

This PDF was generated on 15/01/2022 from online resources of
the **Qatar Digital Library**

The online record can be viewed at:

http://www.qdl.qa/en/archive/81055/vdc_100000000648.0x0001bd

It contains extra information, high resolution zoomable views and transcriptions.

Coll 30/142 'Visit of Danish fishing vessel chartered by Iranian Govnt.'

Holding Institution	British Library: India Office Records and Private Papers
Reference	IOR/L/PS/12/3877
Date(s)	8 Oct 1936-8 Mar 1941 (CE, Gregorian)
Written in	English and French in Latin
Extent and Format	1 file (61 folios)
Copyright for document	Public Domain



About this record

The file concerns the investigations of Dr Harald Blegvad, the Director of the Danish Biological Station, into the waters of the Persian Gulf, with particular reference to fishing. Blegvad was visiting the area on behalf of the Government of Iran, who wished to initiate commercial exploitation of Iranian fisheries.

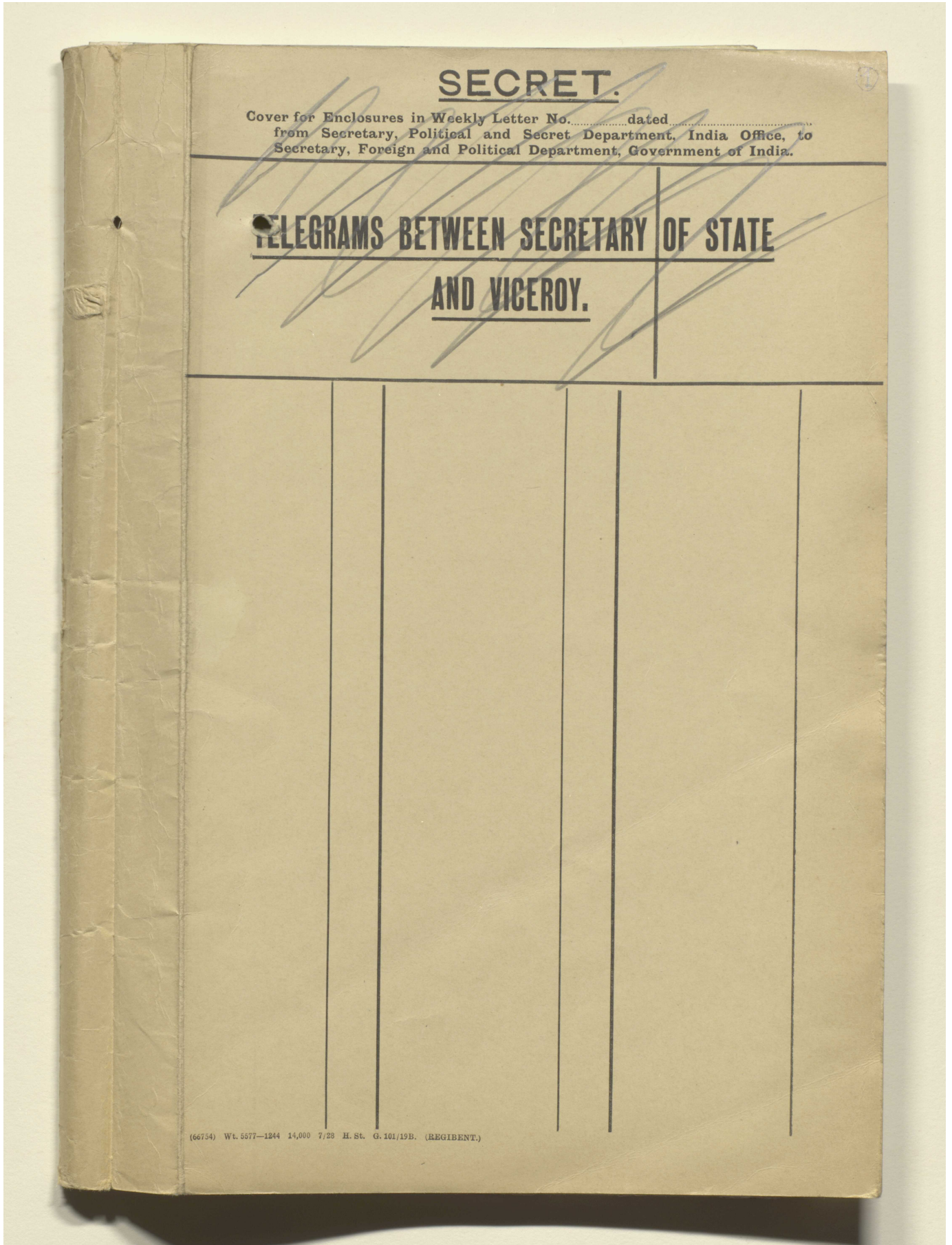
The file includes correspondence from the Political Resident in the Persian Gulf, the British Legation, Tehran, and extracts from intelligence reports.

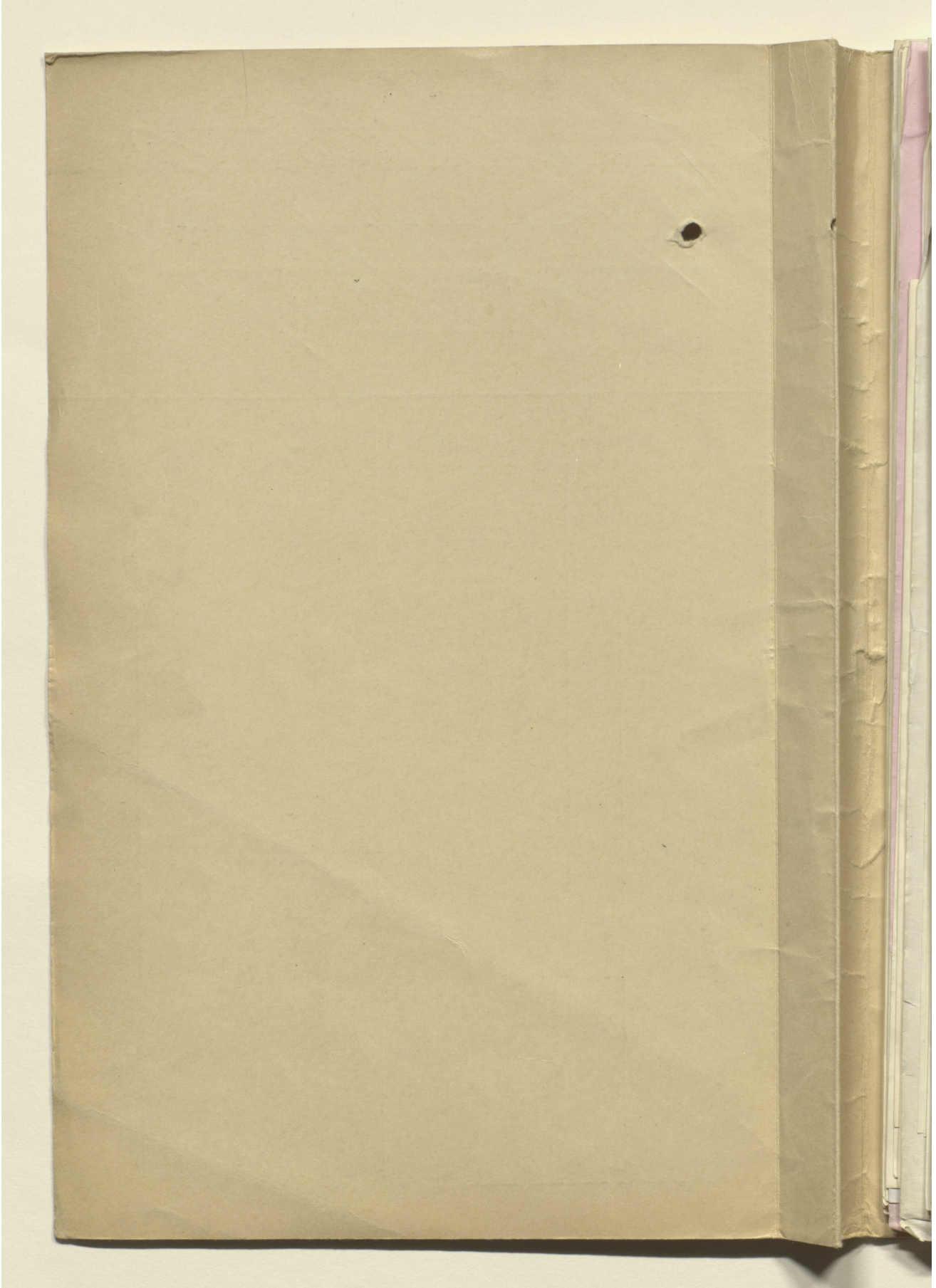
The papers include: the need to protect Arab rights over pearl fishing banks; the legal position concerning prescriptive rights to exploit the seabed outside the three mile limit; the flying of the Iranian flag by Blegvad's vessel; and the establishment of a fish-canning plant near Bandar Abbas in 1940.

The French language content of the papers consists of a newspaper article on folio 24.

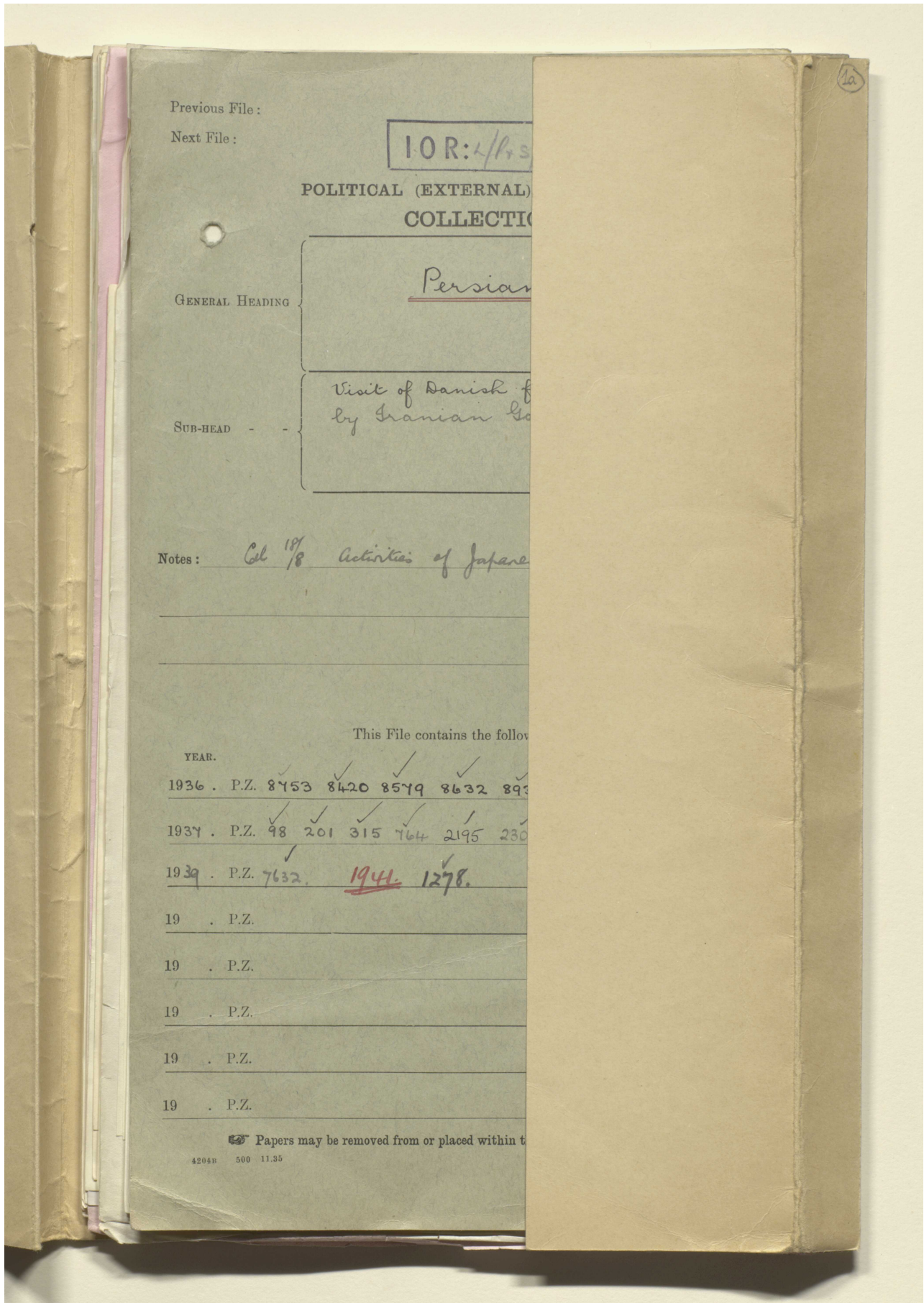
The file includes a divider, which gives a list of correspondence references contained in the file by year. This is placed at the back of the correspondence.

Coll 30/142 'Visit of Danish fishing vessel chartered by Iranian Govnt.' [front]
(1/129)





Coll 30/142 'Visit of Danish fishing vessel chartered by Iranian Govnt.' [2r]
(3/129)



Coll 30/142 'Visit of Danish fishing vessel chartered by Iranian Govnt.' [2r]
(4/129)

Previous File :

Next File :

IOR: L/PS/12/3877

No. 30

File 142

POLITICAL (EXTERNAL) DEPARTMENT
COLLECTION

GENERAL HEADING

Persian Gulf.

SUB-HEAD

Visit of Danish fishing vessel chartered
by Iranian Govnt.

Notes :

Col 18 Activities of Japanese trawlers in Indian Ocean &
Persian waters.

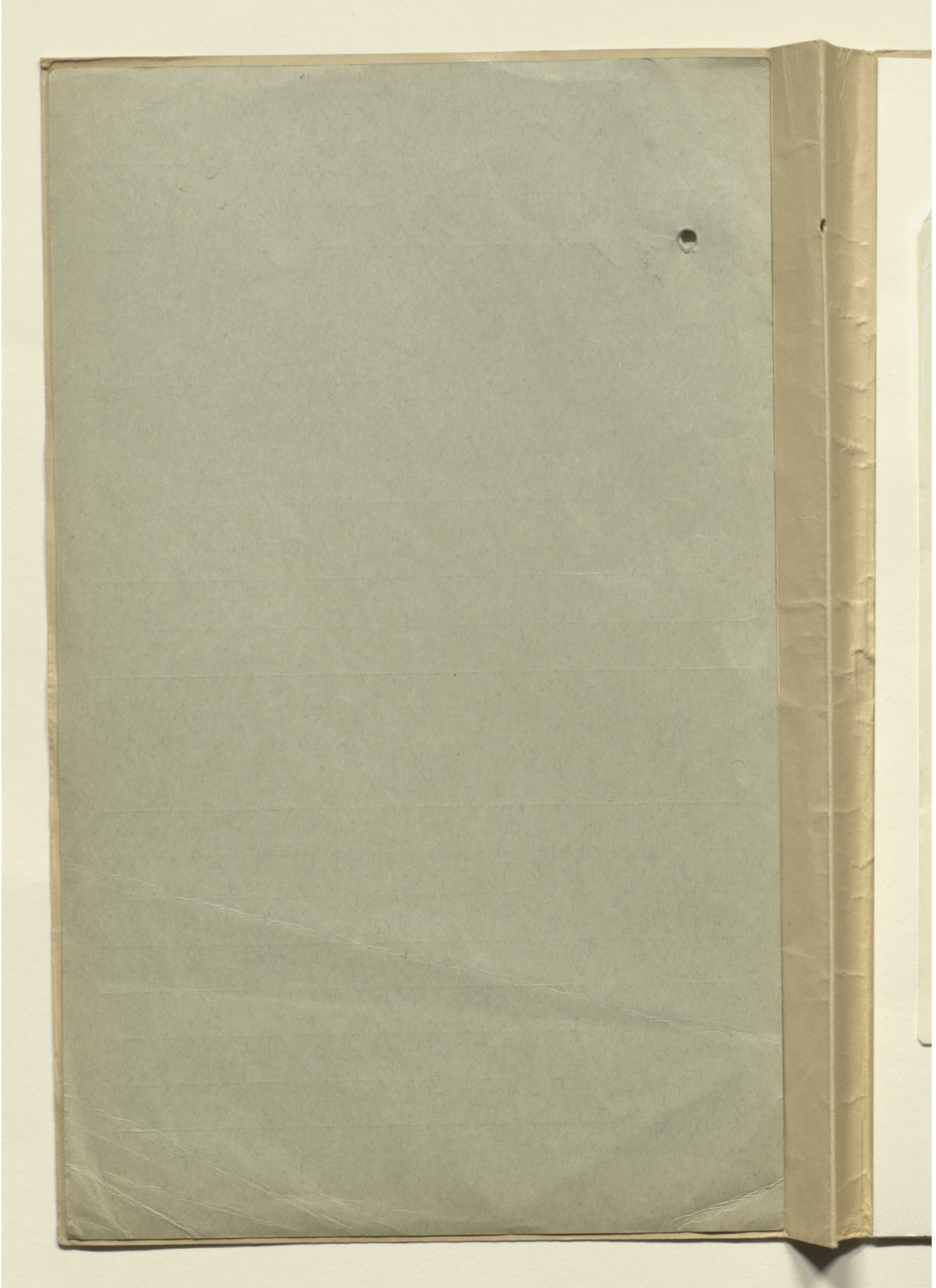
This File contains the following papers :-

YEAR.	P.Z.	8420	8579	8632	8930	9032
1936	8753	✓	✓	✓	✓	✓
1937	98	✓	✓	✓	✓	✓
	201	✓	✓	✓	✓	✓
	315	✓	✓	✓	✓	✓
	764	✓	✓	✓	✓	✓
	2195	✓	✓	✓	✓	✓
	2303	✓	✓	✓	✓	✓
	3425	✓	✓	✓	✓	✓
1939	7632	✓	✓	✓	✓	✓
	1941	✓	✓	✓	✓	✓
	1278	✓	✓	✓	✓	✓
19	P.Z.					
19	P.Z.					
19	P.Z.					
19	P.Z.					
19	P.Z.					

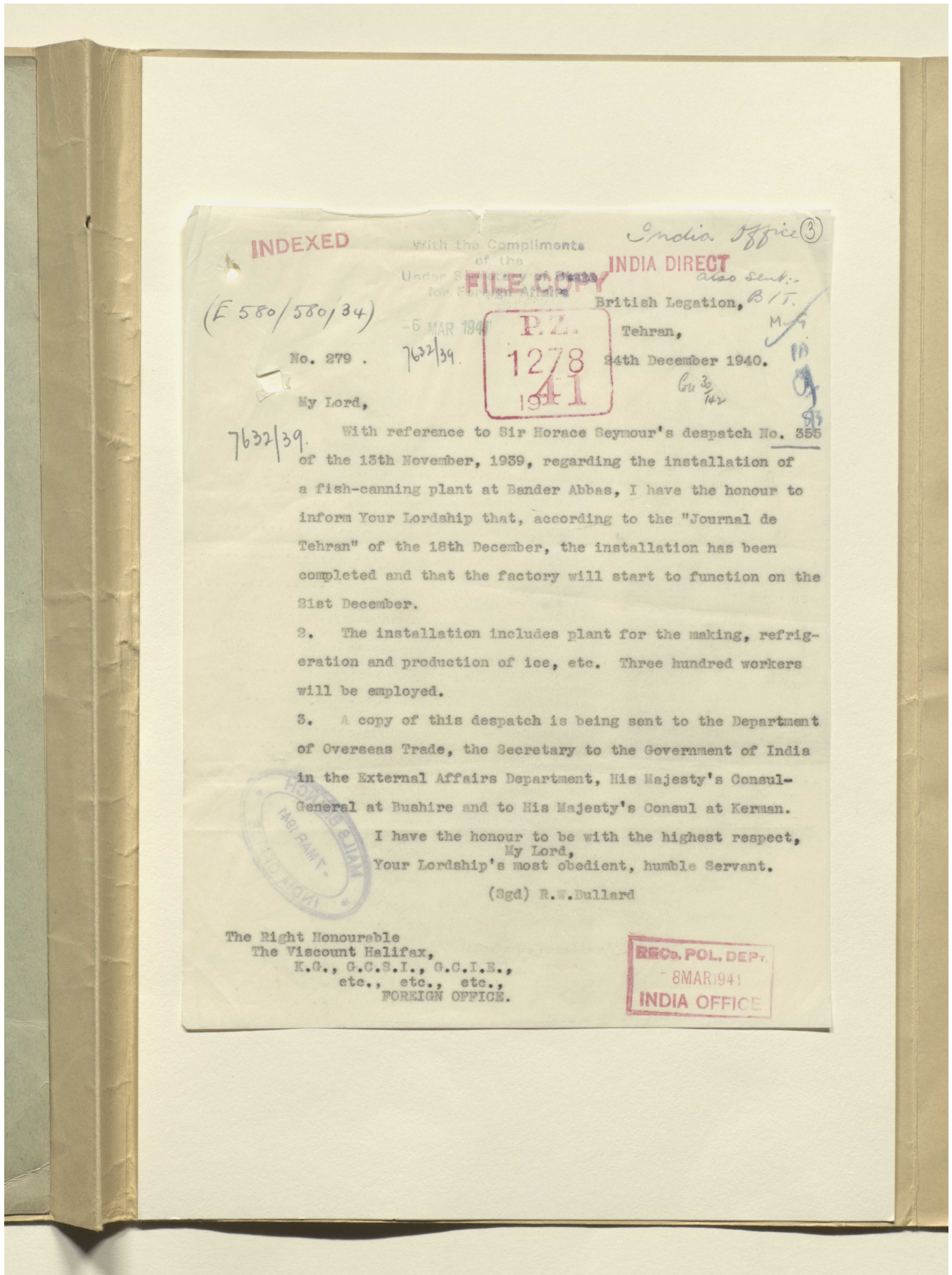
Papers may be removed from or placed within this File only by the Political Registry.

4204R 500 11.35

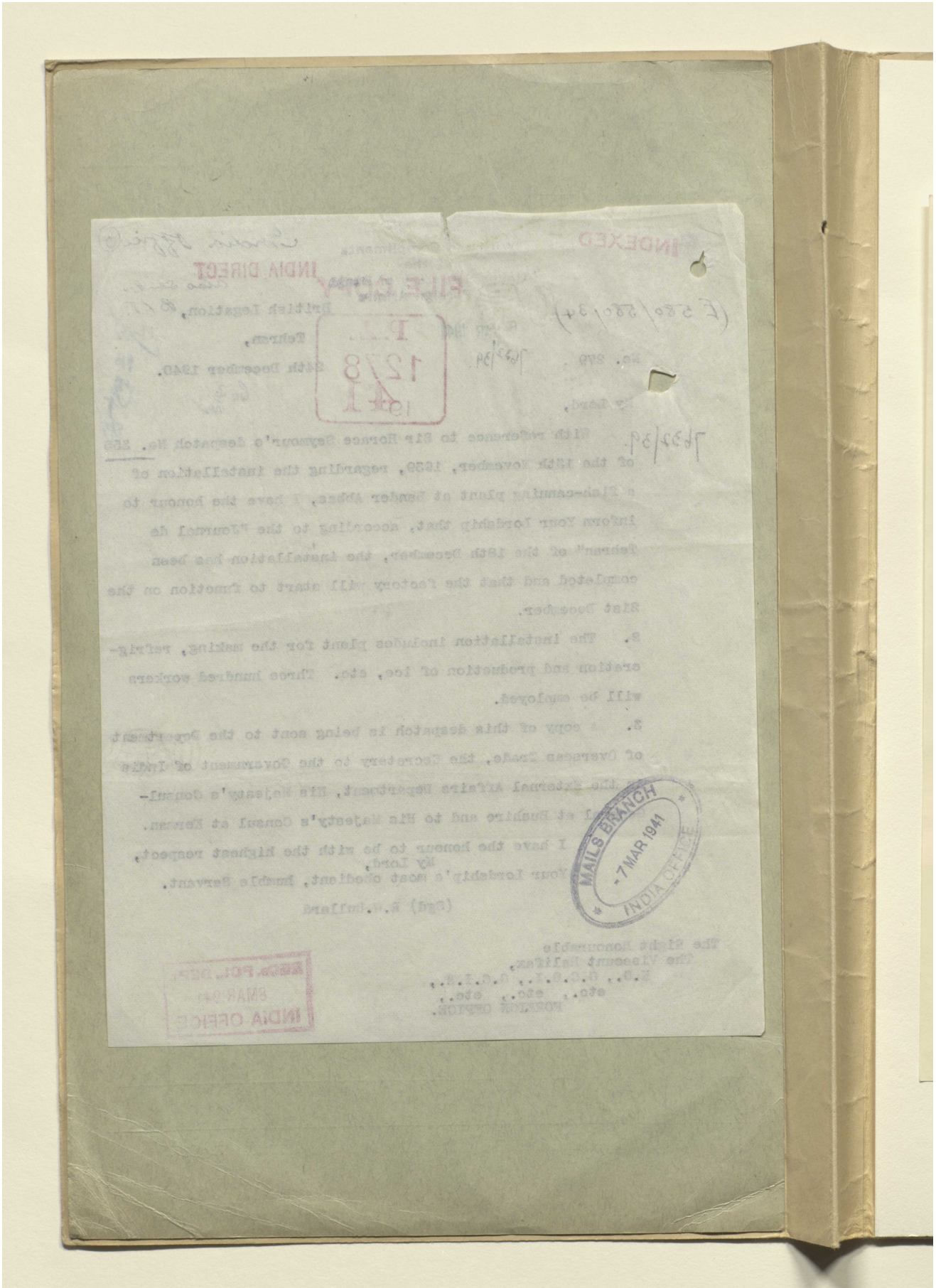
Coll 30/142 'Visit of Danish fishing vessel chartered by Iranian Govnt.' [2v]
(5/129)



Coll 30/142 'Visit of Danish fishing vessel chartered by Iranian Govnt.' [3r]
(6/129)



Coll 30/142 'Visit of Danish fishing vessel chartered by Iranian Govnt.' [3v]
(7/129)



Coll 30/142 'Visit of Danish fishing vessel chartered by Iranian Govnt.' [4r]
(8/129)

INDEXED

In any further communication on this subject, please quote
No. *E7658/7658/34*
and address—not to any person by name, but to—
"The Under-Secretary of State," Foreign Office, London, S.W. 1.

30. 142
P. Z.
7632
1939

INDIA DIRECT
Thos.

P.A.,
J. 6

THE Under-Secretary of State for Foreign Affairs presents his
compliments to *the Under-Secretary of State*
for India and, by direction of the Secretary of State,
transmits herewith copy of the under-mentioned paper.

Foreign Office,
14th Dec, 1939

Reference to previous correspondence:
P.Z. 2195 FO letter No. E1731/93/34 of 3rd April 1937.
37.

Description of Enclosure.

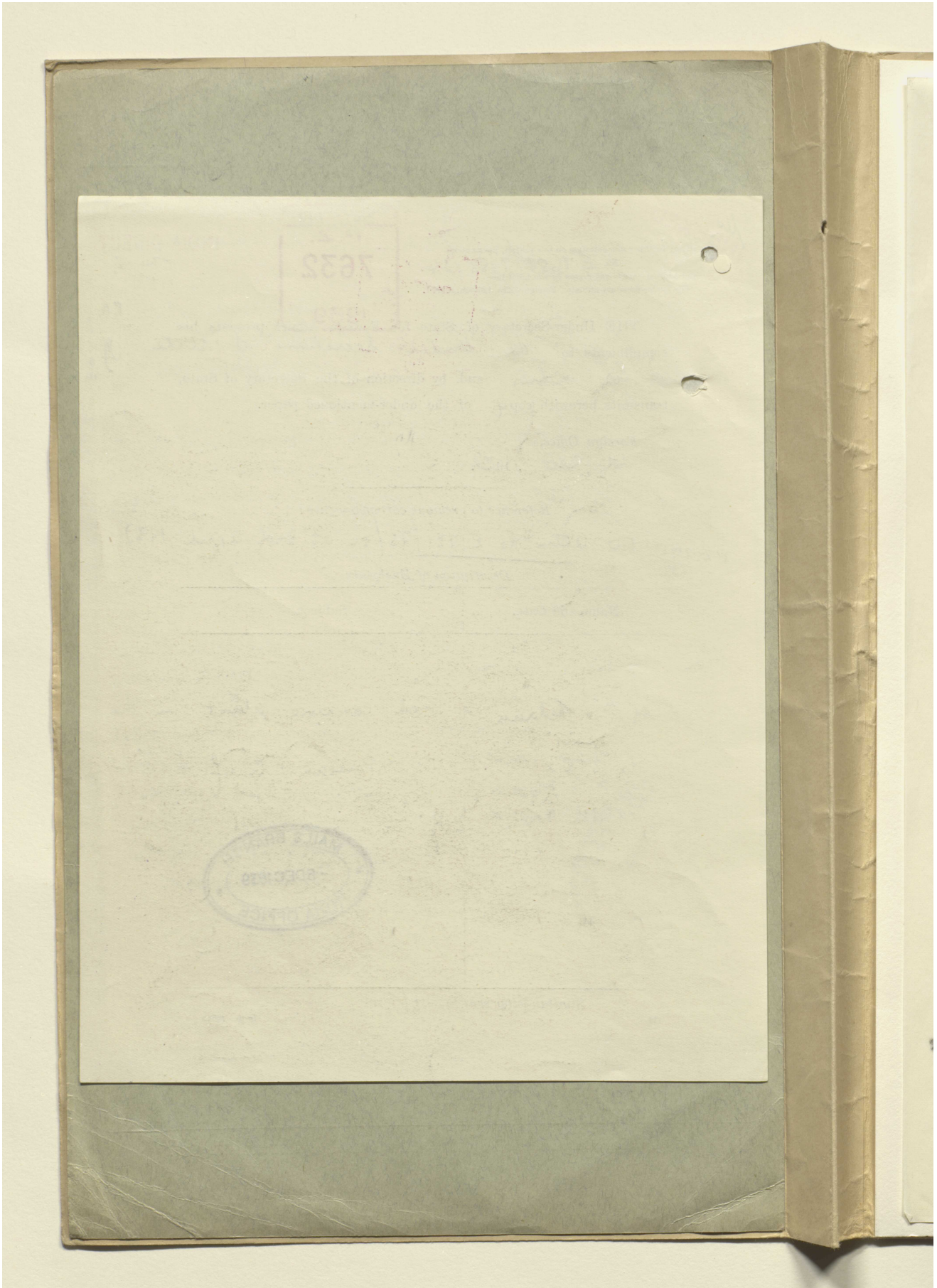
Name and Date.	Subject.
<i>From</i> <i>H.M.R. Tehran</i> <i>No 355.</i> <i>13th Nov.</i>	<i>Fish canning plant in the</i> <i>Persian Gulf.</i>

MAILS BRANCH
5 DEC 1939
INDIA OFFICE

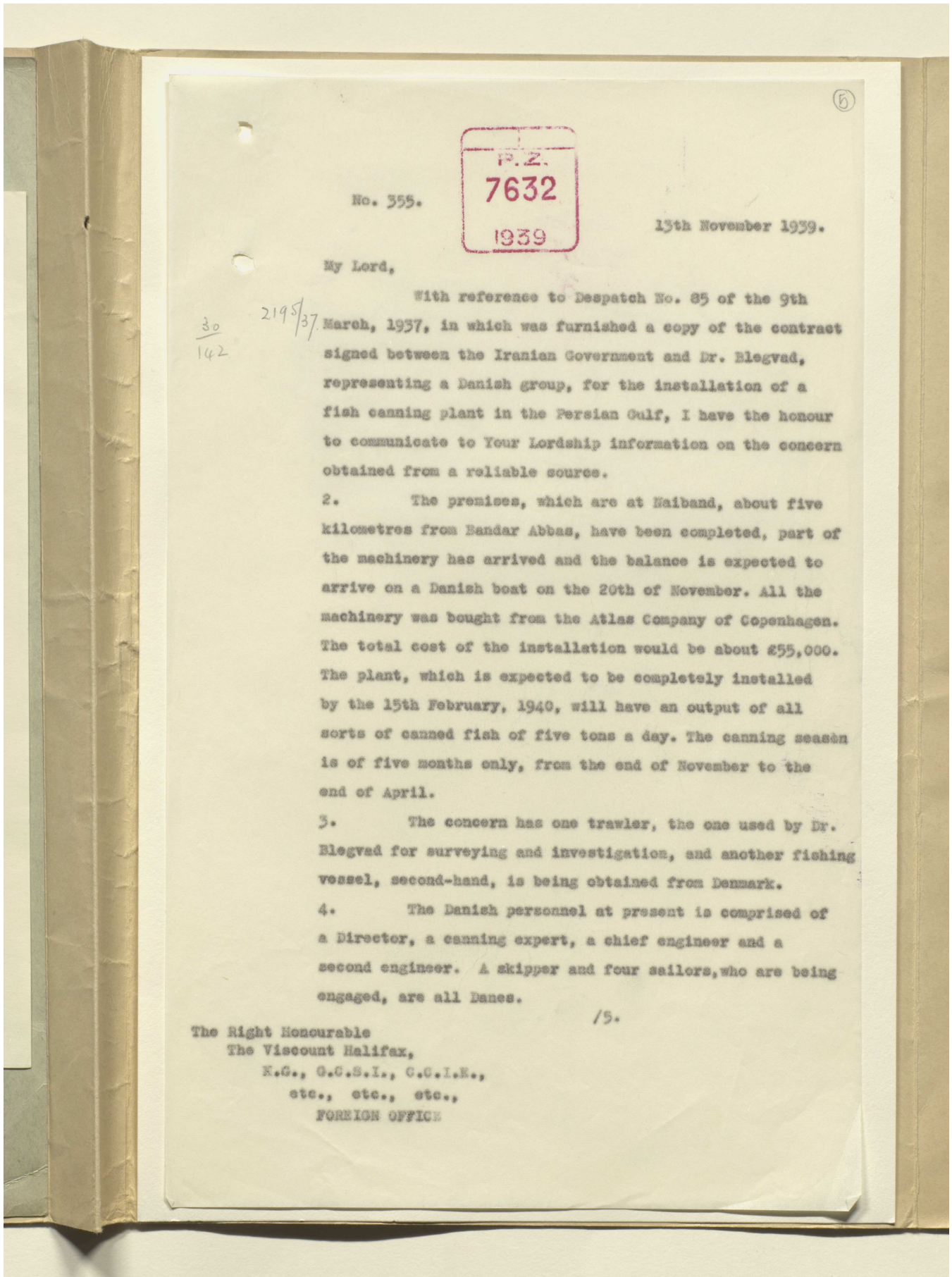
Similar letter sent to *B/C.*

14 6130 19650

Coll 30/142 'Visit of Danish fishing vessel chartered by Iranian Govnt.' [4v]
(9/129)



Coll 30/142 'Visit of Danish fishing vessel chartered by Iranian Govnt.' [5r]
(10/129)



No. 355.

P.Z.
7632
1939

13th November 1939.

My Lord,

30
142

2195/37

With reference to Despatch No. 85 of the 9th March, 1937, in which was furnished a copy of the contract signed between the Iranian Government and Dr. Eiegvad, representing a Danish group, for the installation of a fish canning plant in the Persian Gulf, I have the honour to communicate to Your Lordship information on the concern obtained from a reliable source.

2. The premises, which are at Naiband, about five kilometres from Bandar Abbas, have been completed, part of the machinery has arrived and the balance is expected to arrive on a Danish boat on the 20th of November. All the machinery was bought from the Atlas Company of Copenhagen. The total cost of the installation would be about £55,000. The plant, which is expected to be completely installed by the 15th February, 1940, will have an output of all sorts of canned fish of five tons a day. The canning season is of five months only, from the end of November to the end of April.

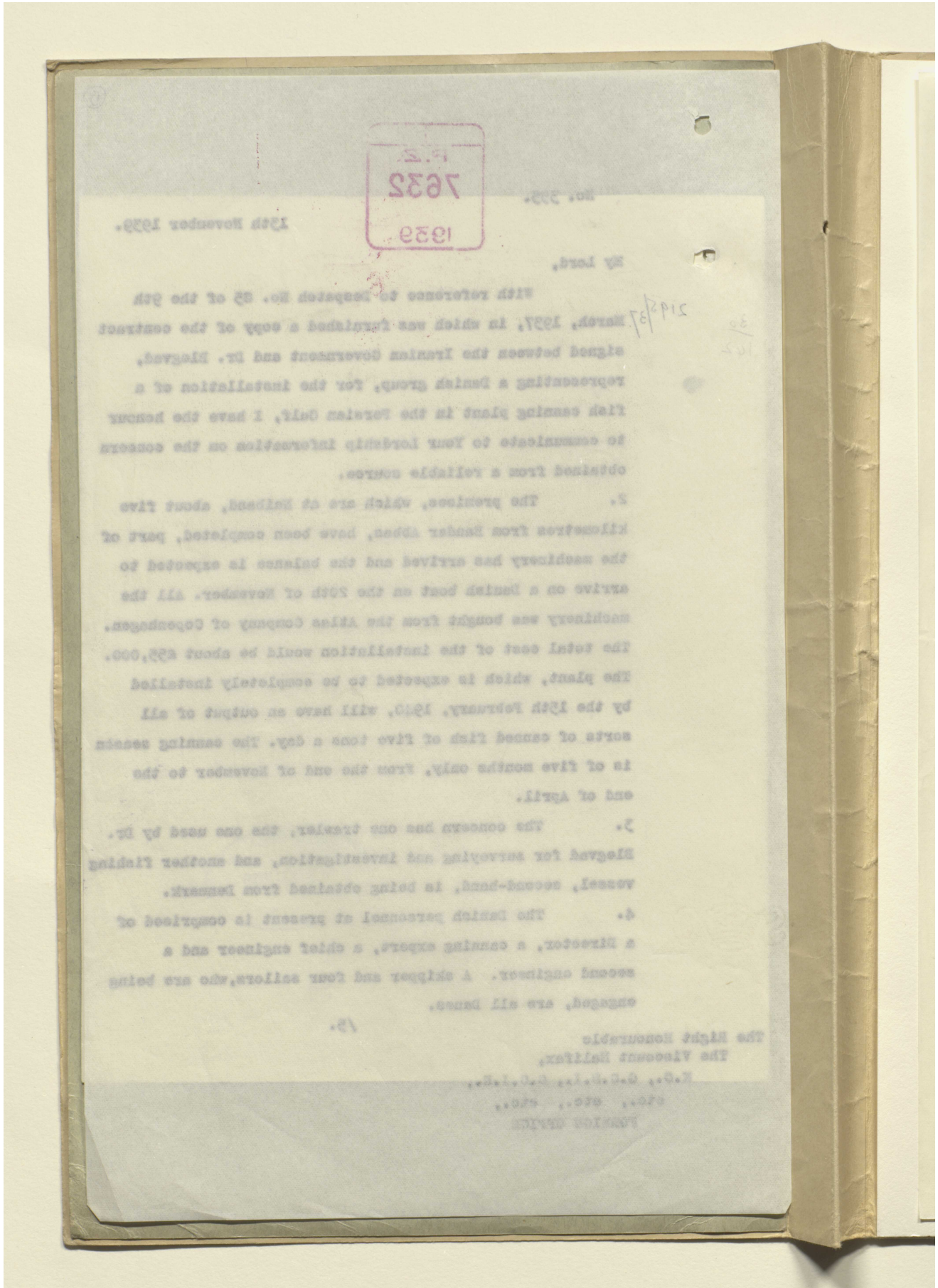
3. The concern has one trawler, the one used by Dr. Eiegvad for surveying and investigation, and another fishing vessel, second-hand, is being obtained from Denmark.

4. The Danish personnel at present is comprised of a Director, a canning expert, a chief engineer and a second engineer. A skipper and four sailors, who are being engaged, are all Danes.

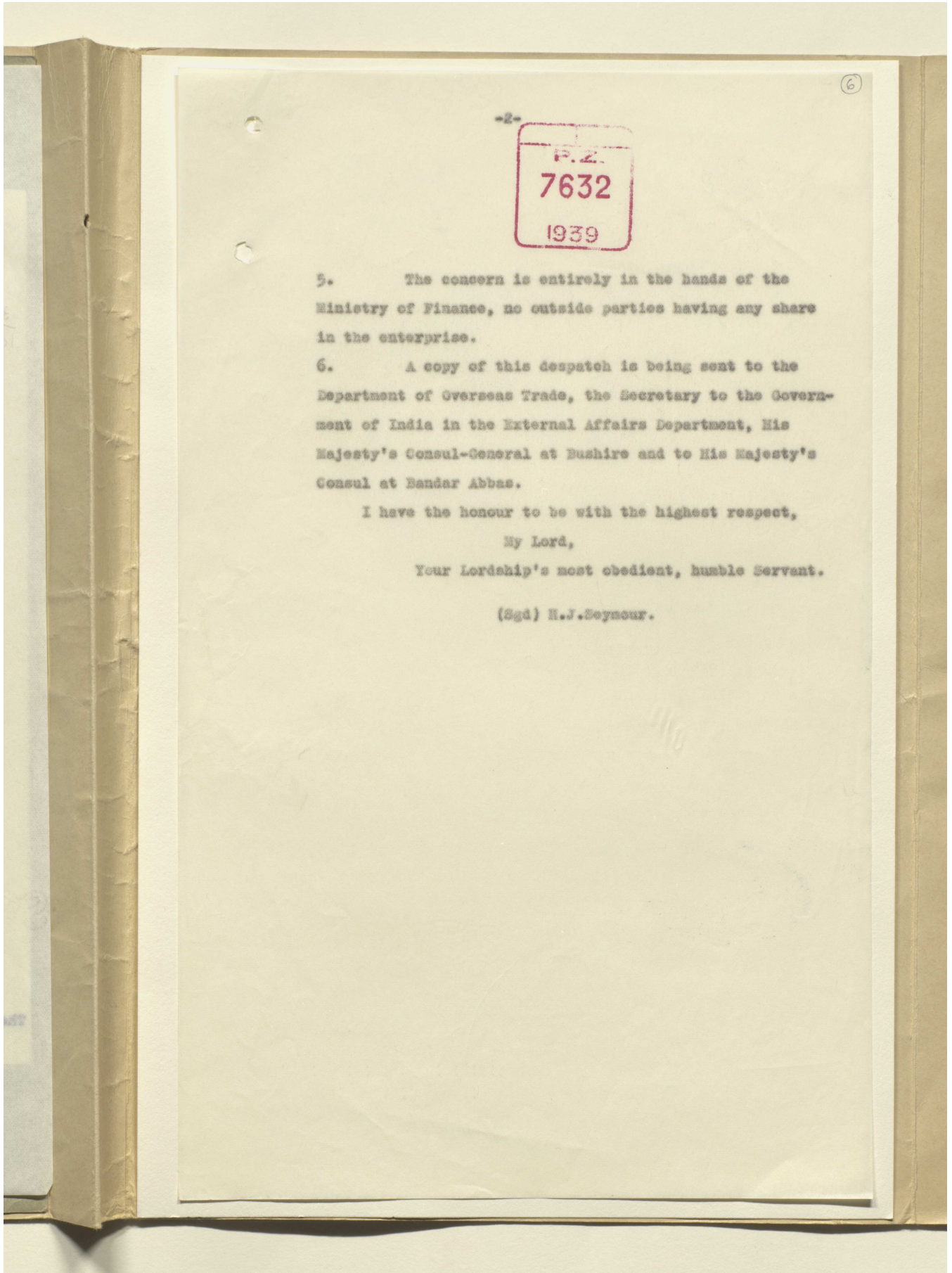
/s.

The Right Honourable
The Viscount Halifax,
K.G., G.C.S.I., C.C.I.B.,
etc., etc., etc.,
FOREIGN OFFICE

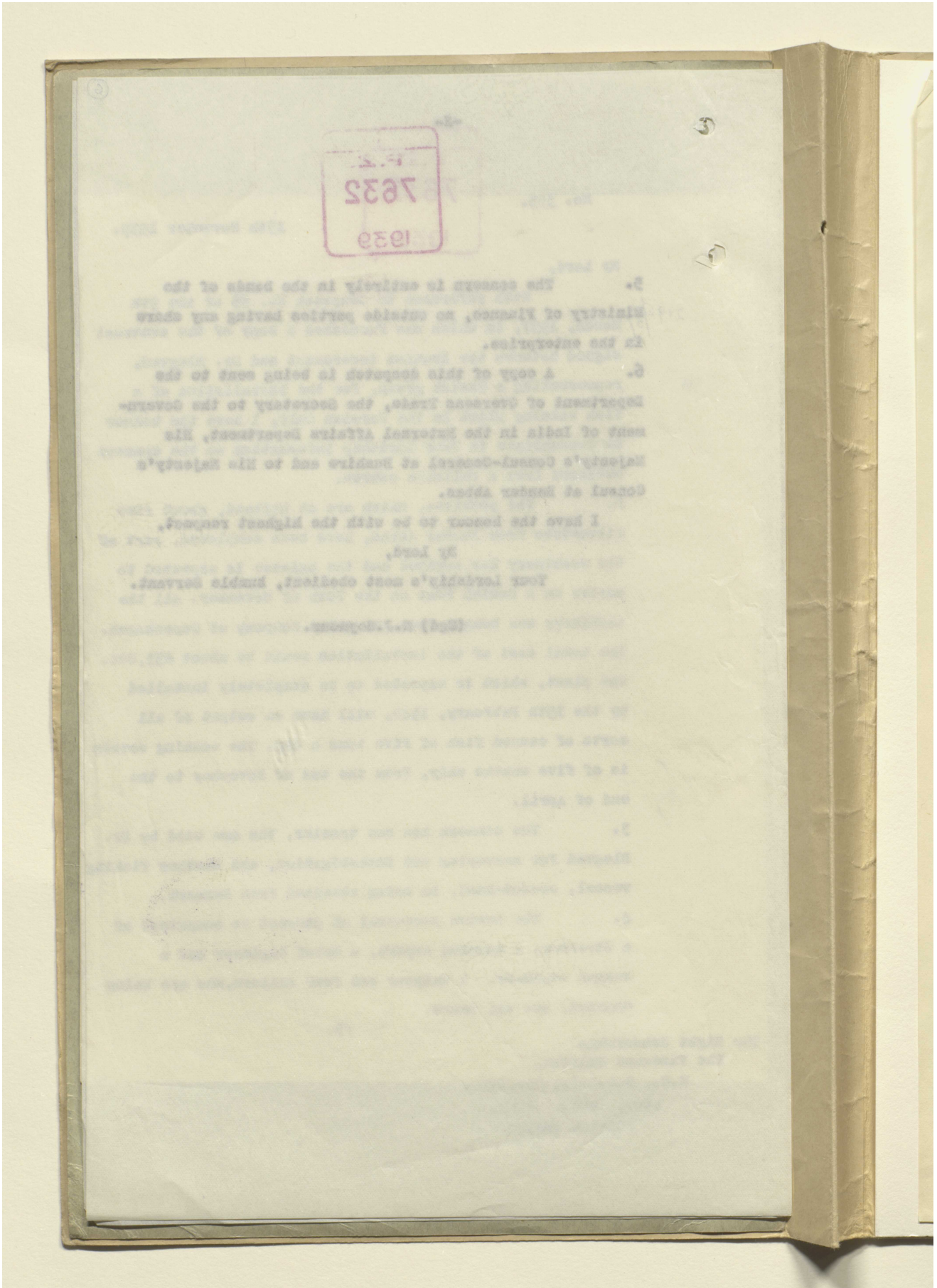
Coll 30/142 'Visit of Danish fishing vessel chartered by Iranian Govnt.' [5v]
(11/129)



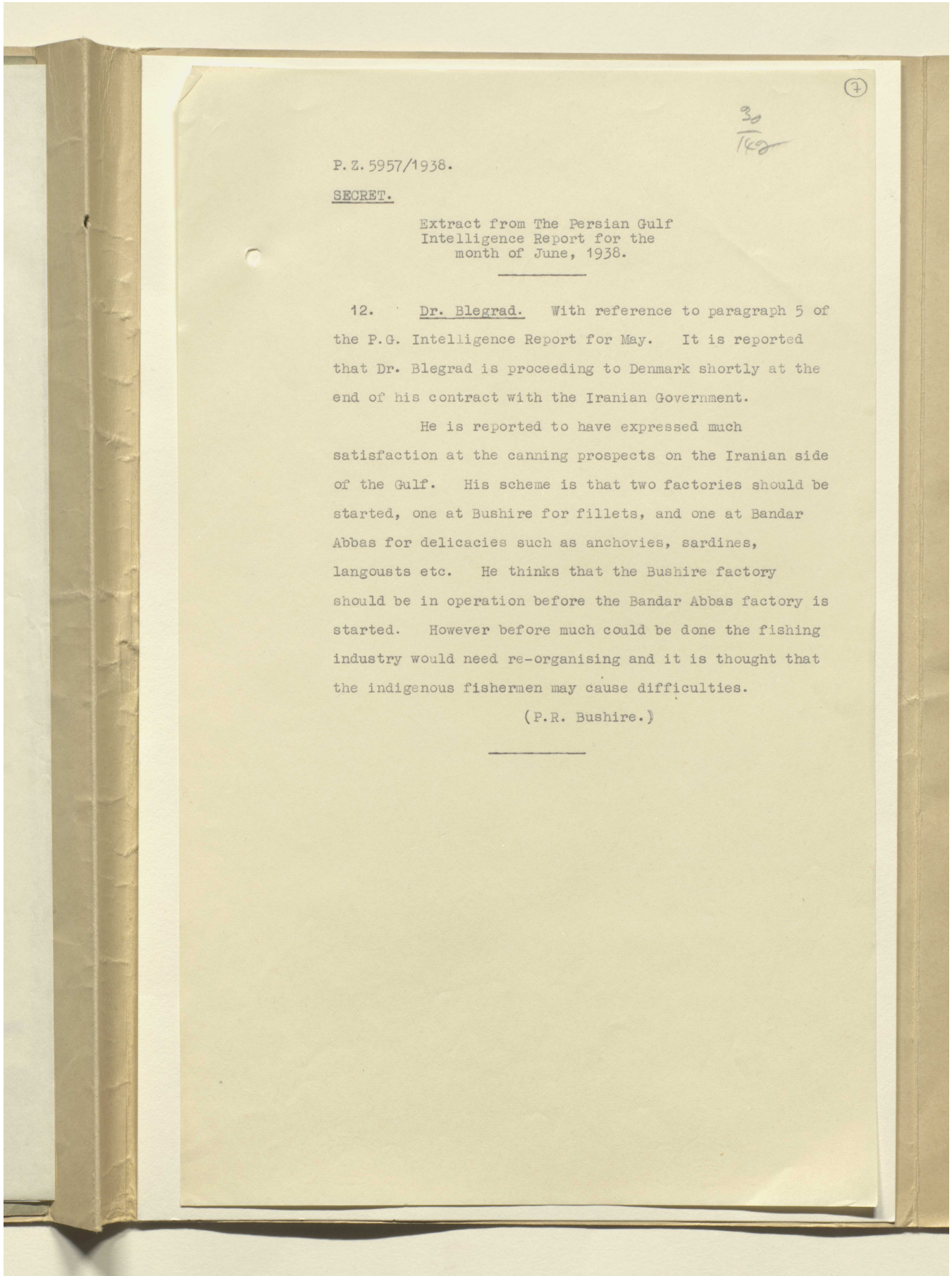
Coll 30/142 'Visit of Danish fishing vessel chartered by Iranian Govnt.' [6r]
(12/129)



Coll 30/142 'Visit of Danish fishing vessel chartered by Iranian Govnt.' [6v]
(13/129)



Coll 30/142 'Visit of Danish fishing vessel chartered by Iranian Govnt.' [7r]
(14/129)



P. Z. 5957/1938.

SECRET.

