's foundation fixtures have been bent. Whether or not the crane turns on its foundations has not been tested as yet. The hind corner of the funnel on the port side has been buckled, and the funnel cracked open. This is located about 3 metres above the helicopter platform. The rupture reaches about 30 centimetres into the funnel, where the cables have been broken. These, among other things, serve as leads for the air blower of the main engine room. The coaming of the hold aft has been pushed to the starboard side. A few dents have been made in the side of the port quarter, but clearly these have occurred mostly in the vicinity of the bulwarks gate. The CO2 cabin has suffered considerable damage, where ceiling beams are bent, and the front side of the cabin has been torn loose from the ceiling. A preliminary test showed, however, that the CO2 system is still operative. The sea water system of the ship is out of operation due to leakage.

(Signed) Helgi HALLVARDSSON, Commander.

/...

Attachment 5

THE COAST GUARD SERVICE

No. 29. Submitted to the Maritime and
Commercial Court of Reykjavik
on 24 December 1975.

E. Á. (signed)

The following conversation was received by the wireless station of the
Coast Guard vessel Tyr on 11 December 1975:

Lloydsman calling Galatea.

Galatea, Galatea, Lloydsman, Lloydsman, Lloydsman.

Galatea: Yes, over.

Lloydsman: Yes, coming. Yes I have the details of the events to copy, over.

Galatea: Yes, just getting ready to write, over.

Lloydsman: The Lloydsman and Star Aquarius were lying just off the entrance
to Seydisfjordur off the point named the Borgarnes, which is the north side of
the Seydisfjordur entrance the ... light approximately 2 miles to seaward. The
gunboat Thor was sighted leaving the entrance of Seydisfjordur whereupon the
Lloydsman and the Star Aquarius immediately stopped transferring water and headed
seaward. Have you got that, over.

G: Yes, thank you.

L: The Thor then approached the Aquarius which at the time was a little
ahead of Lloydsman flying the flag "L" flashing the signal lamp, calling on the
radio to the Aquarius to stop, and apparently preparing a boarding party from the
after deck of the Thor. Over.

G: Yes, we have received that thank you.

L: The Aquarius continued on her course and the Thor ran up from the stern
of the Aquarius more than two points off the beam, went right up alongside and
hit the Aquarius on the Aquarius starboard side. The Thor then ran off to
starboard. All the three defence ships were heading approximately north-easterly ...

G: This is Galatea, wait until we catch up on the writing.

G: Did they attempt to put anyone on board, or not, over?

Galatea-Lloydsman: Negative.

/...

L: It was just the preparation while she approached the Aquarius, and apparently the idea was given up. And they made no effort to lower their ... or to put people on board the Aquarius directly. The Thor went into the Aquarius and laid off straight away.

G: Understood, over.

L: Continuing, the Lloydsman by this time had worked up some speed and decided to place itself between the Thor and the Aquarius, this time both having lost speed. When we had reached this position reading from north the Star Aquarius, Lloydsman and Thor, the Thor crossed from starboard to port ahead of the Lloydsman aiming her gun. The Lloydsman, due to this movement unavoidably hit the Thor on the port side just aft of midship damaging the decking and the aft part of the funnel, over.

G: Yes, this is Galatea, yes, understood. Just wait one moment while we catch up on the writing. Yes, ready, you can go on now.

L: Yes, continuing, the Thor then drew off the starboard of the Lloydsman and fired his gun at the Lloydsman, ... at close range. Over.

G: Understood, yes they fired at the Lloydsman. Could you say if she aimed at you or if they aimed ahead.

L: As far as we could tell it was aimed over the Lloydsman. Over.

G: Roger, can you explain where the shell passed over?

L: The fire, as far as we could see, passed right over the bridge.

G: Understood, and continue.

L: The Thor turned and approached again from the Lloydsman's starboard side across the bow and the Lloydsman this time hit the Thor a very glancing blow on the port quarter, over.

G: Roger, understood, over.

L: The Thor then laid off on the Lloydsman's port side and by this time the two Star ships had pulled ahead somewhat so it was the Lloydsman and the Thor. The Thor laid off the port side and fired two more shots towards the bridge of the Lloydsman, and fortunately they passed over. Over.

G: This is Galatea, Roger, yes.

L: The Thor then turned round and headed back towards Seydisfjordur, sending a message over the radio saying that we would be seeing her.