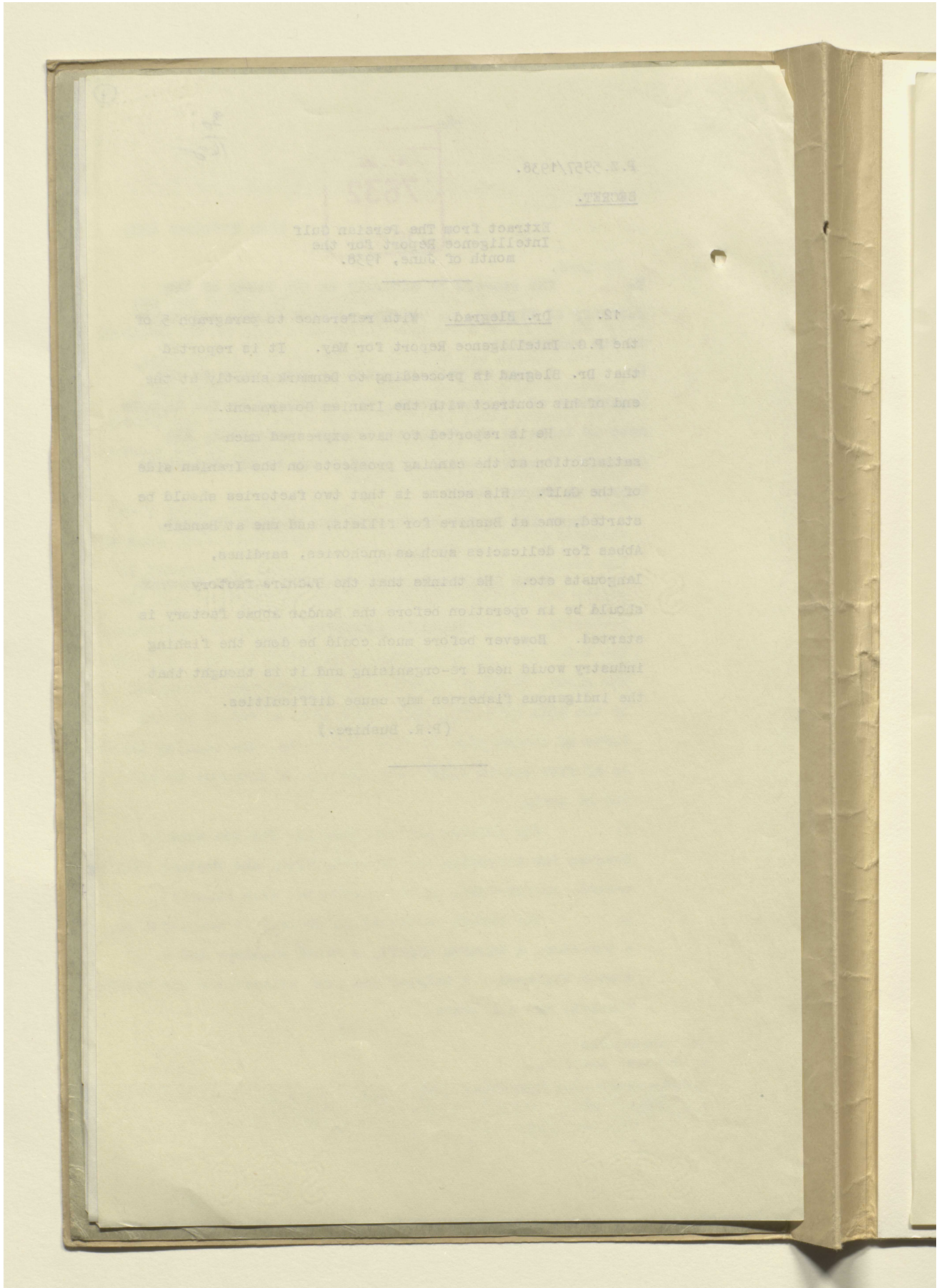
Extract from The Persian Gulf
Intelligence Report for the
month of June, 1938.

12. Dr. Blegrad. With reference to paragraph 5 of
the P.G. Intelligence Report for May. It is reported
that Dr. Blegrad is proceeding to Denmark shortly at the
end of his contract with the Iranian Government.

He is reported to have expressed much
satisfaction at the canning prospects on the Iranian side
of the Gulf. His scheme is that two factories should be
started, one at Bushire for fillets, and one at Bandar
Abbas for delicacies such as anchovies, sardines,
langousts etc. He thinks that the Bushire factory
should be in operation before the Bandar Abbas factory is
started. However before much could be done the fishing
industry would need re-organising and it is thought that
the indigenous fishermen may cause difficulties.

(P.R. Bushire.)

Coll 30/142 'Visit of Danish fishing vessel chartered by Iranian Govnt.' [7v]
(15/129)



Coll 30/142 'Visit of Danish fishing vessel chartered by Iranian Govnt.' [8r]
(16/129)

P.Z.4008/38

Extract from Diary of the British Residency and
Consulate-General, Bushire, for the month
of April, 1938.

(8)

30
/142

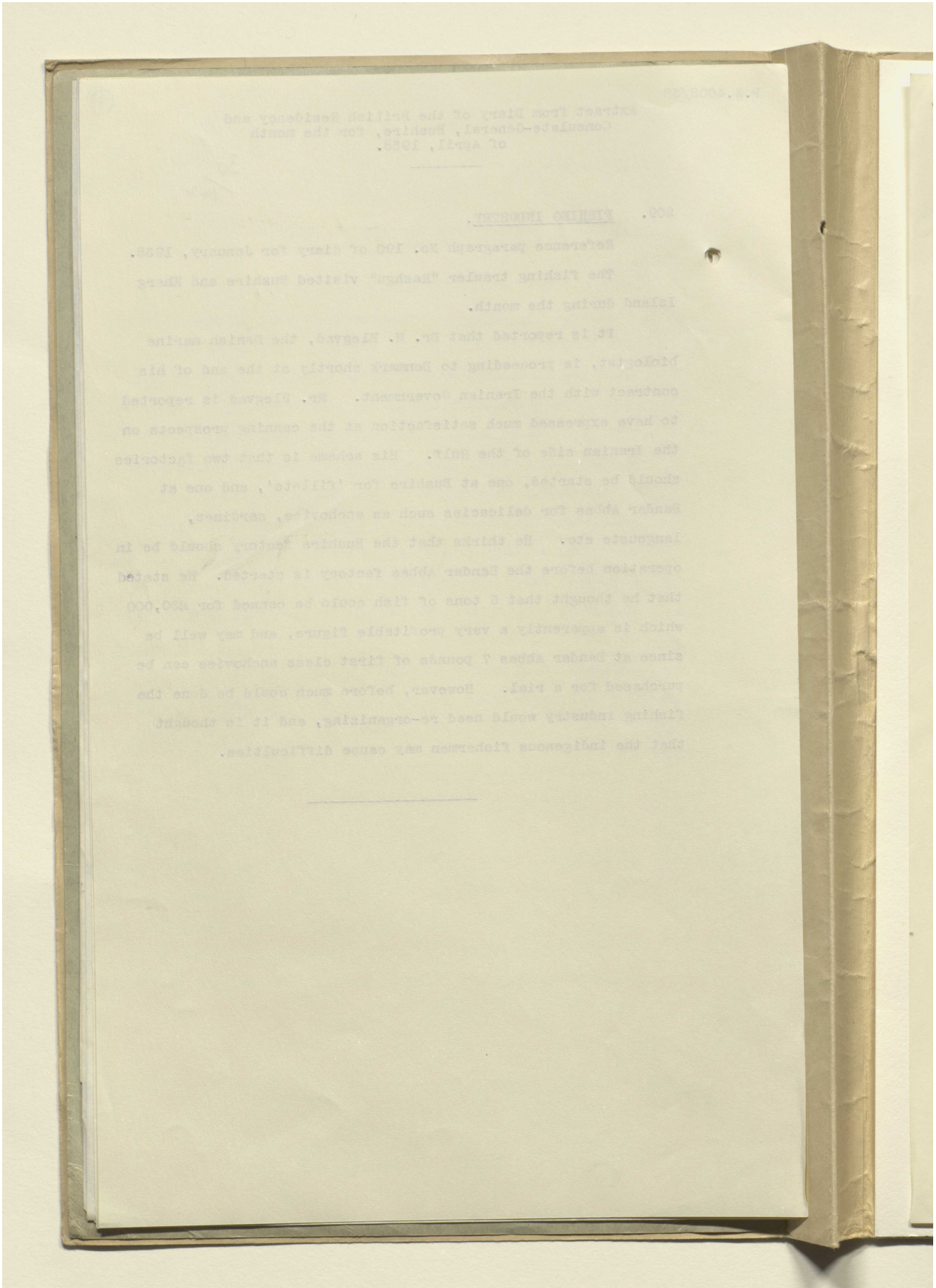
209. FISHING INDUSTRY.

Reference paragraph No. 190 of diary for January, 1938.

The fishing trawler "Rashgu" visited Bushire and Kharg Island during the month.

It is reported that Dr. H. Blegvad, the Danish marine biologist, is proceeding to Denmark shortly at the end of his contract with the Iranian Government. Mr. Blegvad is reported to have expressed much satisfaction at the canning prospects on the Iranian side of the Gulf. His scheme is that two factories should be started, one at Bushire for 'fillets', and one at Bandar Abbas for delicacies such as anchovies, sardines, langouste etc. He thinks that the Bushire factory should be in operation before the Bandar Abbas factory is started. He stated that he thought that 6 tons of fish could be canned for £30,000 which is apparently a very profitable figure, and may well be since at Bandar Abbas 7 pounds of first class anchovies can be purchased for a rial. However, before much could be done the fishing industry would need re-organizing, and it is thought that the indigenous fisherman may cause difficulties.

Coll 30/142 'Visit of Danish fishing vessel chartered by Iranian Govnt.' [8v]
(17/129)



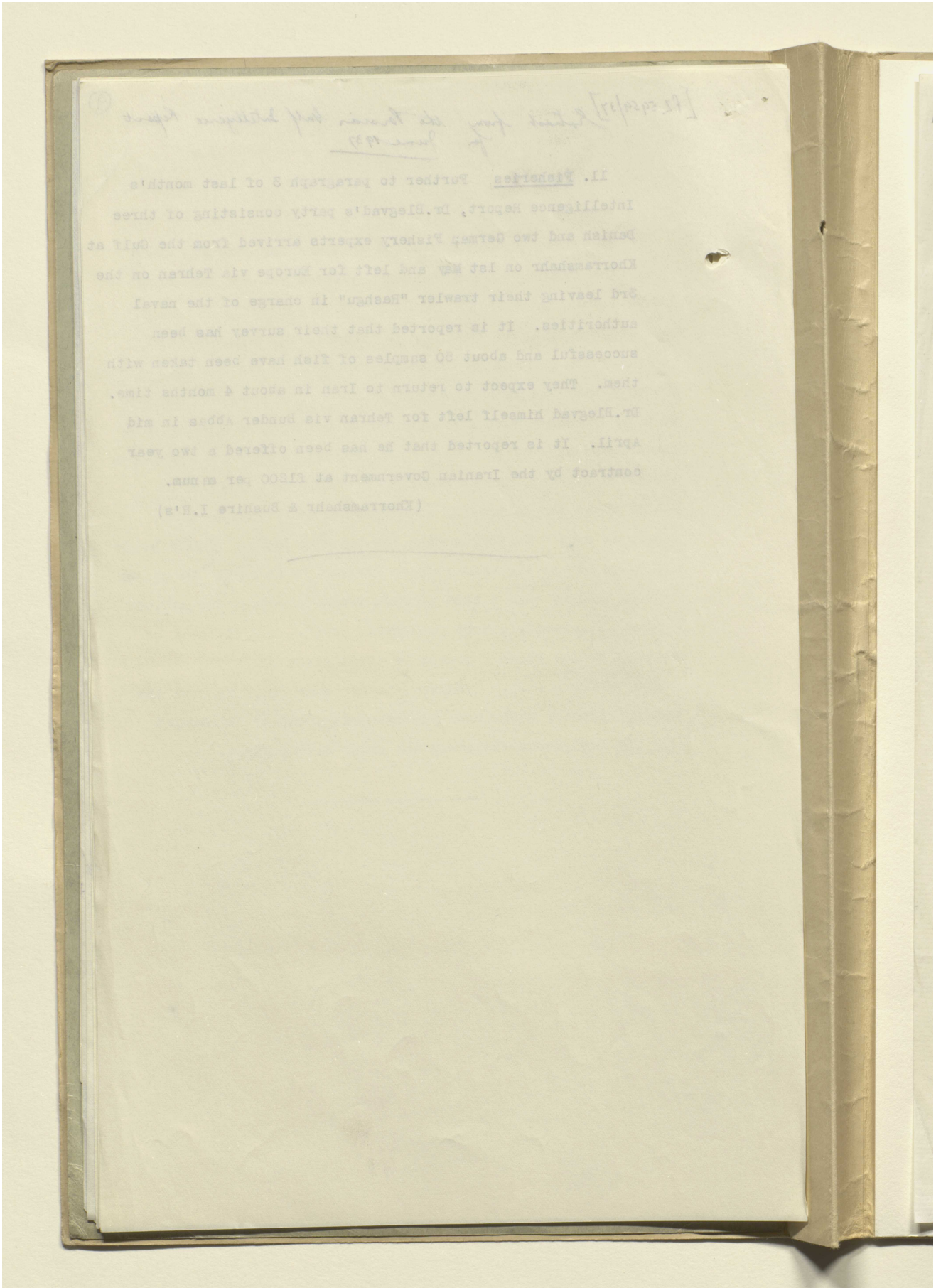
Coll 30/142 'Visit of Danish fishing vessel chartered by Iranian Govnt.' [9r]
(18/129)

[P.Z. 5959/37] Extract from the Persian Gulf Intelligence Report ⁽⁹⁾
for June 1937.

11. Fisheries Further to paragraph 3 of last month's Intelligence Report, Dr. Blegvad's party consisting of three Danish and two German Fishery experts arrived from the Gulf at Khorramshahr on 1st May and left for Europe via Tehran on the 3rd leaving their trawler "Rashgu" in charge of the naval authorities. It is reported that their survey has been successful and about 50 samples of fish have been taken with them. They expect to return to Iran in about 4 months time. Dr. Blegvad himself left for Tehran via Bunder Abbas in mid April. It is reported that he has been offered a two year contract by the Iranian Government at £1200 per annum.

(Khorramshahr & Bushire I.R's)

Coll 30/142 'Visit of Danish fishing vessel chartered by Iranian Govnt.' [9v]
(19/129)



[P. 2-4214/37] Excerpt from Kerman Diary No 4. for April 1937

(10)

by lorry to Bandar Abbas, and take passage by the slow-mail Steamer to India. He left for Bandar Abbas on the 17th.

102. Danish. Doctor Blegvad, Danish Scientist, and Interpreter, arrived from Bandar Abbas en route to Tehran on the 26th and were the guest of H.B.M's Consul. He, accompanied by Doctor Thorsen, Danish Professor of Zoology, called on the Governor-General, while at Kerman, and left for Tehran on the 28th May.

103. Danish. Doctor Thorsen, Danish Professor of Zoology, in the employment of Iranian Government, arrived from Bandar Abbas en route to Tehran on the 26th and was the guest of H.B.M's Consul. He left for Tehran on the 28th.

BANDAR - ABBAS.

104. Local Officials.

Reference paragraph 79 of diary No. 3/1937.

Agaye Ibrahim Arbabi, Director of Post and Telegraphs, Bandar Abbas returned from Charbar on the 15th.

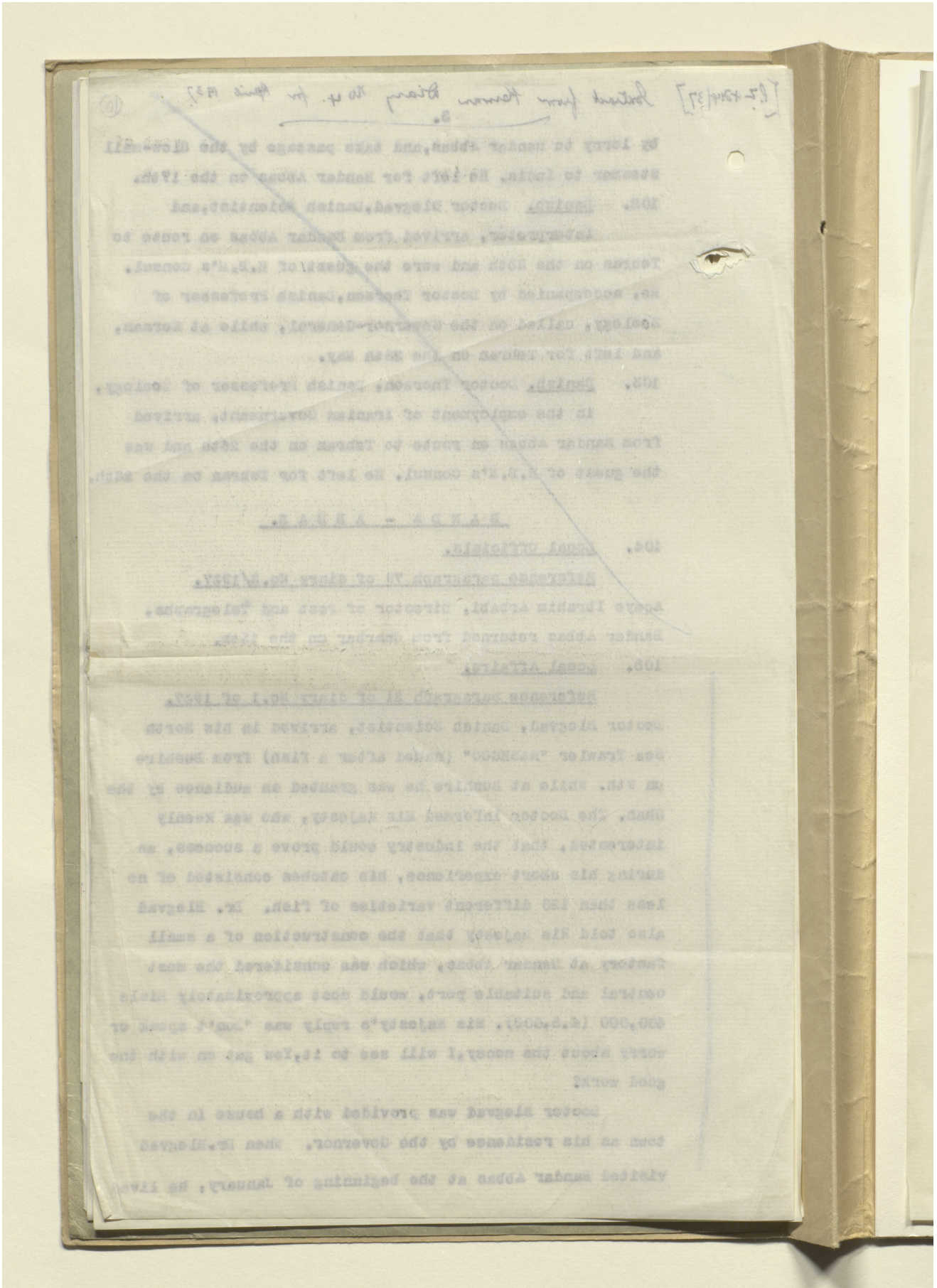
105. Local Affairs.

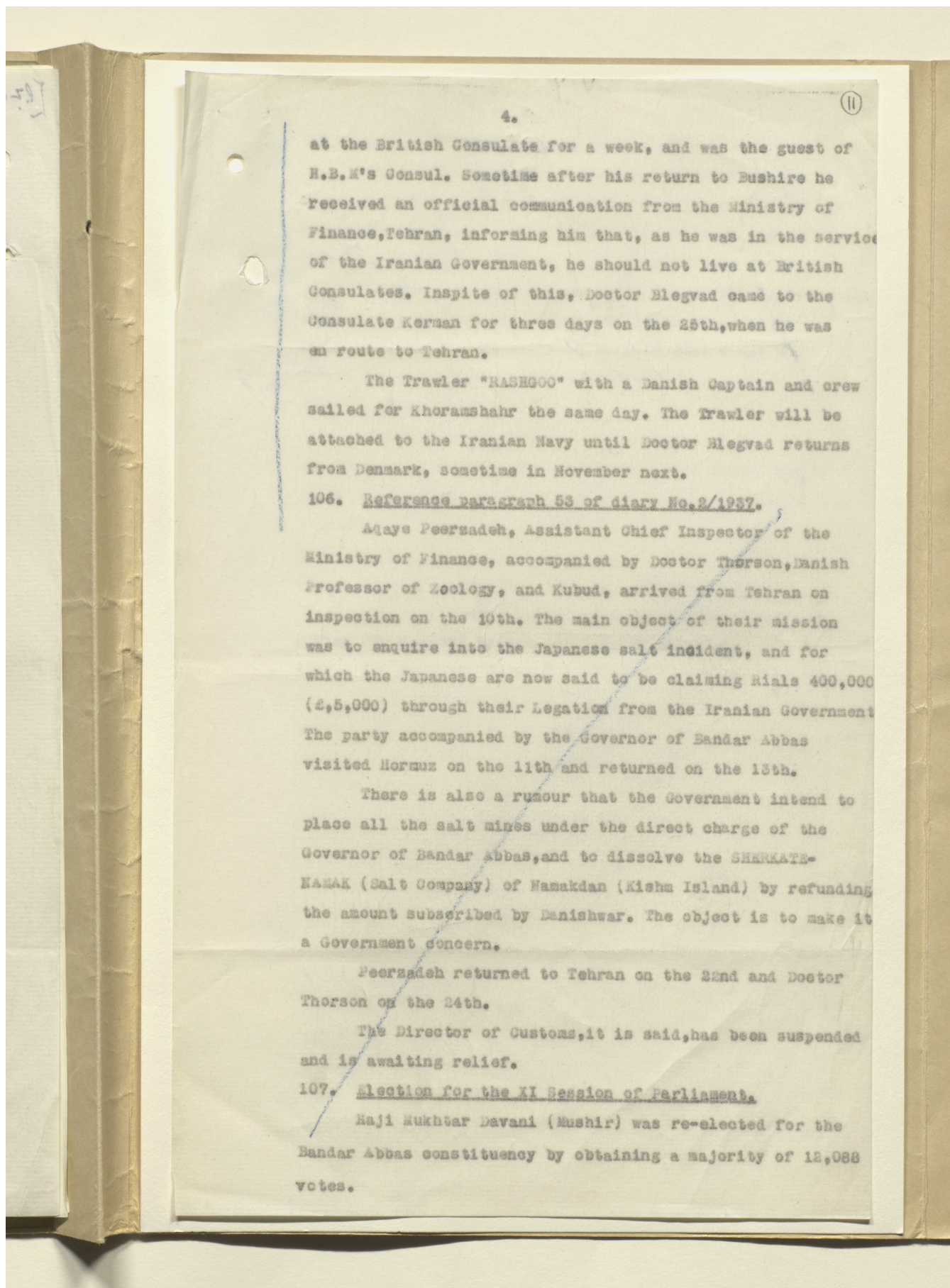
Reference paragraph 21 of diary No. 1 of 1937.

Doctor Blegvad, Danish Scientist, arrived in his North Sea Trawler "RASHGOC" (named after a fish) from Bushire on 9th. while at Bushire he was granted an audience by the Shah. The Doctor informed His Majesty, who was keenly interested, that the industry would prove a success, as during his short experience, his catches consisted of no less than 120 different varieties of fish. Dr. Blegvad also told His Majesty that the construction of a small factory at Bandar Abbas, which was considered the most central and suitable port, would cost approximately Rials 400,000 (£.5,000). His Majesty's reply was "Don't speak or worry about the money, I will see to it, You get on with the good work?"

Doctor Blegvad was provided with a house in the town as his residence by the Governor. when Dr. Blegvad visited Bandar Abbas at the beginning of January, he lived

Coll 30/142 'Visit of Danish fishing vessel chartered by Iranian Govnt.' [10v]
(21/129)





4.

11

at the British Consulate for a week, and was the guest of H.B.M's Consul. Sometime after his return to Bushire he received an official communication from the Ministry of Finance, Tehran, informing him that, as he was in the service of the Iranian Government, he should not live at British Consulates. In spite of this, Doctor Blegvad came to the Consulate Kerman for three days on the 25th, when he was en route to Tehran.

The Trawler "RASHGOC" with a Danish Captain and crew sailed for Khoramshahr the same day. The Trawler will be attached to the Iranian Navy until Doctor Blegvad returns from Denmark, sometime in November next.

106. Reference paragraph 53 of diary No. 2/1937.

Agaye Peersadeh, Assistant Chief Inspector of the Ministry of Finance, accompanied by Doctor Thorsen, Danish Professor of Zoology, and Kubud, arrived from Tehran on inspection on the 10th. The main object of their mission was to enquire into the Japanese salt incident, and for which the Japanese are now said to be claiming Rials 400,000 (4,5,000) through their Legation from the Iranian Government. The party accompanied by the Governor of Bandar Abbas visited Hormuz on the 11th and returned on the 13th.

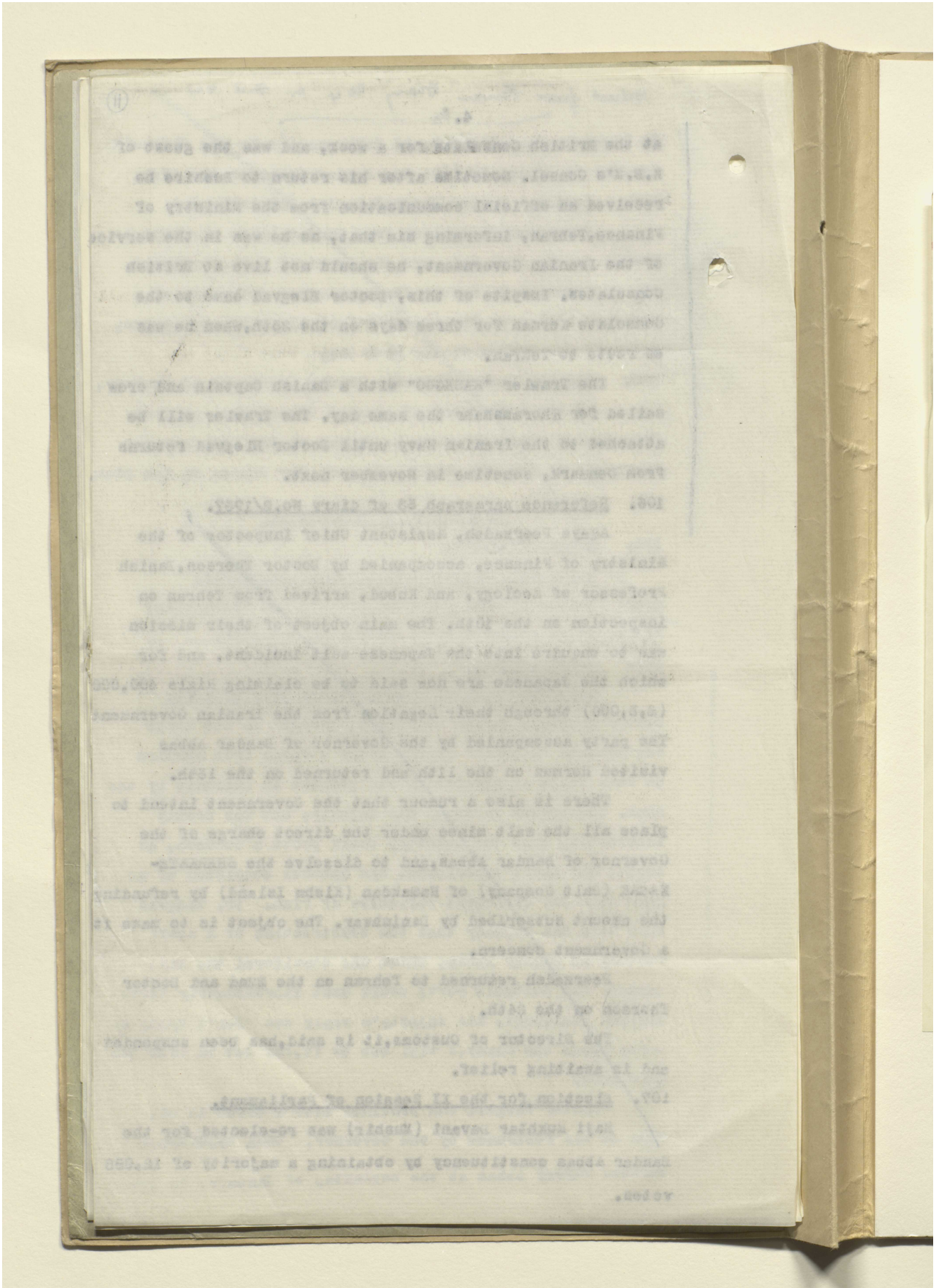
There is also a rumour that the Government intend to place all the salt mines under the direct charge of the Governor of Bandar Abbas, and to dissolve the SHERKATE-NAMAK (Salt Company) of Namakdan (Kishm Island) by refunding the amount subscribed by Danishwar. The object is to make it a Government concern.

Peersadeh returned to Tehran on the 22nd and Doctor Thorsen on the 24th.

The Director of Customs, it is said, has been suspended and is awaiting relief.

107. Election for the XI Session of Parliament.

Haji Mukhtar Davani (Mushir) was re-elected for the Bandar Abbas constituency by obtaining a majority of 12,088 votes.



(P.Z. 3732/37)

(12)

Extract from Bushire Residency Diary for April 1937.

x x x

82. FISHING INDUSTRY.

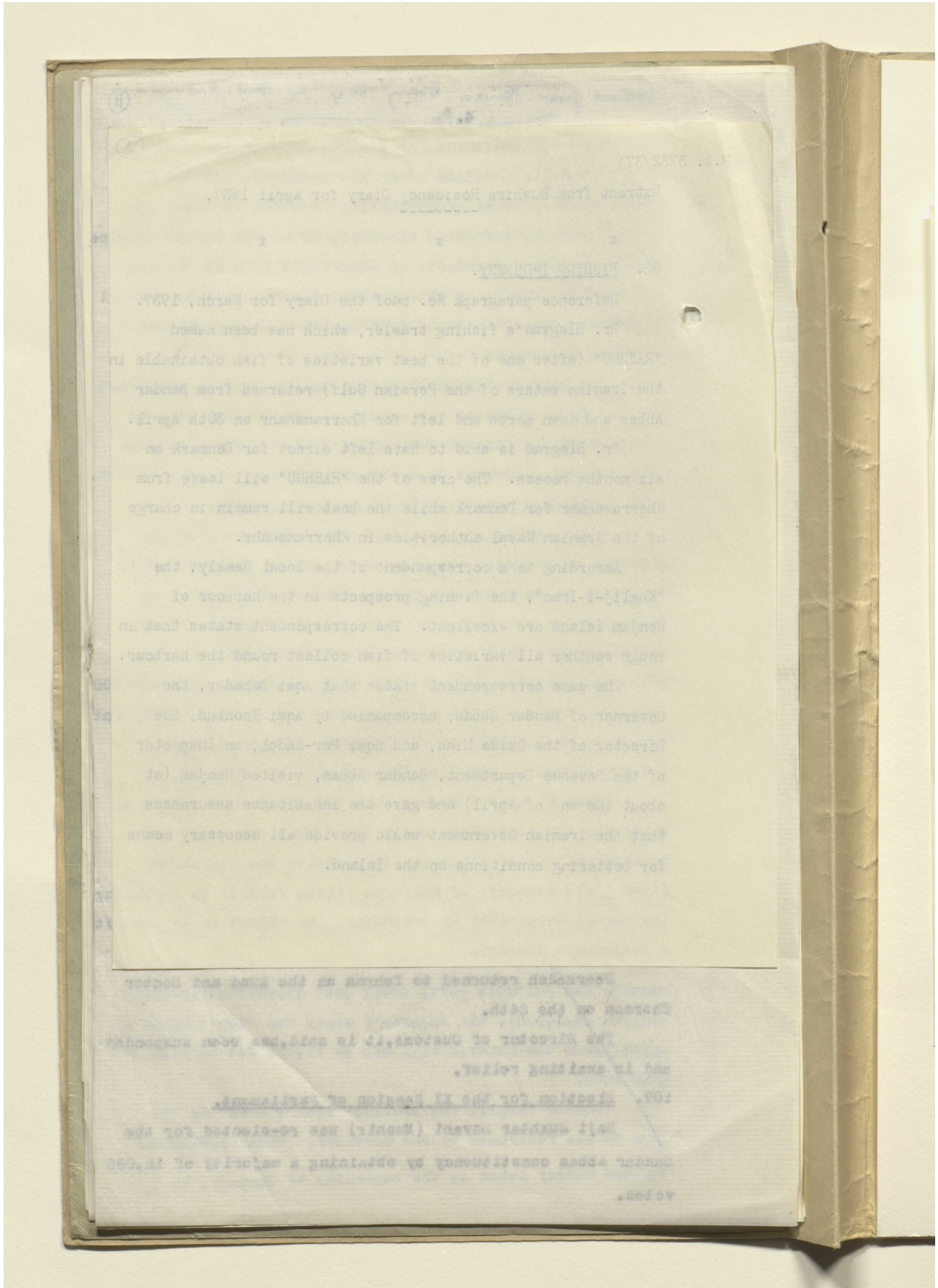
Reference paragraph No. 54 of the Diary for March, 1937.

Dr. Blegvad's fishing trawler, which has been named "RASHGU" (after one of the best varieties of fish obtainable in the Iranian waters of the Persian Gulf) returned from Bandar Abbas and down ports and left for Khorramshahr on 30th April.

Dr. Blegvad is said to have left direct for Denmark on six months recess. The crew of the "RASHGU" will leave from Khorramshahr for Denmark while the boat will remain in charge of the Iranian Naval authorities in Khorramshahr.

According to a correspondent of the local Weekly, the "Khalij-i-Iran", the fishing prospects in the harbour of Henjam Island are excellent. The correspondent states that in rough weather all varieties of fish collect round the harbour.

The same correspondent states that Aqai Bahadur, the Governor of Bandar Abbas, accompanied by Aqai Koohbud, the Director of the Oxide Mine, and Aqai Per-Zadeh, an Inspector of the Revenue Department, Bandar Abbas, visited Henjam (at about the end of April) and gave the inhabitants assurances that the Iranian Government would provide all necessary means for bettering conditions on the Island.



(P.Z. 3615/37)

13

Extract from Bushire Residency Diary for March 1937.

x x x

54. FISHING INDUSTRY.

Reference paragraph No. 1.II(3) of Diary for January 1937.

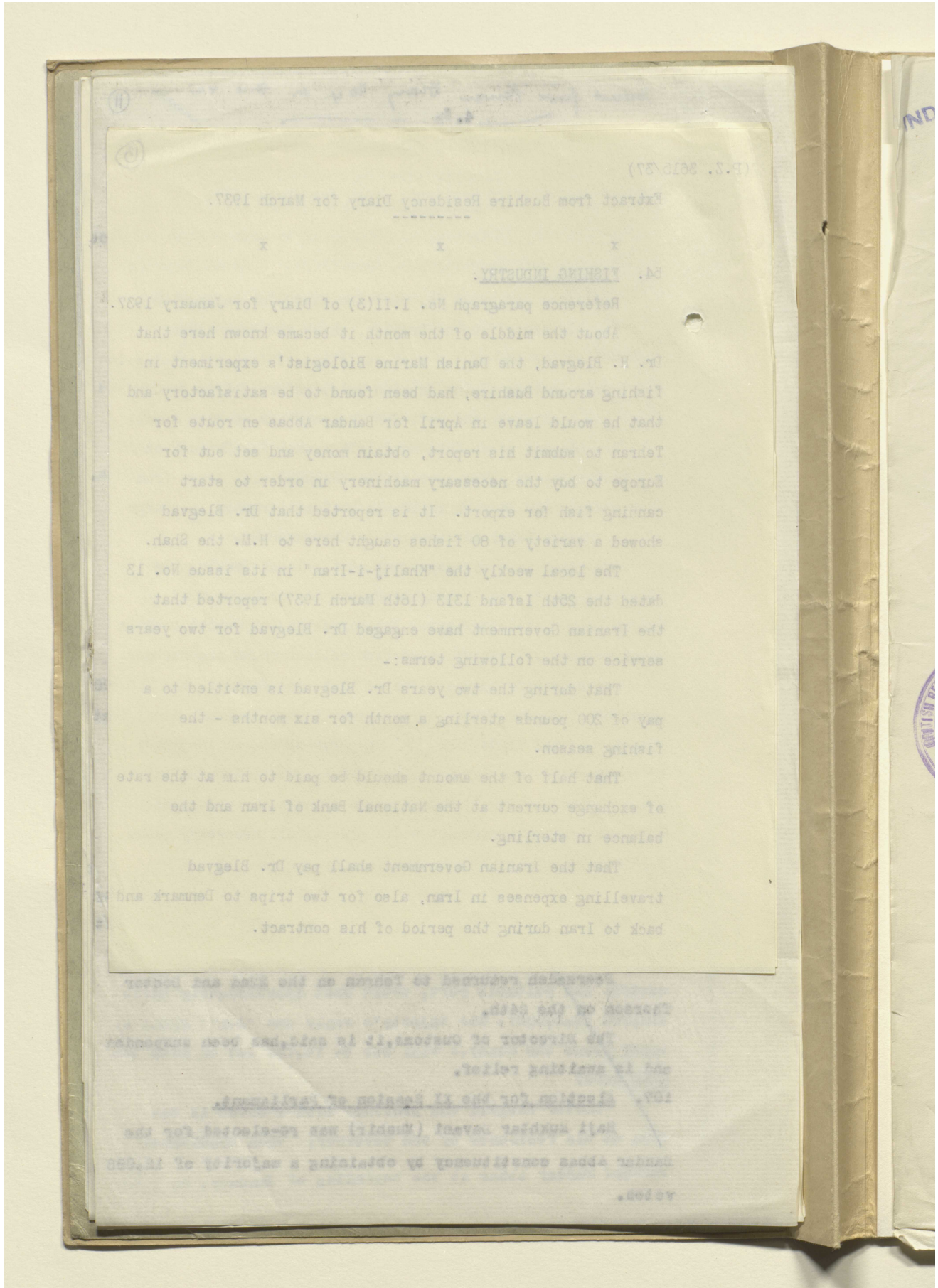
About the middle of the month it became known here that Dr. H. Blegvad, the Danish Marine Biologist's experiment in fishing around Bushire, had been found to be satisfactory and that he would leave in April for Bandar Abbas en route for Tehran to submit his report, obtain money and set out for Europe to buy the necessary machinery in order to start canning fish for export. It is reported that Dr. Blegvad showed a variety of 80 fishes caught here to H.M. the Shah.

The local weekly the "Khalij-i-Iran" in its issue No. 13 dated the 25th Isfand 1313 (16th March 1937) reported that the Iranian Government have engaged Dr. Blegvad for two years service on the following terms:-

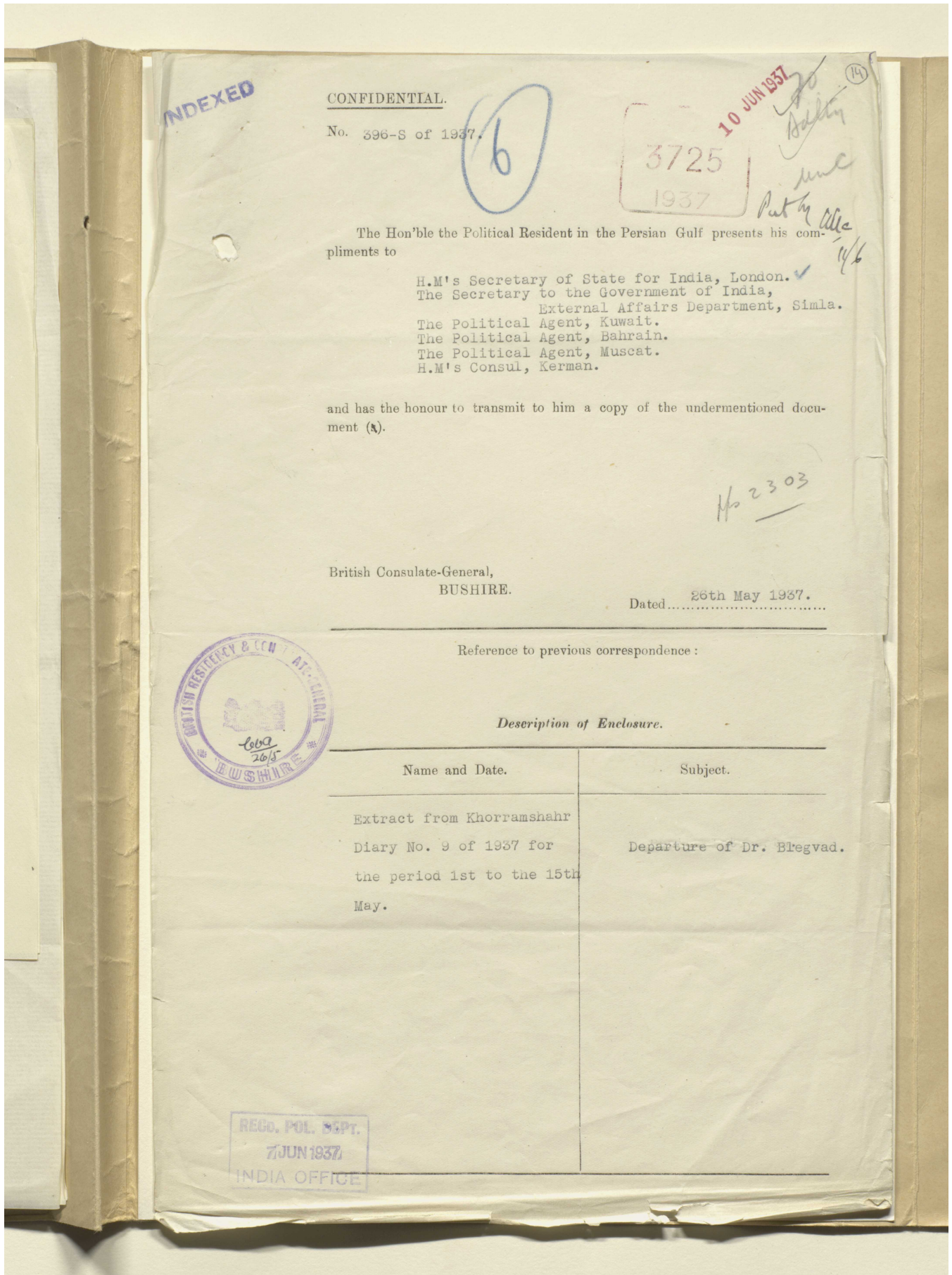
That during the two years Dr. Blegvad is entitled to a pay of 200 pounds sterling a month for six months - the fishing season.

That half of the amount should be paid to him at the rate of exchange current at the National Bank of Iran and the balance in sterling.

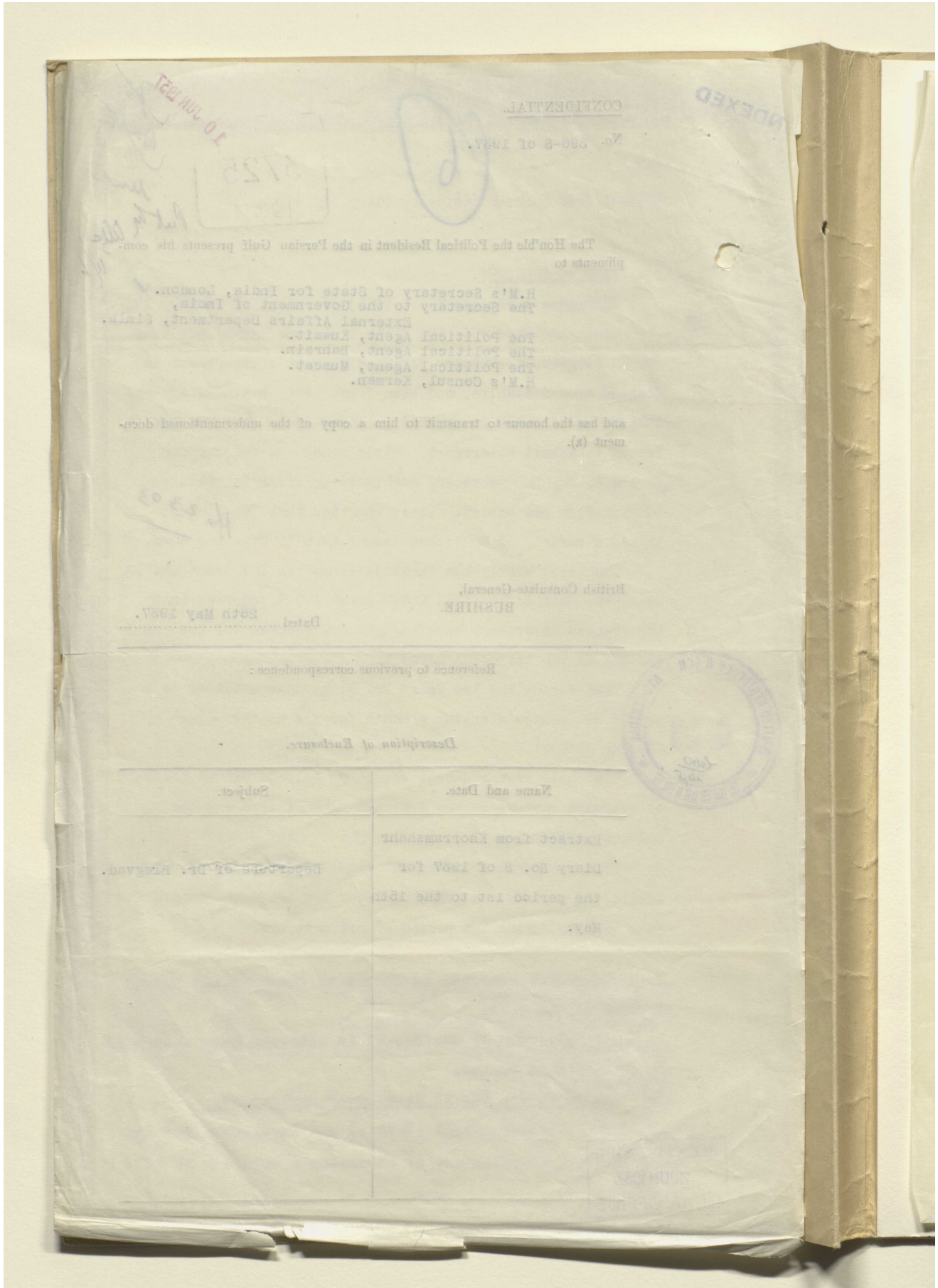
That the Iranian Government shall pay Dr. Blegvad travelling expenses in Iran, also for two trips to Denmark and back to Iran during the period of his contract.

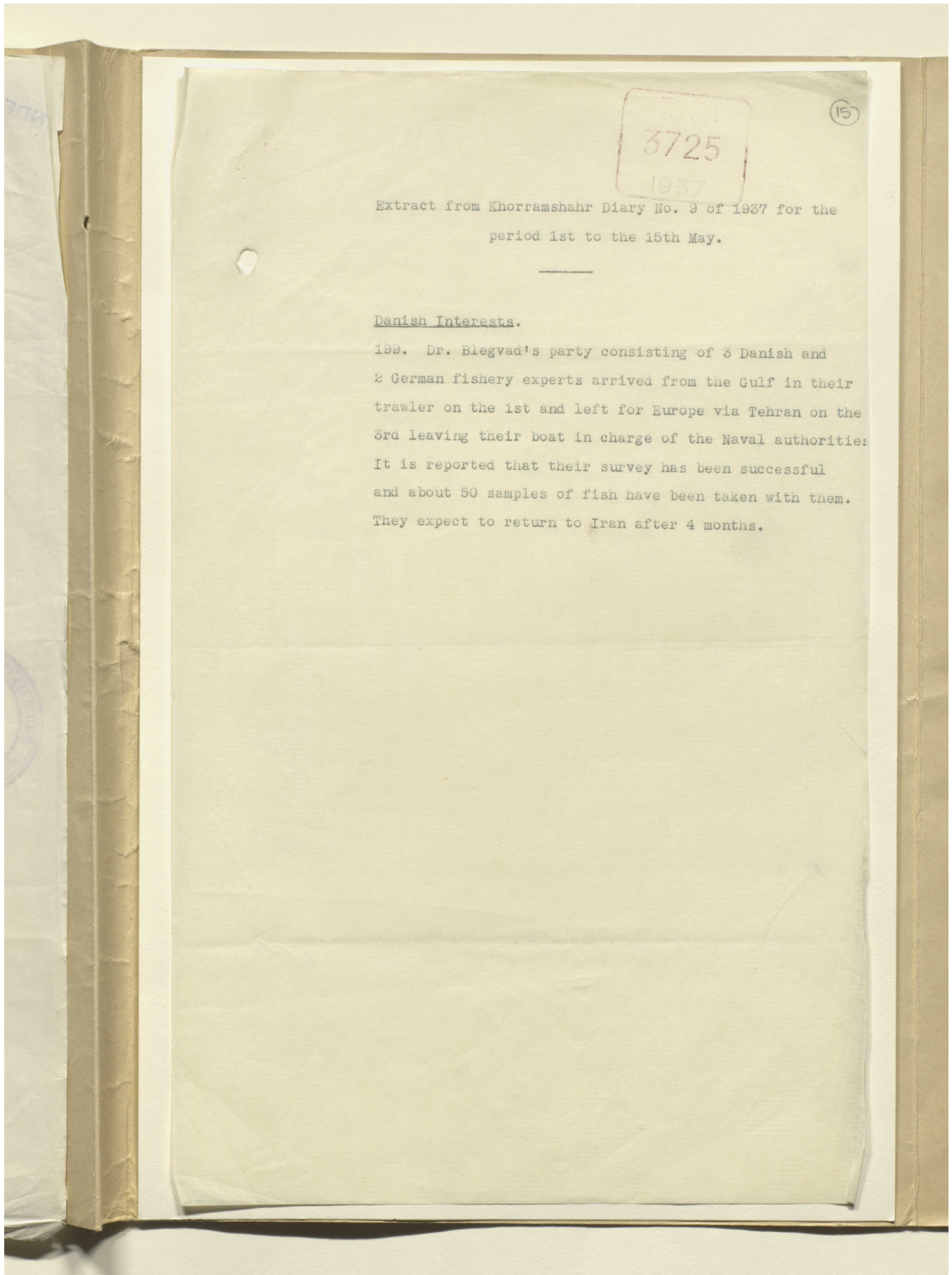


Coll 30/142 'Visit of Danish fishing vessel chartered by Iranian Govnt.' [14r]
(28/129)



Coll 30/142 'Visit of Danish fishing vessel chartered by Iranian Govnt.' [14v]
(29/129)

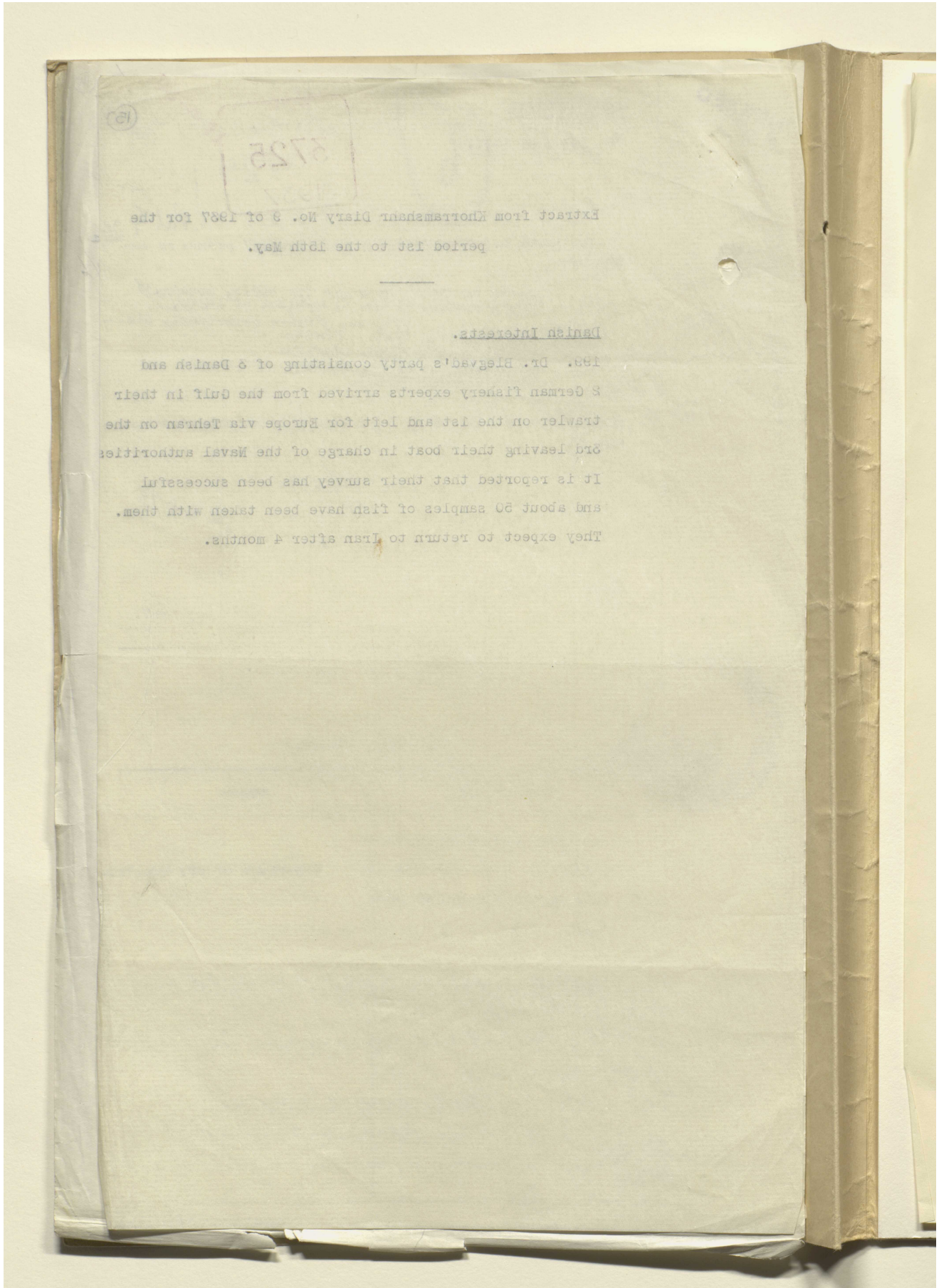




Extract from Khorramshahr Diary No. 9 of 1937 for the
period 1st to the 15th May.

Danish Interests.

199. Dr. Blegvad's party consisting of 3 Danish and
2 German fishery experts arrived from the Gulf in their
trawler on the 1st and left for Europe via Tehran on the
5rd leaving their boat in charge of the Naval authorities.
It is reported that their survey has been successful
and about 50 samples of fish have been taken with them.
They expect to return to Iran after 4 months.



P.Z.2805/37.

(16)

Extract from Intelligence Report of the Political Agent,
Bahrain, for the period from 16th to 31st March
1937.

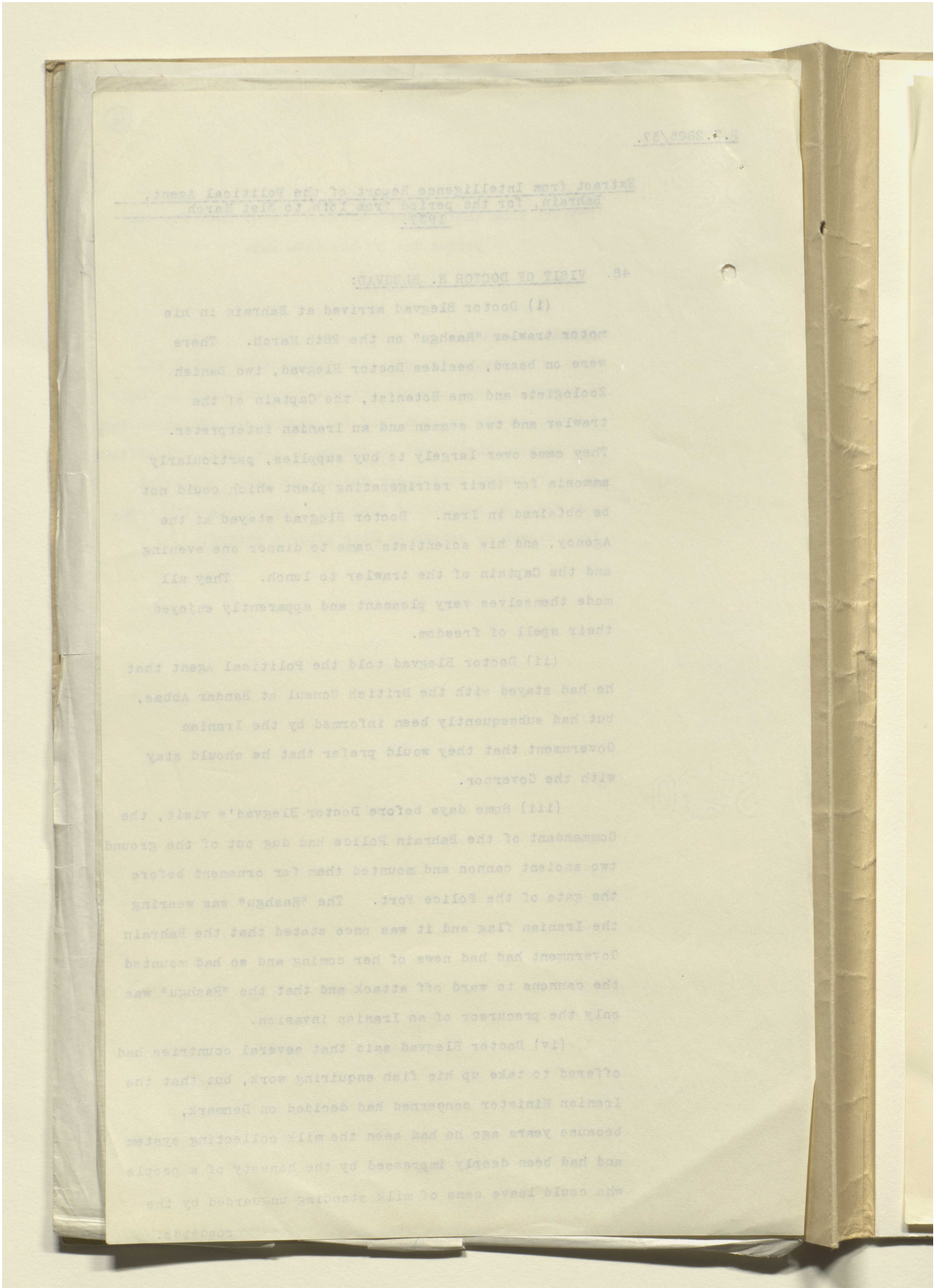
48. VISIT OF DOCTOR H. BLEGVAD:

(i) Doctor Blegvad arrived at Bahrain in his motor trawler "Rashgu" on the 28th March. There were on board, besides Doctor Blegvad, two Danish Zoologists and one Botanist, the Captain of the trawler and two seamen and an Iranian interpreter. They came over largely to buy supplies, particularly ammonia for their refrigerating plant which could not be obtained in Iran. Doctor Blegvad stayed at the Agency, and his scientists came to dinner one evening and the Captain of the trawler to lunch. They all made themselves very pleasant and apparently enjoyed their spell of freedom.

(ii) Doctor Blegvad told the Political Agent that he had stayed with the British Consul at Bandar Abbas, but had subsequently been informed by the Iranian Government that they would prefer that he should stay with the Governor.

(iii) Some days before Doctor Blegvad's visit, the Commandant of the Bahrain Police had dug out of the ground two ancient cannon and mounted them for ornament before the gate of the Police Fort. The "Rashgu" was wearing the Iranian flag and it was once stated that the Bahrain Government had had news of her coming and so had mounted the cannons to ward off attack and that the "Rashgu" was only the precursor of an Iranian invasion.

(iv) Doctor Blegvad said that several countries had offered to take up his fish enquiring work, but that the Iranian Minister concerned had decided on Denmark, because years ago he had seen the milk collecting system and had been deeply impressed by the honesty of a people who could leave cans of milk standing unguarded by the roadside./



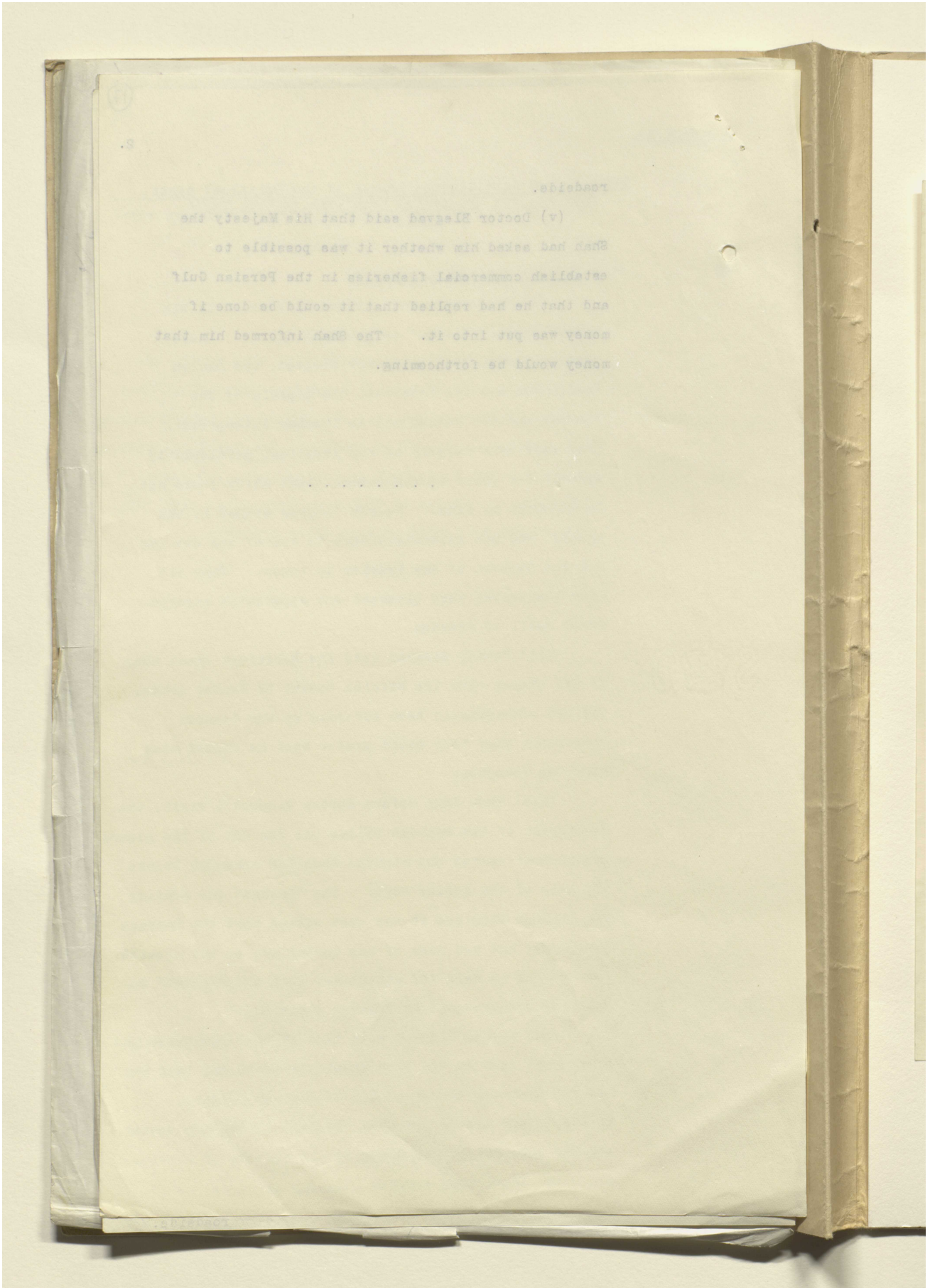
(17)

2.

roadside.

(v) Doctor Elegvad said that His Majesty the Shah had asked him whether it was possible to establish commercial fisheries in the Persian Gulf and that he had replied that it could be done if money was put into it. The Shah informed him that money would be forthcoming.

.



Coll 30/142 'Visit of Danish fishing vessel chartered by Iranian Govnt.' [18r]
(36/129)

INDEXED

In any further communication on this subject, please quote
No. *E 1628/93/34*
and address—not to any person by name, but to—
"The Under-Secretary of State," Foreign Office, London, S.W. 1.

THE Under-Secretary of State for Foreign Affairs presents his
compliments to *the Under Secretary of State for India*
and, by direction of the Secretary of State,
transmits herewith copy of the under-mentioned paper

Foreign Office,
Apr 7, 1937.

Reference to previous correspondence :
India Office letter no. PZ 98/37 of Jan 5.

Description of Enclosure.

Name and Date.	Subject.
<i>To</i> <i>Board of Trade.</i> <i>Feb 13.</i>	<i>Flying of the national flag on</i>
<i>From do.</i> <i>March 20.</i>	<i>ships.</i>

ENCLOSURE IN REPLY LETTER
NO. 15 15 APR 1937
FROM SECRETARY OF STATE AND
SECRETARY OF INDIA OFFICE

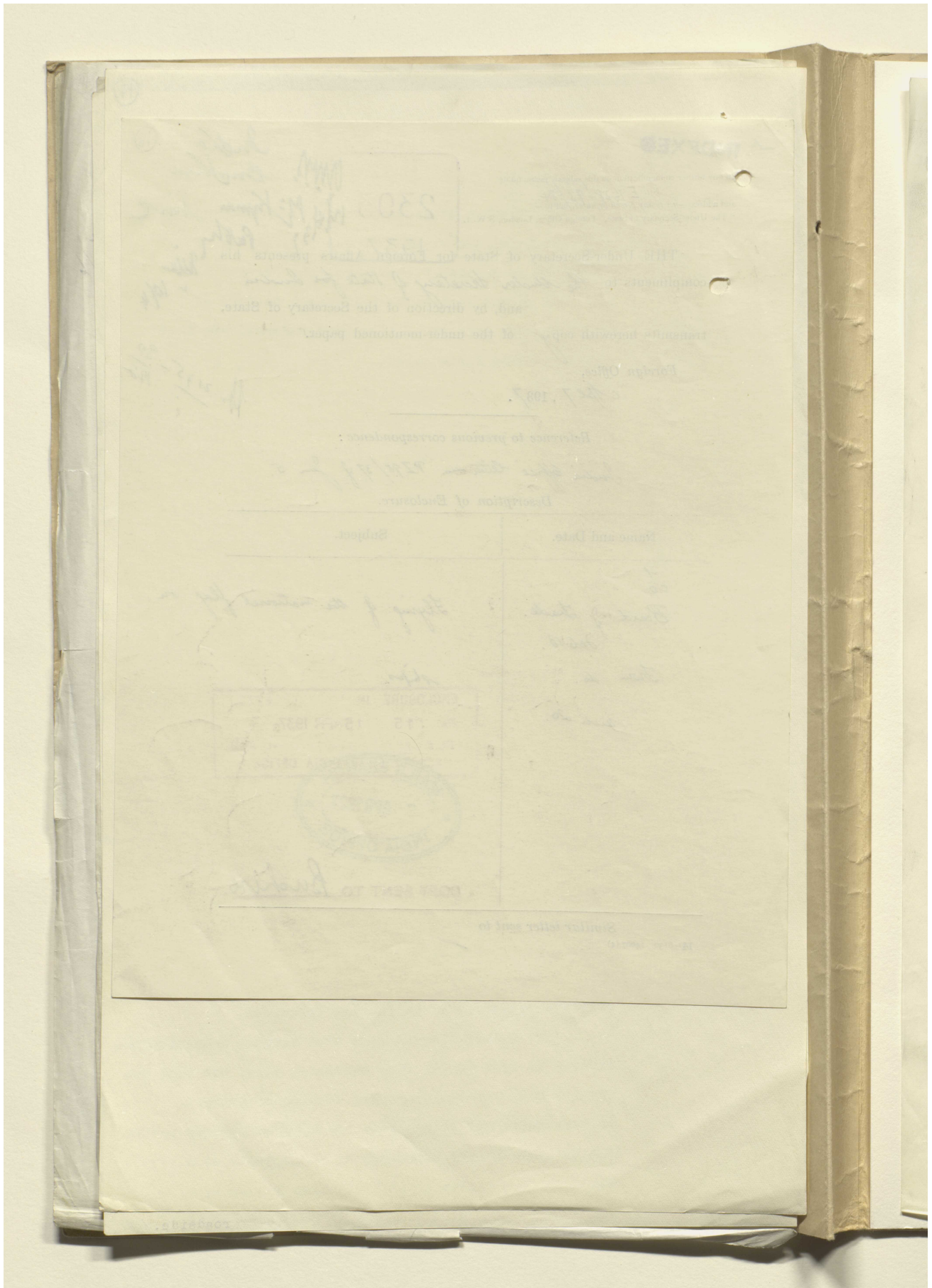
MAILED
APR 1937
INDIA OFFICE

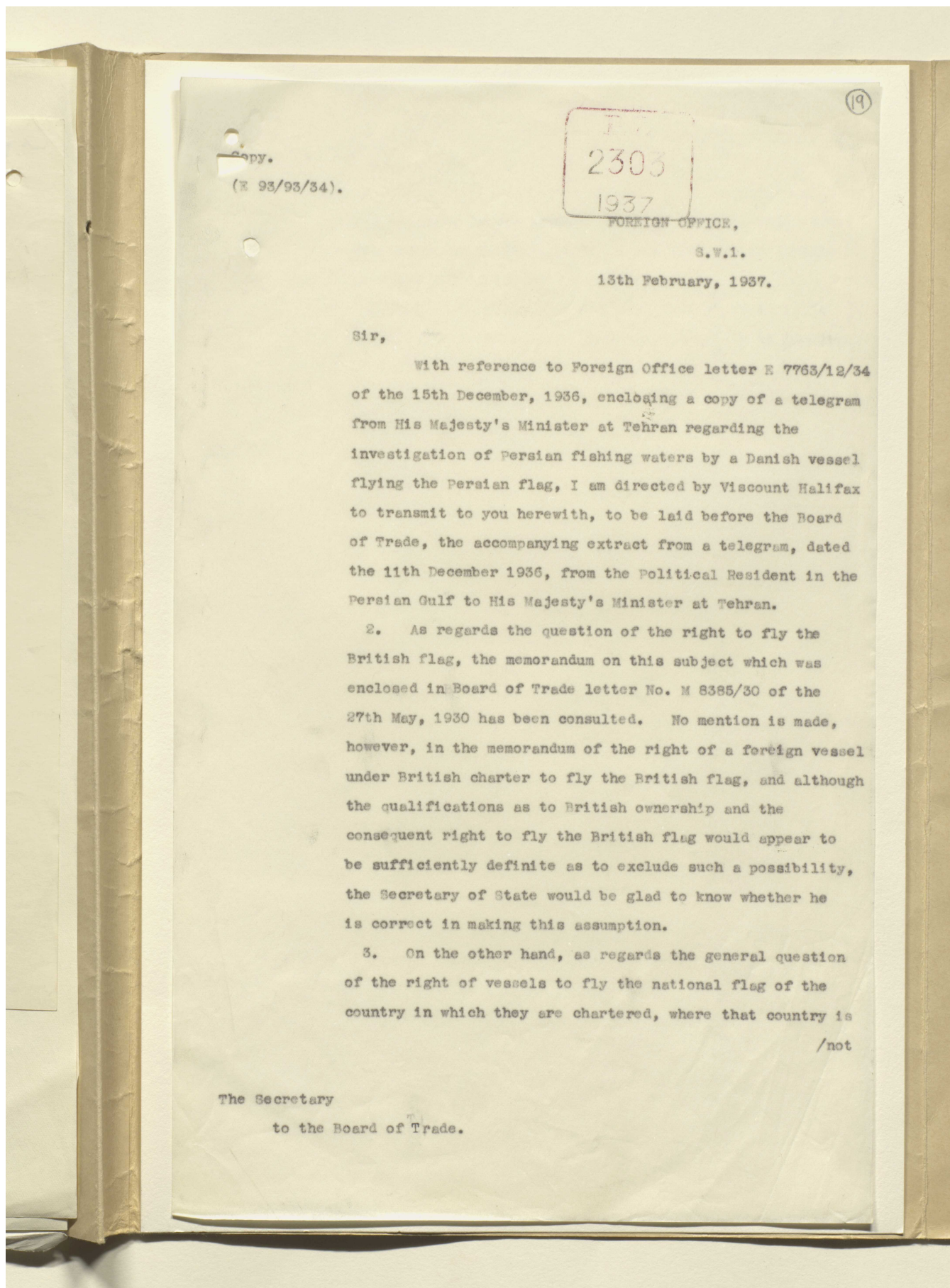
COPY SENT TO *Bushire.*

Similar letter sent to

14-6130 14007 (4)

India (18)
Bushire
12/4 M. Kymman
13/3 P. B. M. C.
10/4
11/295-30/142





Copy.
(E 93/93/34).

19
2303
1937
FOREIGN OFFICE,
S.W.1.

13th February, 1937.

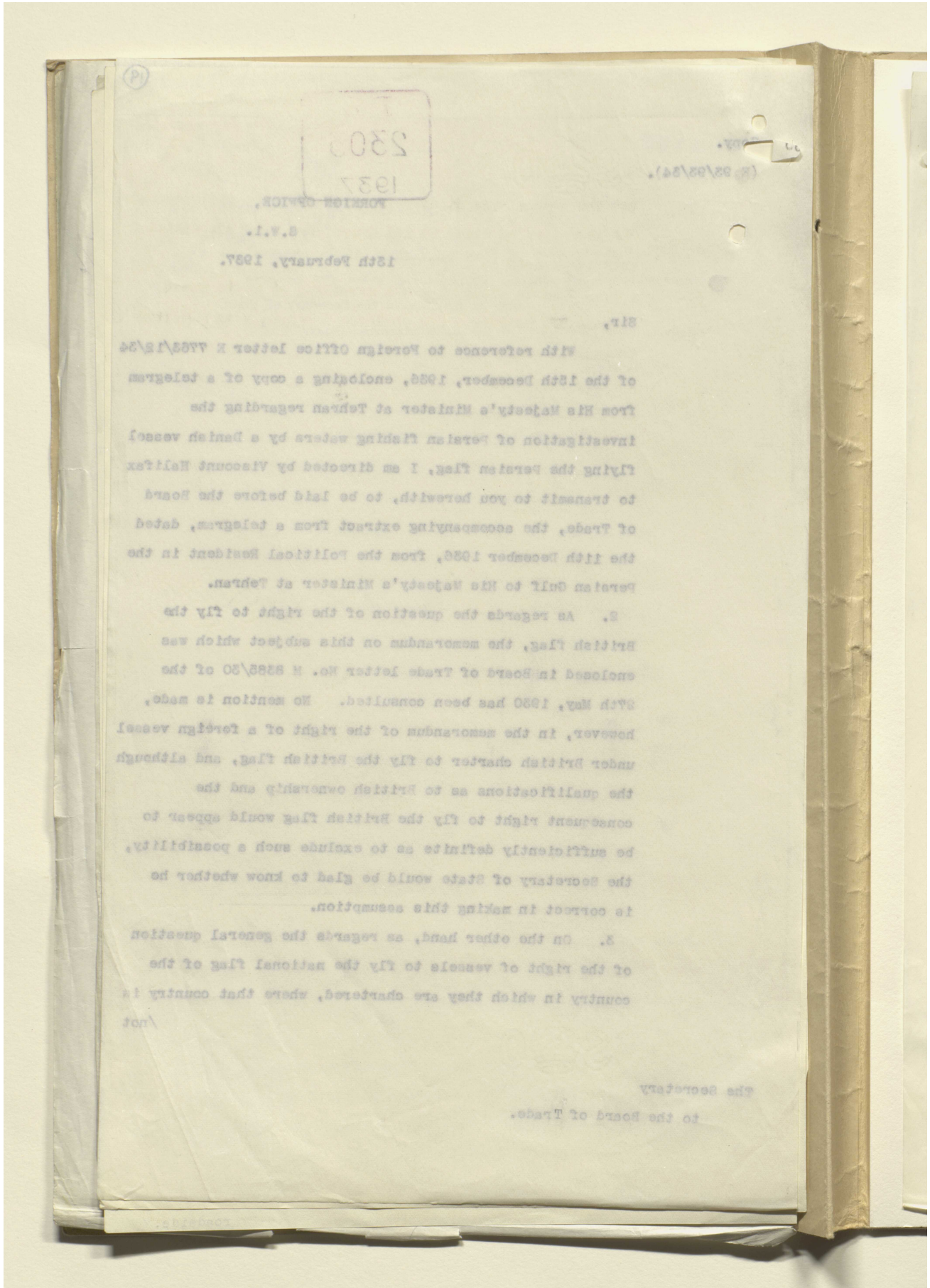
Sir,

With reference to Foreign Office letter E 7763/12/34 of the 15th December, 1936, enclosing a copy of a telegram from His Majesty's Minister at Tehran regarding the investigation of Persian fishing waters by a Danish vessel flying the Persian flag, I am directed by Viscount Halifax to transmit to you herewith, to be laid before the Board of Trade, the accompanying extract from a telegram, dated the 11th December 1936, from the Political Resident in the Persian Gulf to His Majesty's Minister at Tehran.

2. As regards the question of the right to fly the British flag, the memorandum on this subject which was enclosed in Board of Trade letter No. M 8385/30 of the 27th May, 1930 has been consulted. No mention is made, however, in the memorandum of the right of a foreign vessel under British charter to fly the British flag, and although the qualifications as to British ownership and the consequent right to fly the British flag would appear to be sufficiently definite as to exclude such a possibility, the Secretary of State would be glad to know whether he is correct in making this assumption.

3. On the other hand, as regards the general question of the right of vessels to fly the national flag of the country in which they are chartered, where that country is /not

The Secretary
to the Board of Trade.



Coll 30/142 'Visit of Danish fishing vessel chartered by Iranian Govnt.' [19ar]
(40/129)

19a

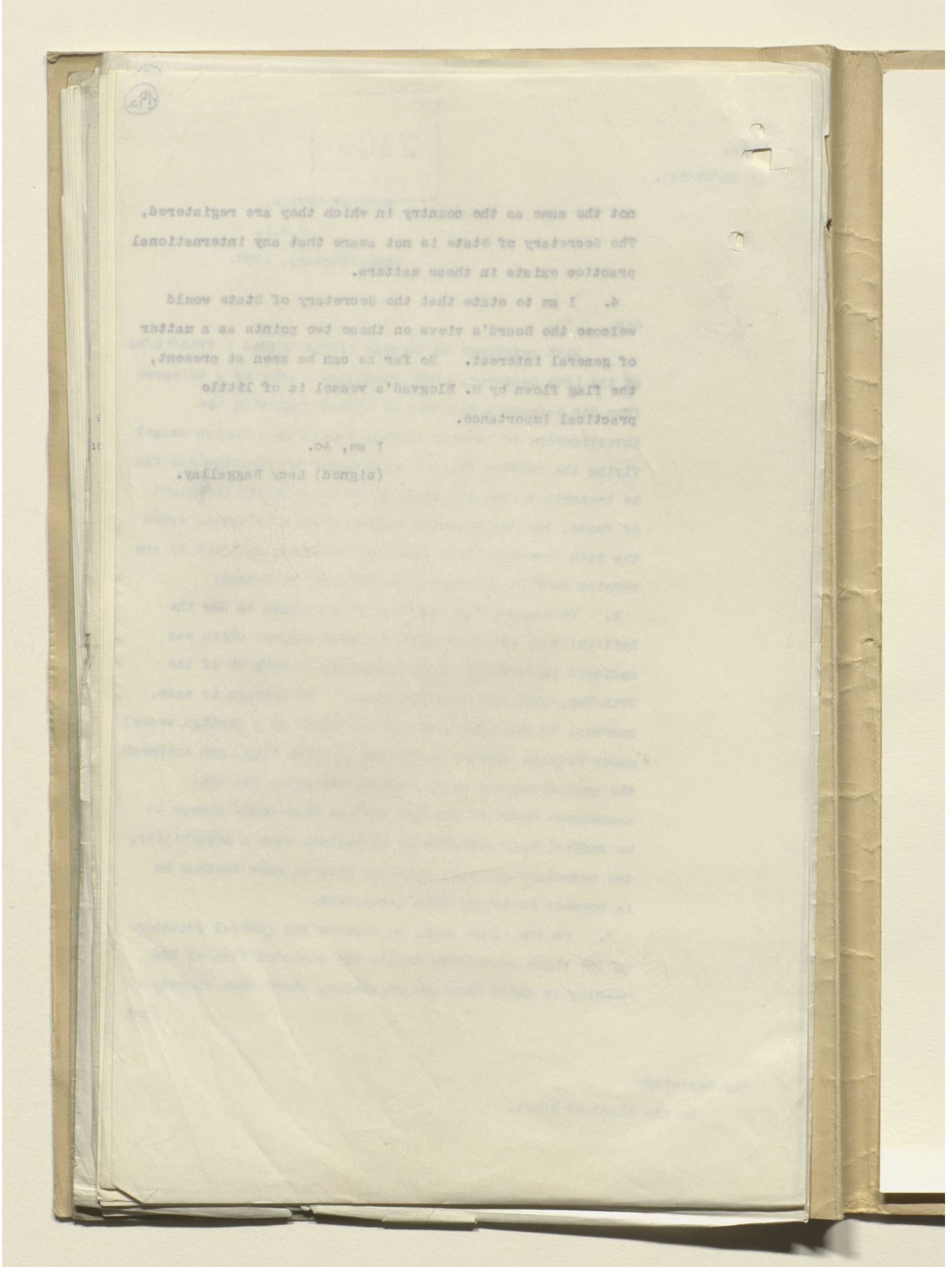
not the same as the country in which they are registered,
The Secretary of State is not aware that any international
practice exists in these matters.

4. I am to state that the Secretary of State would
welcome the Board's views on these two points as a matter
of general interest. So far as can be seen at present,
the flag flown by M. Blegvad's vessel is of little
practical importance.

I am, &c.

(signed) Lacy Baggalley.

Coll 30/142 'Visit of Danish fishing vessel chartered by Iranian Govnt.' [19av]
(41/129)



COPI
(E 1628/93/34).
(M. 5258/37)

MERCANTILE MARINE DEPARTMENT,
BOARD OF TRADE,
GREAT GEORGE STREET,
LONDON, S.W.1.
20th March, 1937.

Sir,

With reference to your letter of the 13th February, (E.93/93/34) regarding the flying of the national flag on ships, I am directed by the Board of Trade to state, for the information of Mr. Secretary Eden, that having regard to the provisions of section 69 of the Merchant Shipping Act, 1894, a foreign owned ship which is under charter to a British subject is not entitled to fly the British flag.

With regard to the question raised in the third paragraph of your letter, the Board are not aware of any international practice in these matters, but so far as British registered ships are concerned they should fly the British flag at all times even when chartered to foreigners.

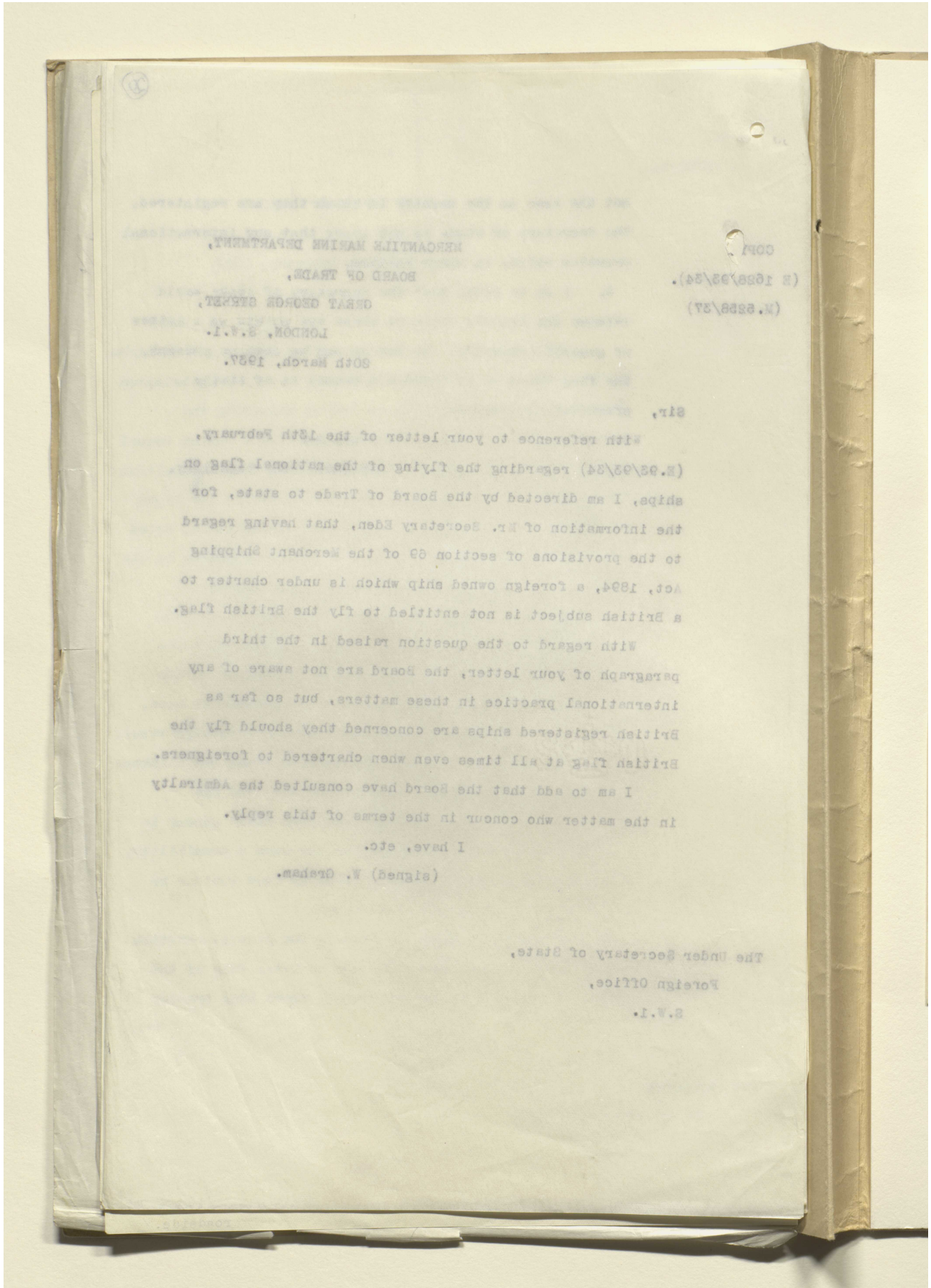
I am to add that the Board have consulted the Admiralty in the matter who concur in the terms of this reply.

I have, etc.

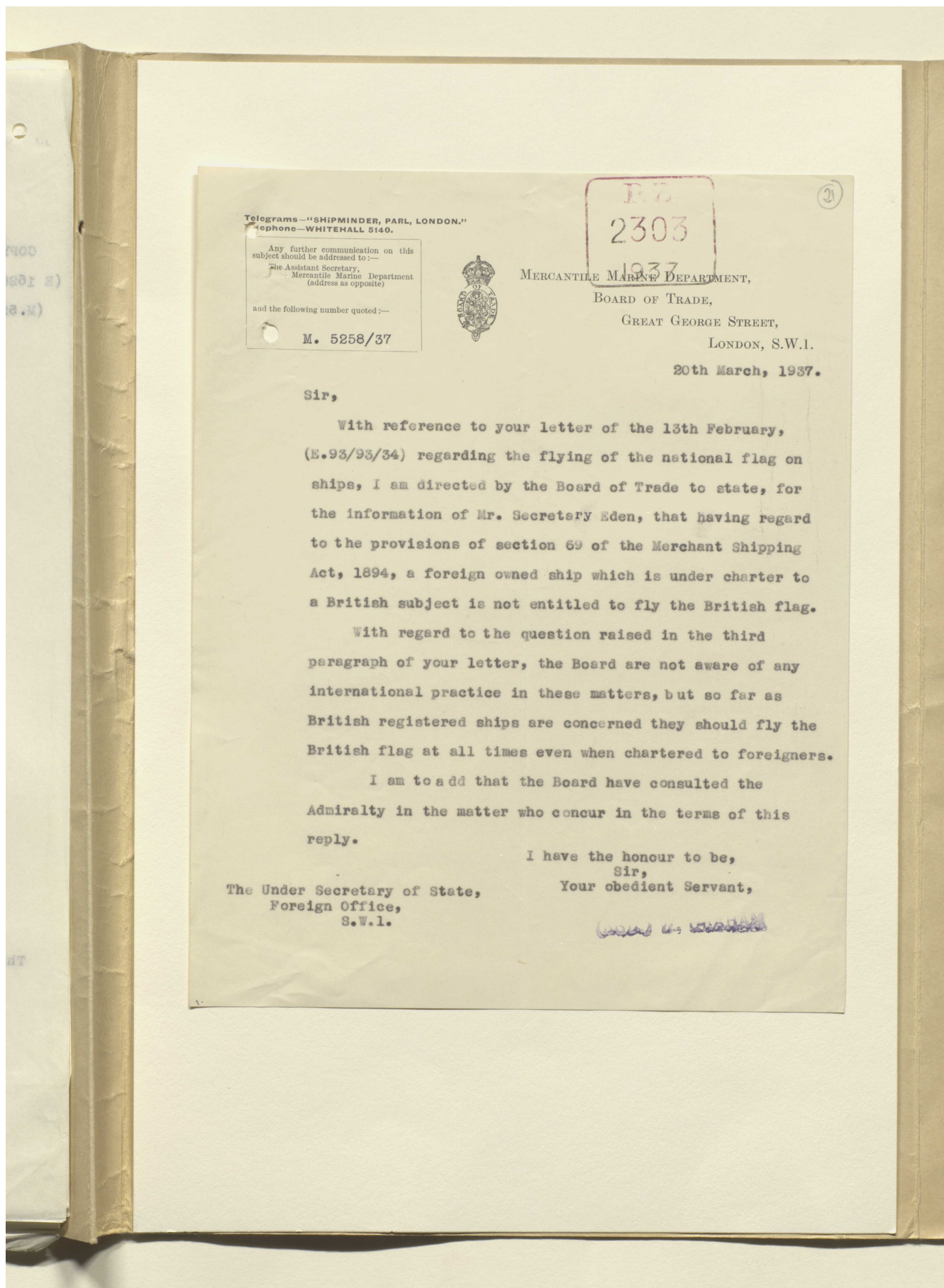
(signed) W. Graham.

The Under Secretary of State,
Foreign Office,
S.W.1.

Coll 30/142 'Visit of Danish fishing vessel chartered by Iranian Govnt.' [20v]
(43/129)



Coll 30/142 'Visit of Danish fishing vessel chartered by Iranian Govnt.' [21r]
(44/129)



Telegrams—"SHIPMINDER, PARL, LONDON."
Telephone—WHITEHALL 5140.

Any further communication on this subject should be addressed to:—
The Assistant Secretary,
Mercantile Marine Department
(address as opposite)

and the following number quoted:—

M. 5258/37



1937
MERCANTILE MARINE DEPARTMENT,

BOARD OF TRADE,

GREAT GEORGE STREET,

LONDON, S.W.1.

20th March, 1937.