G: This is Galatea, Roger. Did she appear to be heavily damaged on her way in? Or did she appear to be breaking through the water normally? Did you offer her any help?

/...

L: The damage was all above the waterline aft on the port side, she seemed to be making her way normally to Seydisfjordur, over.

G: This is Galatea, Roger, what is the situation with regard to the weather.

L: We are still heading towards the four-mile line at normal speed which we have almost reached now. The weather is not too bad and the Star Aquarius reports no serious damage ... (static) ...

L: Yes, it is all right. I will catch up with them and see what their masters think of the bad weather, over.

G: Yes, Roger, I will pass your message over to the boss. If there is anything you need or you think that the Star boats need let me know, I am now about ... miles to the east of you and we will be keeping a lookout on how you will be getting on, over.

L: Understood. There is one addition to the report. When the Star Aquarius was approaching the position where the Thor reached the Star Aquarius with the purpose obviously of making her stop and board her, I had spoken to the Falmouth and appraised them of the situation, and I informed the Star Aquarius over the VHF radio to continue seawards as we could be expecting naval support shortly. Over.

G: Understood, what frequency was the Thor using, over.

L: We did not speak to Thor. I passed my message to the Star Aquarius on Channel 14 ... the Thor had also used this channel to order the Star Aquarius to stop.

G: This is Galatea, understood. We are very glad to hear that you were not hurt in any way, and that everybody is safe ... I hope you will have a good ...

L: Roger, understood ...

Attachment 6

The following are excerpts transcribed from the original magnetic tape recording the English language conversations that took place between the British ships Galatea, Falmouth and Lloydsman at the time when the incidents took place in the mouth of Seydisfjörður on 11 December 1975, and on which is based the preceding document drawn up by the wireless operator of the Icelandic Coast Guard vessel Thor, Heidar W. Jones, which he presents to the Court of Inquiry held at Siglufjörður on 24 December 1975:

1244 hours Falmouth to Lloydsman: "You must get outside the territorial waters as quickly as you can."

Lloydsman: "Roger - yes, received, to hurry outside territorial waters. They have fired at us ... they have shot at the ship. ..."

1247 hours Lloydsman: "How long will it ... how long will it take you to reach our position? When will you ... (reach?) us?"

Falmouth to Lloydsman: "We are approximately 30 miles off ... 30 miles off ... We are on our way as fast as we can."

Lloydsman to Falmouth: "... we are now outside the territorial waters and steaming full speed in north-easterly direction from the mouth of Seydisfjörður. ... We have been fired at once again ..."

Falmouth: "... good show ... have you been hit?"

... Lloydsman: "No, we haven't been hit ... we were not hit ... They fired at us three times."

Lloydsman: "We are now about 4 nautical miles from shore and outside the 3-mile line. Along your instructions we are steaming outside the 12-mile line. ... The Thor is alongside us going at about the same speed ..."

Lloydsman: "The Thor has just turned round toward shore, we'll keep going to meet the Falmouth."

Galatea - Lloydsman, Hello Lloydsman: "Can you give us a situation report, over?"

Lloydsman: "Wait a minute, wait, I'll get the bridge commander."

Lloydsman: "Our position ... and the two Star boats is 060 degrees seven and a half miles from the northern entrance of Seydisfjörður ..." ...

Galatea to Lloydsman: "Are you expecting some damage, over?"

Lloydsman: "Yes, we expect there's some damage. Star Aquarius and we collided with the Thor, and Lloydsman damaged the Thor quite a lot on the port-side above the waterline. It's possible we also damaged her under the waterline."

...

Galatea to Lloydsman: "We'll reach you about quarter past two, about 1415 hours. ..."

Galatea asks the Lloydsman whether the Star Polaris is also near them like the Star Aquarius, to which Lloydsman replies: "... Yes, they are just ahead of us."

Lloydsman: Replying to query about Coast Guard vessel Thor "... as far as we can see they are heading back to Seydisfjordur and they are not low in the water, but we suspect we have damaged her under the waterline ..."

... Galatea to Lloydsman: "Can you tell us about damages on the Star Aquarius?"

Lloydsman: "Wait while I ask the bridge."

Lloydsman to Galatea: "The Star Aquarius reports some minor damages, only some minor damages."

Galatea to Lloydsman: "Where was the Star Polaris in relation to you and the other ships when the collision happened?"

(... static noise ...)

Galatea: "Did you get any pictures of the collision?"