Sir,

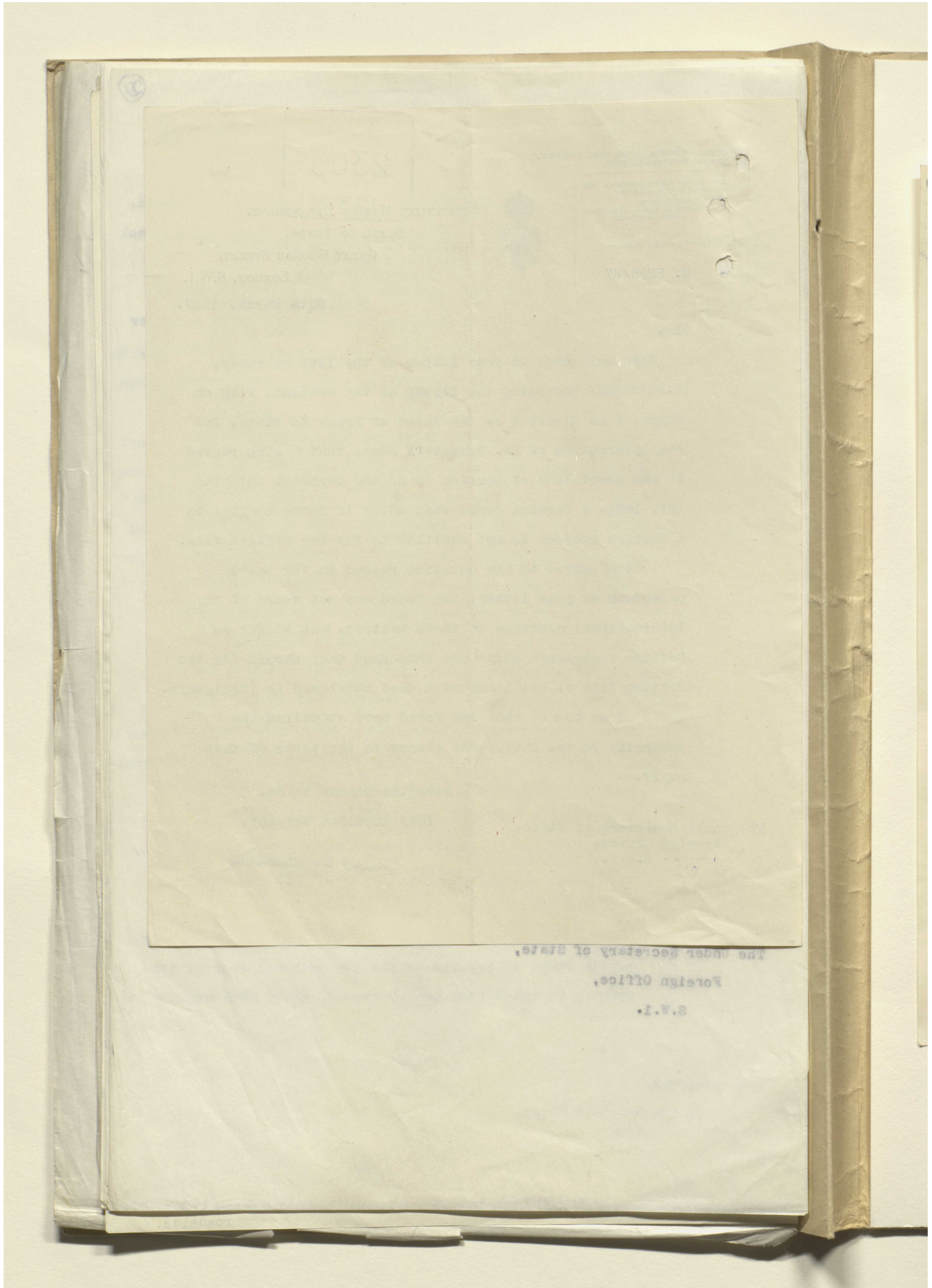
With reference to your letter of the 13th February, (E.93/93/34) regarding the flying of the national flag on ships, I am directed by the Board of Trade to state, for the information of Mr. Secretary Eden, that having regard to the provisions of section 69 of the Merchant Shipping Act, 1894, a foreign owned ship which is under charter to a British subject is not entitled to fly the British flag.

With regard to the question raised in the third paragraph of your letter, the Board are not aware of any international practice in these matters, but so far as British registered ships are concerned they should fly the British flag at all times even when chartered to foreigners.

I am to add that the Board have consulted the Admiralty in the matter who concur in the terms of this reply.

I have the honour to be,
Sir,
Your obedient Servant,

The Under Secretary of State,
Foreign Office,
S.W.1.



Coll 30/142 'Visit of Danish fishing vessel chartered by Iranian Govnt.' [22r]
(46/129)

INDEXED

In any further communication on this subject, please quote
No. *E1731/93/34.*
and address—not to any persons by name, but to—
"The Under-Secretary of State," Foreign Office, London, S.W. 1.

(3) **2195**
1937

London (22)
M.C.
Putty
... 7/4
30
142
W 764

THE Under-Secretary of State for Foreign Affairs presents his compliments to the *Under Secretary of State for India* and, by direction of the Secretary of State, transmits herewith copy of the under-mentioned paper.

Foreign Office,
April 2, 1937.

Reference to previous correspondence:
India office letter no. PZ 9032/36 of Dec 21, '36.

Description of Enclosure.

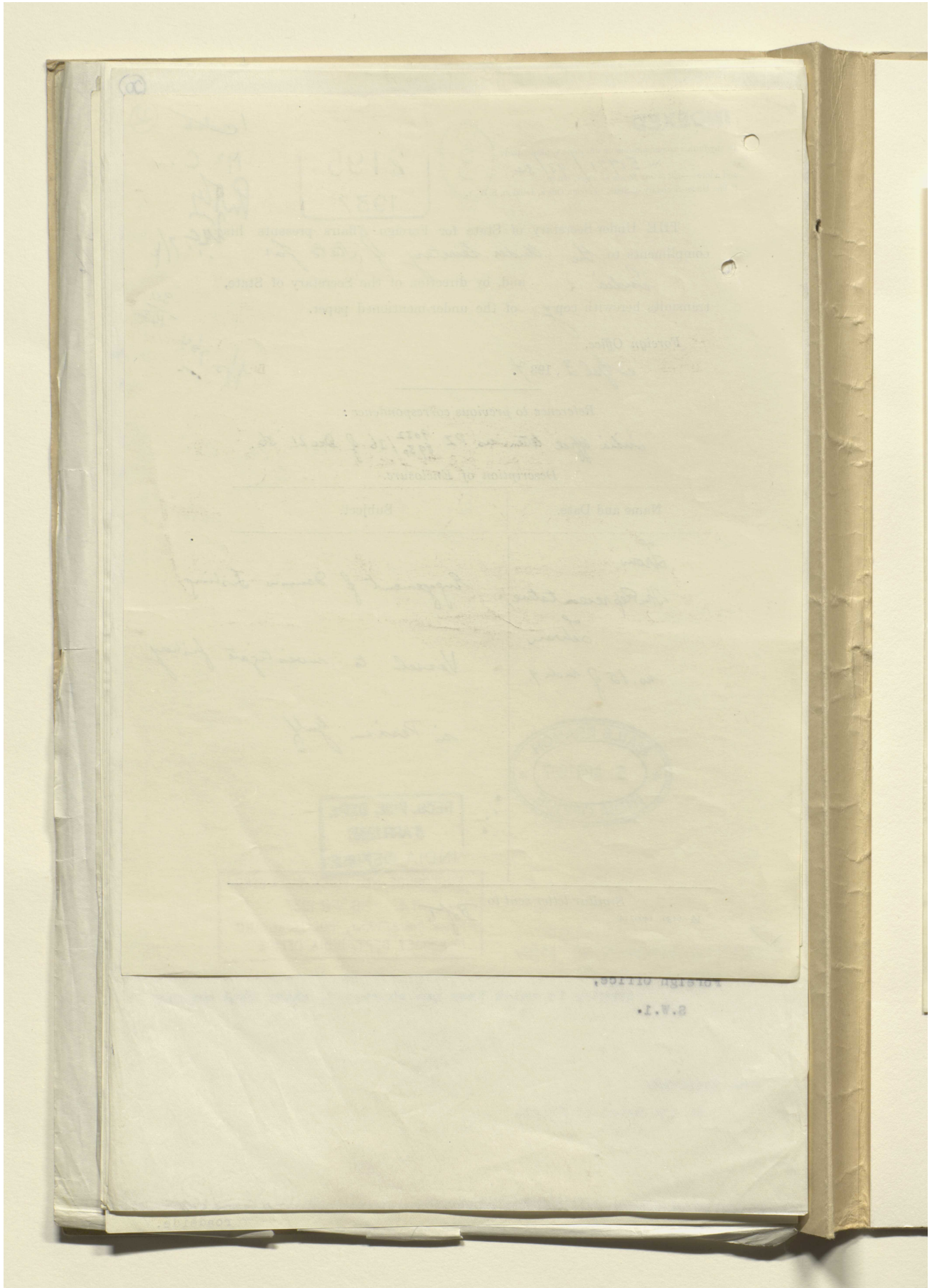
Name and Date.	Subject.
<i>Trown</i> <i>Mr Representative,</i> <i>Sehran</i> <i>no. 85 of Ind. 9.</i>	<i>Engagement of Danish Fishing Vessel to investigate fishery in Persian Gulf.</i>

MAILS BRANCH
5 APR 1937
INDIA OFFICE

RECO. POL. DEPT.
5 APR 1937
INDIA OFFICE

ENCLOSURE IN WEEKLY LETTER
Boyt. 14 8 APR 1937
FOR SECRETARY, POLITICAL AND SECRET DEPT. INDIA OFFICE

Similar letter sent to
14-6130 14007 (4)



No. 85 (208/4/37)

3

BRITISH LEGATION,

TEHRAN,

9th March 1937.

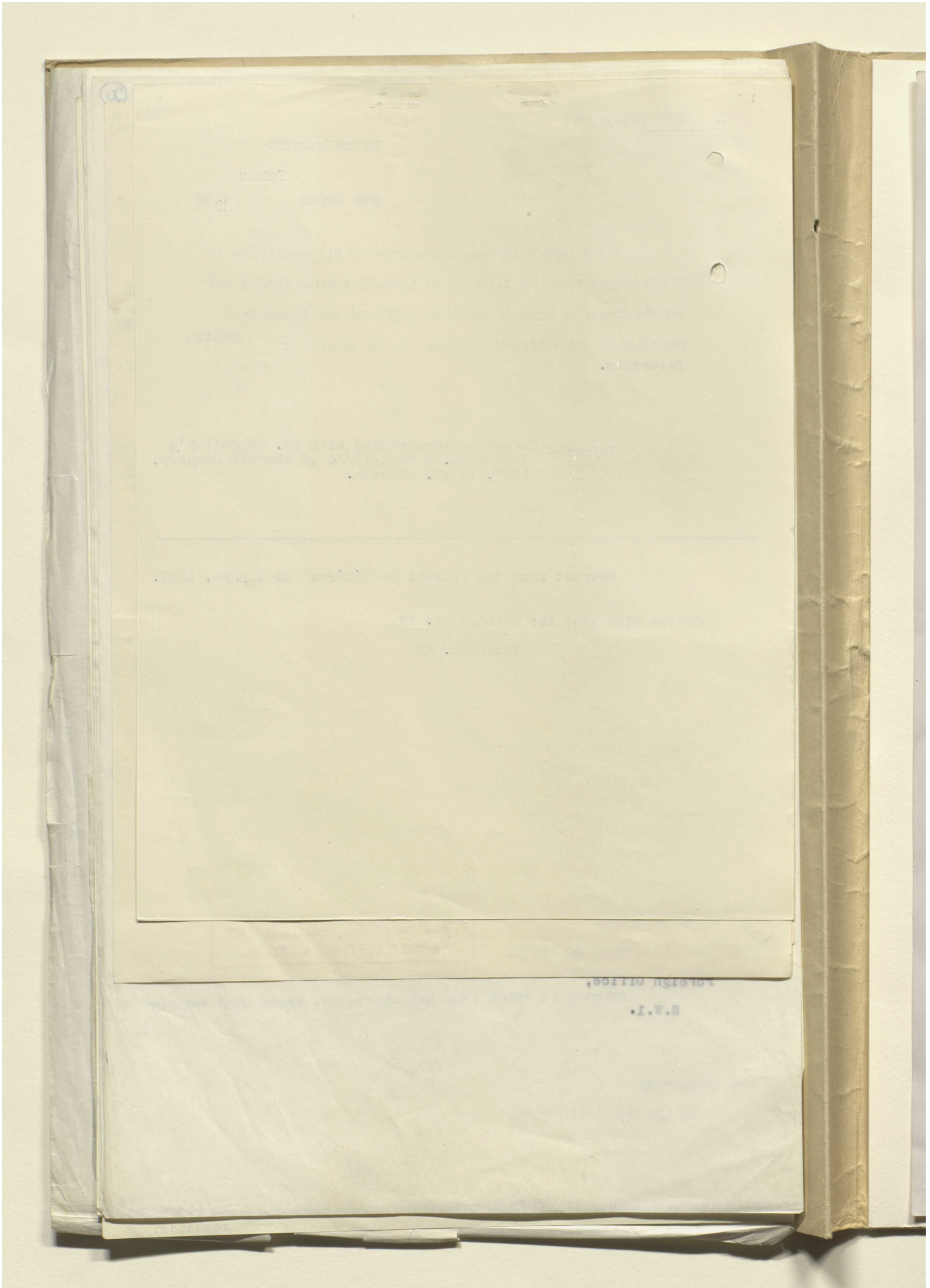
His Majesty's Representative presents his compliments to His Majesty's Principal Secretary of State of Foreign Affairs and has the honour to transmit herewith, copies of the documents mentioned in the subjoined Schedule, on the subject of **Danish Interests.**

Reference:- Correspondence ending with Mr. Baggallay's letter No. E 7681/12/34 of the 8th January, 1937, to Mr. Clauson.

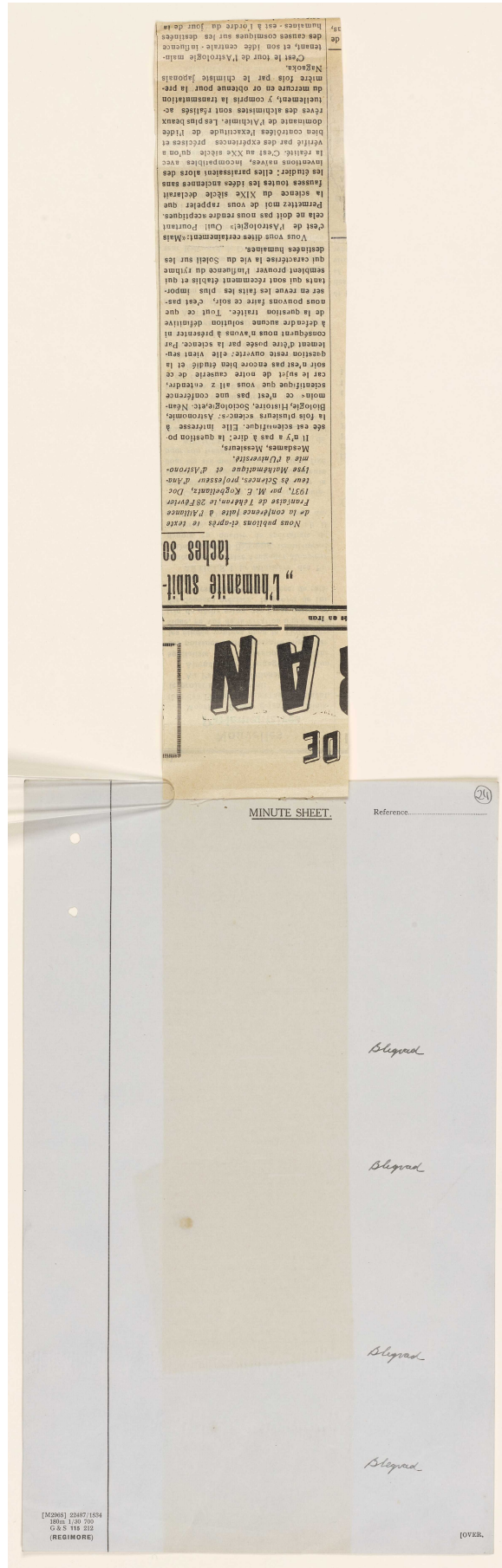
Extract from "Le Journal de Téhéran" du 5 mars, 1937.

Copies also sent to: Bushire No. 17

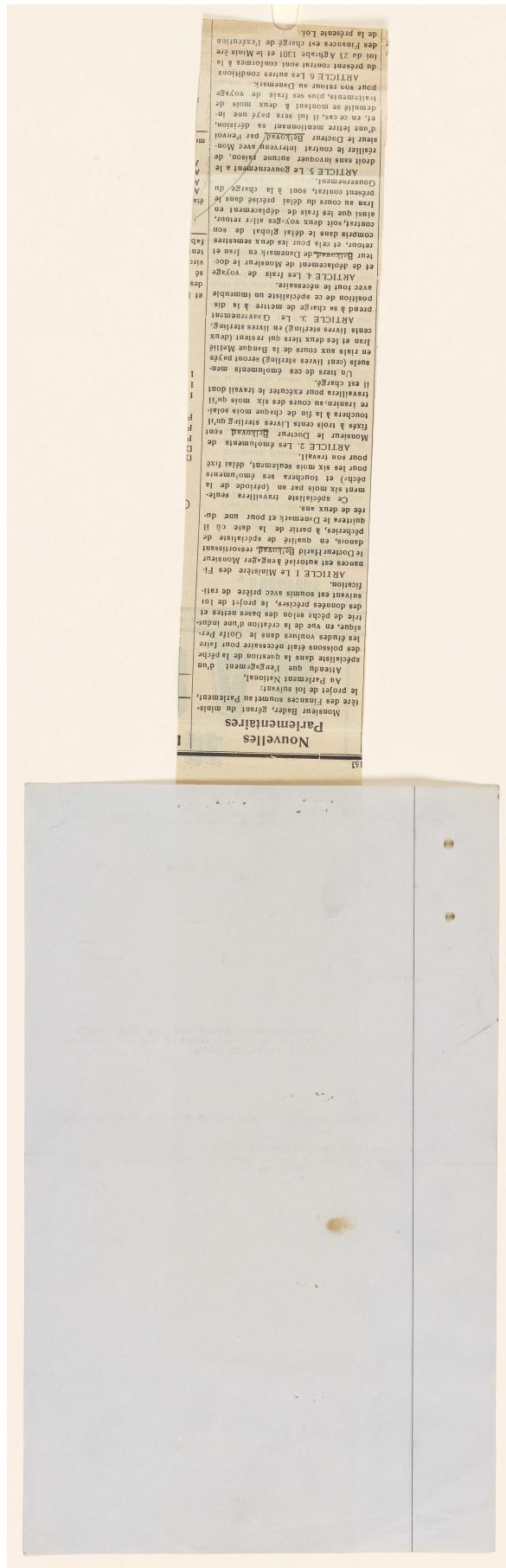
India No. 42



Coll 30/142 'Visit of Danish fishing vessel chartered by Iranian Govnt.' [24r]
(50/129)



Coll 30/142 'Visit of Danish fishing vessel chartered by Iranian Govnt.' [24v]
(51/129)



(P.Z. 1968/37)

(25)

Extract from Kerman Diary, No. 10, 1937

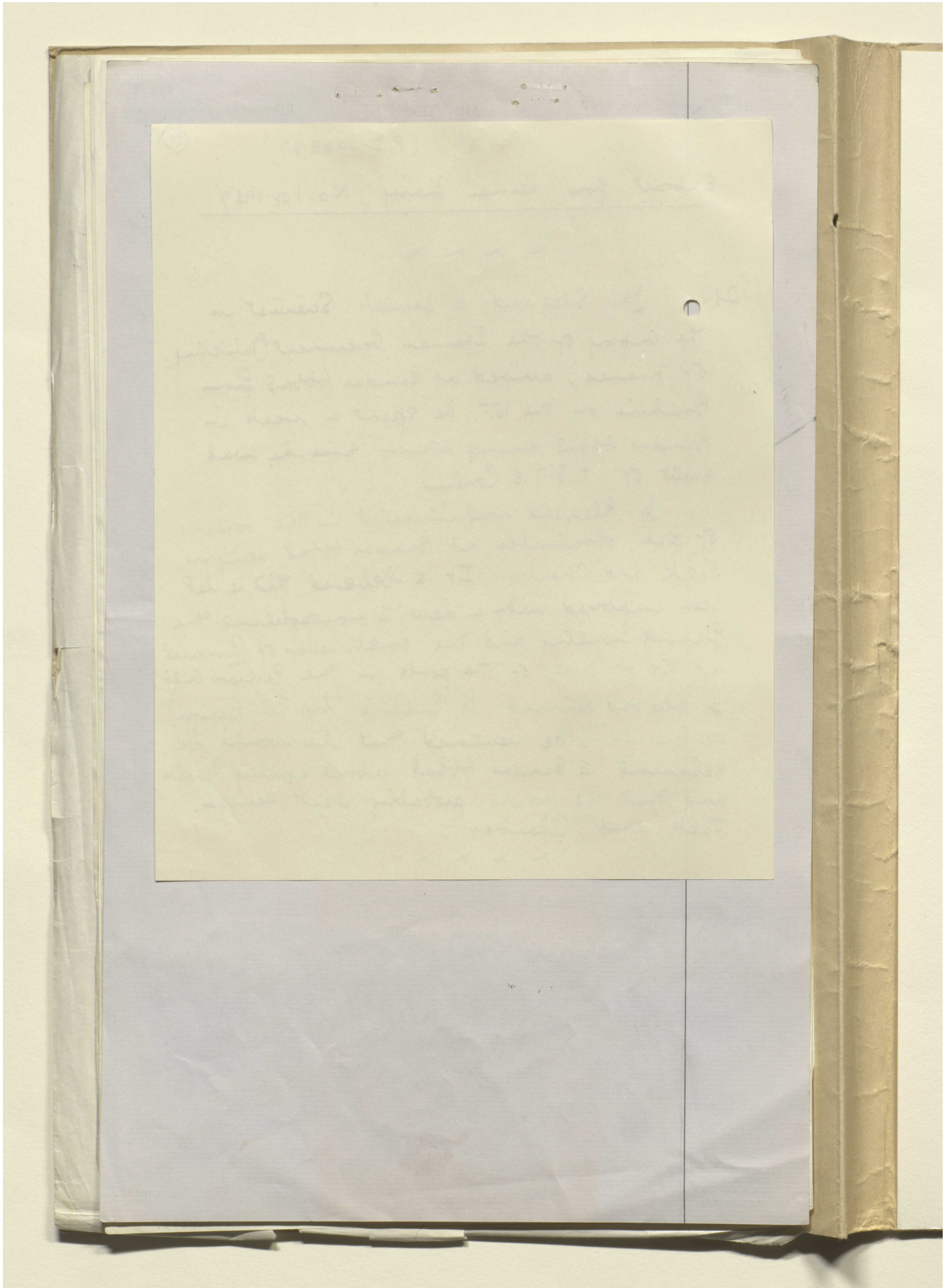
x x x x

30
142

21. Dr. Blegvad, a Danish Scientist in the employ of the Iranian Government (Ministry of Finance) arrived at Bandar Abbas from Bushire on the 15th. He spent a week in Bandar Abbas during which time he was guest of H.B.M.'s Consul.

Dr. Blegvad was interested in the variety of fish obtainable at Bandar Abbas, Hengam, Jask and Charbar. It is believed that he had been employed with a view to monopolising the fishing industry and the construction of Canneries at two or three of the ports in the Persian Gulf. Dr. Blegvad returned to Bushire by S.S. "Banora" on the 20th. He mentioned that he would be returning to Bandar Abbas about early March and that he would probably visit Hengam, Jask and Charbar.

x x x x



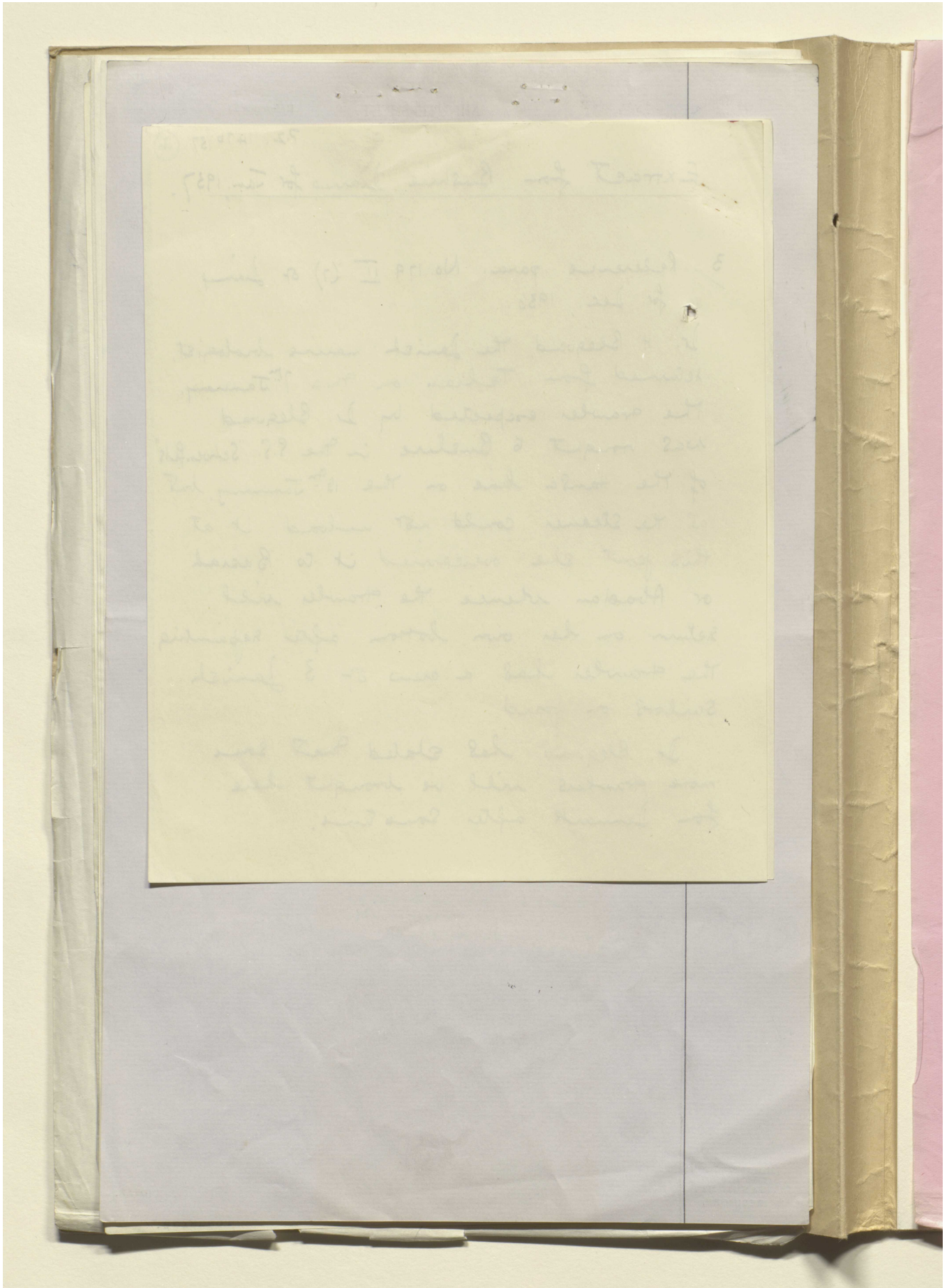
P.2. 1476/37 (26)

Extract from Bushire Diary for Jan, 1937.

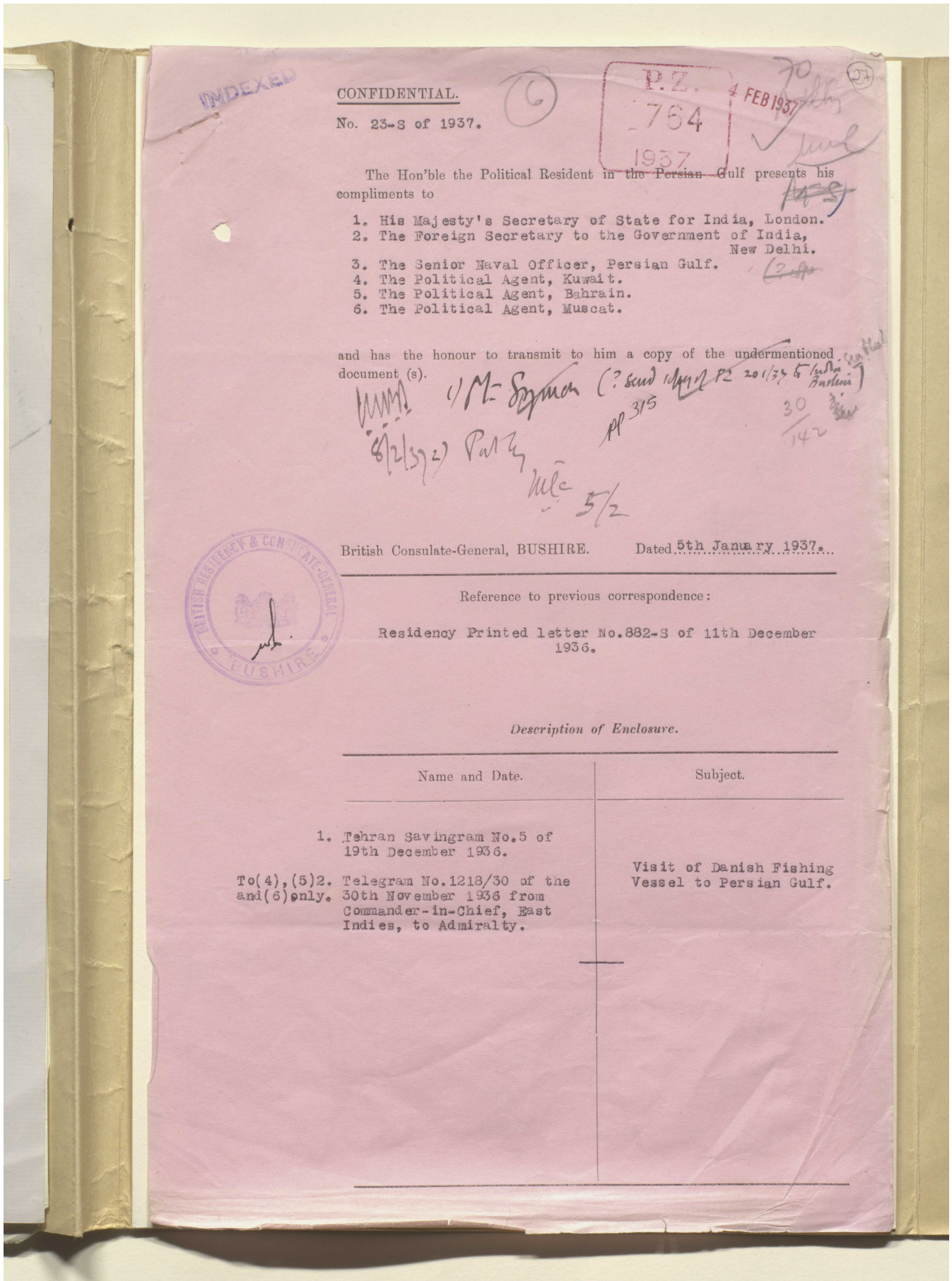
3. Reference para. No. 179 II (7) of Diary
for Dec., 1936.

Dr. H. Blegvad, the Danish marine biologist,
returned from Tehran on the 7th January.
The trawler expected by Dr. Blegvad
was brought to Bushire in the S.S. "Schoenfeldt"
of the Hansa line on the 16th January, but
as the steamer could not unload it at
this port she overcarried it to Basrah
or Abadan whence the trawler will
return on her own bottom after repainting.
The trawler had a crew of 3 Danish
sailors on board.

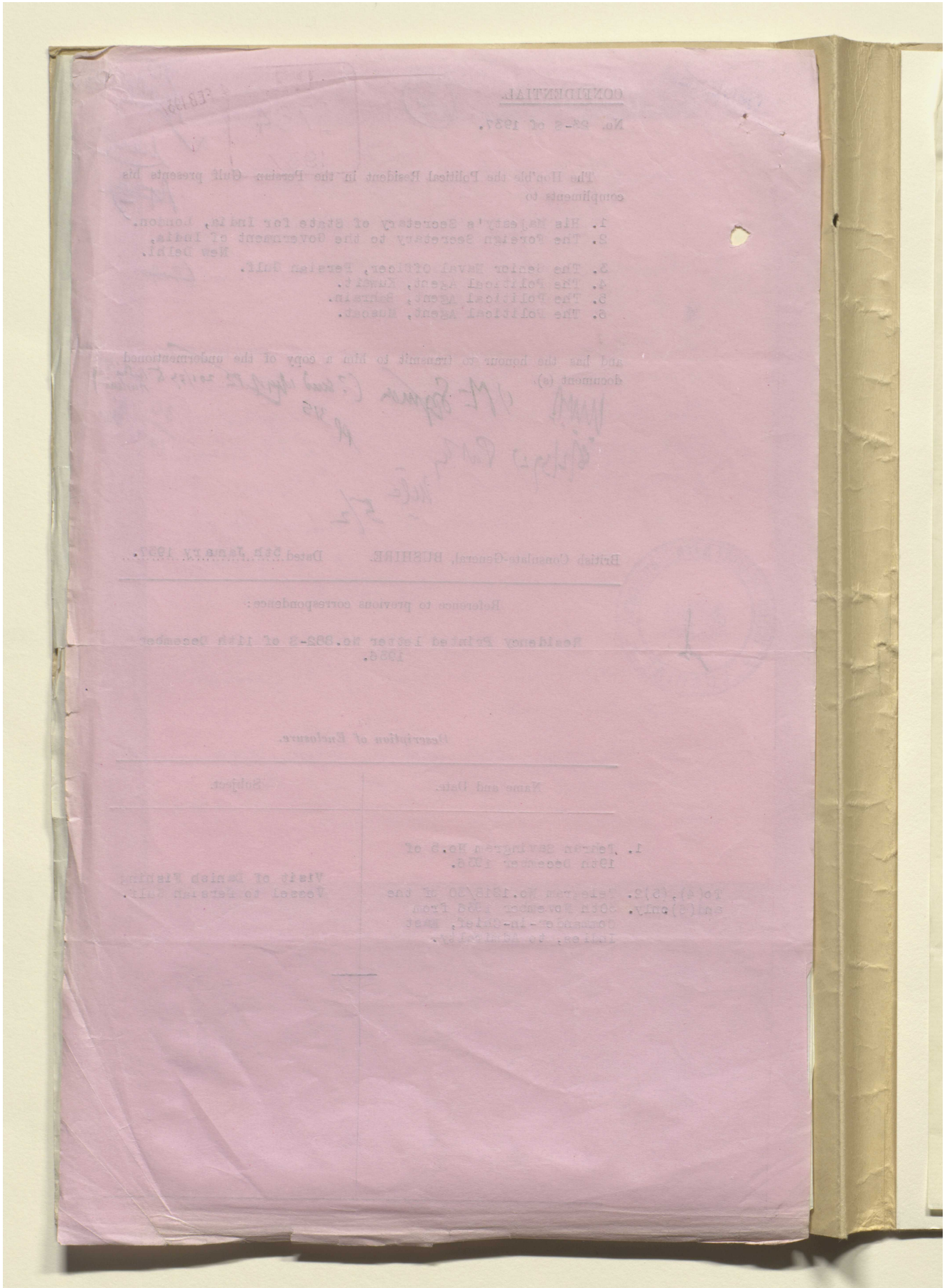
Dr. Blegvad has stated that some
more trawlers will be brought here
from Denmark after some time.



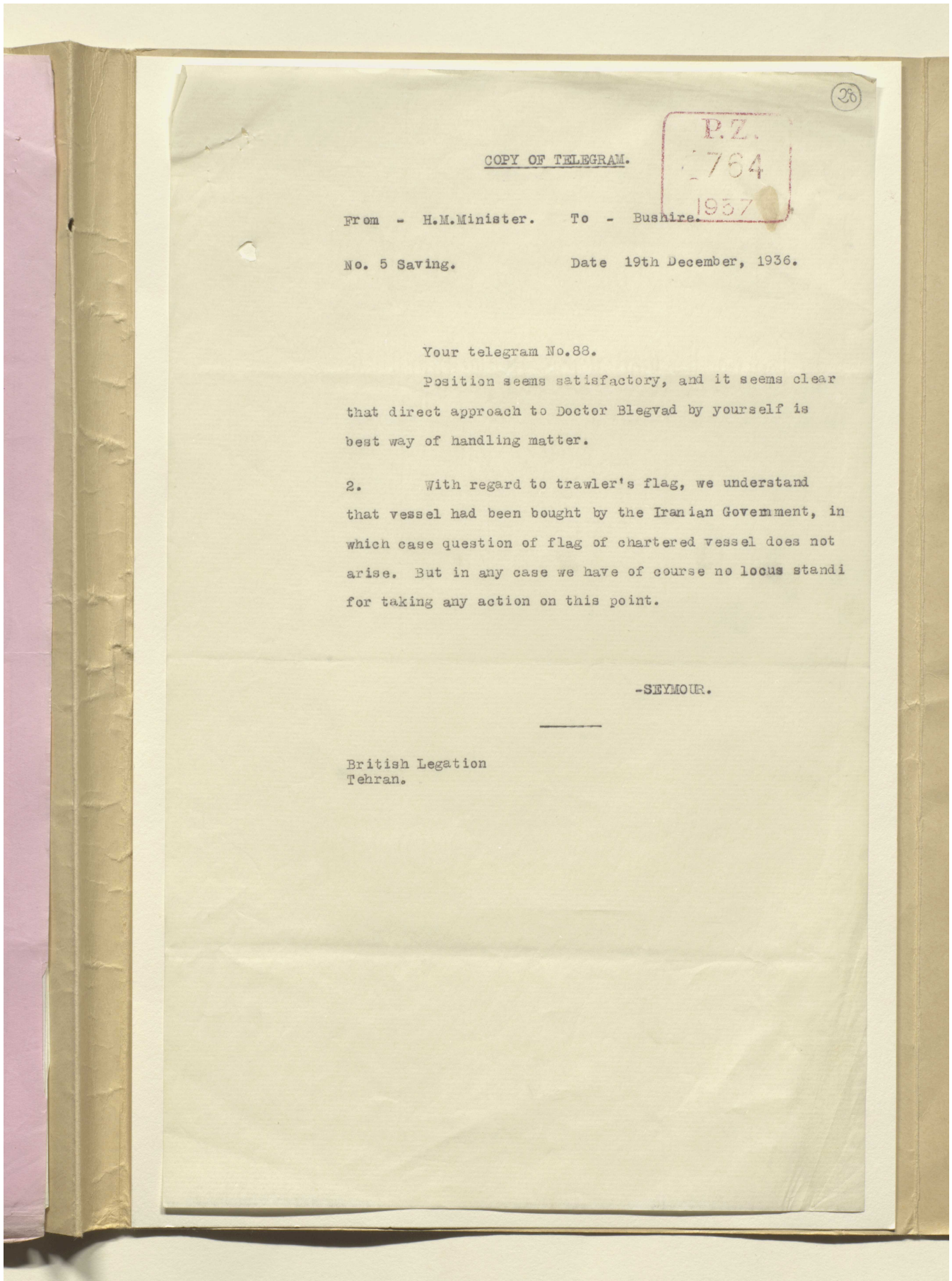
Coll 30/142 'Visit of Danish fishing vessel chartered by Iranian Govnt.' [27r]
(56/129)



Coll 30/142 'Visit of Danish fishing vessel chartered by Iranian Govnt.' [27v]
(57/129)



Coll 30/142 'Visit of Danish fishing vessel chartered by Iranian Govnt.' [28r]
(58/129)



28
P.Z.
764
1937
COPY OF TELEGRAM.

From - H.M.Minister. To - Bushire.
No. 5 Saving. Date 19th December, 1936.

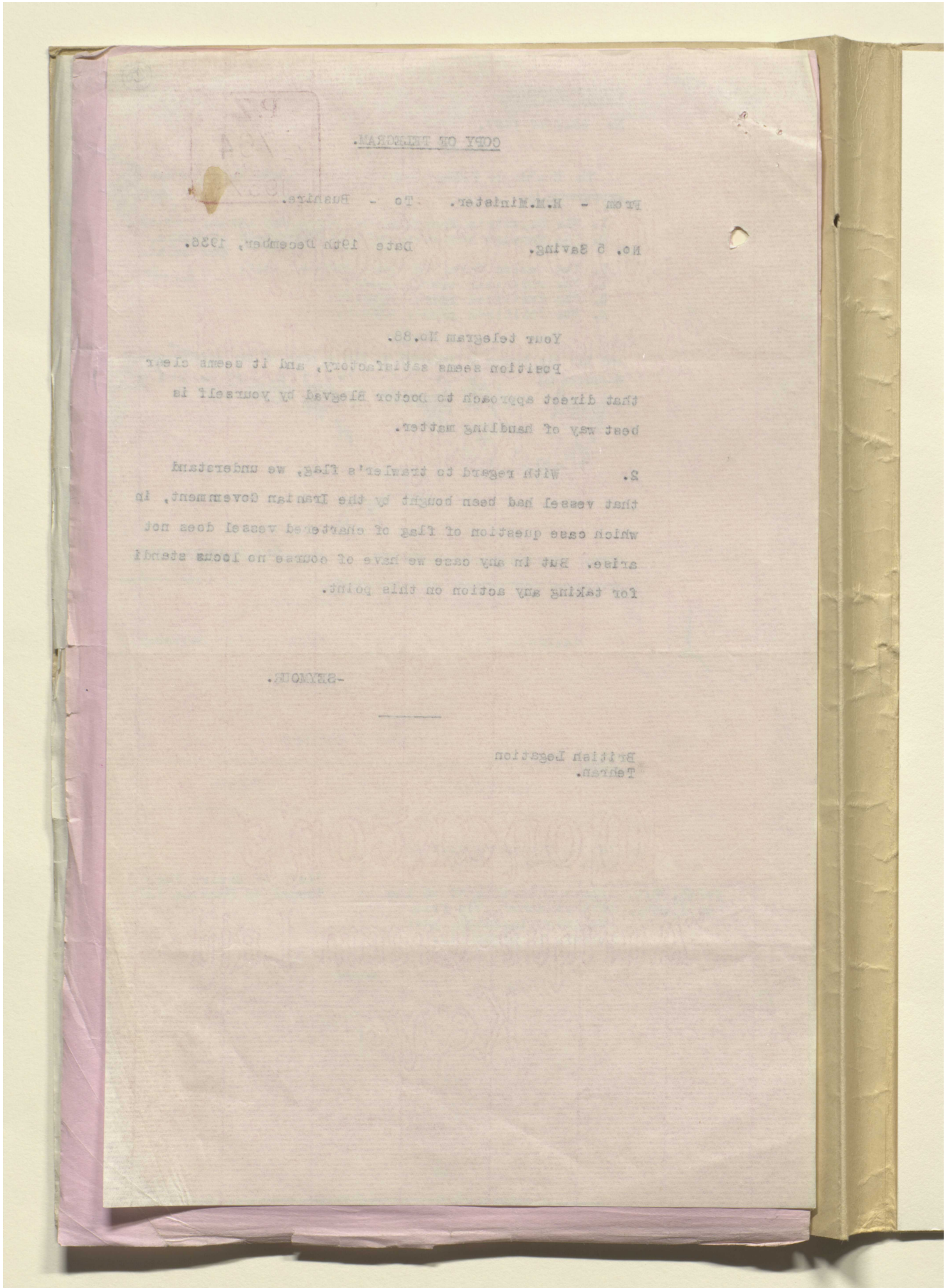
Your telegram No.88.

Position seems satisfactory, and it seems clear that direct approach to Doctor Blegvad by yourself is best way of handling matter.

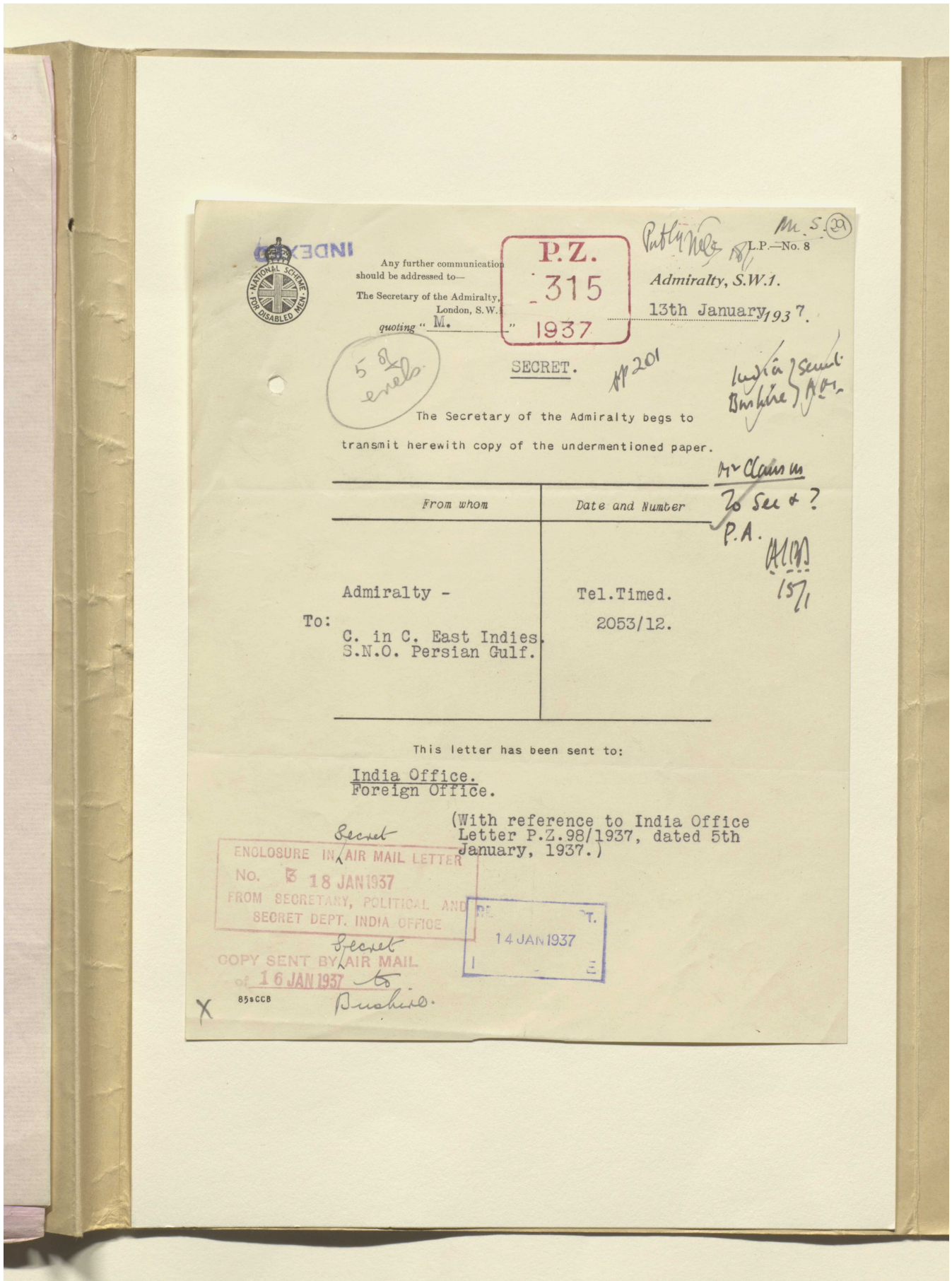
2. With regard to trawler's flag, we understand that vessel had been bought by the Iranian Government, in which case question of flag of chartered vessel does not arise. But in any case we have of course no locus standi for taking any action on this point.

-SEYMOUR.

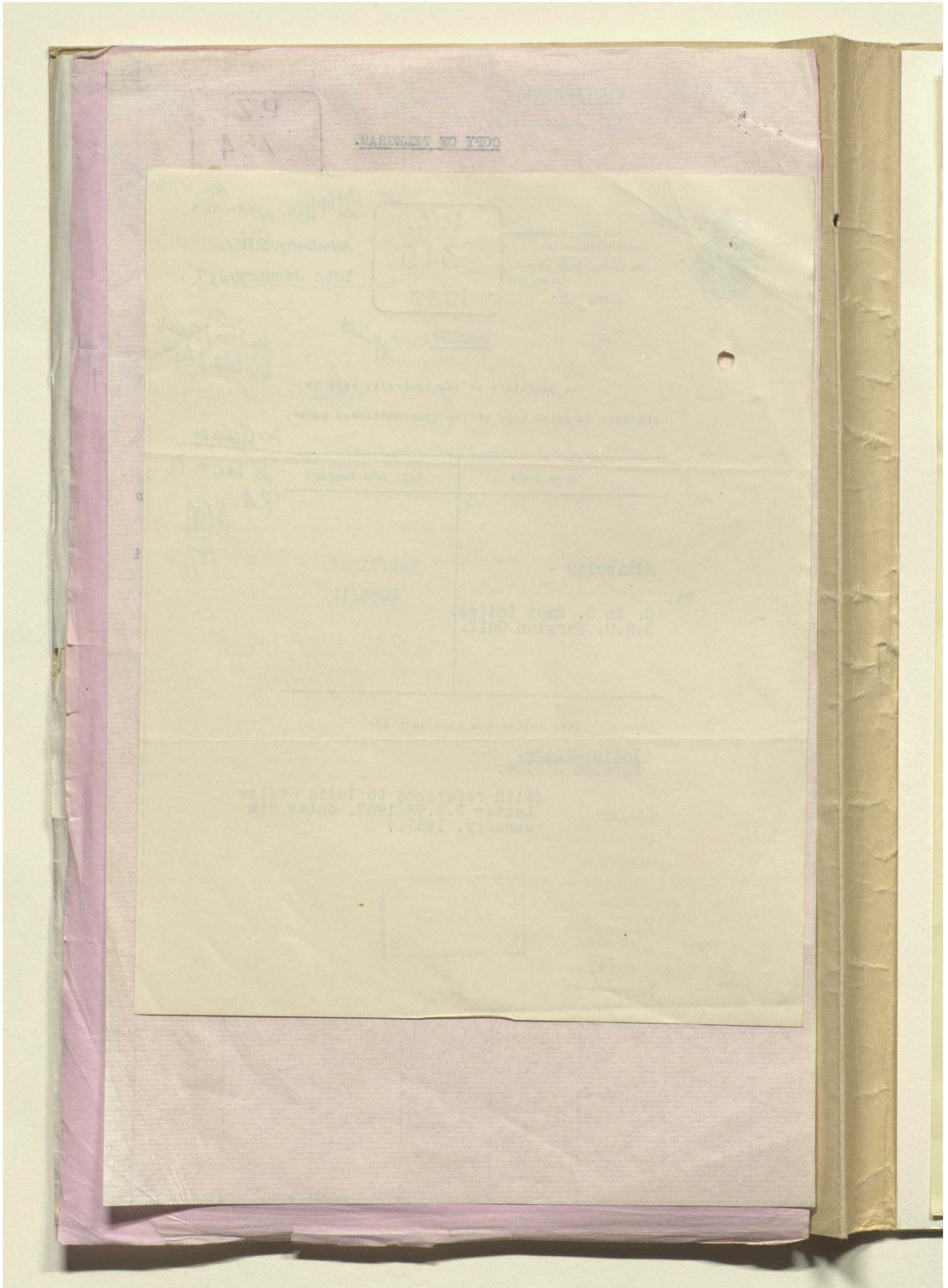
British Legation
Tehran.



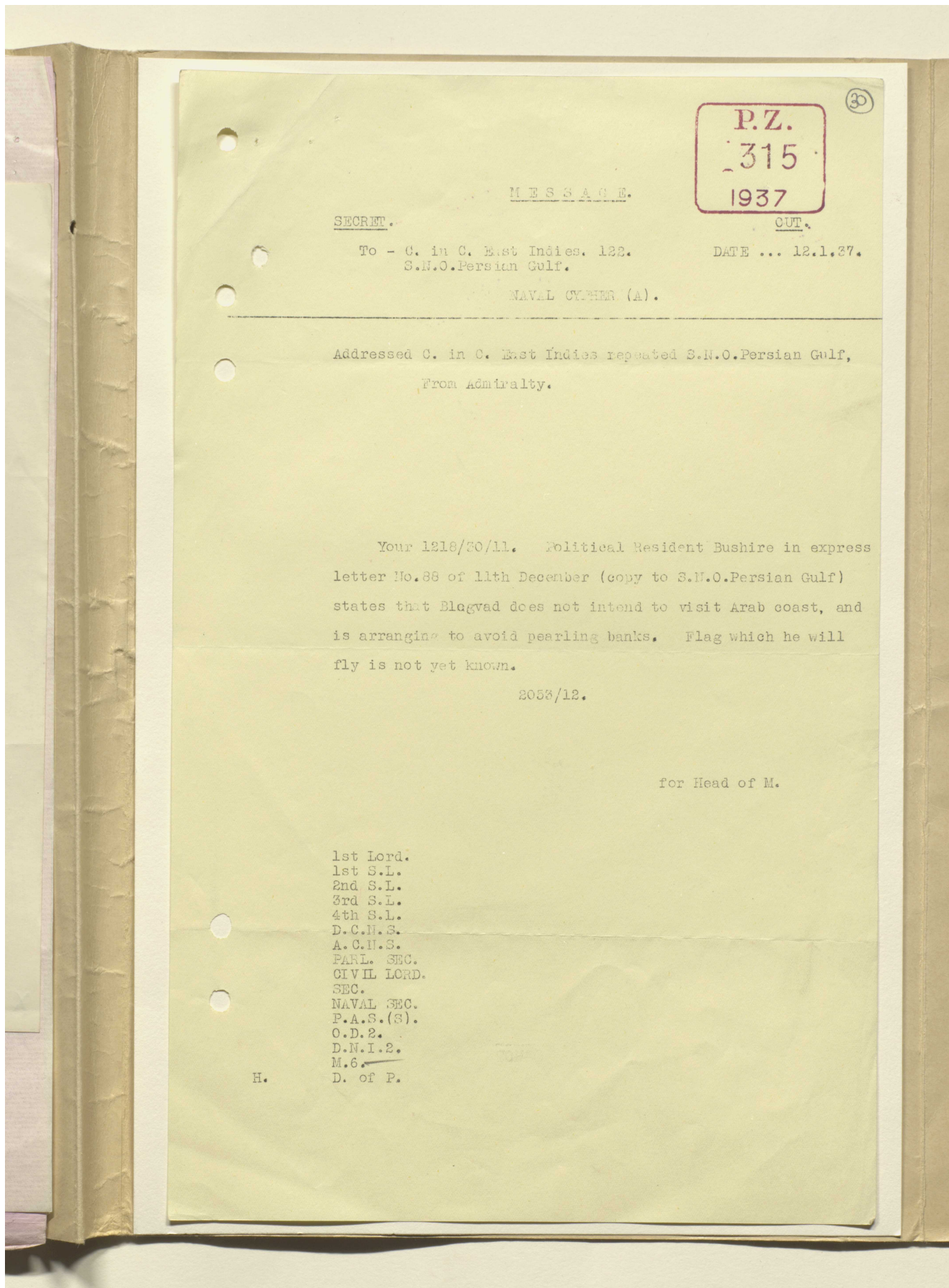
Coll 30/142 'Visit of Danish fishing vessel chartered by Iranian Govnt.' [29r]
(60/129)

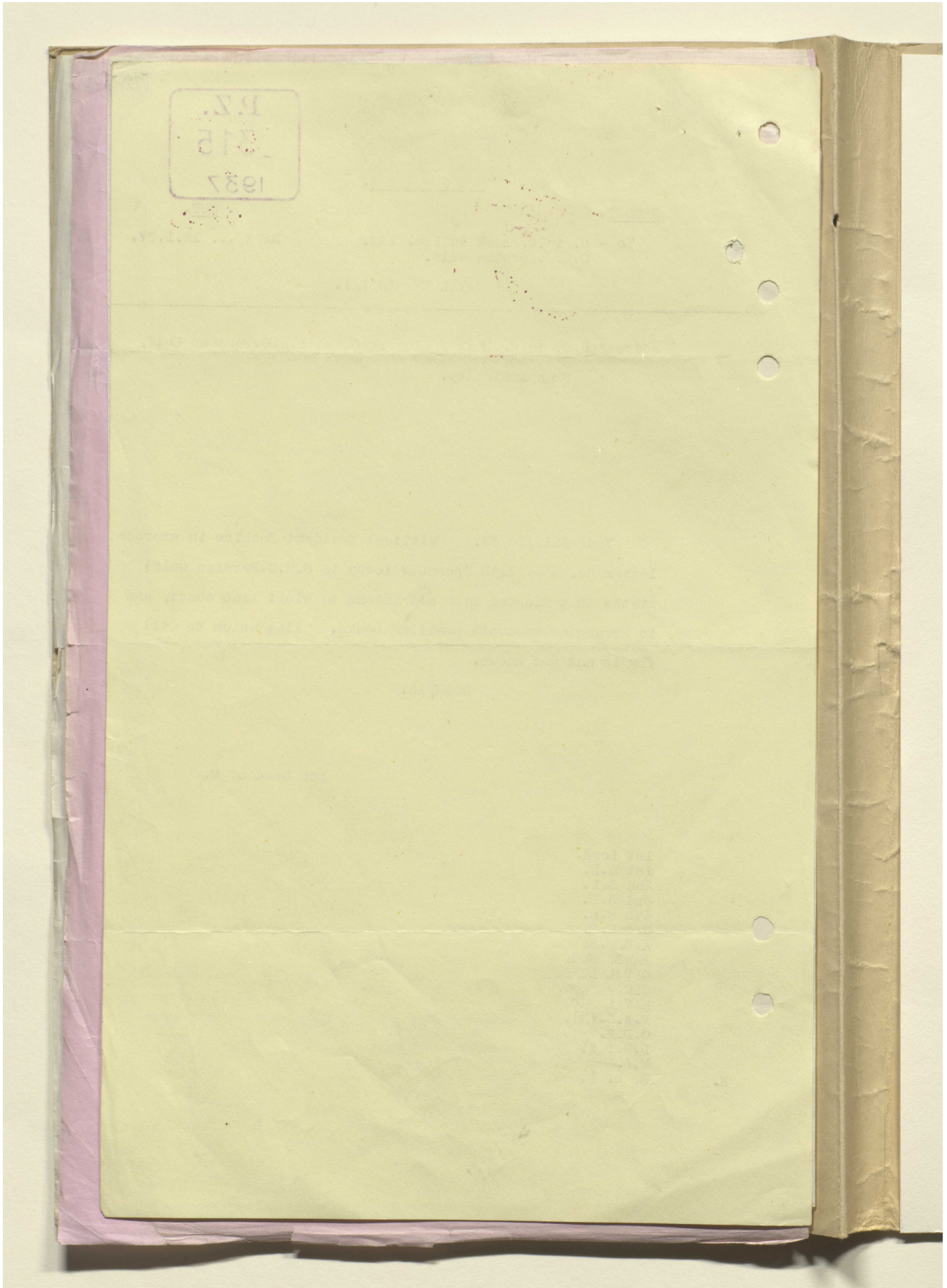


Coll 30/142 'Visit of Danish fishing vessel chartered by Iranian Govnt.' [29v]
(61/129)

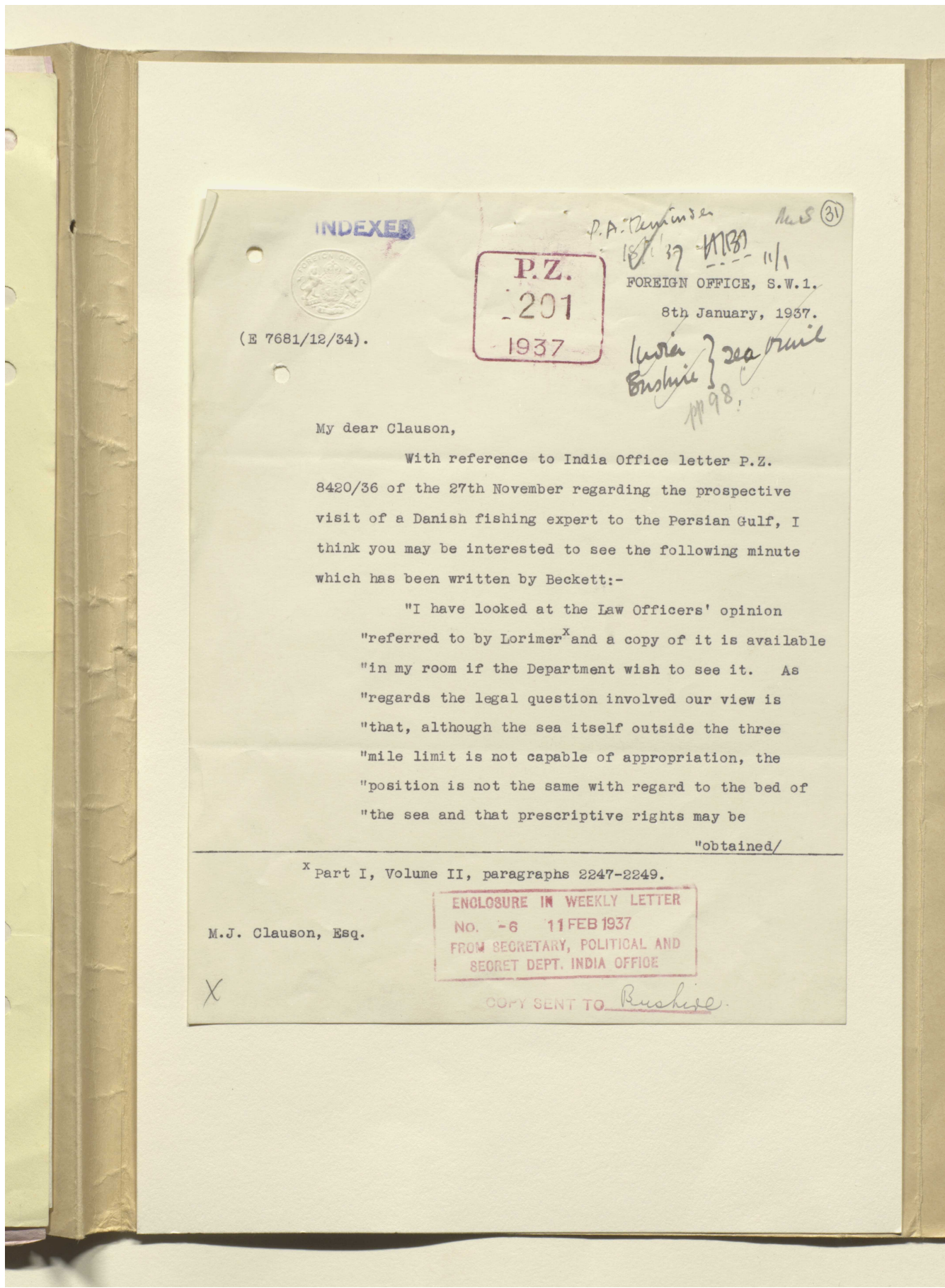


Coll 30/142 'Visit of Danish fishing vessel chartered by Iranian Govnt.' [30r]
(62/129)





Coll 30/142 'Visit of Danish fishing vessel chartered by Iranian Govnt.' [31r]
(64/129)



(E 7681/12/34).

My dear Clauson,

With reference to India Office letter P.Z. 8420/36 of the 27th November regarding the prospective visit of a Danish fishing expert to the Persian Gulf, I think you may be interested to see the following minute which has been written by Beckett:-

"I have looked at the Law Officers' opinion referred to by Lorimer^x and a copy of it is available in my room if the Department wish to see it. As regards the legal question involved our view is that, although the sea itself outside the three mile limit is not capable of appropriation, the position is not the same with regard to the bed of the sea and that prescriptive rights may be

"obtained/

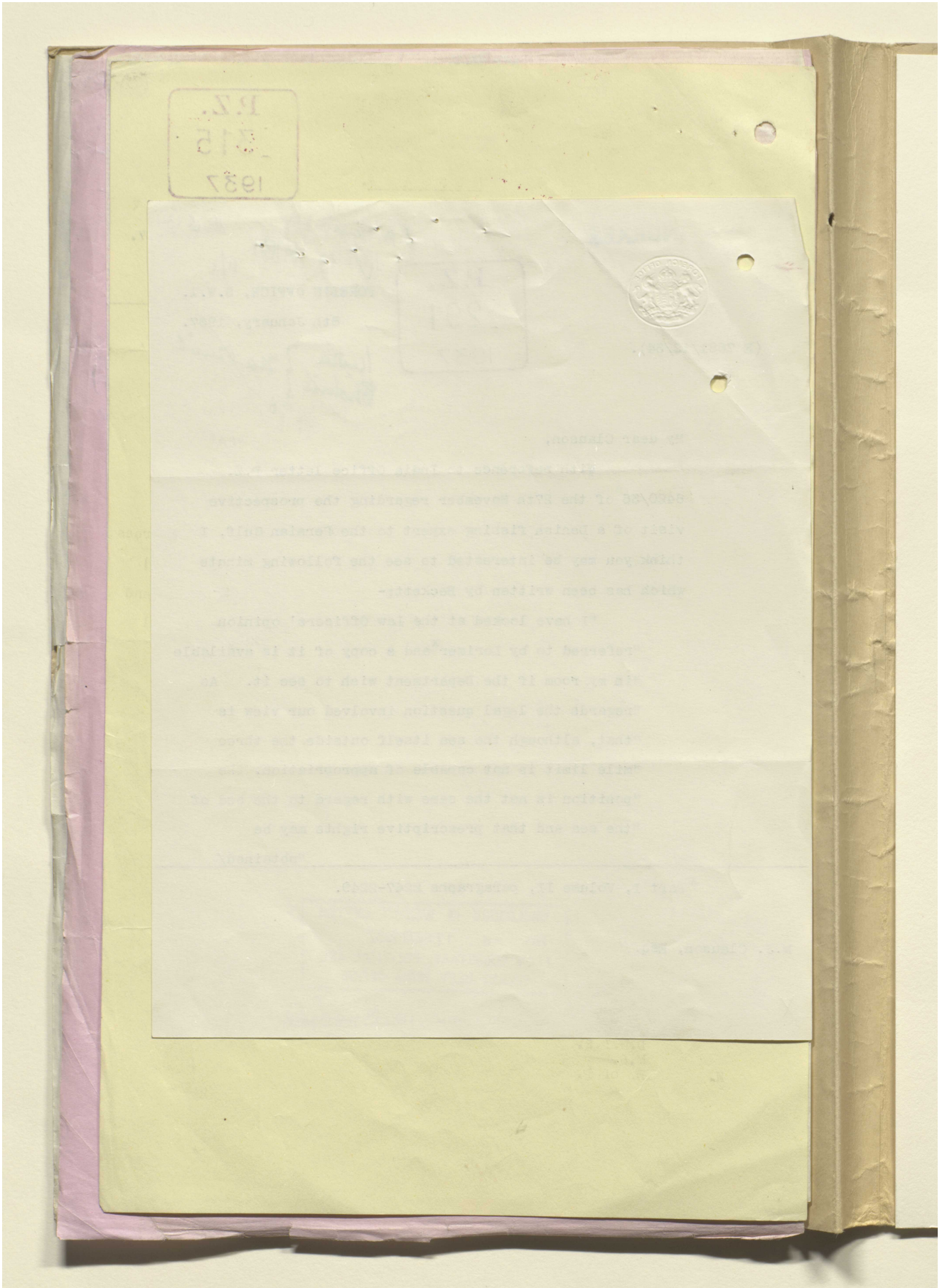
^x Part I, Volume II, paragraphs 2247-2249.

M.J. Clauson, Esq.

ENCLOSURE IN WEEKLY LETTER
NO. -6 11 FEB 1937
FROM SECRETARY, POLITICAL AND
SECRET DEPT. INDIA OFFICE

X

COPY SENT TO Rushie.



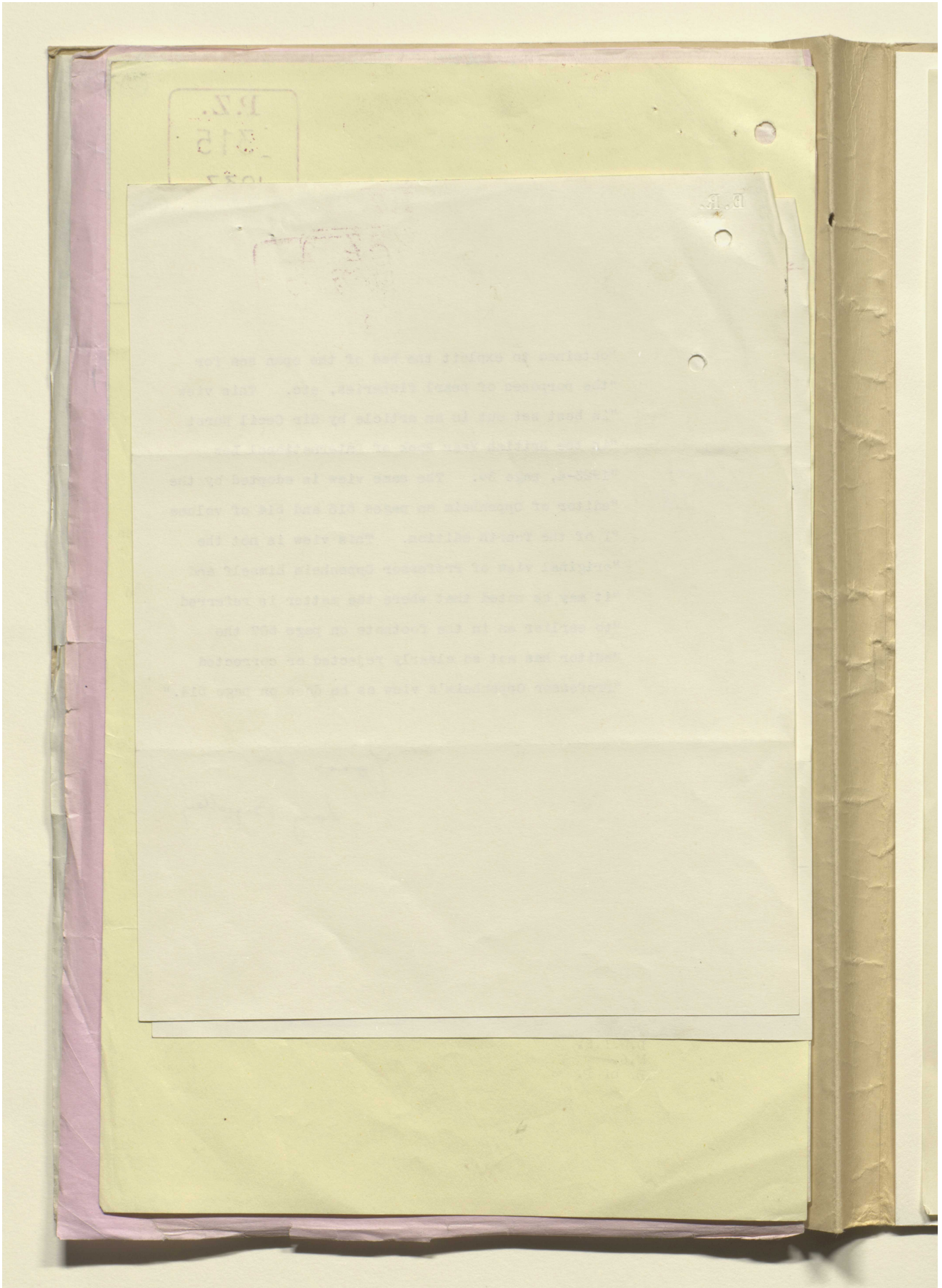
E. R.

(32)

"obtained to exploit the bed of the open sea for
"the purposes of pearl fisheries, etc. This view
"is best set out in an article by Sir Cecil Hurst
"in the British Year Book of International Law
"1923-4, page 34. The same view is adopted by the
"editor of Oppenheim on pages 513 and 514 of volume
"I of the fourth edition. This view is not the
"original view of Professor Oppenheim himself and
"it may be noted that where the matter is referred
"to earlier on in the footnote on page 507 the
"editor has not so clearly rejected or corrected
"Professor Oppenheim's view as he does on page 514."

*Copies
below
MMW*

*Yours ever,
Lay Baggaley*



33

Extract from an Article by Sir Cecil J.B.Hurst, K.C.B.,K.C.,
published in the British Year Book of International Law 1923/24
and entitled - "Whose is the bed of the Sea?
Sedentary Fisheries outside the three
mile limit."

* * * * *

The question however remains, to what distance do these property rights of the Sovereign in the bed of the sea extend? So far as the law of this country is concerned, the rights of the Crown were fixed long before the doctrine of the three-mile limit was thought of, and yet it seems to be agreed that nowadays these property rights do not in general extend beyond the three-mile limit.

Flowden might argue in 1577 -

"that the interest of the Queen in the sea extends into the midst of the sea between England and Spain; but the Queen hath the whole jurisdiction of the sea between England and France because she is Queen of England, France, etc. And so it is of Ireland."

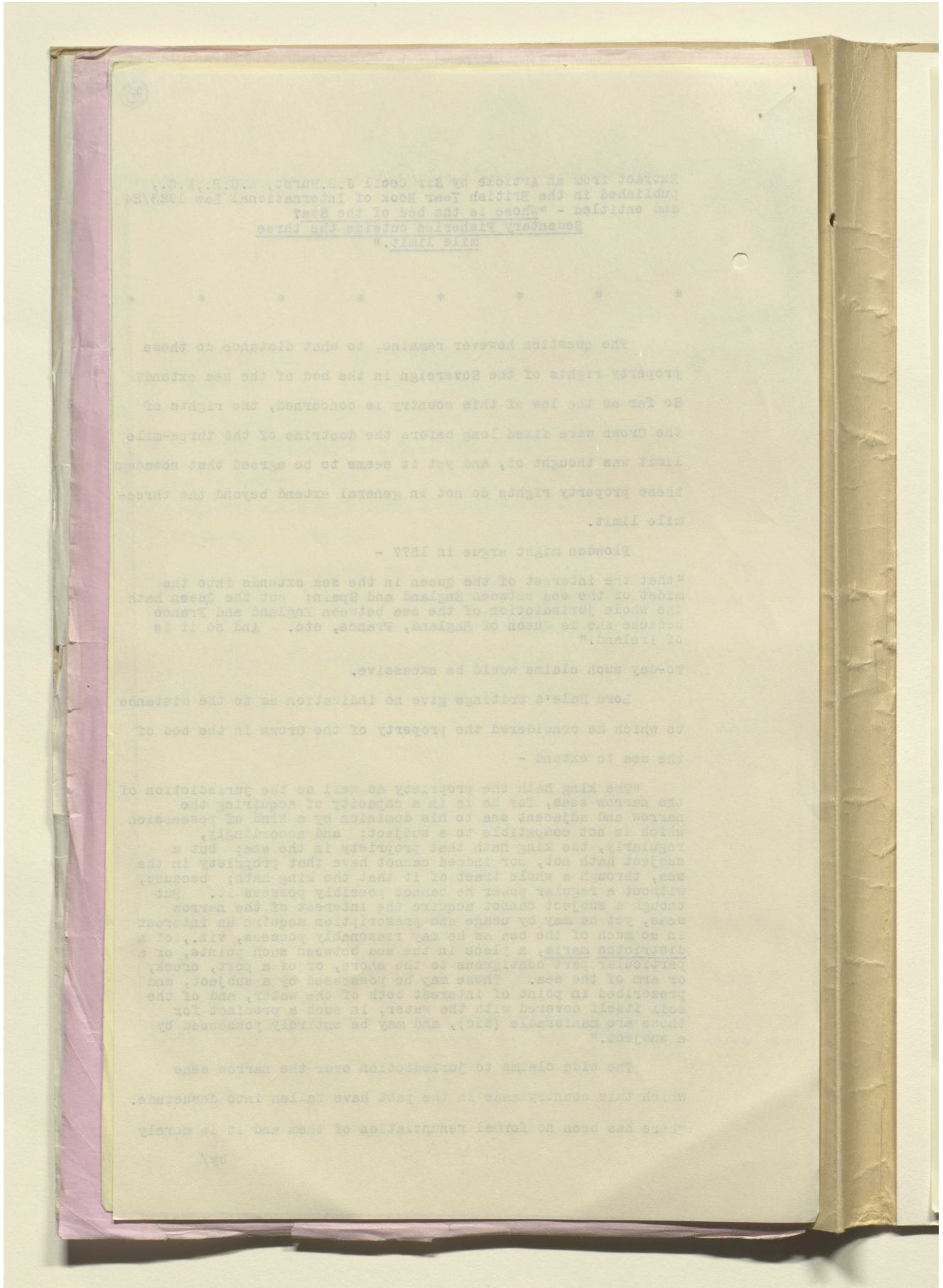
To-day such claims would be excessive.

Lord Hale's writings give no indication as to the distance to which he considered the property of the Crown in the bed of the sea to extend -

"The king hath the propriety as well as the jurisdiction of the narrow seas, for he is in a capacity of acquiring the narrow and adjacent sea to his dominion by a kind of possession which is not compatible to a subject; and accordingly, regularly, the king hath that propriety in the sea; but a subject hath not, nor indeed cannot have that propriety in the sea, through a whole tract of it that the king hath; because, without a regular power he cannot possibly possess it. But though a subject cannot acquire the interest of the narrow seas, yet he may by usage and prescription acquire an interest in so much of the sea as he may reasonably possess, viz., of a districtus maris, a place in the sea between such points, or a particular part contiguous to the shore, or of a port, creek, or arm of the sea. These may be possessed by a subject, and prescribed in point of interest both of the water, and of the soil itself covered with the water, in such a precinct for these are manorable (sic), and may be entirely possessed by a subject."

The wide claims to jurisdiction over the narrow seas which this country made in the past have fallen into desuetude. There has been no formal renunciation of them and it is merely

by/



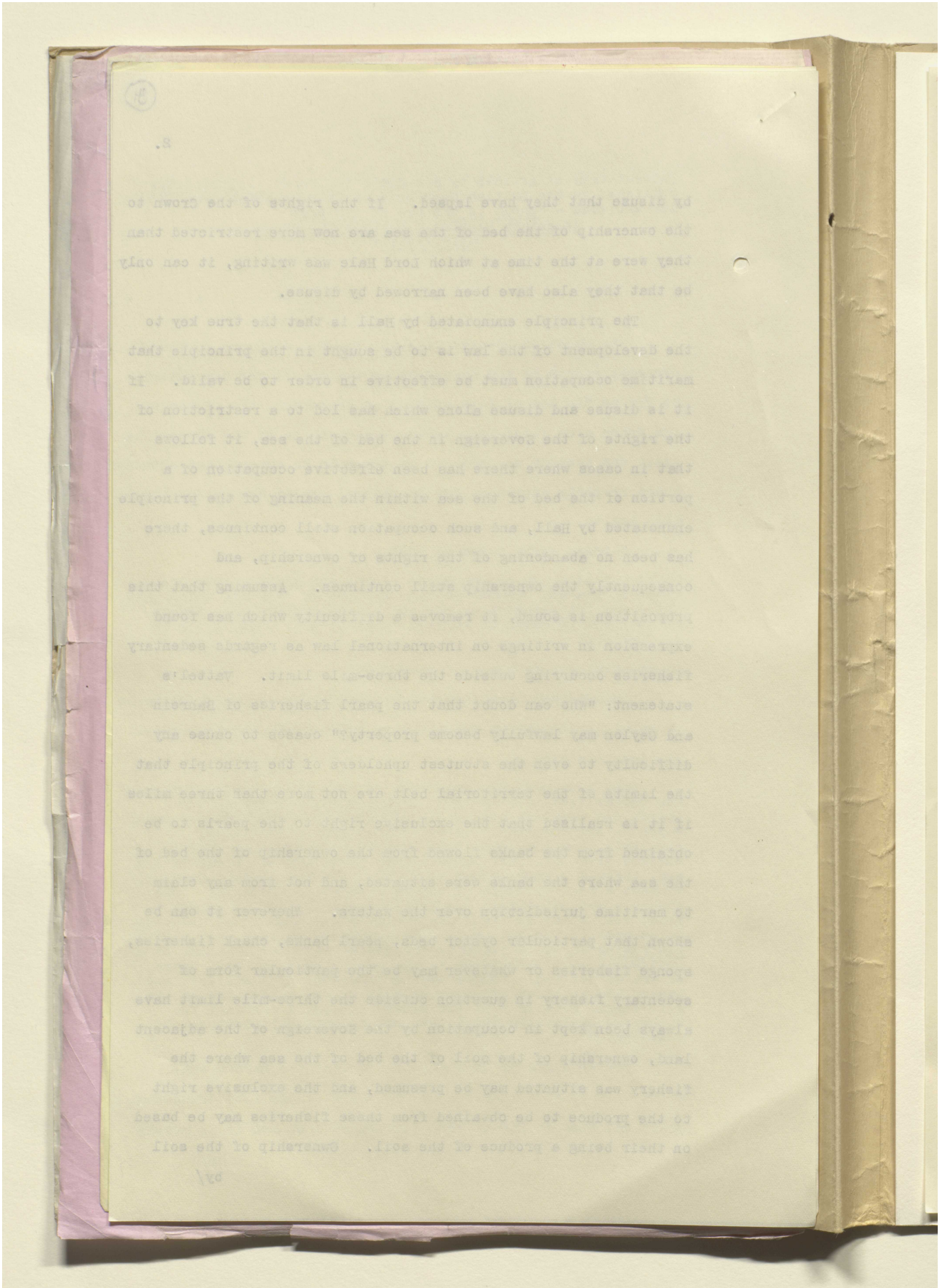
34

2.

by disuse that they have lapsed. If the rights of the Crown to the ownership of the bed of the sea are now more restricted than they were at the time at which Lord Hale was writing, it can only be that they also have been narrowed by disuse.

The principle enunciated by Hall is that the true key to the development of the law is to be sought in the principle that maritime occupation must be effective in order to be valid. If it is disuse and disuse alone which has led to a restriction of the rights of the Sovereign in the bed of the sea, it follows that in cases where there has been effective occupation of a portion of the bed of the sea within the meaning of the principle enunciated by Hall, and such occupation still continues, there has been no abandoning of the rights of ownership, and consequently the ownership still continues. Assuming that this proposition is sound, it removes a difficulty which has found expression in writings on international law as regards sedentary fisheries occurring outside the three-mile limit. Vattel's statement: "Who can doubt that the pearl fisheries of Bahrein and Ceylon may lawfully become property?" ceases to cause any difficulty to even the stoutest upholders of the principle that the limits of the territorial belt are not more than three miles if it is realised that the exclusive right to the pearls to be obtained from the banks flowed from the ownership of the bed of the sea where the banks were situated, and not from any claim to maritime jurisdiction over the waters. Wherever it can be shown that particular oyster beds, pearl banks, chank fisheries, sponge fisheries or whatever may be the particular form of sedentary fishery in question outside the three-mile limit have always been kept in occupation by the Sovereign of the adjacent land, ownership of the soil of the bed of the sea where the fishery was situated may be presumed, and the exclusive right to the produce to be obtained from these fisheries may be based on their being a produce of the soil. Ownership of the soil

by/



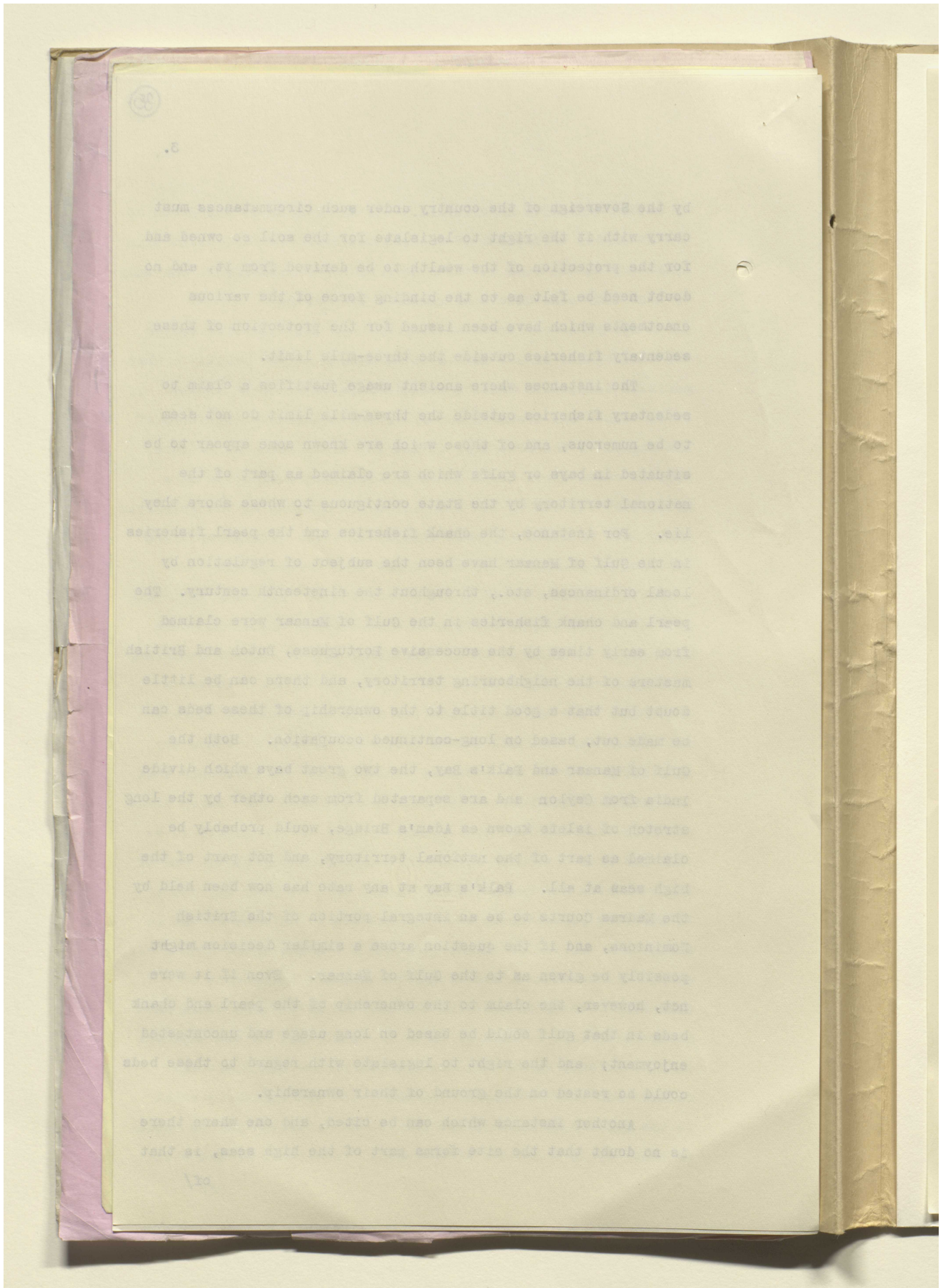
35

3.

by the Sovereign of the country under such circumstances must carry with it the right to legislate for the soil so owned and for the protection of the wealth to be derived from it, and no doubt need be felt as to the binding force of the various enactments which have been issued for the protection of these sedentary fisheries outside the three-mile limit.

The instances where ancient usage justifies a claim to sedentary fisheries outside the three-mile limit do not seem to be numerous, and of those which are known some appear to be situated in bays or gulfs which are claimed as part of the national territory by the State contiguous to whose shore they lie. For instance, the chank fisheries and the pearl fisheries in the Gulf of Manaar have been the subject of regulation by local ordinances, etc., throughout the nineteenth century. The pearl and chank fisheries in the Gulf of Manaar were claimed from early times by the successive Portuguese, Dutch and British masters of the neighbouring territory, and there can be little doubt but that a good title to the ownership of these beds can be made out, based on long-continued occupation. Both the Gulf of Manaar and Palk's Bay, the two great bays which divide India from Ceylon and are separated from each other by the long stretch of islets known as Adam's Bridge, would probably be claimed as part of the national territory, and not part of the high seas at all. Palk's Bay at any rate has now been held by the Madras Courts to be an integral portion of the British Dominions, and if the question arose a similar decision might possibly be given as to the Gulf of Manaar. Even if it were not, however, the claim to the ownership of the pearl and chank beds in that gulf could be based on long usage and uncontested enjoyment; and the right to legislate with regard to these beds could be rested on the ground of their ownership.

Another instance which can be cited, and one where there is no doubt that the site forms part of the high seas, is that
of/



36

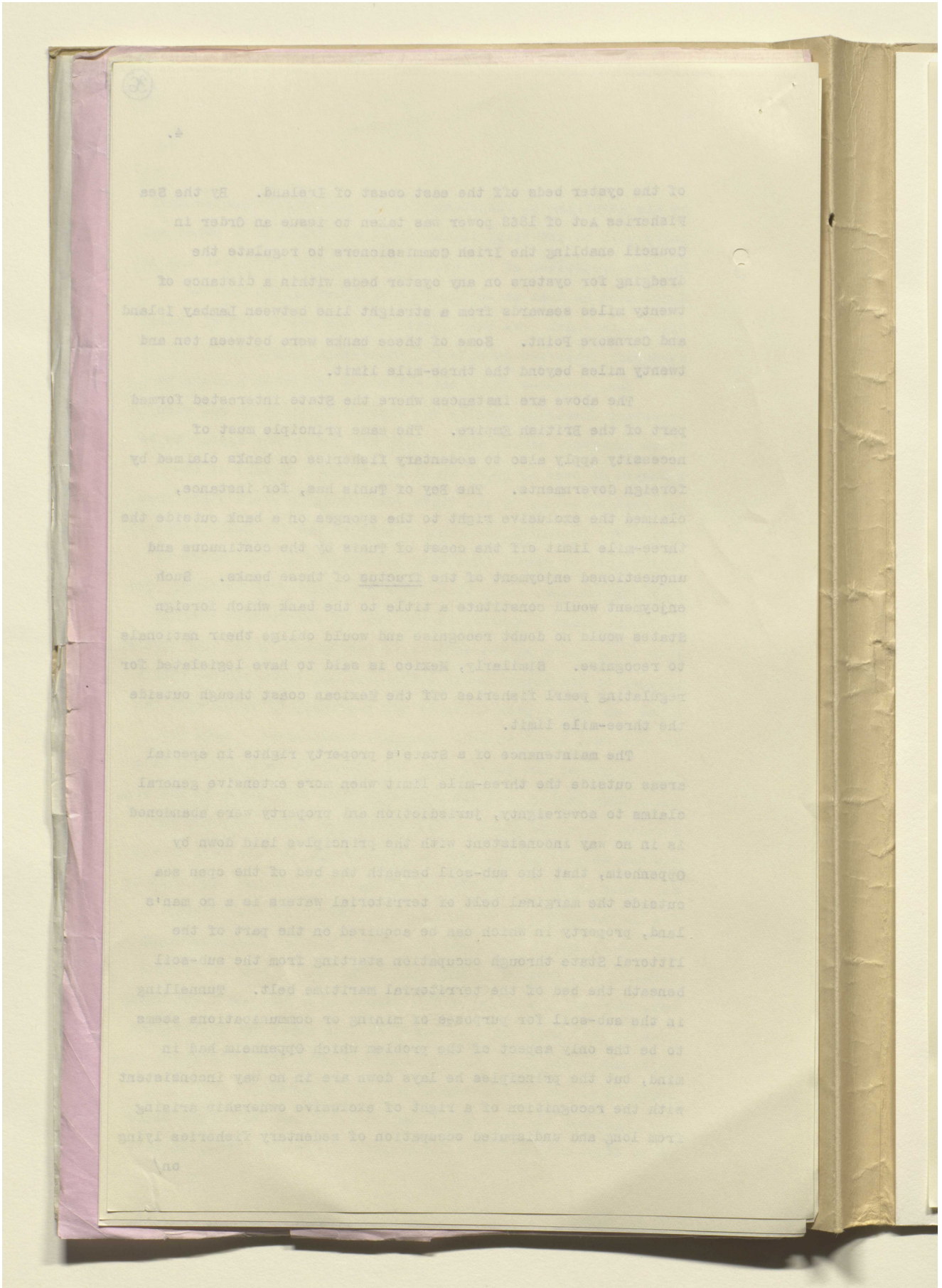
4.

of the oyster beds off the east coast of Ireland. By the Sea Fisheries Act of 1868 power was taken to issue an Order in Council enabling the Irish Commissioners to regulate the dredging for oysters on any oyster beds within a distance of twenty miles seawards from a straight line between Lambay Island and Carnsore Point. Some of these banks were between ten and twenty miles beyond the three-mile limit.

The above are instances where the State interested formed part of the British Empire. The same principle must of necessity apply also to sedentary fisheries on banks claimed by foreign Governments. The Bey of Tunis has, for instance, claimed the exclusive right to the sponges on a bank outside the three-mile limit off the coast of Tunis by the continuous and unquestioned enjoyment of the fructus of these banks. Such enjoyment would constitute a title to the bank which foreign States would no doubt recognise and would oblige their nationals to recognise. Similarly, Mexico is said to have legislated for regulating pearl fisheries off the Mexican coast though outside the three-mile limit.

The maintenance of a State's property rights in special areas outside the three-mile limit when more extensive general claims to sovereignty, jurisdiction and property were abandoned is in no way inconsistent with the principles laid down by Oppenheim, that the sub-soil beneath the bed of the open sea outside the marginal belt of territorial waters is a no man's land, property in which can be acquired on the part of the littoral State through occupation starting from the sub-soil beneath the bed of the territorial maritime belt. Tunnelling in the sub-soil for purposes of mining or communications seems to be the only aspect of the problem which Oppenheim had in mind, but the principles he lays down are in no way inconsistent with the recognition of a right of exclusive ownership arising from long and undisputed occupation of sedentary fisheries lying

on/



37

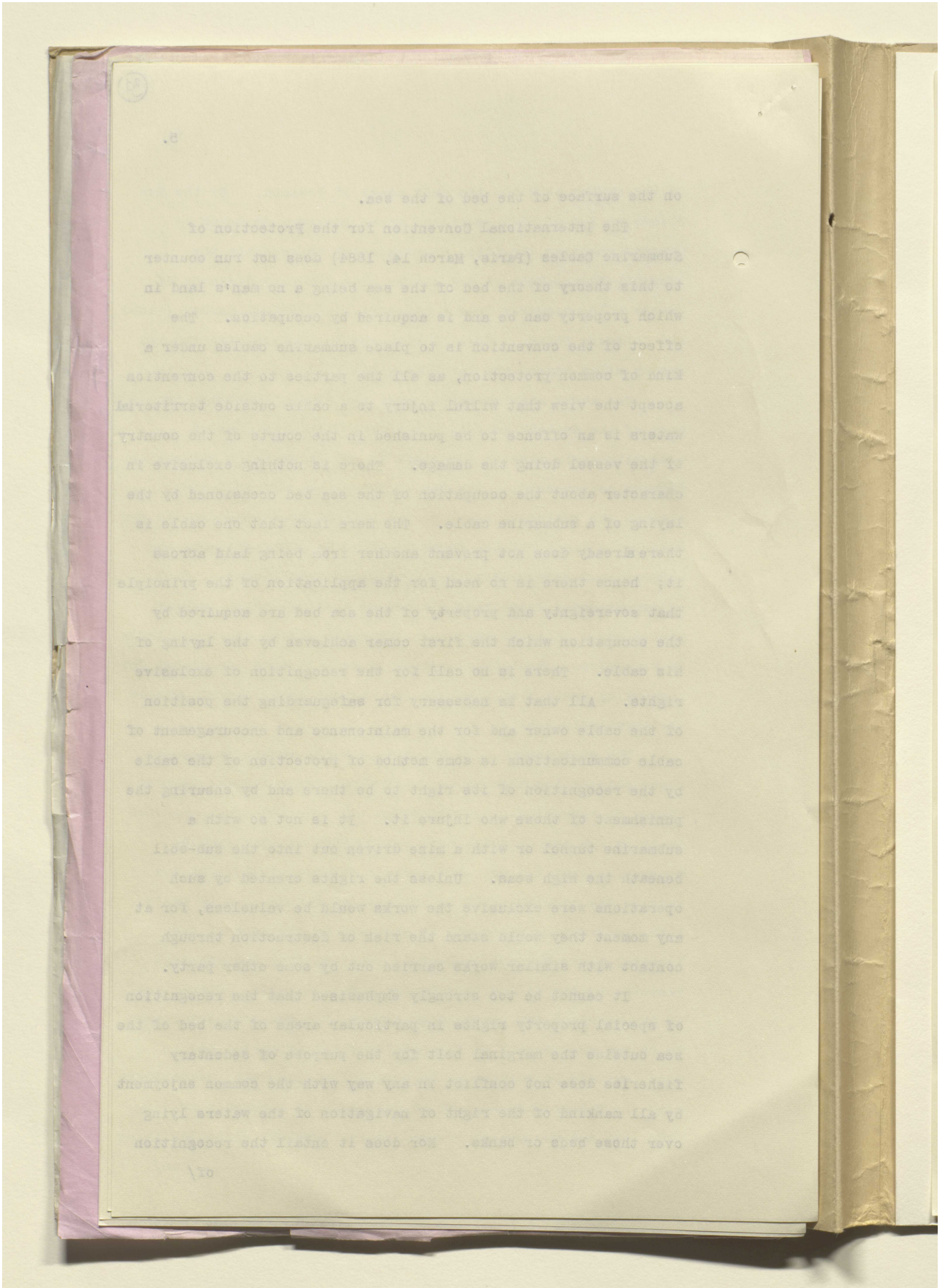
5.

on the surface of the bed of the sea.