Lloydsman: "No, there was no one with a camera ready, but there was an Icelandic aeroplane overhead ... over the area, they probably took some pictures, I expect."

Galatea: ... "Where is the Thor now in relation to your position."

Lloydsman: "They have disappeared in the direction of Seydisfjordur ..."

Galatea: "Did they seem at all low in the water to you ... were they sagging."

Lloydsman: "Not as far as we could see."

/...

B. TRANSCRIPT FROM THE MARITIME AND COMMERCIAL COURT RECORD
OF THE TOWN OF SIGLUFJORDUR

Year 1975, Wednesday 24 December at 1115 hours the Maritime and Commercial Court of the town of Siglufjordur was convened in the court room at Gránugata 18 and presided over by Elías I. Elíasson, Town Magistrate, with his associate members of the Court, Eythor Hallsson, Captain retired and Sigurjón Jóhannsson, Captain, who were specially appointed.

Case before the Court:

Continued maritime inquiry, at the request of Helgi Hallvardsson, Commander of the Coast Guard vessel Thor, because of rammings by British tugboats on the Coast Guard vessel Thor in the mouth of Seydisfjordur on the eleventh of this month.

At 1120 hours is present and summoned before the Court Helgi Hallvardsson, Commander, Lyngheidi 16, Kópavogur, age 44 years.

Admonished to tell the truth.

A maritime inquiry because of this event, i.e. the rammings of the Coast Guard vessel Thor, was conducted in Reykjavik on the nineteenth of this month. The Commander states that it had been overlooked to submit to the Court the exchange of words which took place between British warships and tugboats, which the wireless operator of the Coast Guard vessel had recorded on magnetic tape. An excerpt of a recording of the said exchange of words, which the wireless operator and chief mate of the Coast Guard vessel had succeeded in making, has now been clean typed. The Commander now submits the aforementioned excerpt, marked as Exhibit No. 1, reading as follows:

THE COAST GUARD SERVICE

HH/hj

No. 1 Coast Guard vessel Thor 24/12 1975.
Submitted to the Maritime and
Commercial Court of Siglufjordur,
24 December 1975,

Elías I. Elíasson (signed)

To: The Commander of the Coast Guard vessel Thor

From: The Wireless Operator of the Thor

Subject: A magnetic tape recording concerning the events which took place
in the mouth of Seydisfjordur on 11 December 1975

- 1244 hours Falmouth says to Lloydsman to hurry outside the territorial waters and Lloydsman says this correctly received to hurry outside the territorial waters and informs them also that they have been shot at.
- 1247 hours Lloydsman asks Falmouth how long it will be until they reach their position, and Falmouth replies that roughly speaking they are 30 nautical miles away and are hurrying to meet them.
- 1255 hours Falmouth calls up Euroman after having called up Lloydsman, but receives a reply from neither of them.
- 1257 hours Lloydsman informs Falmouth that they are outside the territorial waters and are heading full speed north-east from the mouth of Seydisfjordur, and that they have been fired at again. Falmouth says good show and asks if both the Star boats are also outside the territorial waters and asks also if the Thor has hit anyone with his shots.
- Lloydsman doesn't hear and makes no reply, but repeats that they have been shot at. A little later they make contact and Lloydsman then replies in the negative that they have not been hit, but that three shots have been fired at them.
- 1259 hours Lloydsman says they are about 4 nautical miles from shore and outside the 3 miles, and that according to instruction from Falmouth they are hurrying outside the 12-mile limit. He also replies to a query that the Thor is beside him going at the same speed.
- 1300 hours Lloydsman reports that the Thor has just turned back heading for land, and that they will keep going to meet with the Falmouth.
- 1301 hours Galatea calls Lloydsman.
- 1302 hours Galatea asks Lloydsman for a situation report, and Lloydsman asks him to wait while he gets the bridge commander.
- 1303 hours Lloydsman says their position and that of both the Star boats is 060 degrees 7.5 nautical miles from the northern mouth of Seydisfjordur, and that they are going full speed, and that the Thor has turned back to Seydisfjordur. The Lloydsman also states in reply to a query from Galatea that to the best of their knowledge only blank shots have been fired at them, three, and that they are heading full speed for the 12-mile limit, where they will stop to inspect damages.
- Galatea asks Lloydsman whether they are expecting any damages, and Lloydsman replies that they think so, that Star Aquarius and Lloydsman have collided with the Thor, but the Lloydsman has

/...

damaged the Thor badly on the port side above the waterline, and that they may also have damaged her under the waterline. Lloydsman then asks Galatea when they can reach them, and Galatea says she cannot tell right away. Galatea also asks Lloydsman to let them know immediately when they have reached the 12-mile limit.