The International Convention for the Protection of Submarine Cables (Paris, March 14, 1884) does not run counter to this theory of the bed of the sea being a no man's land in which property can be and is acquired by occupation. The effect of the convention is to place submarine cables under a kind of common protection, as all the parties to the convention accept the view that wilful injury to a cable outside territorial waters is an offence to be punished in the courts of the country of the vessel doing the damage. There is nothing exclusive in character about the occupation of the sea bed occasioned by the laying of a submarine cable. The mere fact that one cable is there already does not prevent another from being laid across it; hence there is no need for the application of the principle that sovereignty and property of the sea bed are acquired by the occupation which the first comer achieves by the laying of his cable. There is no call for the recognition of exclusive rights. All that is necessary for safeguarding the position of the cable owner and for the maintenance and encouragement of cable communications is some method of protection of the cable by the recognition of its right to be there and by ensuring the punishment of those who injure it. It is not so with a submarine tunnel or with a mine driven out into the sub-soil beneath the high seas. Unless the rights created by such operations were exclusive the works would be valueless, for at any moment they would stand the risk of destruction through contact with similar works carried out by some other party.

It cannot be too strongly emphasised that the recognition of special property rights in particular areas of the bed of the sea outside the marginal belt for the purpose of sedentary fisheries does not conflict in any way with the common enjoyment by all mankind of the right of navigation of the waters lying over those beds or banks. Nor does it entail the recognition

of/



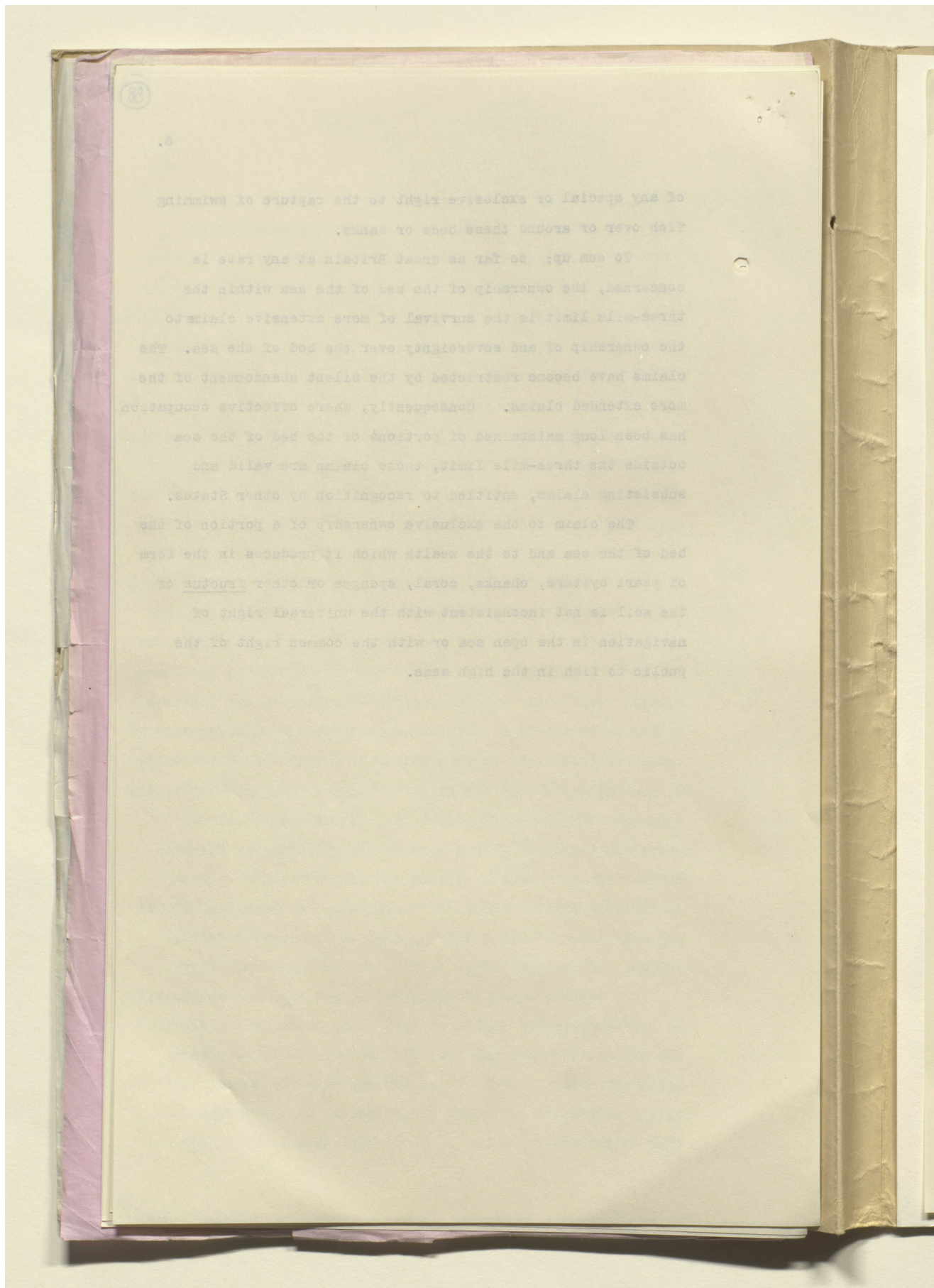
38

6.

of any special or exclusive right to the capture of swimming fish over or around these beds or banks.

To sum up: so far as Great Britain at any rate is concerned, the ownership of the bed of the sea within the three-mile limit is the survival of more extensive claims to the ownership of and sovereignty over the bed of the sea. The claims have become restricted by the silent abandonment of the more extended claims. Consequently, where effective occupation has been long maintained of portions of the bed of the sea outside the three-mile limit, those claims are valid and subsisting claims, entitled to recognition by other States.

The claim to the exclusive ownership of a portion of the bed of the sea and to the wealth which it produces in the form of pearl oysters, chanks, coral, sponges or other fructus of the soil is not inconsistent with the universal right of navigation in the open sea or with the common right of the public to fish in the high seas.



39

Extract from Oppenheim's International Law Vol. I
Fourth Edition. Pages 513-514.

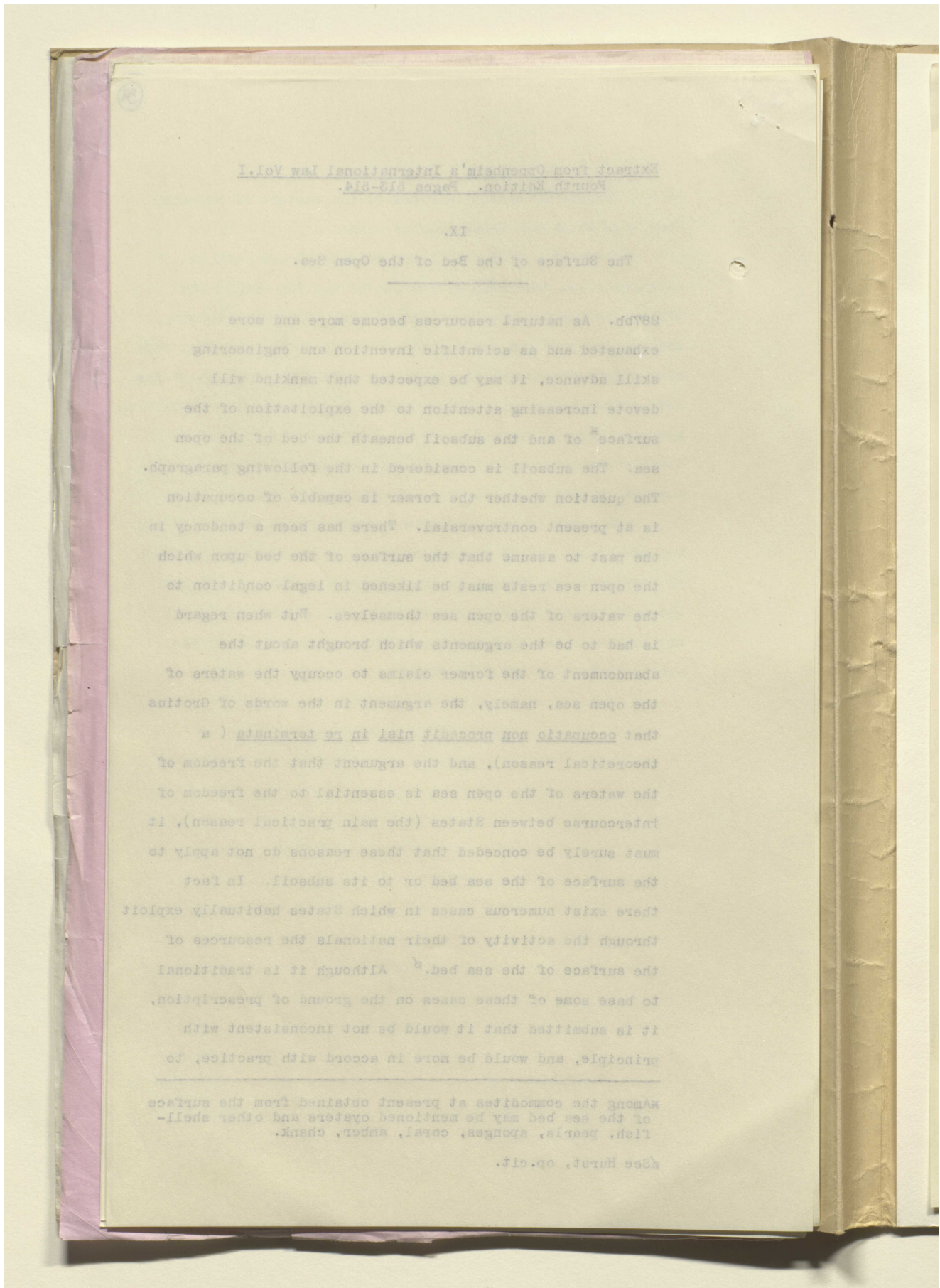
IX.

The Surface of the Bed of the Open Sea.

287bb. As natural resources become more and more exhausted and as scientific invention and engineering skill advance, it may be expected that mankind will devote increasing attention to the exploitation of the surface* of and the subsoil beneath the bed of the open sea. The subsoil is considered in the following paragraph. The question whether the former is capable of occupation is at present controversial. There has been a tendency in the past to assume that the surface of the bed upon which the open sea rests must be likened in legal condition to the waters of the open sea themselves. But when regard is had to be the arguments which brought about the abandonment of the former claims to occupy the waters of the open sea, namely, the argument in the words of Grotius that occupatio non procedit nisi in re terminata (a theoretical reason), and the argument that the freedom of the waters of the open sea is essential to the freedom of intercourse between States (the main practical reason), it must surely be conceded that these reasons do not apply to the surface of the sea bed or to its subsoil. In fact there exist numerous cases in which States habitually exploit through the activity of their nationals the resources of the surface of the sea bed.∅ Although it is traditional to base some of these cases on the ground of prescription, it is submitted that it would be not inconsistent with principle, and would be more in accord with practice, to

*Among the commodities at present obtained from the surface of the sea bed may be mentioned oysters and other shellfish, pearls, sponges, coral, amber, chank.

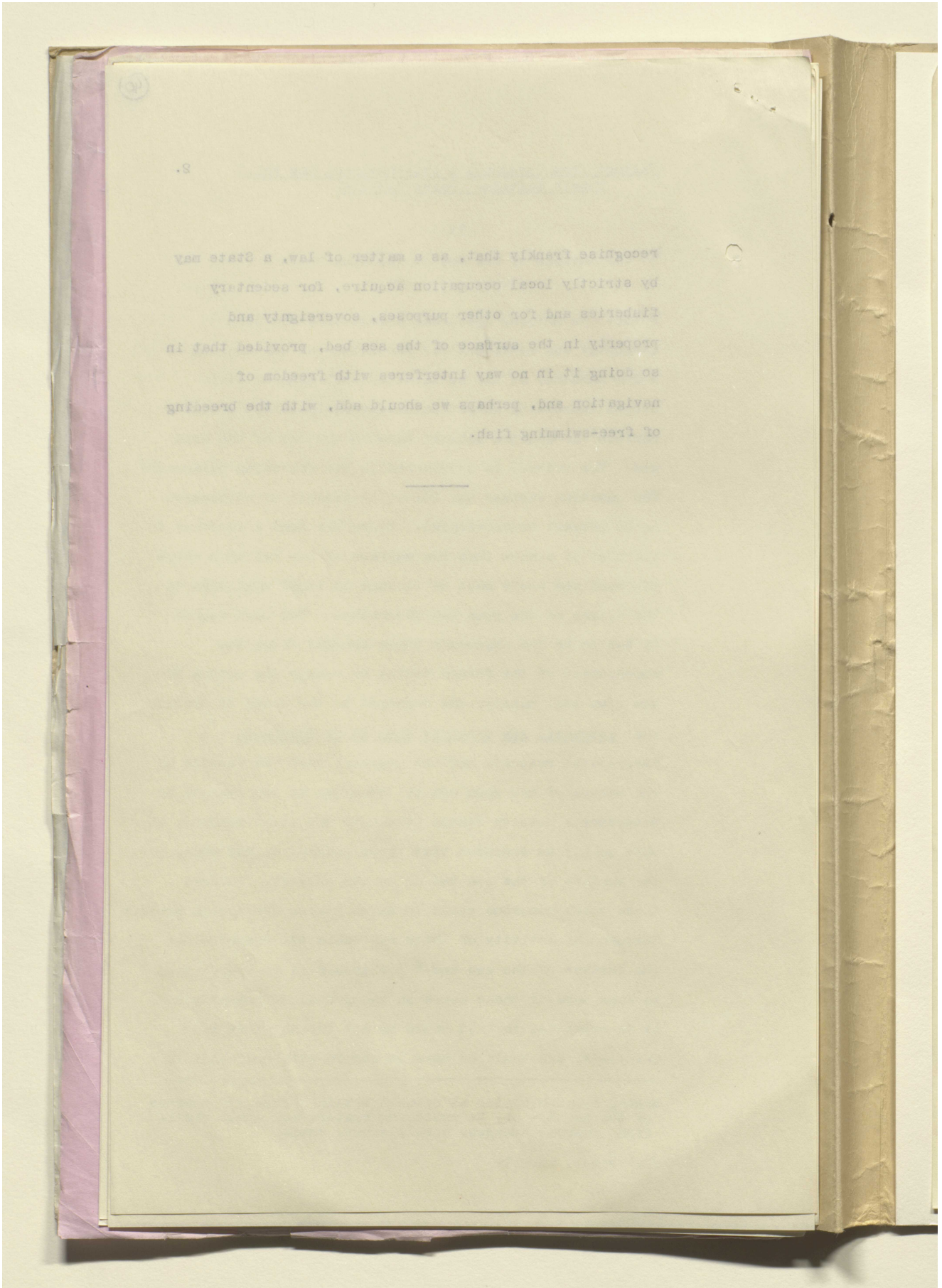
∅See Hurst, op.cit.

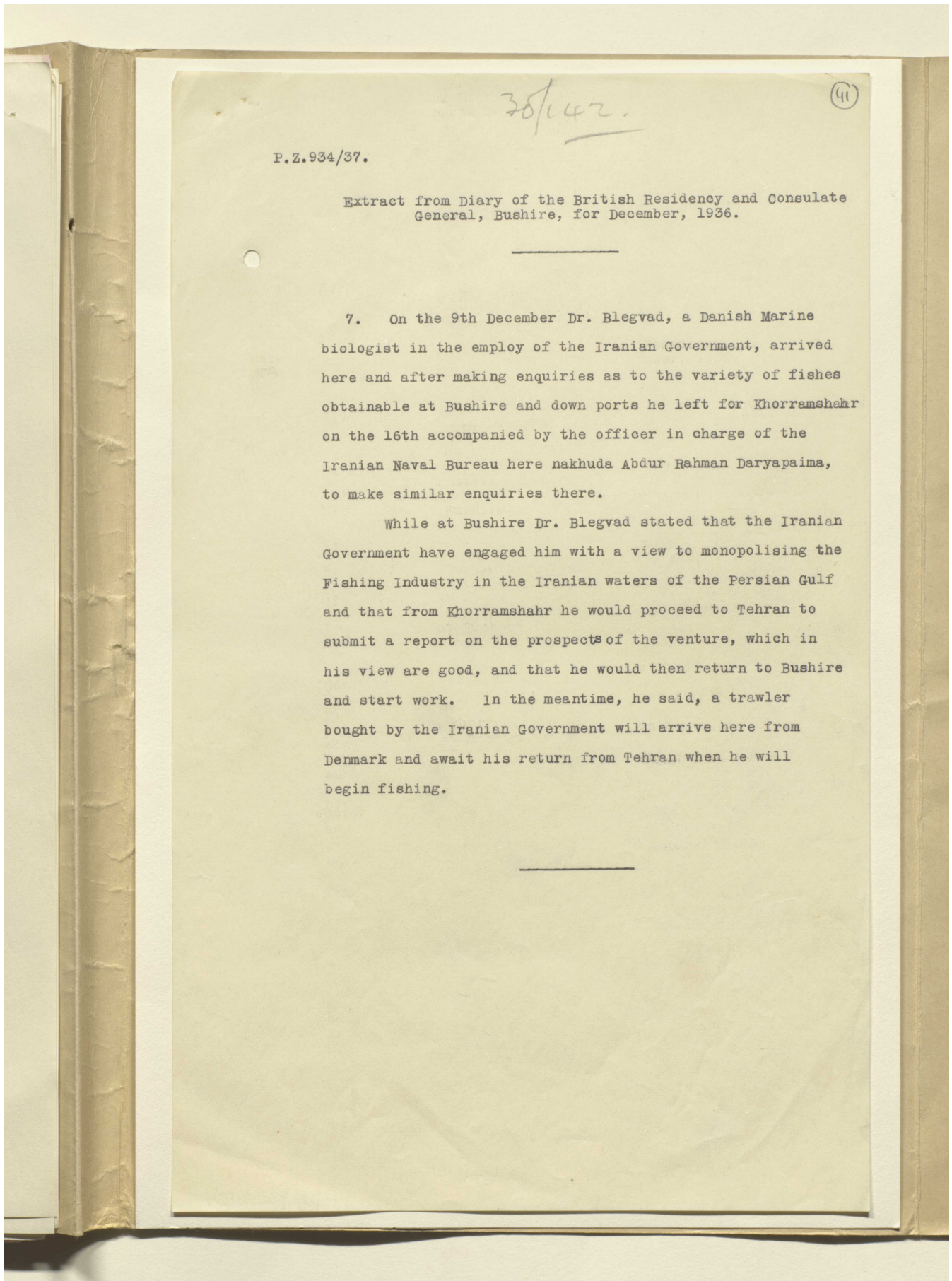


(40)

2.

recognise frankly that, as a matter of law, a State may by strictly local occupation acquire, for sedentary fisheries and for other purposes, sovereignty and property in the surface of the sea bed, provided that in so doing it in no way interferes with freedom of navigation and, perhaps we should add, with the breeding of free-swimming fish.



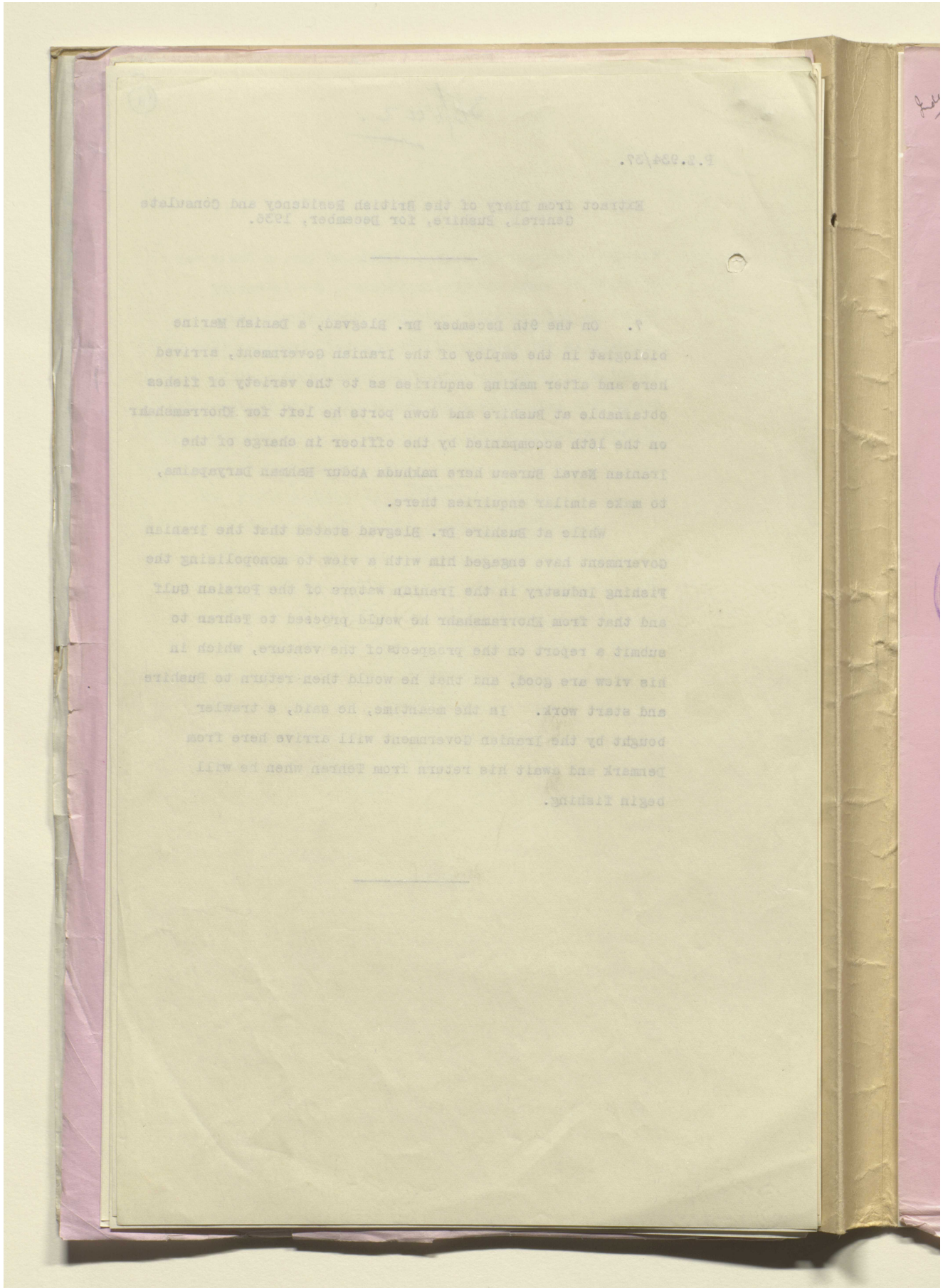


38/142. (41)
P.Z.934/37.

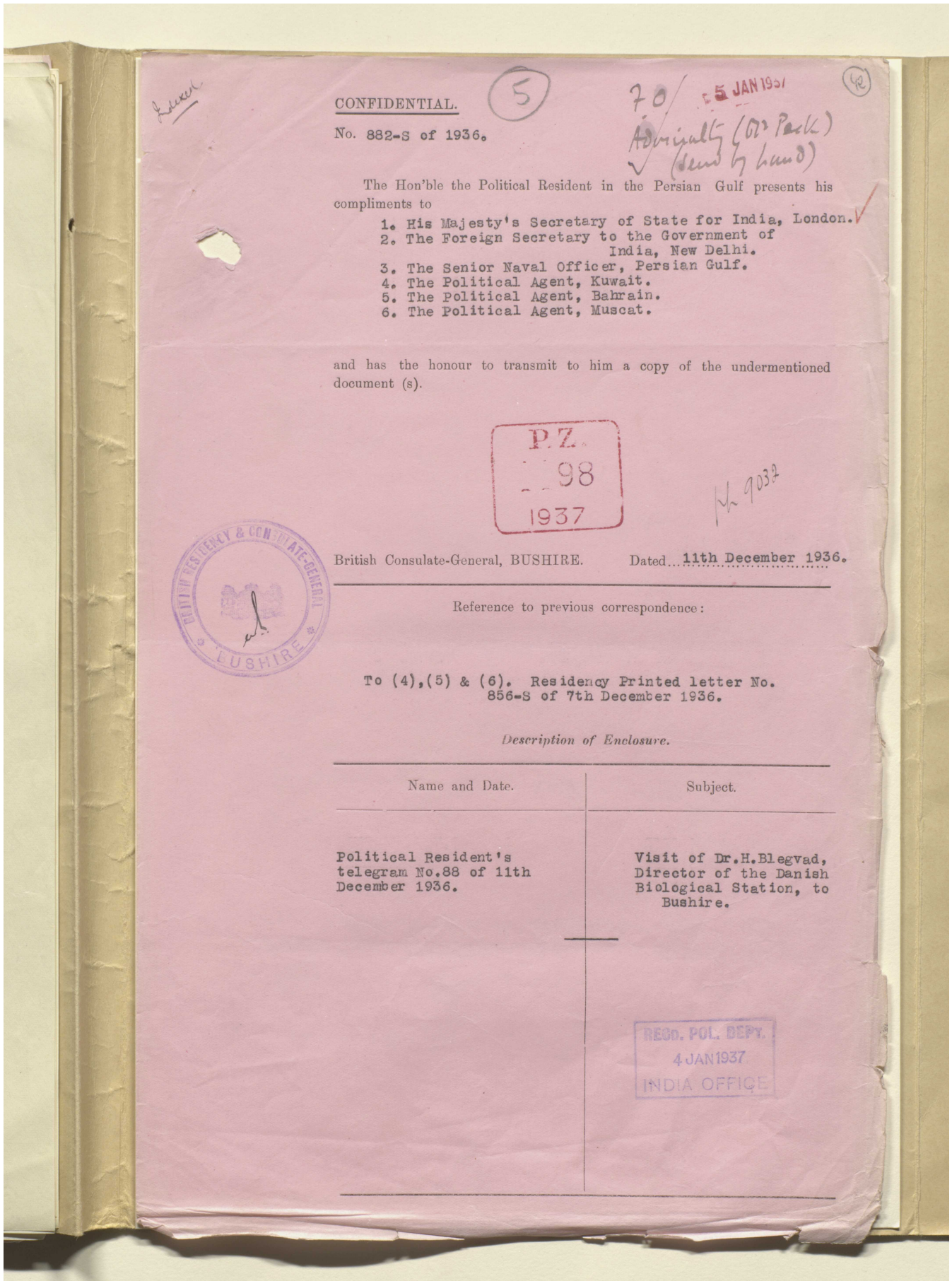
Extract from Diary of the British Residency and Consulate
General, Bushire, for December, 1936.

7. On the 9th December Dr. Blegvad, a Danish Marine biologist in the employ of the Iranian Government, arrived here and after making enquiries as to the variety of fishes obtainable at Bushire and down ports he left for Khorramshahr on the 16th accompanied by the officer in charge of the Iranian Naval Bureau here nakhuda Abdur Rahman Daryapaima, to make similar enquiries there.

While at Bushire Dr. Blegvad stated that the Iranian Government have engaged him with a view to monopolising the Fishing Industry in the Iranian waters of the Persian Gulf and that from Khorramshahr he would proceed to Tehran to submit a report on the prospects of the venture, which in his view are good, and that he would then return to Bushire and start work. In the meantime, he said, a trawler bought by the Iranian Government will arrive here from Denmark and await his return from Tehran when he will begin fishing.



Coll 30/142 'Visit of Danish fishing vessel chartered by Iranian Govnt.' [42r]
(86/129)



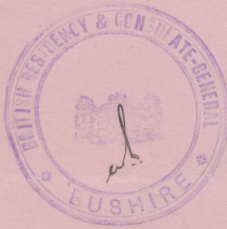
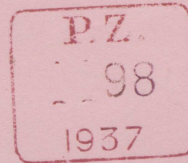
Admiral
CONFIDENTIAL. (5)

No. 882-S of 1936.

The Hon'ble the Political Resident in the Persian Gulf presents his compliments to

1. His Majesty's Secretary of State for India, London. ✓
2. The Foreign Secretary to the Government of India, New Delhi.
3. The Senior Naval Officer, Persian Gulf.
4. The Political Agent, Kuwait.
5. The Political Agent, Bahrain.
6. The Political Agent, Muscat.

and has the honour to transmit to him a copy of the undermentioned document (s).



British Consulate-General, BUSHIRE.

Dated... 11th December 1936.

Reference to previous correspondence:

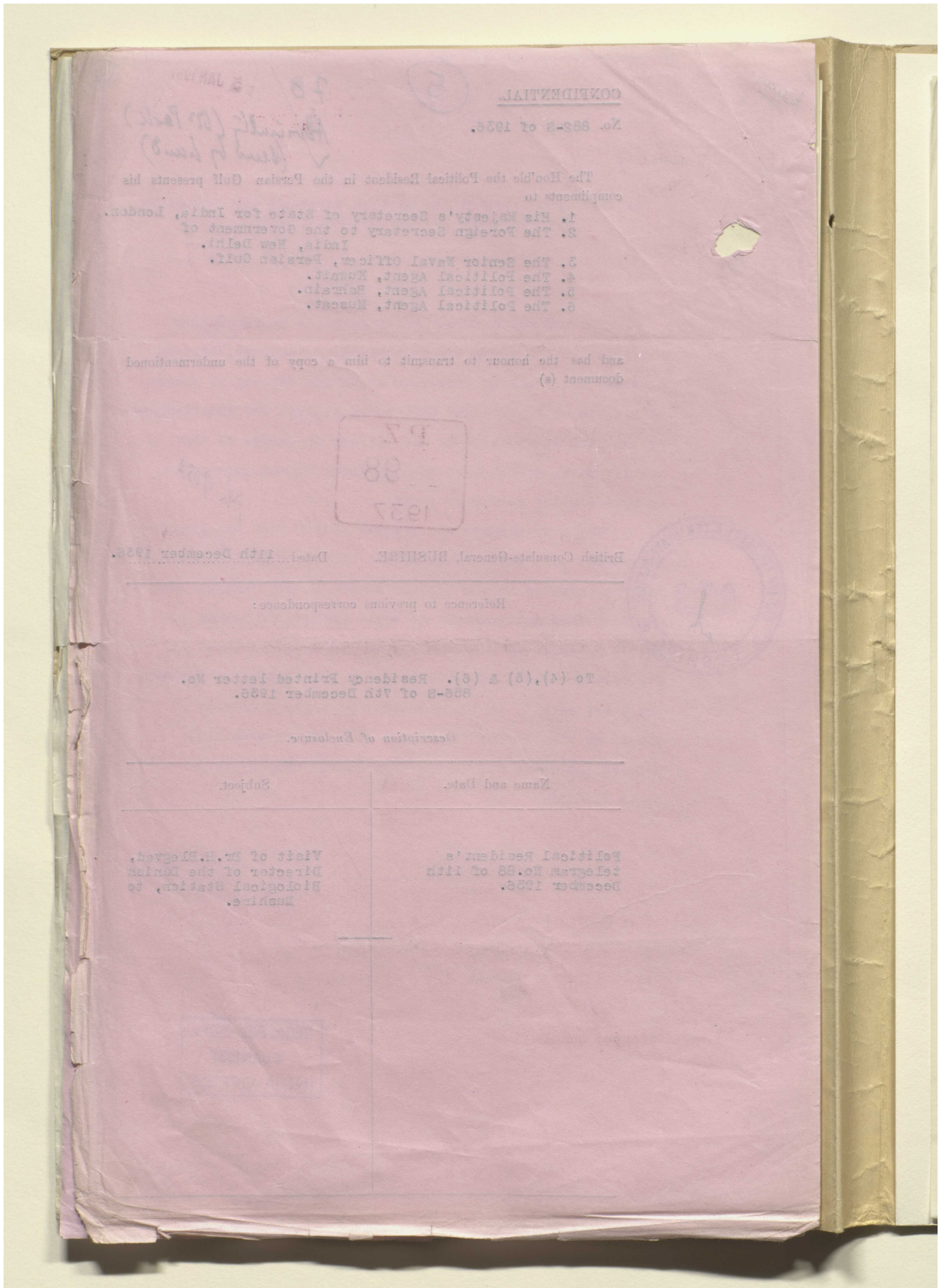
To (4), (5) & (6). Residency Printed letter No. 856-S of 7th December 1936.

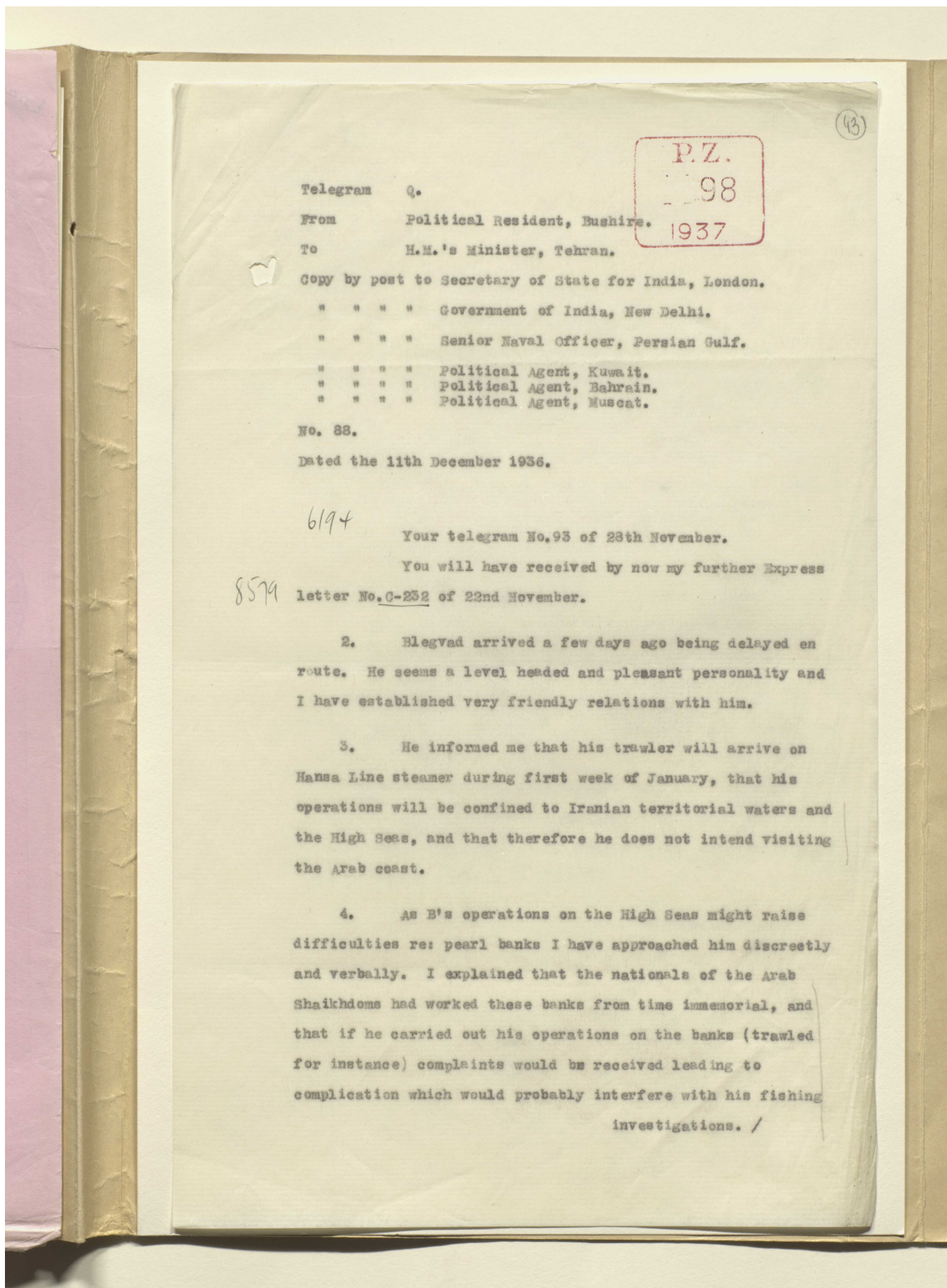
Description of Enclosure.

Name and Date.	Subject.
Political Resident's telegram No.88 of 11th December 1936.	Visit of Dr.H.Blegvad, Director of the Danish Biological Station, to Bushire.

REGD. POL. DEPT.
4 JAN 1937
INDIA OFFICE

Coll 30/142 'Visit of Danish fishing vessel chartered by Iranian Govnt.' [42v]
(87/129)





(43)

P.Z.
98
1937

Telegram Q.
From Political Resident, Bushire.
To H.M.'s Minister, Tehran.
Copy by post to Secretary of State for India, London.
" " " " Government of India, New Delhi.
" " " " Senior Naval Officer, Persian Gulf.
" " " " Political Agent, Kuwait.
" " " " Political Agent, Bahrain.
" " " " Political Agent, Muscat.

No. 88.

Dated the 11th December 1936.

6194

Your telegram No. 93 of 23th November.

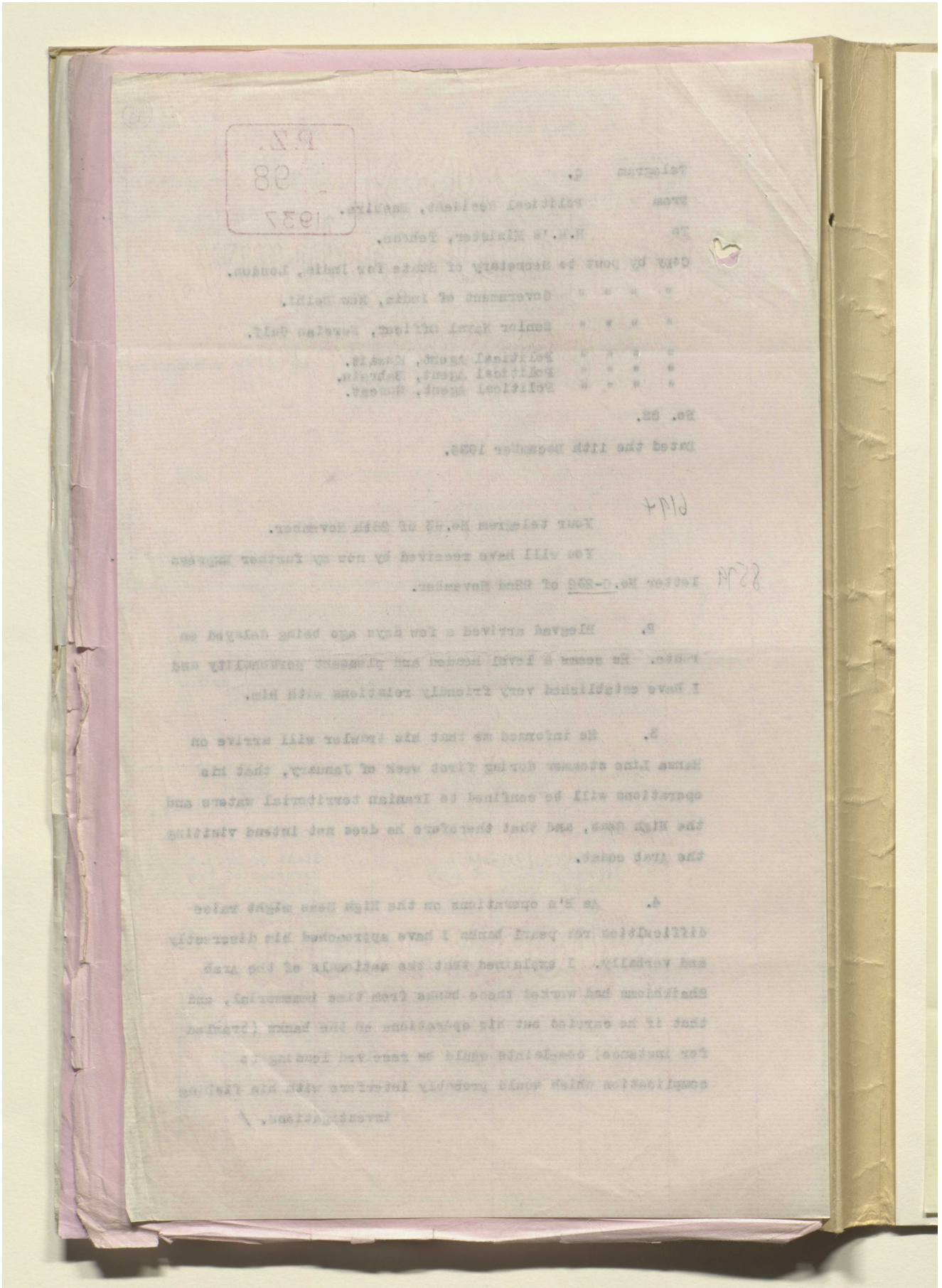
8579

You will have received by now my further Express letter No. C-252 of 22nd November.

2. Blegvad arrived a few days ago being delayed en route. He seems a level headed and pleasant personality and I have established very friendly relations with him.

3. He informed me that his trawler will arrive on Hansa Line steamer during first week of January, that his operations will be confined to Iranian territorial waters and the High Seas, and that therefore he does not intend visiting the Arab coast.

4. AS B's operations on the High Seas might raise difficulties re: pearl banks I have approached him discreetly and verbally. I explained that the nationals of the Arab Shaikhdoms had worked these banks from time immemorial, and that if he carried out his operations on the banks (trawled for instance) complaints would be received leading to complication which would probably interfere with his fishing investigations. /



(44)

-2-

investigations. I supposed that he could get all the information he required without visiting the banks.

5. He quite agreed with my views and asked for a chart on which the banks were marked so that he could avoid them. I am arranging to let him have one.

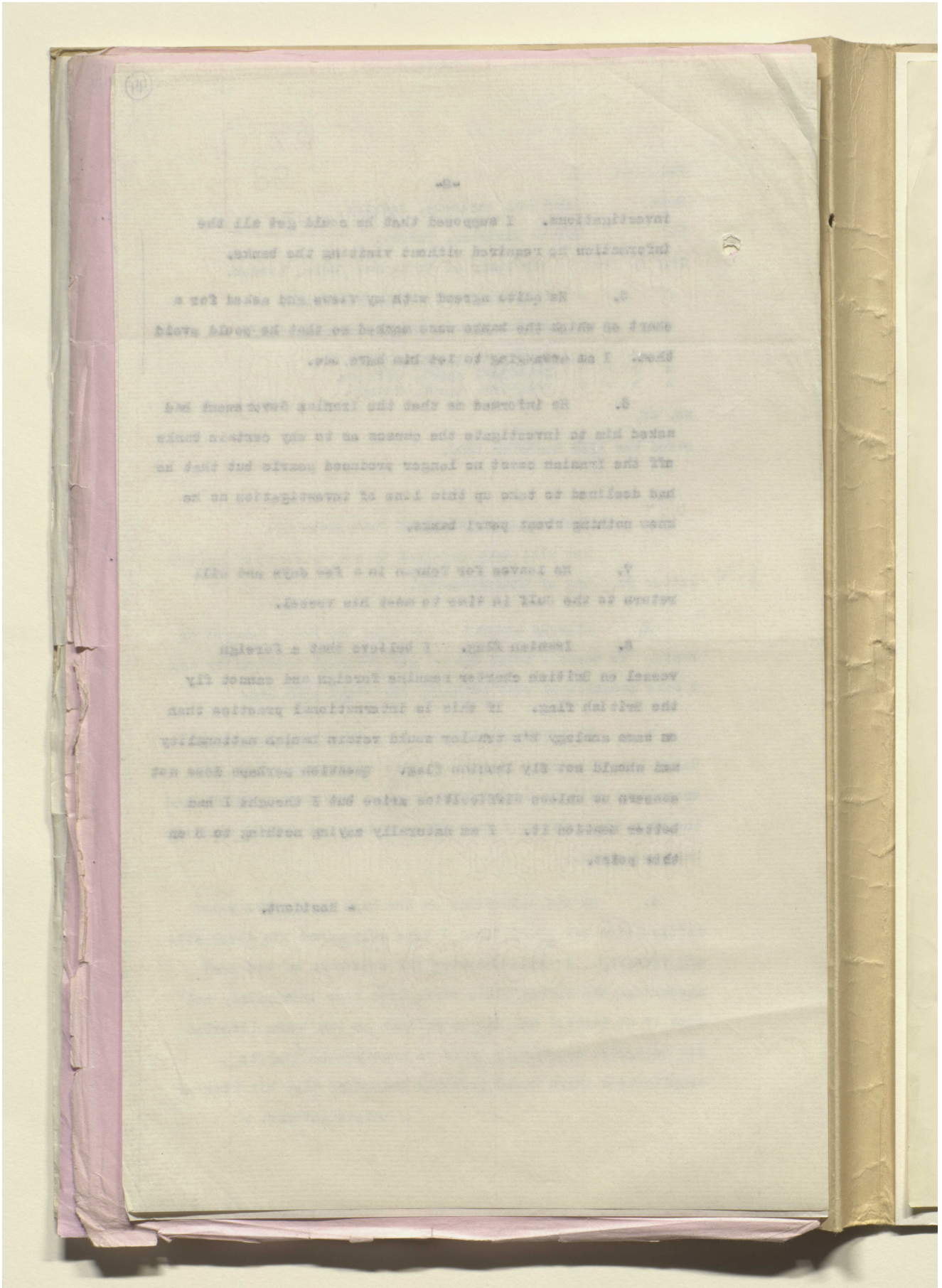
6. He informed me that the Iranian Government had asked him to investigate the causes as to why certain banks off the Iranian coast no longer produced pearls but that he had declined to take up this line of investigation as he knew nothing about pearl banks.

7. He leaves for Tehran in a few days and will return to the Gulf in time to meet his vessel.

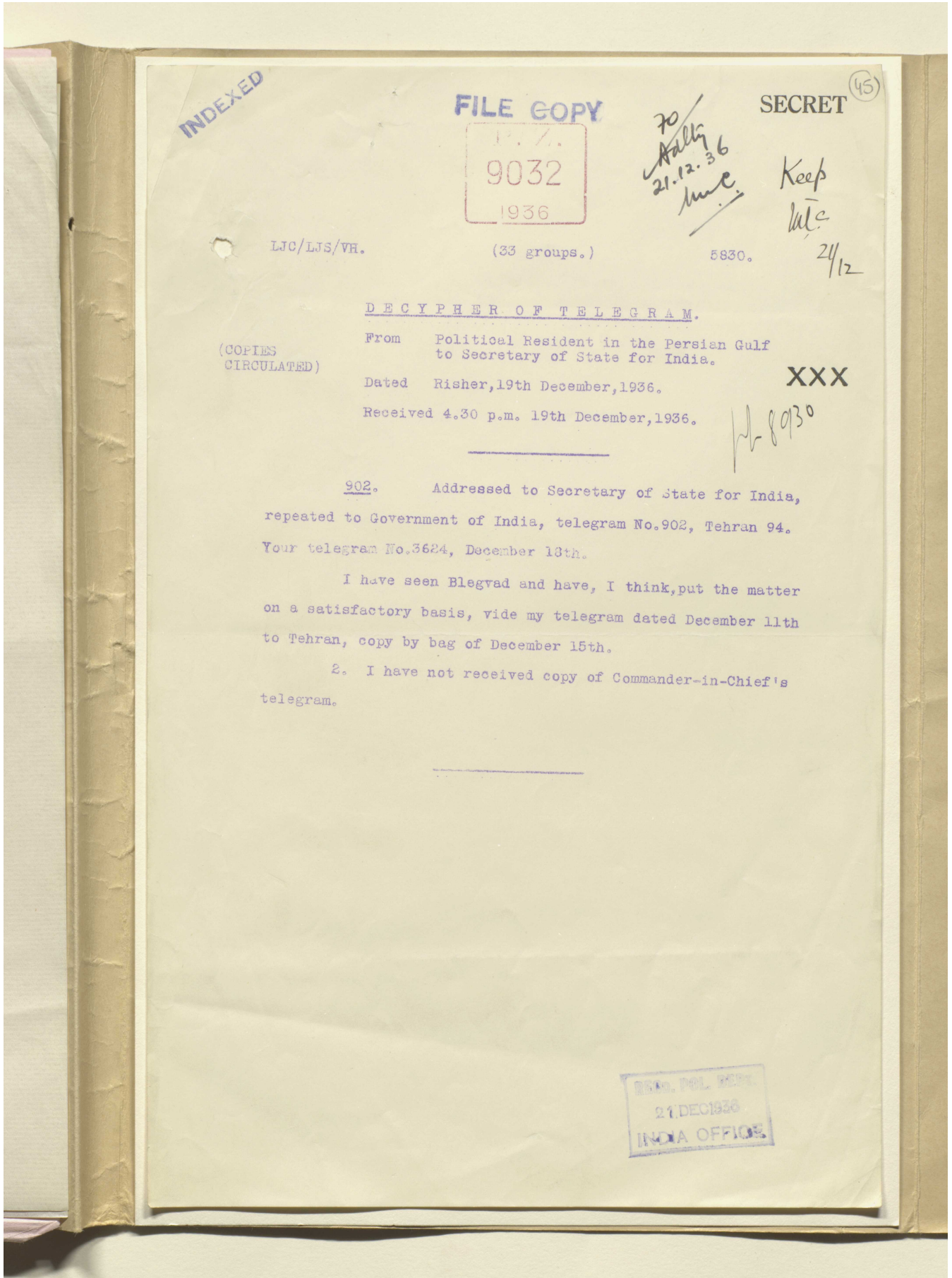
8. Iranian flag. I believe that a foreign vessel on British charter remains foreign and cannot fly the British flag. If this is international practice then on same analogy B's trawler would retain Danish nationality and should not fly Iranian flag. Question perhaps does not concern us unless difficulties arise but I thought I had better mention it. I am naturally saying nothing to B on this point.

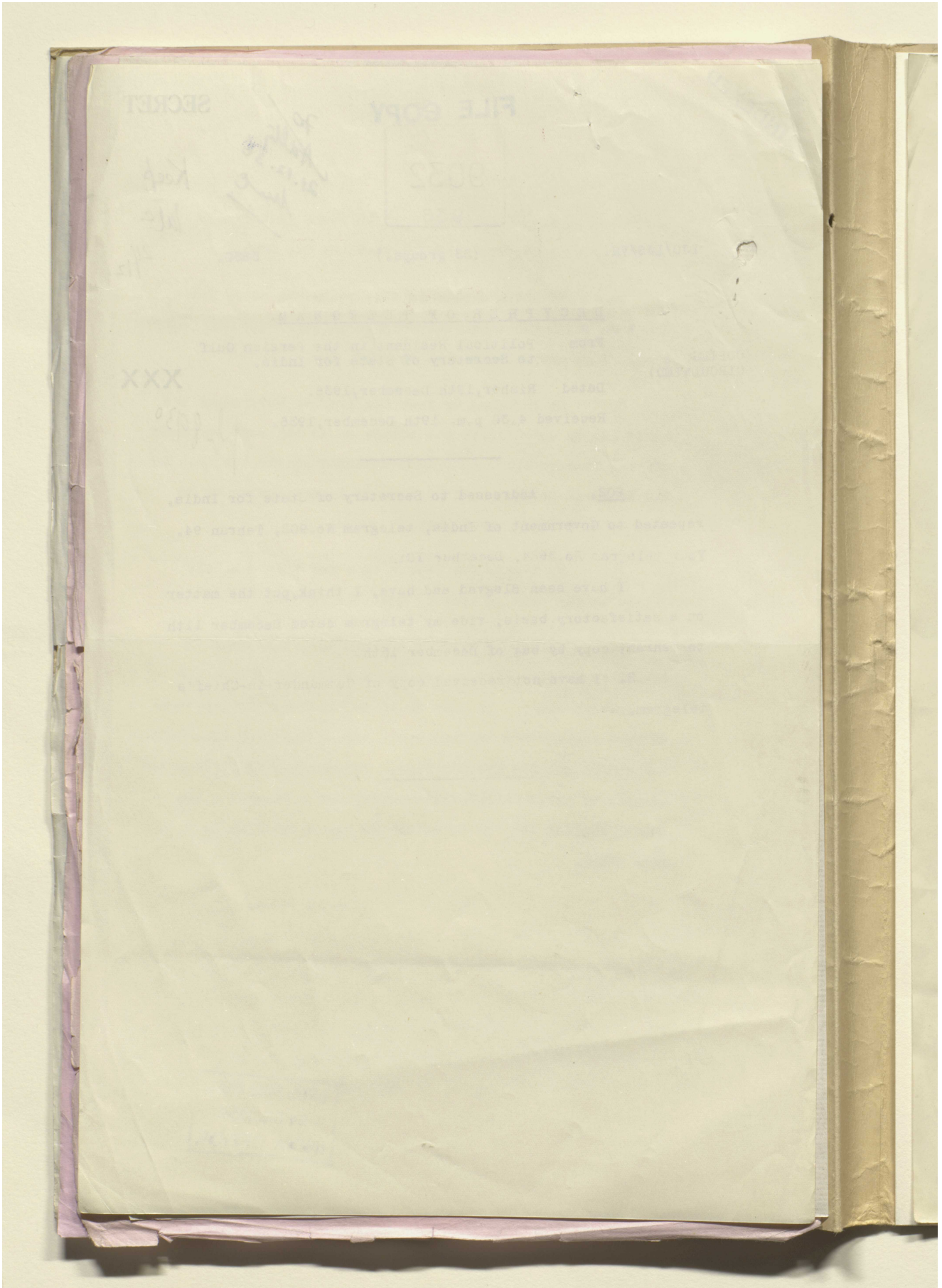
- Resident.

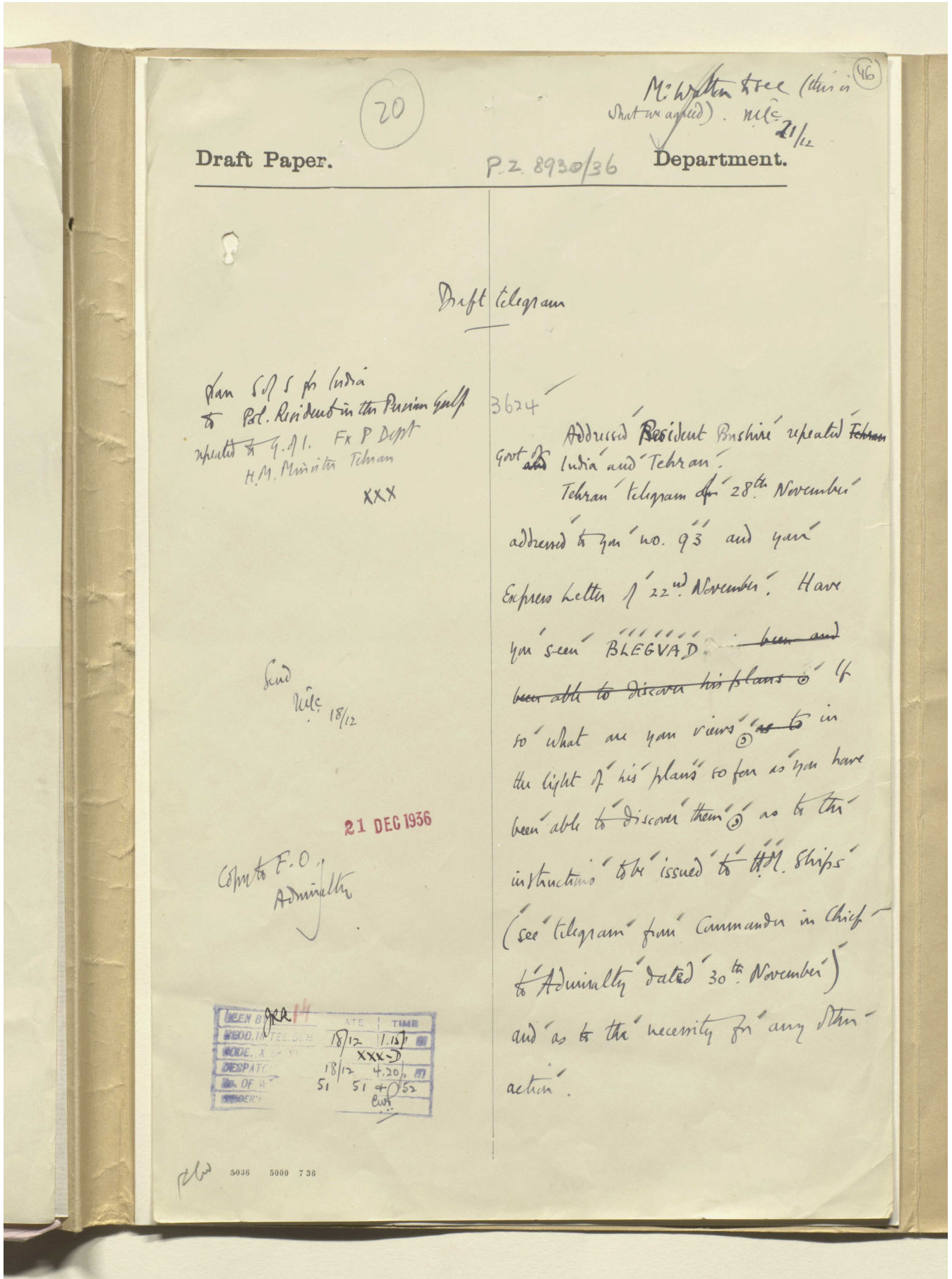
Coll 30/142 'Visit of Danish fishing vessel chartered by Iranian Govnt.' [44v]
(91/129)

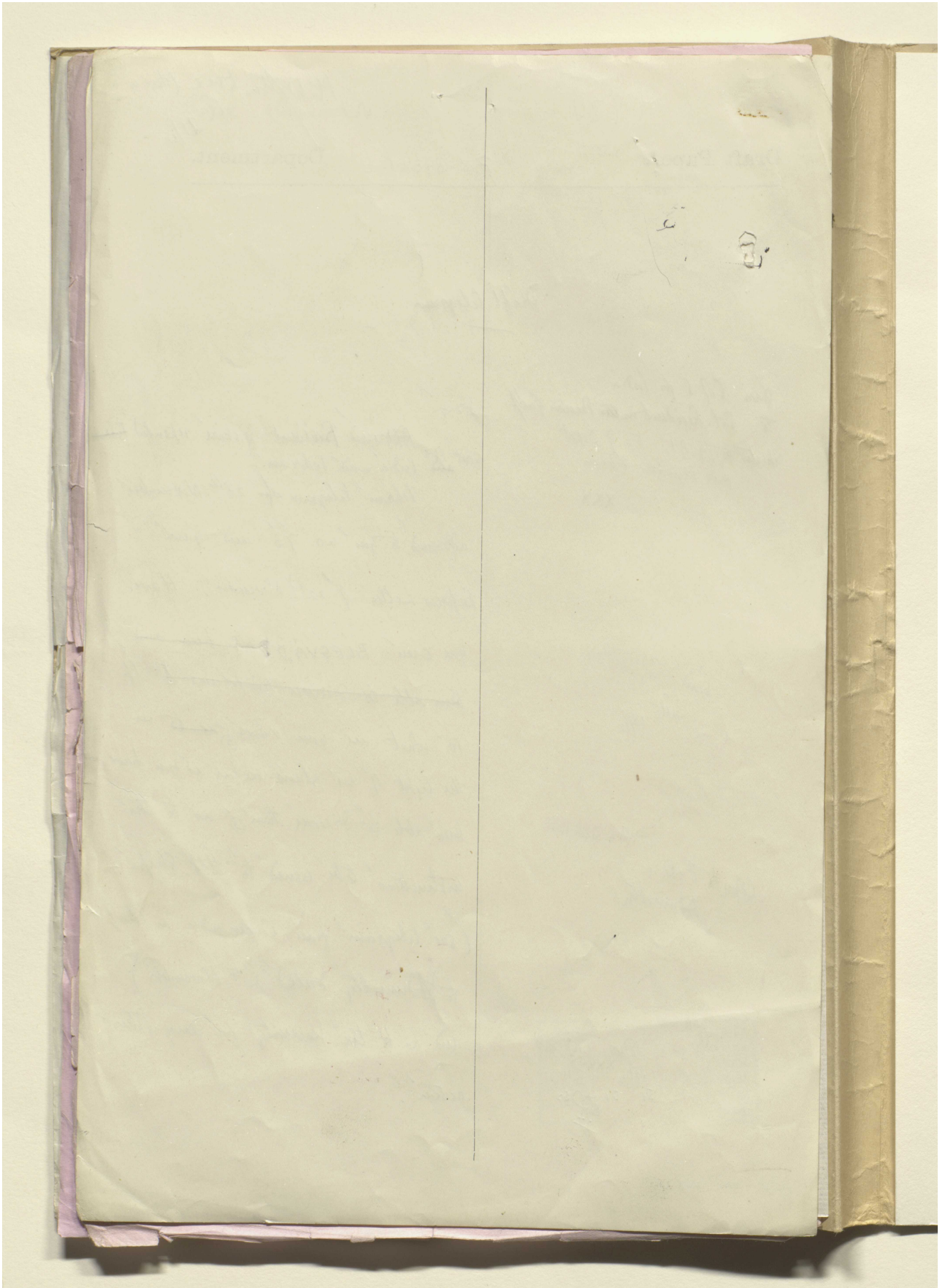


Coll 30/142 'Visit of Danish fishing vessel chartered by Iranian Govnt.' [45r]
(92/129)









Coll 30/142 'Visit of Danish fishing vessel chartered by Iranian Govnt.' [47r]
(96/129)

INDEXED

In any further communication on this subject, please quote
No. *ET 763/12/34*.

address—not to any person by name, but to—
"The Under-Secretary of State," Foreign Office, London, S.W. 1.

India & Bushire (47)
IMMEDIATE.
direct
Mr C.

THE Under-Secretary of State for Foreign Affairs presents his compliments to *the Under Secretary of State for India* and, by direction of the Secretary of State, transmits herewith copy of the under-mentioned paper.

Foreign Office,
Dec 15, 1936.


8930
1936

W 8753
in 8/10/36

Reference to previous correspondence:
India office letter no. P.L. 8579/36 of Dec 9th.

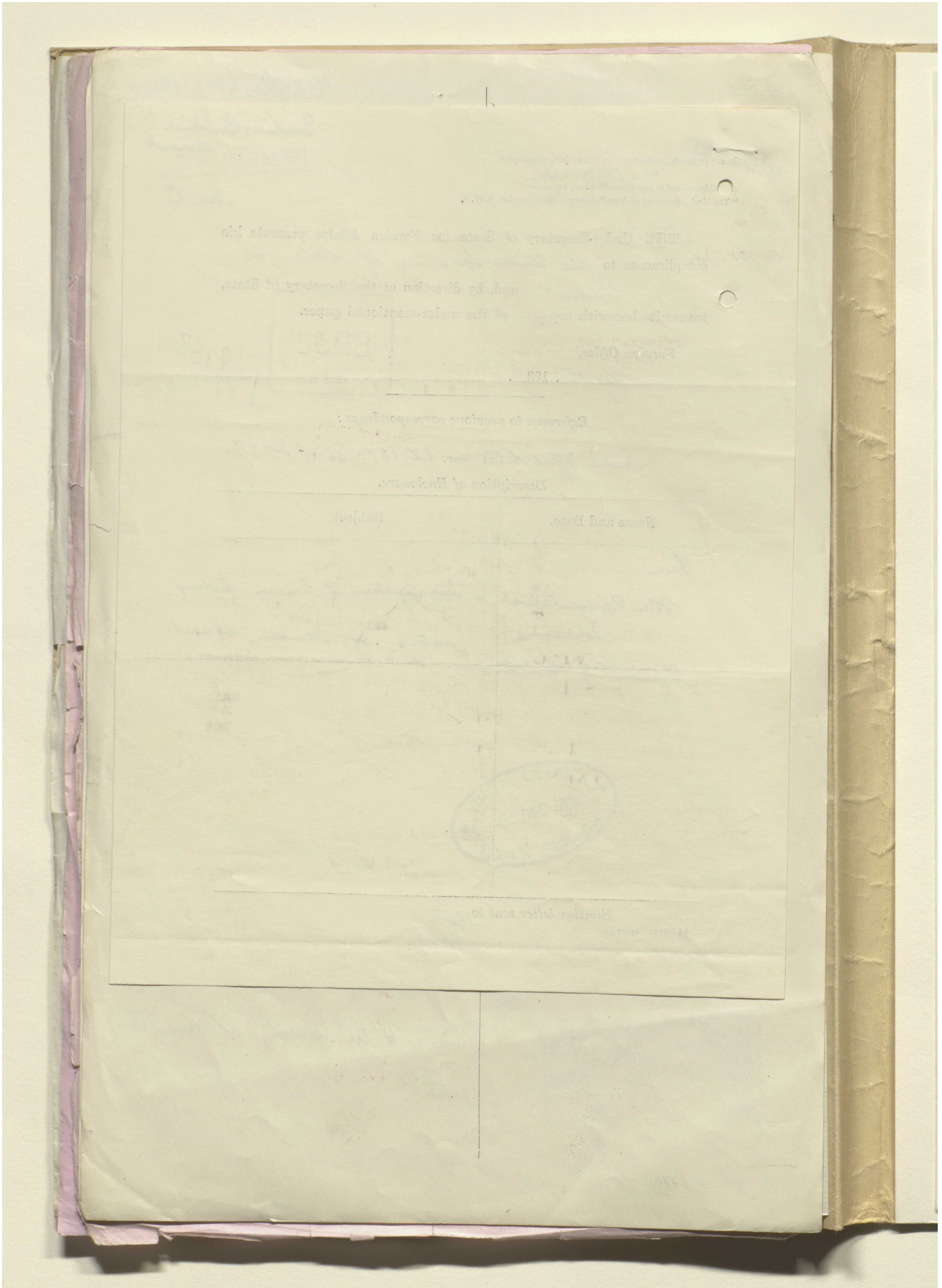
Description of Enclosure.

Name and Date.	Subject.
<i>From: Hon. Representative Teheran. Tel-no 15 of Nov 28th</i>	<i>Investigation of Persian fishing waters by Danish vessel.</i>



Similar letter sent to *R. T. Adami.*

14-6130 14007 (4)



Coll 30/142 'Visit of Danish fishing vessel chartered by Iranian Govnt.' [48r]
(98/129)

48

COPY.

(E 7762/12/34)

NO DISTRIBUTION

Telegram (en clair) from Mr. Seymour (Tehran).

D. (by bag) November 28th, 1936.

R. December 14th, 1936.

No. 15. SAVING.

P. Z.

8930

1936

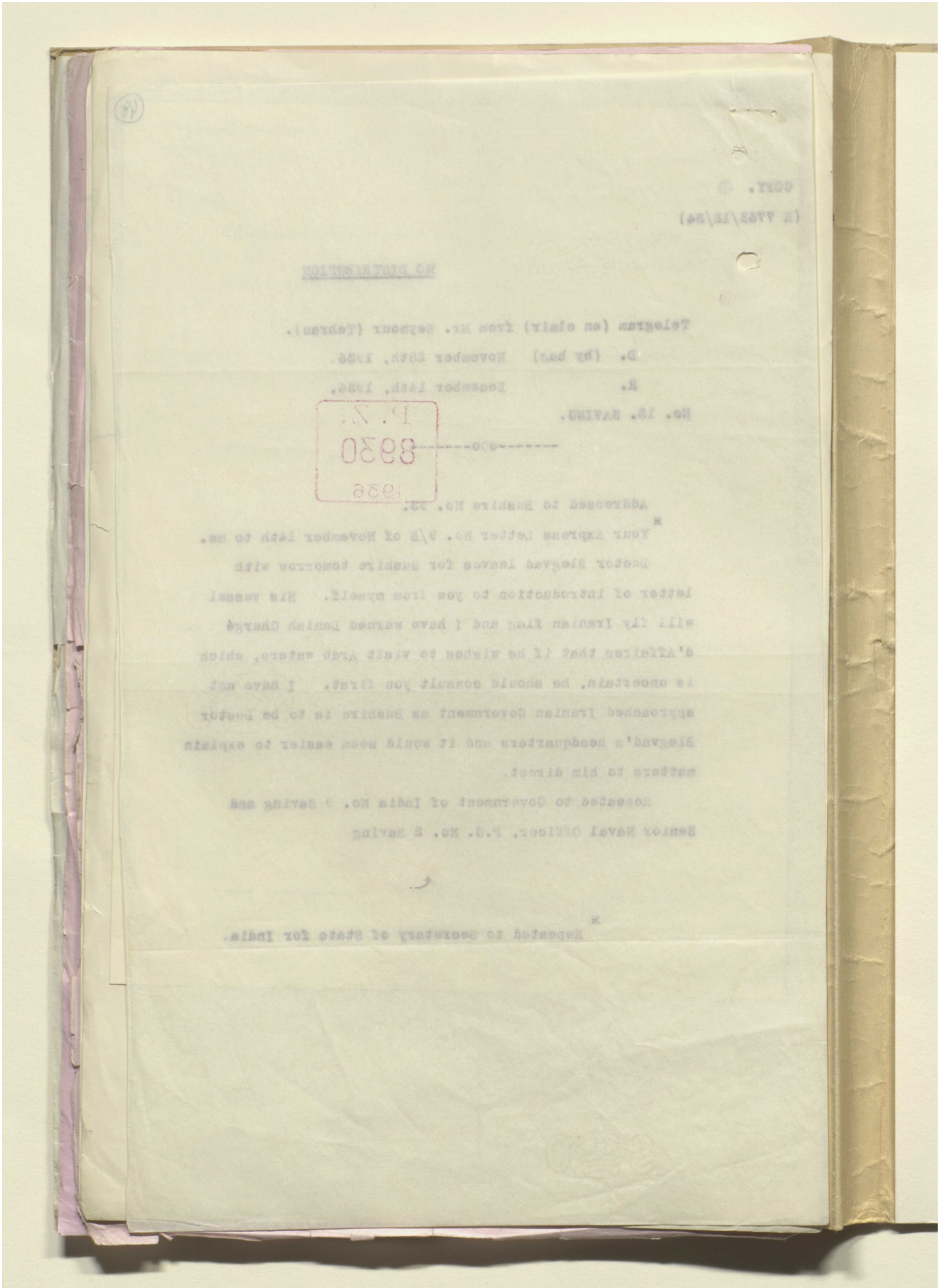
Addressed to Bushire No. 93.

* Your Express Letter No. 9/B of November 14th to me.

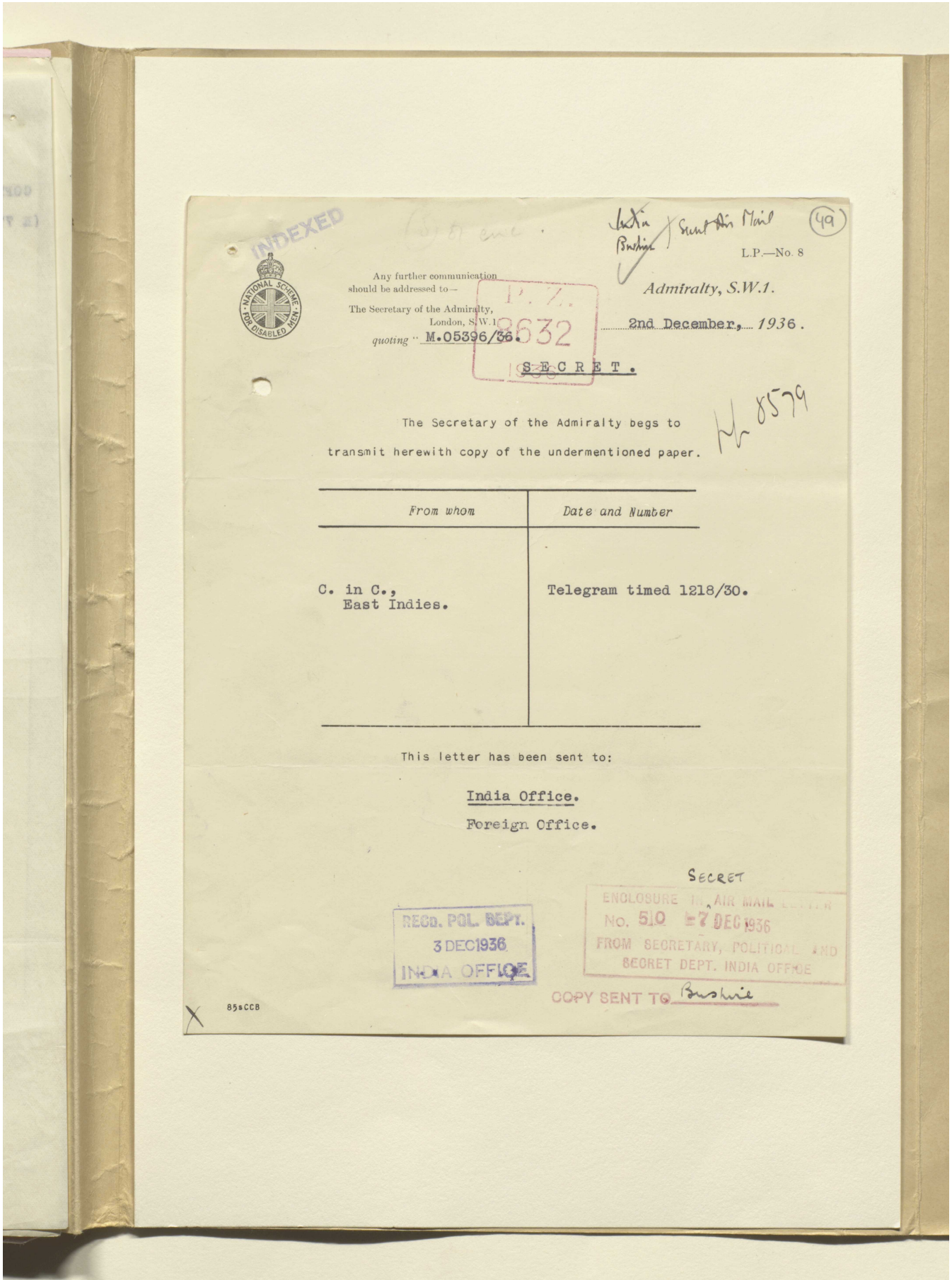
Doctor Blegvad leaves for Bushire tomorrow with letter of introduction to you from myself. His vessel will fly Iranian flag and I have warned Danish Chargé d'Affaires that if he wishes to visit Arab waters, which is uncertain, he should consult you first. I have not approached Iranian Government as Bushire is to be Doctor Blegvad's headquarters and it would seem easier to explain matters to him direct.

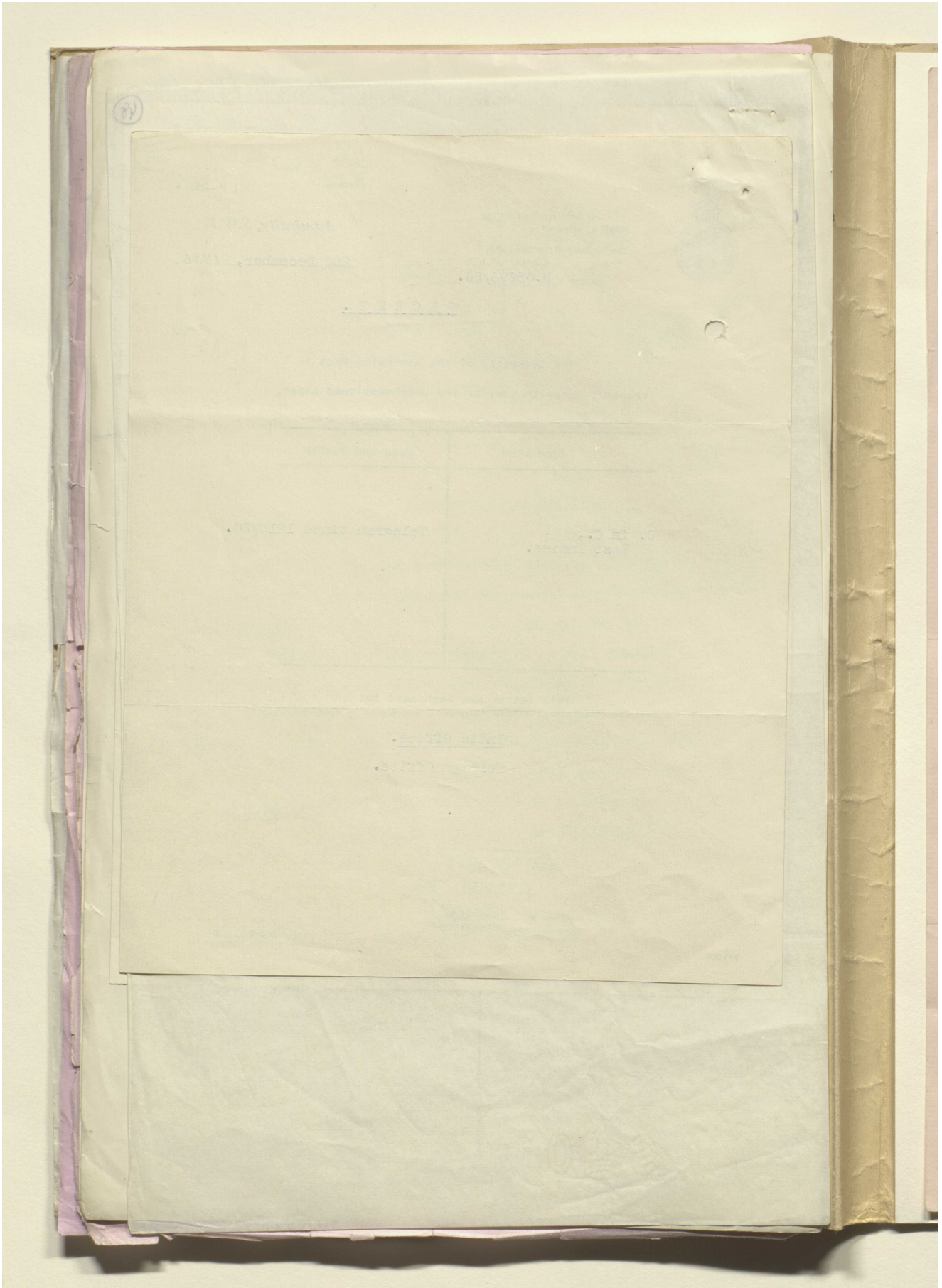
Repeated to Government of India No. 9 Saving and Senior Naval Officer, P.O. No. 2 Saving

* Repeated to Secretary of State for India.

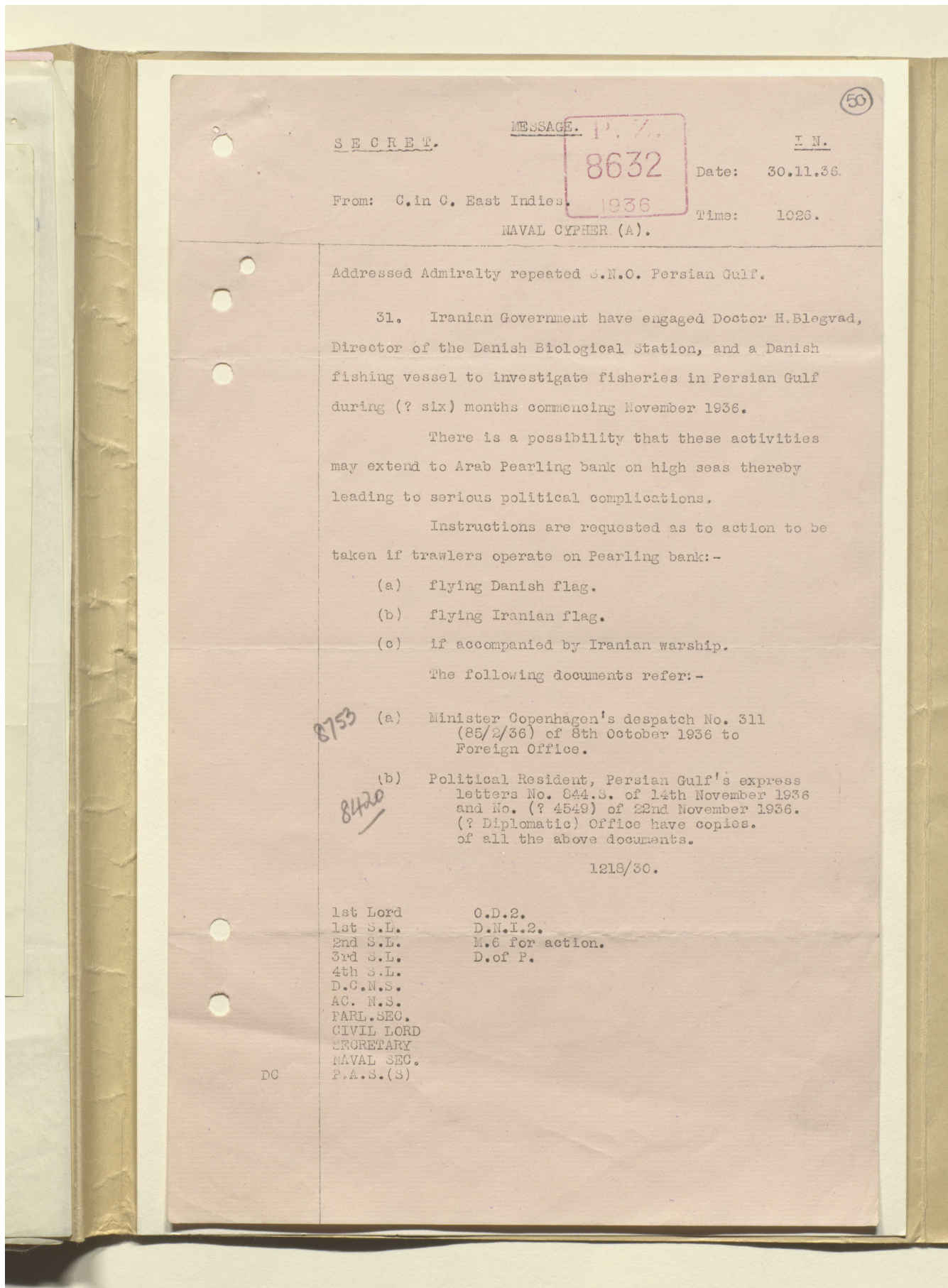


Coll 30/142 'Visit of Danish fishing vessel chartered by Iranian Govnt.' [49r]
(100/129)





Coll 30/142 'Visit of Danish fishing vessel chartered by Iranian Govnt.' [50]
(102/129)



SECRET.

MESSAGE. P. 7.

50

I N.

Date: 30.11.36.

From: C.in C. East Indies.

1936

Time: 1026.

NAVAL CYPHER (A).

Addressed Admiralty repeated S.N.O. Persian Gulf.

31. Iranian Government have engaged Doctor H.Blegvad, Director of the Danish Biological Station, and a Danish fishing vessel to investigate fisheries in Persian Gulf during (? six) months commencing November 1936.

There is a possibility that these activities may extend to Arab Pearling bank on high seas thereby leading to serious political complications.

Instructions are requested as to action to be taken if trawlers operate on Pearling bank:-

- (a) flying Danish flag.
- (b) flying Iranian flag.
- (c) if accompanied by Iranian warship.

The following documents refer:-

- 8753 (a) Minister Copenhagen's despatch No. 311 (85/2/36) of 8th October 1936 to Foreign Office.
- 8420 (b) Political Resident, Persian Gulf's express letters No. 844.S. of 14th November 1936 and No. (? 4549) of 22nd November 1936. (? Diplomatic) Office have copies of all the above documents.

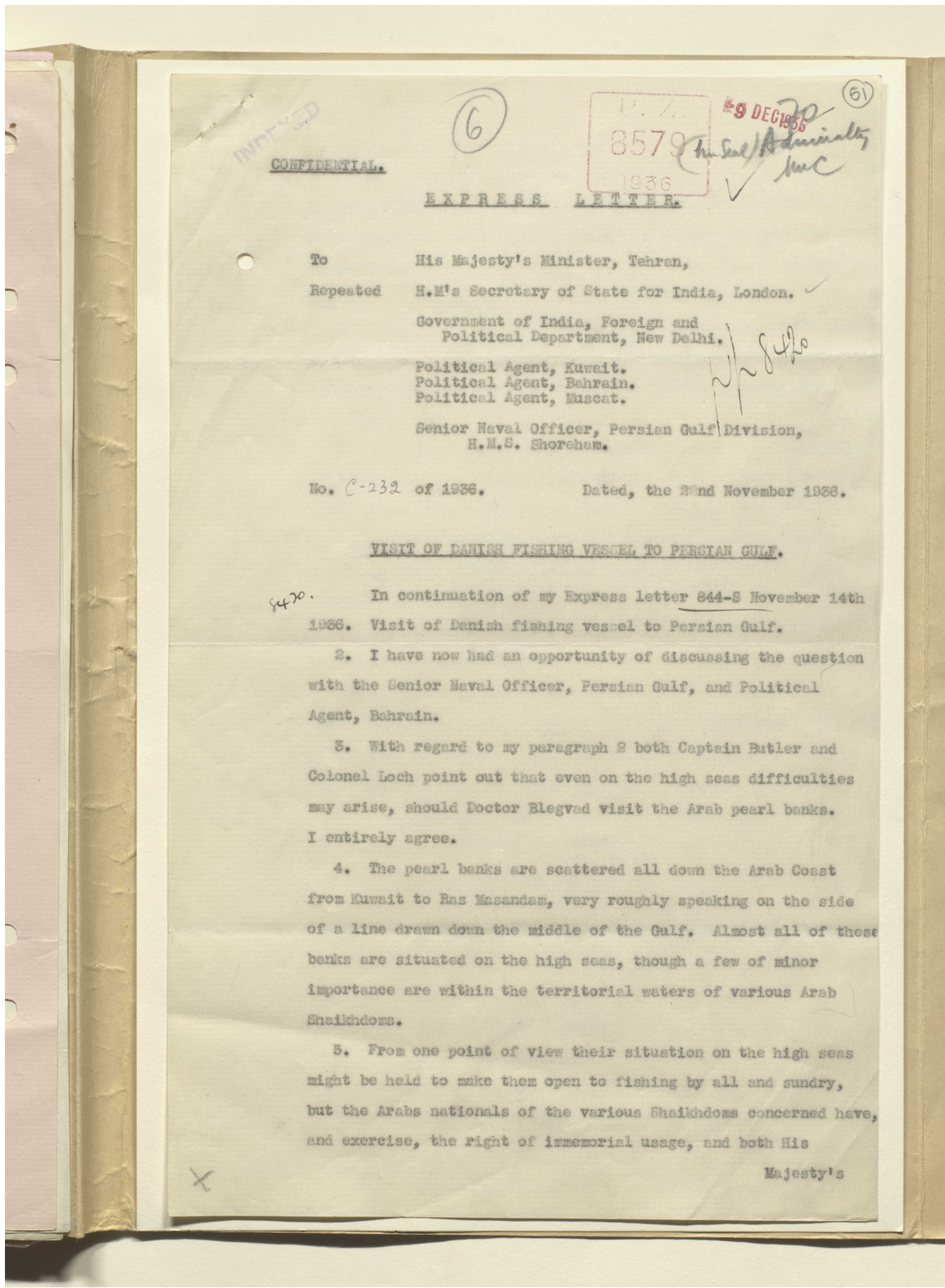
1218/30.

1st Lord O.D.2.
1st S.L. D.N.I.2.
2nd S.L. M.6 for action.
3rd S.L. D.of P.
4th S.L.
D.C.N.S.
AC. N.S.
FARL.SEC.
CIVIL LORD
SECRETARY
NAVAL SEC.
P.A.S.(S)

DC



Coll 30/142 'Visit of Danish fishing vessel chartered by Iranian Govnt.' [51r]
(104/129)



INDEXED

6

P. Z.
8579
1936

9 DEC 1936
The Secy / Admiralty
MJC

(51)

CONFIDENTIAL.

EXPRESS LETTER.

To His Majesty's Minister, Tehran,
Repeated H.M.'s Secretary of State for India, London. ✓
Government of India, Foreign and
Political Department, New Delhi.
Political Agent, Kuwait.
Political Agent, Bahrain.
Political Agent, Muscat.
Senior Naval Officer, Persian Gulf Division,
H.M.S. Shoreham.

No. C-232 of 1936. Dated, the 22nd November 1936.

VISIT OF DANISH FISHING VESSEL TO PERSIAN GULF.

5470.

In continuation of my Express letter 844-S November 14th 1936. Visit of Danish fishing vessel to Persian Gulf.

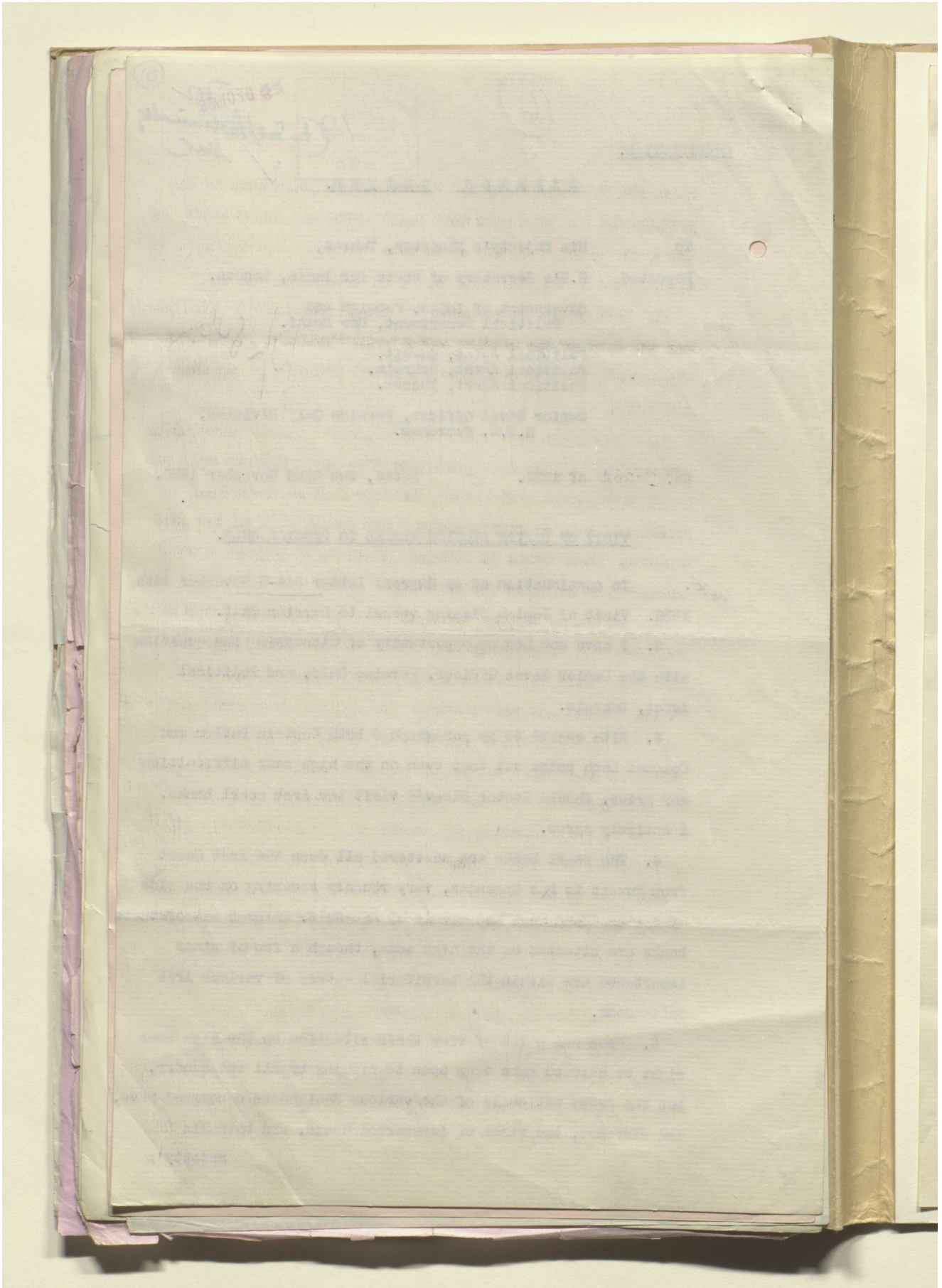
2. I have now had an opportunity of discussing the question with the Senior Naval Officer, Persian Gulf, and Political Agent, Bahrain.

3. With regard to my paragraph 2 both Captain Butler and Colonel Loch point out that even on the high seas difficulties may arise, should Doctor Blegvad visit the Arab pearl banks. I entirely agree.

4. The pearl banks are scattered all down the Arab Coast from Kuwait to Ras Masandam, very roughly speaking on the side of a line drawn down the middle of the Gulf. Almost all of these banks are situated on the high seas, though a few of minor importance are within the territorial waters of various Arab Shaikhdoms.

5. From one point of view their situation on the high seas might be held to make them open to fishing by all and sundry, but the Arabs nationals of the various Shaikhdoms concerned have, and exercise, the right of immemorial usage, and both His Majesty's

X



52

- 2 -

Majesty's Government and the Government of India have in the past upheld the principle that pearl banks are the property of the Arabs by discouraging at various times foreign attempts to exploit the banks, more especially by mechanical means.

*Extract
below*

6. With regard to previous "fishing" ventures, in 1901 there was the case of the Belgian steam yacht "Selika", afterwards "Monzafer", (see Persian Gulf Gazetteer Volume I pages 2247 and 2304).