1311 hours Galatea informs Lloydsman that they will reach them at 1415 hours.

1314 hours Galatea asks Lloydsman whether the Star Polaris is also with him like the Star Aquarius, and Lloydsman replies in the affirmative, that they are in front of them.

1317 hours Lloydsman confirms that the Thor has turned back to Seydisfjordur.

1322-
1326 hours Galatea asks Lloydsman whether they can confirm that the Thor is sinking, but Lloydsman says he cannot confirm this, that as far as they can judge we are heading toward Seydisfjordur and are not low in the water, but that he still suspects that he has damaged us under the waterline. A little later Falmouth asks Galatea about damages to the Thor, and whether she is sinking, and Galatea replies that Lloydsman has said that he damaged the Thor badly on the port side above the waterline, and most likely also under the waterline. Then Lloydsman enters into the conversation and states that as far as damages to the Thor under the waterline are concerned this is pure guesswork based on how they hit us, but that we are now heading at slow speed inward to Seydisfjordur, and that as far as they can see we are not sagging.

1326 hours Galatea asks Lloydsman whether he can report on the damages suffered by Star Aquarius and Lloydsman asks him to wait while he contacts the bridge.

1327 hours Lloydsman says that Star Aquarius reports some minor damages, and Galatea asks where the Star Polaris has been in relation to the other ships when the collision happened.

1328 hours Lloydsman informs Galatea that when Star Aquarius collided with the Thor then Star Polaris had been 2 nautical miles further out and well out of the way.

1330 hours Galatea asks Lloydsman whether he has taken any photographs of the incidents, but Lloydsman replies in the negative, there had been no one on board with a camera ready, but an Icelandic aeroplane had been circling over the area and they had undoubtedly taken some photographs.

Galatea also asks for a full report of the events.

1338 hours Galatea asks Lloydsman where the Thor is now in relation to the position of the Lloydsman, and Lloydsman says that we have

/...

disappeared in the direction of Seydisfjordur, and Galatea asks whether they had seen any signs of our being sagged down in the water, and Lloydsman replies that they could not see any signs of this.

Because of static and poor atmospheric conditions, partly because of Lloydsman's close proximity in the beginning, this is not a definitive report of the exchange of words that took place between them, and is drawn up according to the best of my knowledge and ability. Some things are left out which are not of direct concern for the subject-matter, and in many parts the exchange of words is summarized into composite sentences.

(Signed) Heidar W. Jones
Wireless Operator.

The Commander wishes to point out that according to messages communicated between the ships he understands it in such a way that it had been a plot between the British ships to lie in ambush for the Coast Guard vessel and damage it. An excerpt from exhibit No. 1 was now read to the Court.

The Commander now submits exhibit No. 2 a magnetic tape recording of the aforementioned exchange of words, reading as follows: ...

The Commander does not wish to make a further statement.

Read aloud, acknowledged as correctly recorded.

Helgi Hallvardsson

Stepped down at 1148 hours.

At 1149 hours is present and summoned before the Court Fridgeir Olgeirsson, chief mate of the Coast Guard vessel Thor, living at Dalaland 2, Reykjavik, 39 years of age.

Admonished to speak the truth.

The witness states that he, along with Heidar W. Jones, wireless operator, had carried out the task of writing down the text on the magnetic tape containing the exchange of words between the British warships and the tugboats off the mouth of Seydisfjordur on the 11th of last month. The witness sees the magnetic tape of exhibit No. 2. He explains that this is the said magnetic tape. The excerpt contained in exhibit No. 1 was now read before the Court.

/...

Where it says "the northern opening" at 1303 hours in the report it should say "Borgarnes".

The report is correct as the wireless operator recorded the conversations, but the magnetic tape contains more things, which doesn't concern this affair, and this is left alone. The witness states that the wireless operator has recorded two time determinations onto the magnetic tape and a date in one of these two instances. From these, other timing points on the tape are calculated.

Read aloud, acknowledged as correctly
recorded.

Fridgeir Olgeirsson

Stepped down at 1215 hours.

At 1216 hours is present and summoned before the Court Heidar Woodrow Jones, wireless operator on the Coast Guard vessel Thor, living at Hjallabraut 3, Hafnarfjordur, 28 years of age.

Admonished to speak the truth.

The witness is shown the magnetic tape constituting exhibit No. 2. The witness explains that he recorded the material contained on this tape, from the conversations between the British warships and the tugboats off the mouth of Seydisfjordur on the 11th of this month. The tape has not been touched since and no further recordings been made on it. The tape contains some other material. The report contained by exhibit No. 1 was then read aloud and shown to the witness. The report is correct and true and the witness acknowledges having signed it. The witness typed the record himself. This is an excerpt of the tape recording contained in exhibit No. 2.

The chief mate of the Coast Guard vessel completed the report contained in exhibit No. 1, along with the witness. With regard to the timing recorded in the report the witness states that he had twice, in the course of the conversations, stated the time onto the tape, and the timings in the report are calculated from this. The witness states that he has reason to believe that the conversations between the aforementioned British ships had also been recorded by the Coast Guard vessel Tyr. The magnetic tape recording is made over medium wave length 2226 kc per second.

Read aloud, acknowledged as correct.

Heidar W. Jones

Stepped down at 1239 hours.

/...

Present at the inquiry was Knutur Jonsson, Certified Court Interpreter.

Other matters were not handled by the Court.

The Maritime and Commercial Court was adjourned.

Elías I. Elíasson

Eythor Hallsson

Sigurjon Johannsson

Knutur Jonsson

Correct transcript certified.

Office of the Siglufjördur Magistrate, 24 December 1975

(Signed): Elías I. Elíasson (stamp of the Magistrate of the town of Siglufjördur)

C. LIST OF EXHIBITS

List of exhibits submitted in the course of the proceedings in the Maritime Court Inquiry conducted in the Civil Courts of the City of Reykjavík and the Town of Siglufjördur, Iceland on 19 and 24 December 1975 into the collision of the Coast Guard vessel Thor, on the one hand, and the British public vessels Star Aquarius and Lloydsman, on the other, off the mouth of Seydisfjördur, Iceland, on Thursday, 11 December 1975.

Exhibits submitted to the Reykjavík Maritime and Commercial Court:

- Exhibit No. 1: Letter from the Icelandic Coast Guard Service to the Reykjavík Civil Court, dated 18 December 1975, requesting that a Court Inquiry be held into the incident.
(Reproduced.)
- Exhibits Nos.
2-21, incl.: 19 photographs and 1 film taken of the incident.
(Not reproduced, but available for inspection at the Permanent Mission of Iceland to the United Nations.)
- Exhibit No. 22: Telegram from the Icelandic Coast Guard to the British Embassy, Reykjavík, dated 18 December 1975, inviting the Embassy to send its representative to be present at the Court of Inquiry.
(Reproduced.)
- Exhibit No. 23: A certified photostat copy from the logbook of the Coast Guard vessel Thor, showing logbook records of the events that took place on 11 December 1975.
(Not reproduced.)

/...

- Exhibit No. 24: Report from the Commander of the Coast Guard vessel Thor to the Icelandic Coast Guard, dated 11 December 1975, describing the incident that took place on the same day. (Reproduced.)
- Exhibit No. 25: A certified photostat copy of a sea chart showing the area where the incident took place and marking the position of the vessels involved according to fixes made in the course of the incident. (Reproduced.)
- Exhibit No. 26: Report from the commander of the Coast Guard vessel Thor, dated 11 December 1975, giving a preliminary description of damages suffered by the Coast Guard vessel Thor as a result of the incident. (Reproduced.)
- Exhibit No. 27: Request from the Icelandic Fishing Vessels Joint Insurance Institute to the Reykjavík Civil Court, dated 19 December 1975, for the appointment of two evaluators for the purpose of appraising the damages suffered by the Coast Guard vessel Thor in the course of the incident.
(The document and its contents is described in the minutes of the Court proceedings reproduced.)
- Exhibit No. 28: A magnetic tape containing a recording of conversations that took place between the British tugboats and the British naval frigates on 11 December 1975.
- Exhibit No. 29: A transcript of conversations that took place on 11 December 1975 between the British tugboat Lloydsman and the naval frigate Galatea. (Reproduced.)

Exhibit submitted to the Siglufjörður Maritime and Commercial Court:

- Exhibit No. 1: A description of conversations that took place between the British tugboat Lloydsman, and the British naval frigates Galatea and Falmouth on 11 December 1975. (Reproduced.)