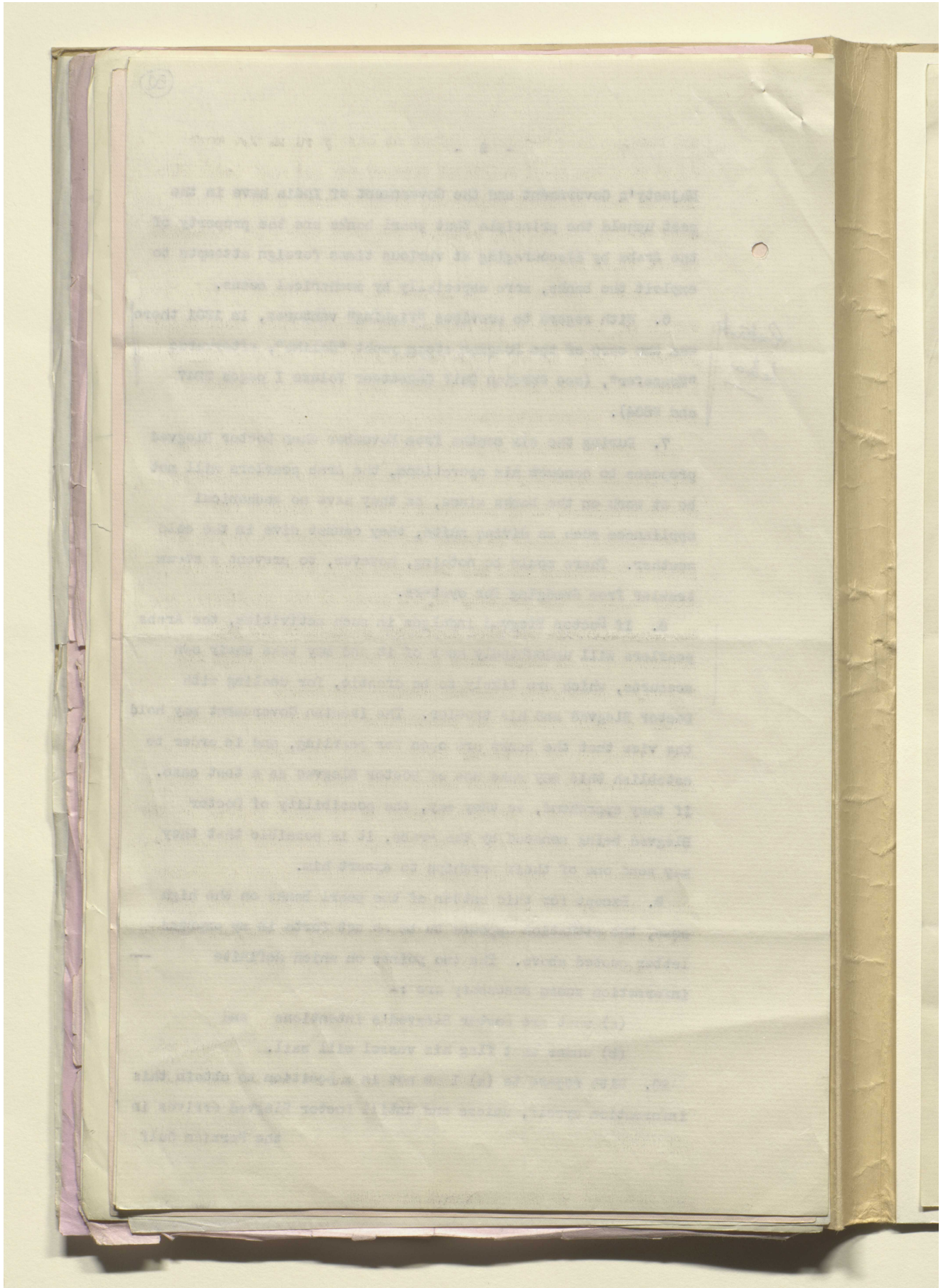
7. During the six months from November when Doctor Blegvad proposes to conduct his operations, the Arab pearlers will not be at work on the banks since, as they have no mechanical appliances such as diving suits, they cannot dive in the cold weather. There would be nothing, however, to prevent a steam trawler from dredging for oysters.

8. If Doctor Blegvad indulges in such activities, the Arabs pearlers will undoubtedly hear of it and may take their own measures, which are likely to be drastic, for dealing with Doctor Blegvad and his trawler. The Iranian Government may hold the view that the banks are open for pearling, and in order to establish this may make use of Doctor Blegvad as a test case. If they apprehend, as they may, the possibility of Doctor Blegvad being menaced by the Arabs, it is possible that they may send one of their warships to escort him.

9. Except for this matter of the pearl banks on the high seas, the situation appears to be as set forth in my express letter quoted above. The two points on which definite information seems necessary are :-

- (a) what are Doctor Blegvad's intentions and
- (b) under what flag his vessel will sail.

10. With regard to (a) I am not in a position to obtain this information myself, unless and until Doctor Blegvad arrives in the Persian Gulf



- 3 -

the Persian Gulf and calls either at some port on the Arab coast when the local Political Officer can get into touch with him and make discreet enquiries, or at Bushire when I can do the same myself. Doubtless, however, you will make such enquiries as you think fit.

With regard to (b) it is possible that Doctor Blegvad's vessel may fly the Danish and not the Iranian flag; this might possibly depend on the terms of the charter. In this connection, I would point out that the Iranian flag would cause more irritation to the Arab than any other.

11. Should further enquiries show that there is danger of the Iranian Government and Doctor Blegvad taking the line of action mentioned in my paragraph 8 above, I suggest for consideration whether it would not be advisable to inform the Iranian Government that His Majesty's Government regard the pearl banks as the property of the Arabs of the Shaikhdoms of the Arab littoral and that therefore permission for his investigation on those banks should be obtained through His Majesty's Government from the Shaikhs concerned.

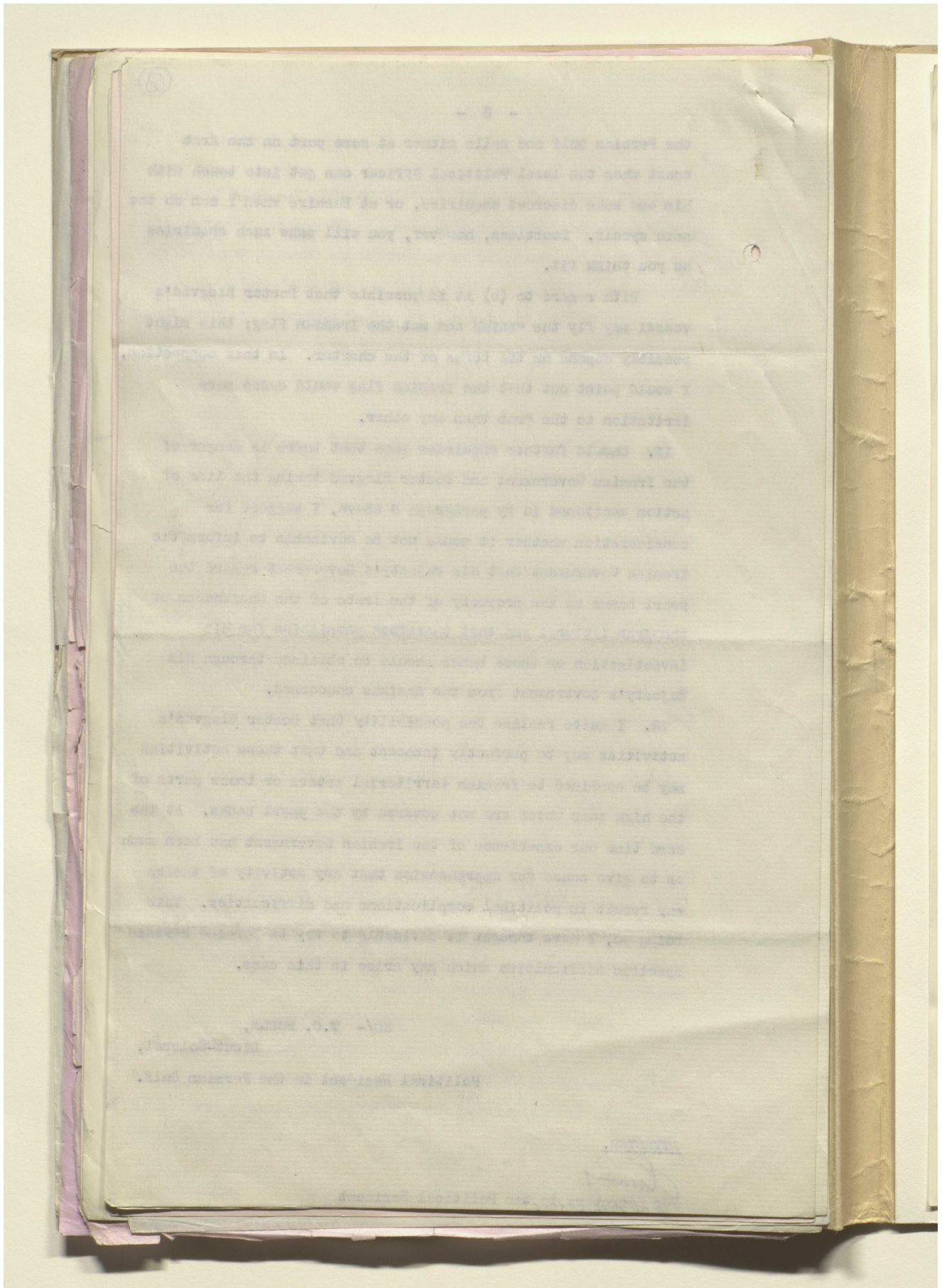
12. I quite realise the possibility that Doctor Blegvad's activities may be perfectly innocent and that these activities may be confined to Iranian territorial waters or those parts of the high seas which are not covered by the pearl banks. At the same time our experience of the Iranian Government has been such as to give cause for apprehension that any activity of theirs may result in political complications and difficulties. This being so, I have thought it advisable to try to foresee certain specific difficulties which may arise in this case.

SD/- T.C. FOWLE,
Lieut-Colonel,

Political Resident in the Persian Gulf.

ATTESTED.

Kroming
For Secretary to the Political Resident



Coll 30/142 'Visit of Danish fishing vessel chartered by Iranian Govnt.' [54r]
(110/129)

54

Page 2247

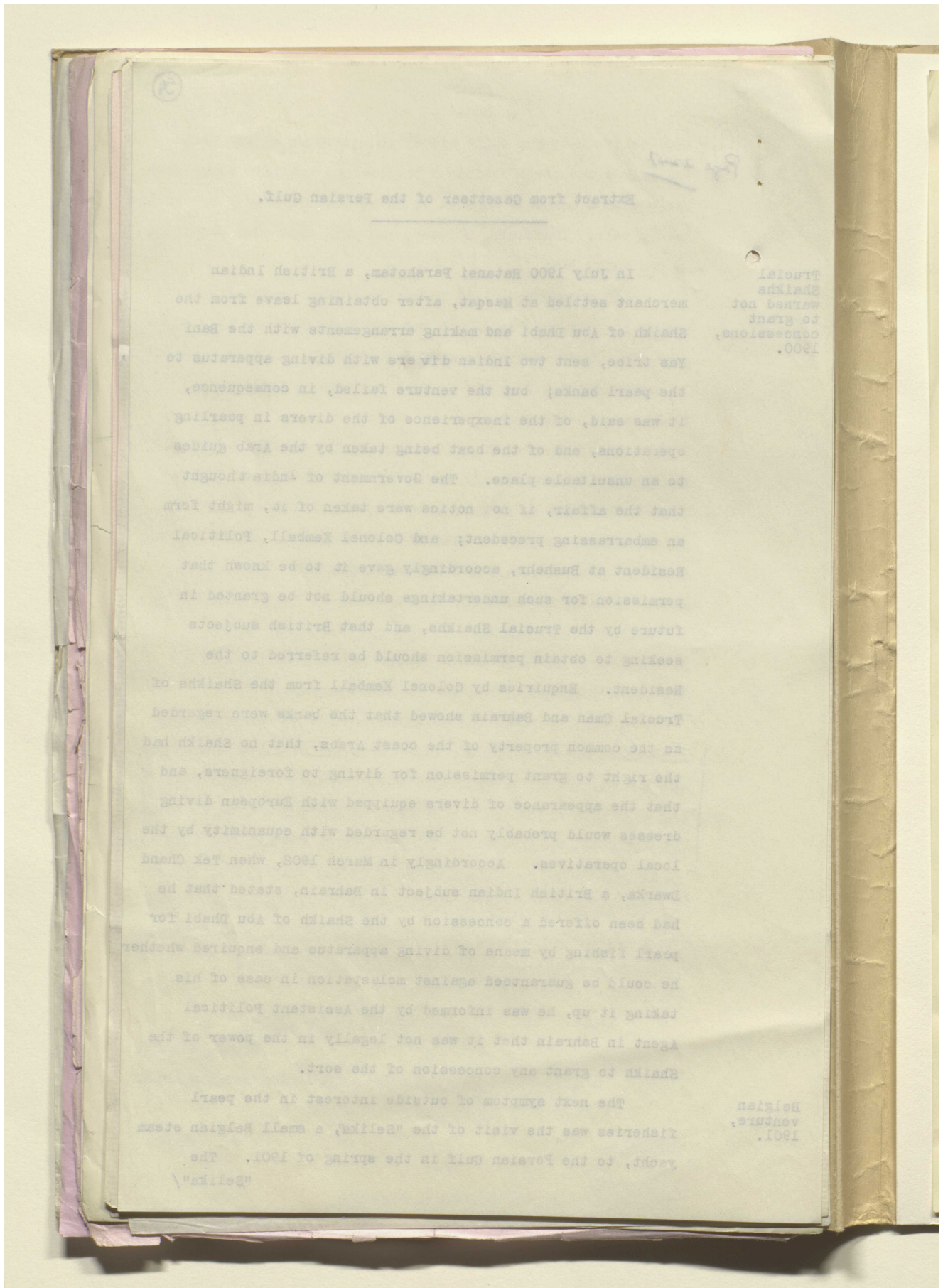
Extract from Gazetteer of the Persian Gulf.

Trucial
Shaikhs
warned not
to grant
concessions,
1900.

In July 1900 Ratansi Parshotam, a British Indian merchant settled at Masqat, after obtaining leave from the Shaikh of Abu Dhabi and making arrangements with the Bani Yas tribe, sent two Indian divers with diving apparatus to the pearl banks; but the venture failed, in consequence, it was said, of the inexperience of the divers in pearling operations, and of the boat being taken by the Arab guides to an unsuitable place. The Government of India thought that the affair, if no notice were taken of it, might form an embarrassing precedent; and Colonel Kemball, Political Resident at Bushehr, accordingly gave it to be known that permission for such undertakings should not be granted in future by the Trucial Shaikhs, and that British subjects seeking to obtain permission should be referred to the Resident. Enquiries by Colonel Kemball from the Shaikhs of Trucial Oman and Bahrain showed that the banks were regarded as the common property of the coast Arabs, that no Shaikh had the right to grant permission for diving to foreigners, and that the appearance of divers equipped with European diving dresses would probably not be regarded with equanimity by the local operatives. Accordingly in March 1902, when Tek Chand Dwarka, a British Indian subject in Bahrain, stated that he had been offered a concession by the Shaikh of Abu Dhabi for pearl fishing by means of diving apparatus and enquired whether he could be guaranteed against molestation in case of his taking it up, he was informed by the Assistant Political Agent in Bahrain that it was not legally in the power of the Shaikh to grant any concession of the sort.

Belgian
venture,
1901.

The next symptom of outside interest in the pearl fisheries was the visit of the "Selika", a small Belgian steam yacht, to the Persian Gulf in the spring of 1901. The "Selika"/



55

2.

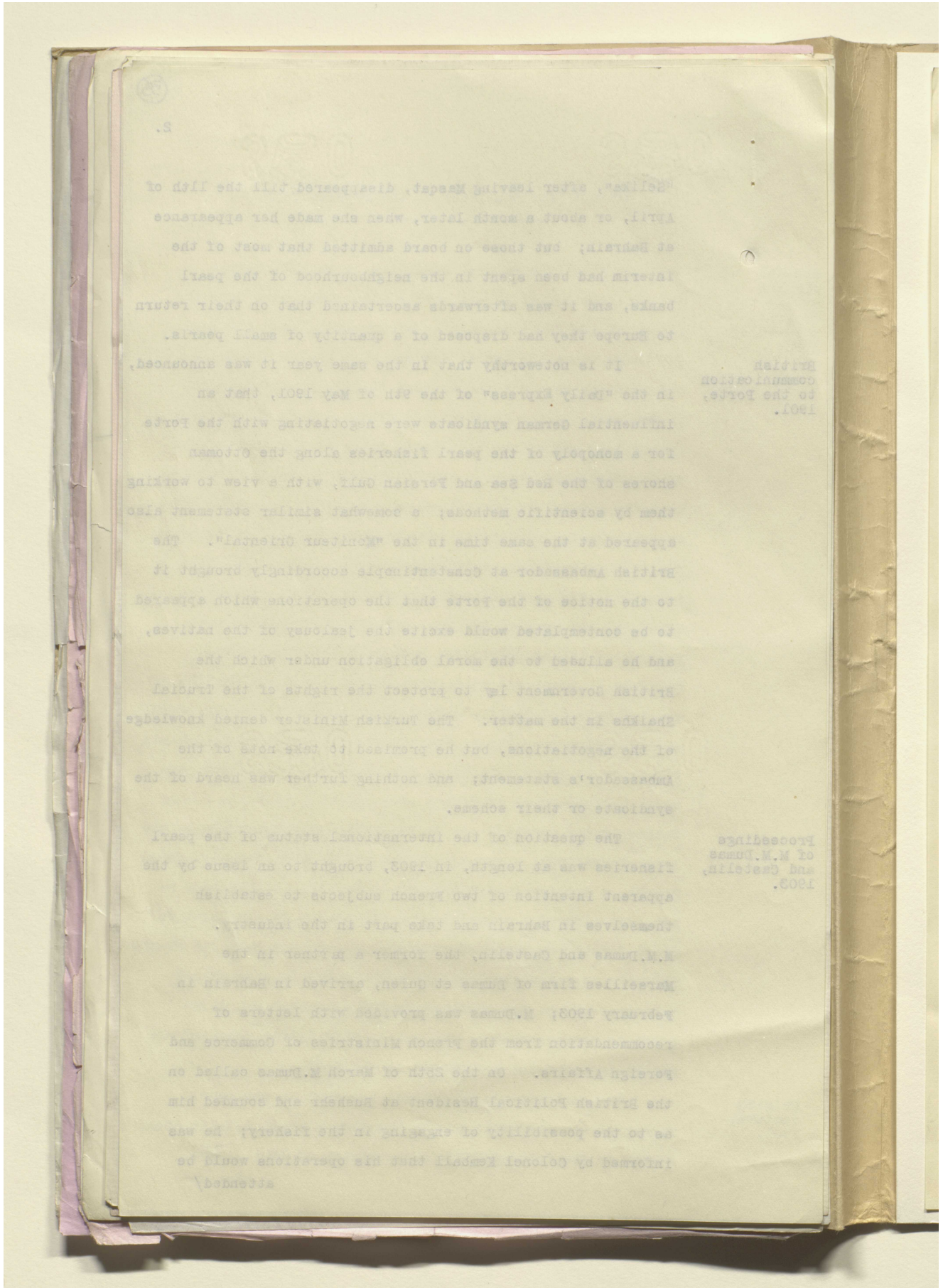
"Selika", after leaving Masqat, disappeared till the 11th of April, or about a month later, when she made her appearance at Bahrain; but those on board admitted that most of the interim had been spent in the neighbourhood of the pearl banks, and it was afterwards ascertained that on their return to Europe they had disposed of a quantity of small pearls.

British
communication
to the Porte,
1901.

It is noteworthy that in the same year it was announced, in the "Daily Express" of the 9th of May 1901, that an influential German syndicate were negotiating with the Porte for a monopoly of the pearl fisheries along the Ottoman shores of the Red Sea and Persian Gulf, with a view to working them by scientific methods; a somewhat similar statement also appeared at the same time in the "Moniteur Oriental". The British Ambassador at Constantinople accordingly brought it to the notice of the Porte that the operations which appeared to be contemplated would excite the jealousy of the natives, and he alluded to the moral obligation under which the British Government lay to protect the rights of the Trucial Shaikhs in the matter. The Turkish Minister denied knowledge of the negotiations, but he promised to take note of the Ambassador's statement; and nothing further was heard of the syndicate or their scheme.

Proceedings
of M.M.Dumas
and Castelin,
1903.

The question of the international status of the pearl fisheries was at length, in 1903, brought to an issue by the apparent intention of two French subjects to establish themselves in Bahrain and take part in the industry. M.M.Dumas and Castelin, the former a partner in the Marseilles firm of Dumas et Guien, arrived in Bahrain in February 1903; M.Dumas was provided with letters of recommendation from the French Ministries of Commerce and Foreign Affairs. On the 25th of March M.Dumas called on the British Political Resident at Bushehr and sounded him as to the possibility of engaging in the fishery; he was informed by Colonel Kemball that his operations would be attended/



Coll 30/142 'Visit of Danish fishing vessel chartered by Iranian Govnt.' [56r]
(114/129)

66

3.

attended by risk, and that he would probably meet with active opposition. M.Dumas then returned to Bahrain, and in April he made advances to the Shaikh through Tek Chand; but his overtures were repulsed by the Shaikh, who asserted the grant of a pearling concession to be impossible. Ultimately, in May 1903, his affairs making no progress, and an outbreak of plague having occurred, M.Dumas left Bahrain and was not again seen there; but the importance and scope of the questions which his project had all but raised were now fully appreciated, and steps were taken by the Government of India to bring them to a settlement. It was foreseen that, in event of the forcible intrusion on the fishery of European foreigners, the Trucial Shaikhs would immediately appeal for protection to the British Government; and it was therefore necessary that a line of policy should be laid down in advance.

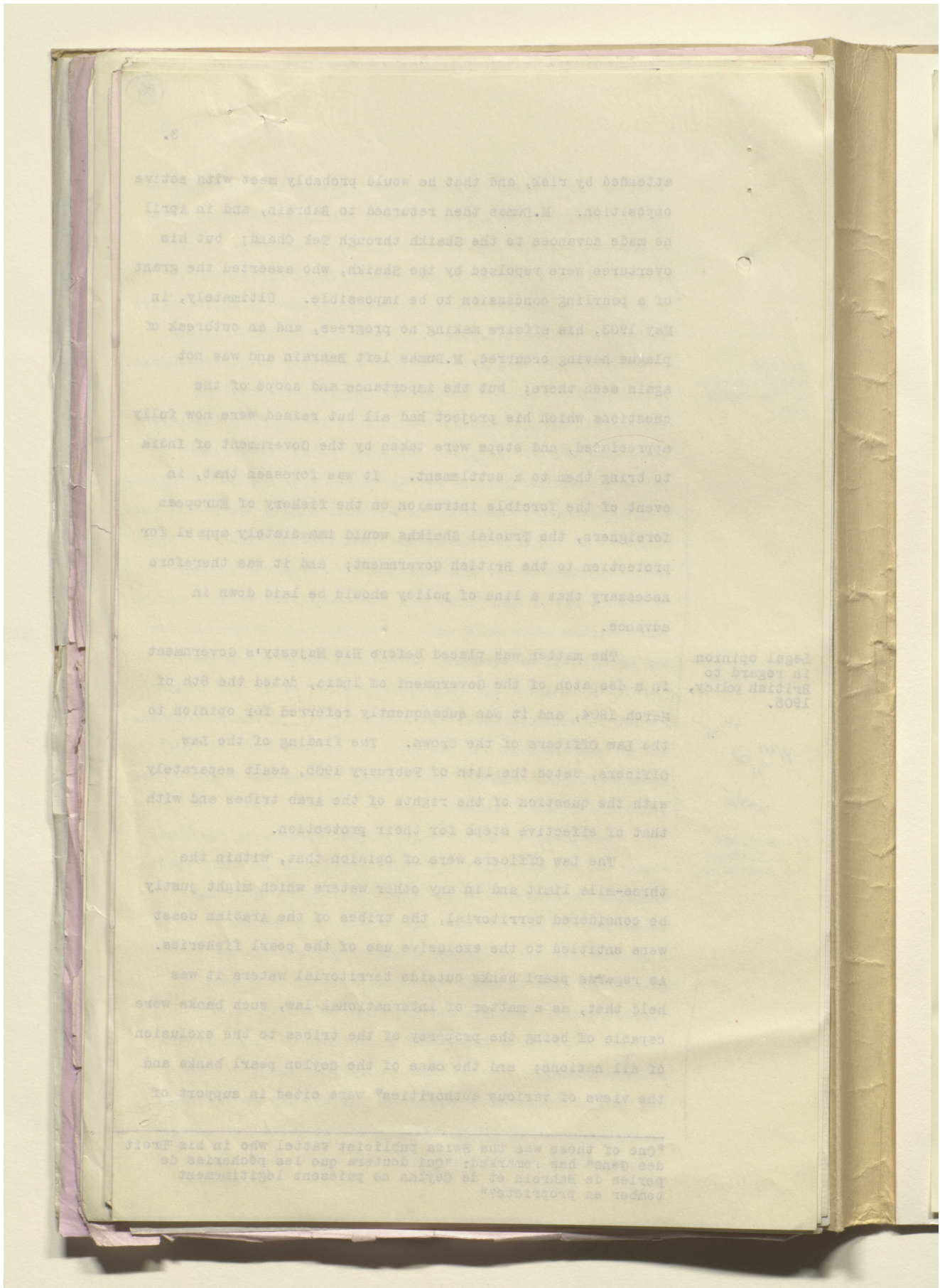
Legal opinion
in regard to
British policy,
1905.

6/24/04
7/30/14
7/6/14/05

The matter was placed before His Majesty's Government in a despatch of the Government of India, dated the 8th of March 1904, and it was subsequently referred for opinion to the Law Officers of the Crown. The finding of the Law Officers, dated the 11th of February 1905, dealt separately with the question of the rights of the Arab tribes and with that of effective steps for their protection.

The Law Officers were of opinion that, within the three-mile limit and in any other waters which might justly be considered territorial, the tribes of the Arabian coast were entitled to the exclusive use of the pearl fisheries. As regards pearl banks outside territorial waters it was held that, as a matter of international law, such banks were capable of being the property of the tribes to the exclusion of all nations; and the case of the Ceylon pearl banks and the views of various authorities* were cited in support of

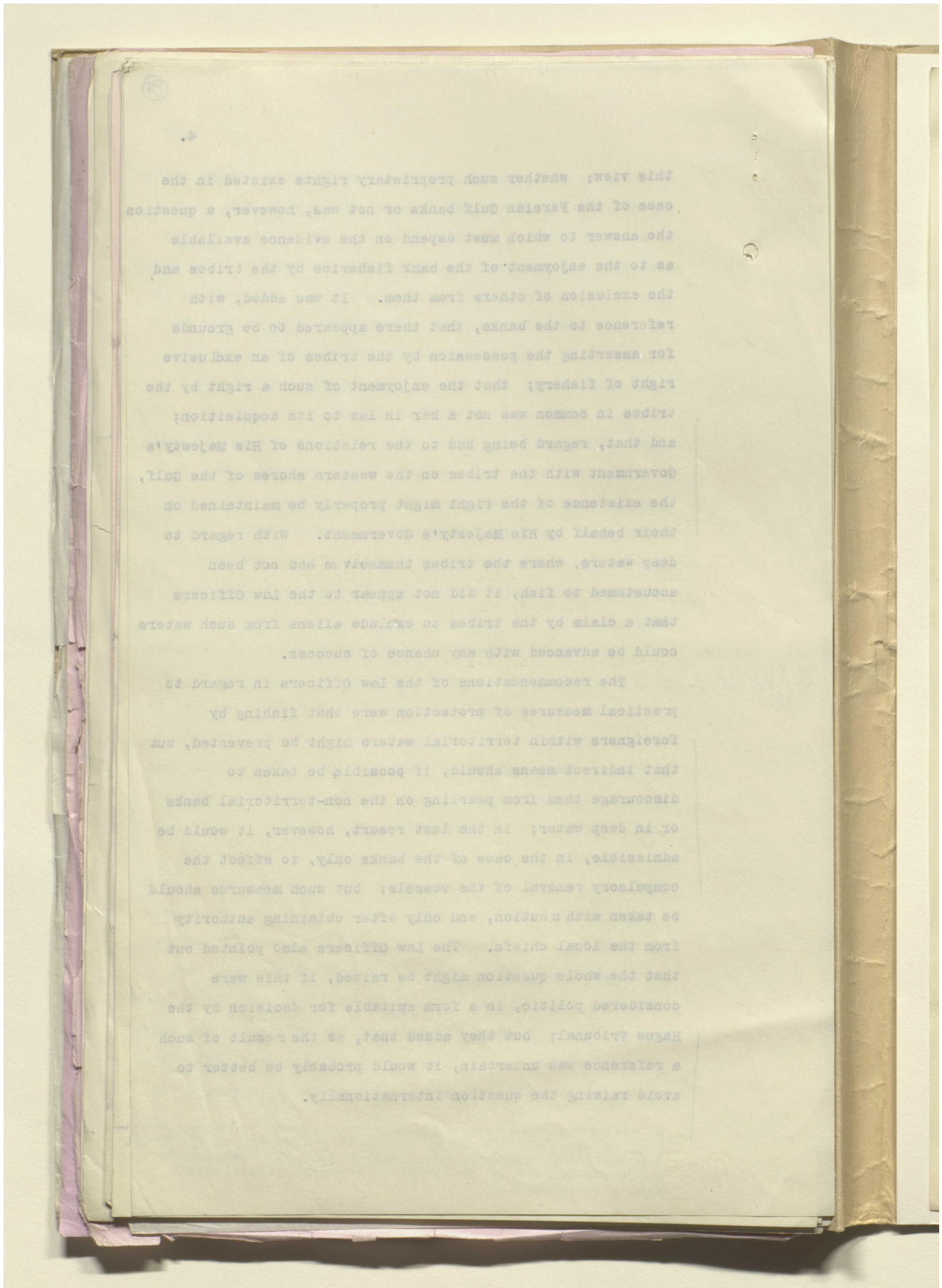
*One of these was the Swiss publicist Vattel who in his "Droit des Gens" has remarked: "qui doutera que les pêcheries de perles de Bahrein et de Ceylan ne puissent légitimement tomber en propriété?"

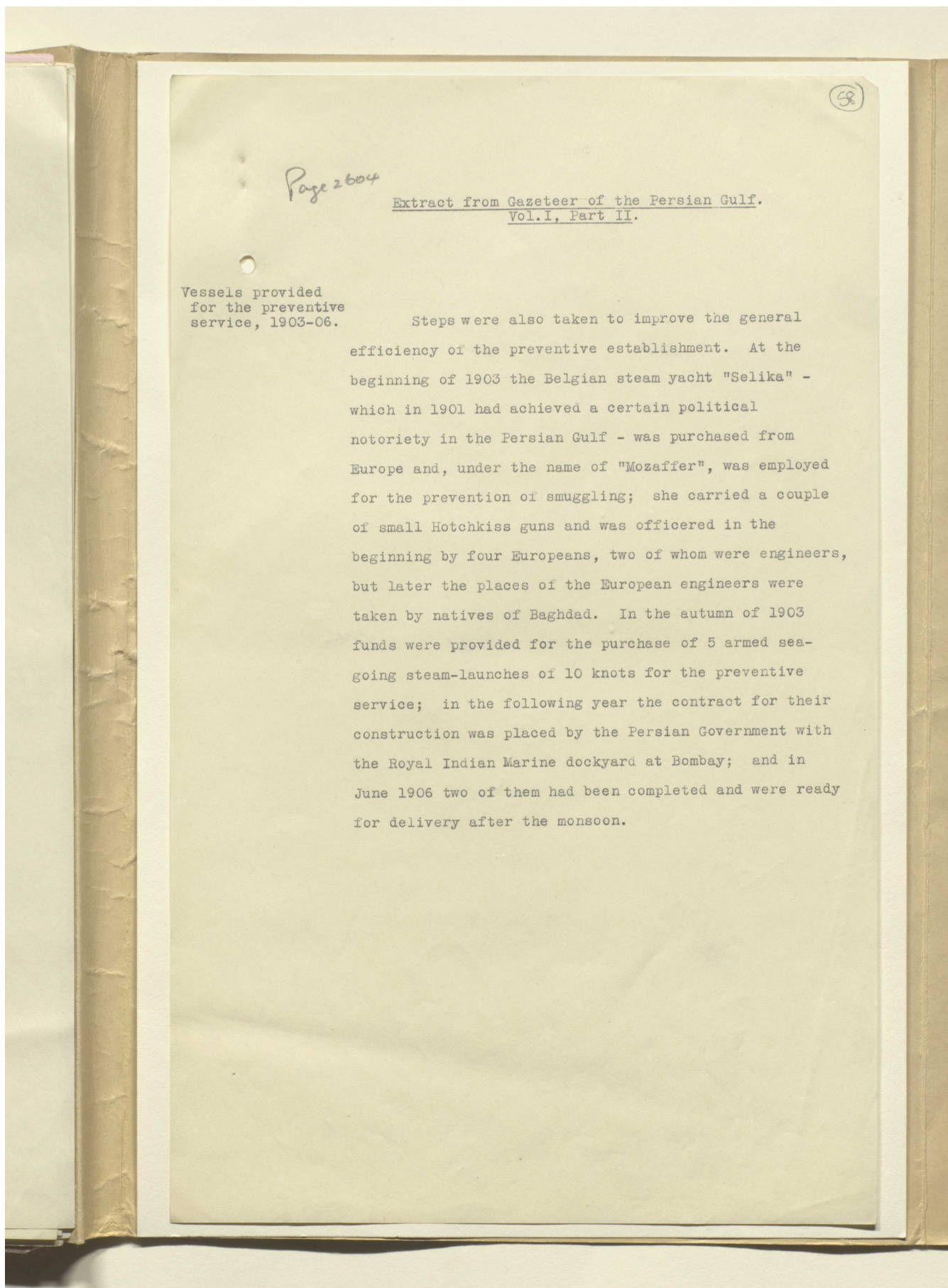


4.

this view: whether such proprietary rights existed in the case of the Persian Gulf banks or not was, however, a question the answer to which must depend on the evidence available as to the enjoyment of the bank fisheries by the tribes and the exclusion of others from them. It was added, with reference to the banks, that there appeared to be grounds for asserting the possession by the tribes of an exclusive right of fishery; that the enjoyment of such a right by the tribes in common was not a bar in law to its acquisition; and that, regard being had to the relations of His Majesty's Government with the tribes on the western shores of the Gulf, the existence of the right might properly be maintained on their behalf by His Majesty's Government. With regard to deep waters, where the tribes themselves had not been accustomed to fish, it did not appear to the Law Officers that a claim by the tribes to exclude aliens from such waters could be advanced with any chance of success.

The recommendations of the Law Officers in regard to practical measures of protection were that fishing by foreigners within territorial waters might be prevented, but that indirect means should, if possible, be taken to discourage them from pearling on the non-territorial banks or in deep water; in the last resort, however, it would be admissible, in the case of the banks only, to effect the compulsory removal of the vessels; but such measures should be taken with caution, and only after obtaining authority from the local chiefs. The Law Officers also pointed out that the whole question might be raised, if this were considered politic, in a form suitable for decision by the Hague Tribunal; but they added that, as the result of such a reference was uncertain, it would probably be better to avoid raising the question internationally.



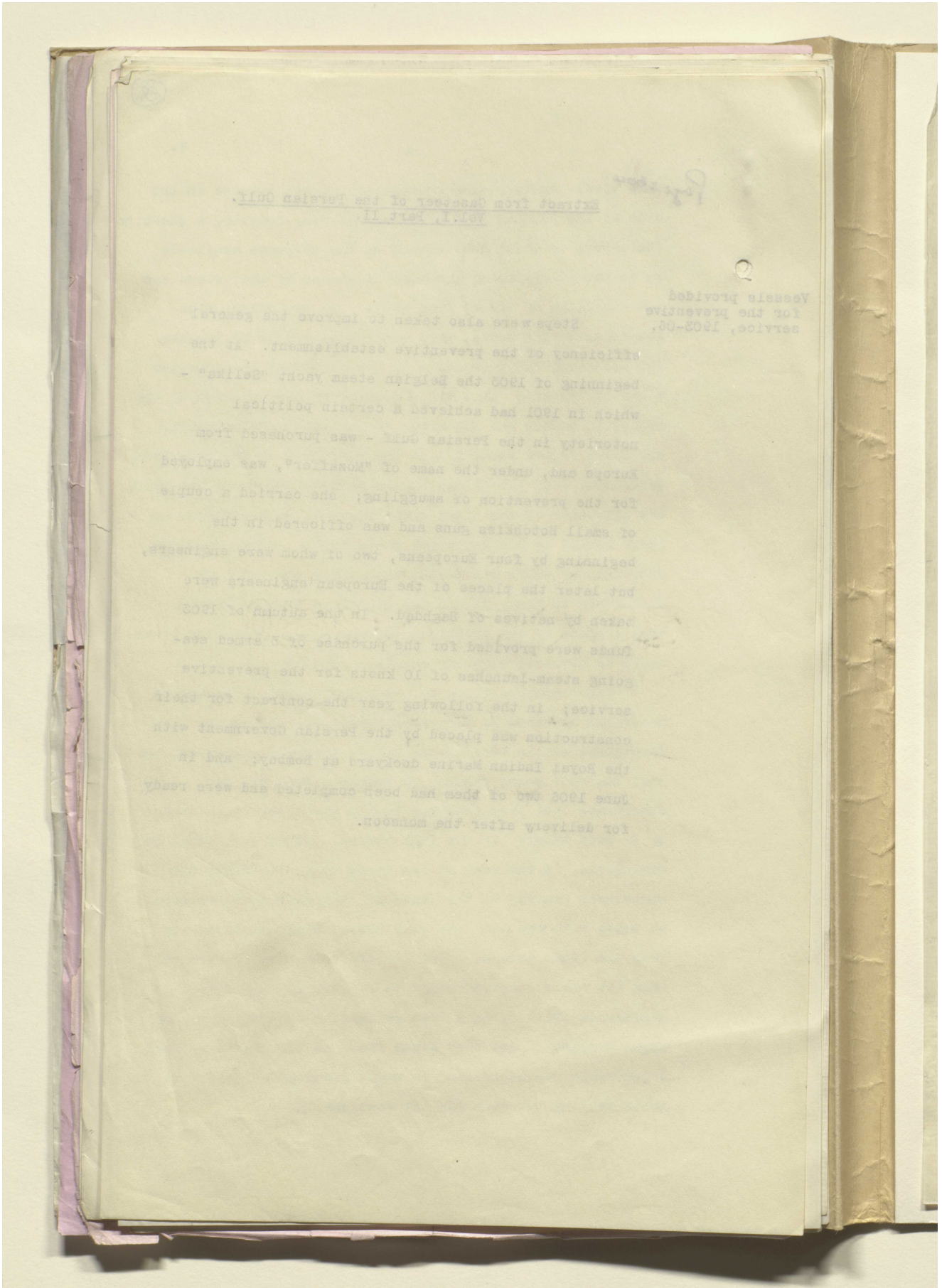


Page 2604

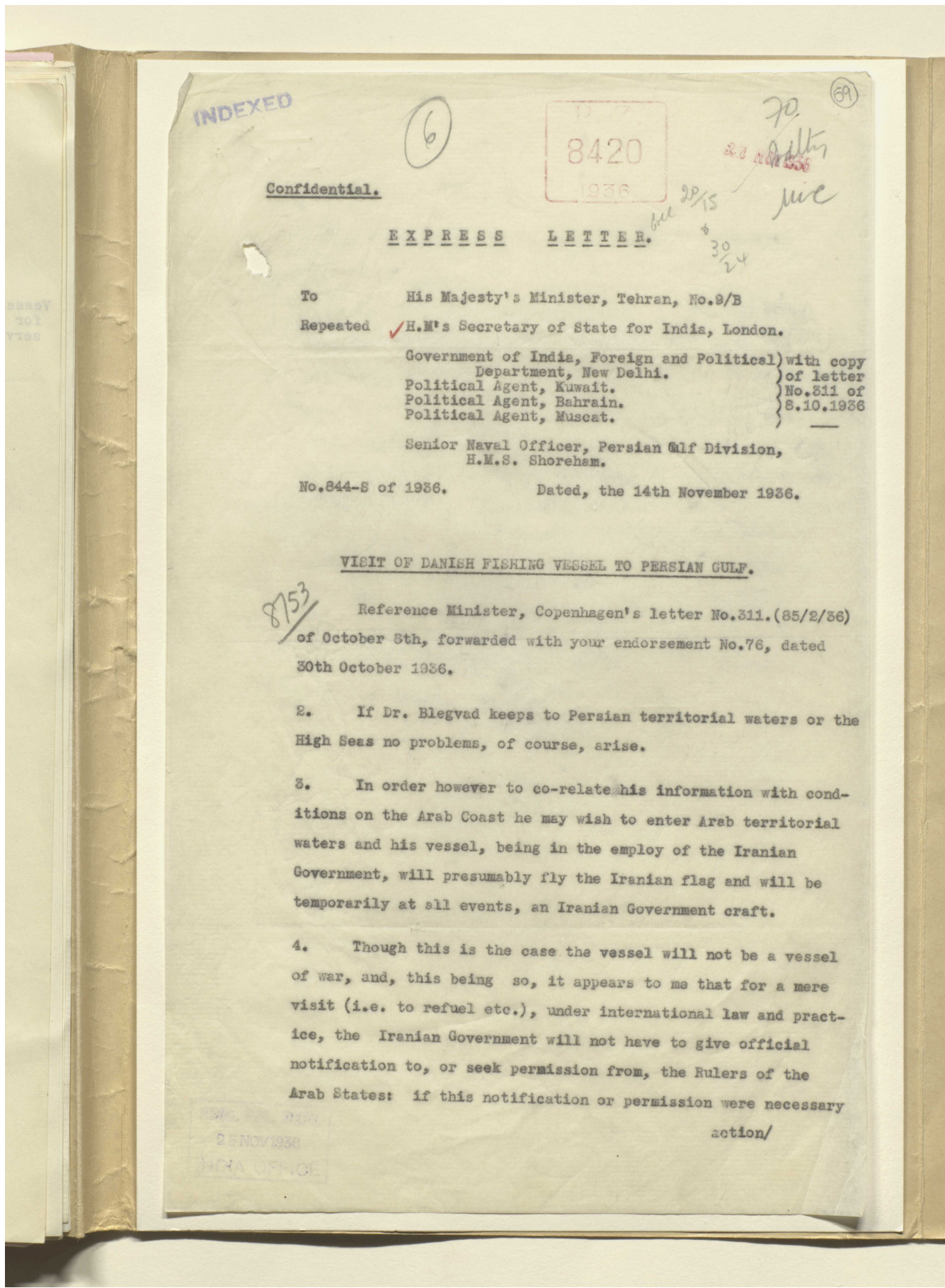
Extract from Gazeteer of the Persian Gulf.
Vol.I, Part II.

Vessels provided
for the preventive
service, 1903-06.

Steps were also taken to improve the general efficiency of the preventive establishment. At the beginning of 1903 the Belgian steam yacht "Selika" - which in 1901 had achieved a certain political notoriety in the Persian Gulf - was purchased from Europe and, under the name of "Mozaffer", was employed for the prevention of smuggling; she carried a couple of small Hotchkiss guns and was officered in the beginning by four Europeans, two of whom were engineers, but later the places of the European engineers were taken by natives of Baghdad. In the autumn of 1903 funds were provided for the purchase of 5 armed sea-going steam-launches of 10 knots for the preventive service; in the following year the contract for their construction was placed by the Persian Government with the Royal Indian Marine dockyard at Bombay; and in June 1906 two of them had been completed and were ready for delivery after the monsoon.



Coll 30/142 'Visit of Danish fishing vessel chartered by Iranian Govnt.' [59r]
(120/129)



INDEXED

6

8420
1936

70
2.2 NOV 1936
mic
69

Confidential.

EXPRESS LETTER.

but 2P/15
30/24

To His Majesty's Minister, Tehran, No.9/B
Repeated ✓ H.M.'s Secretary of State for India, London.

Government of India, Foreign and Political Department, New Delhi. } with copy
Political Agent, Kuwait. } of letter
Political Agent, Bahrain. } No.511 of
Political Agent, Muscat. } 8.10.1936

Senior Naval Officer, Persian Gulf Division,
H.M.S. Shoreham.

No.844-S of 1936.

Dated, the 14th November 1936.

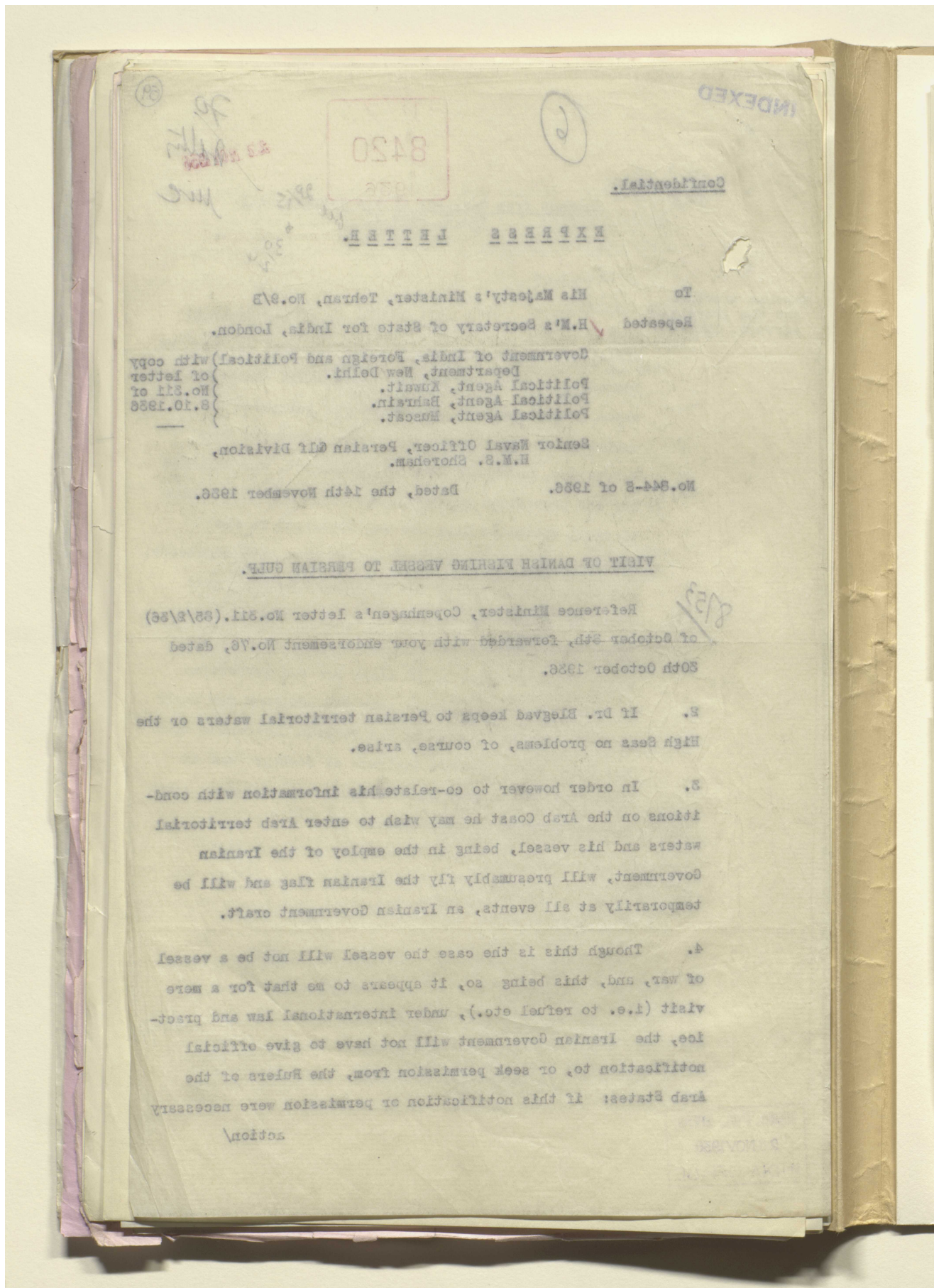
VISIT OF DANISH FISHING VESSEL TO PERSIAN GULF.

8753

Reference Minister, Copenhagen's letter No.311.(85/2/36)
of October 8th, forwarded with your endorsement No.76, dated
30th October 1936.

2. If Dr. Blegvad keeps to Persian territorial waters or the High Seas no problems, of course, arise.
3. In order however to co-relate his information with conditions on the Arab Coast he may wish to enter Arab territorial waters and his vessel, being in the employ of the Iranian Government, will presumably fly the Iranian flag and will be temporarily at all events, an Iranian Government craft.
4. Though this is the case the vessel will not be a vessel of war, and, this being so, it appears to me that for a mere visit (i.e. to refuel etc.), under international law and practice, the Iranian Government will not have to give official notification to, or seek permission from, the Rulers of the Arab States: if this notification or permission were necessary
action/

25 NOV 1936
INDIA OFFICE



- 2 -

action would have to be taken by the Iranian Government through us.

5. If, however, Dr. Blegvad wishes to carry out investigations in Arab waters then permission must be obtained by the Iranian Government through us from the Arab Rulers concerned.

6. In considering whether Arab Rulers should or should not be advised by us to give such permission the fact will have to be borne in mind that these activities may quite probably not be welcomed by the local Arabs, especially in the less settled coastal areas, who may suspect Dr. Blegvad, (doubtless quite wrongly) of having designs on their pearl banks or fishing grounds.

7. In the circumstances I venture to suggest that the range of Dr. Blegvad's activities might be ascertained as soon as possible from the Iranian Government.

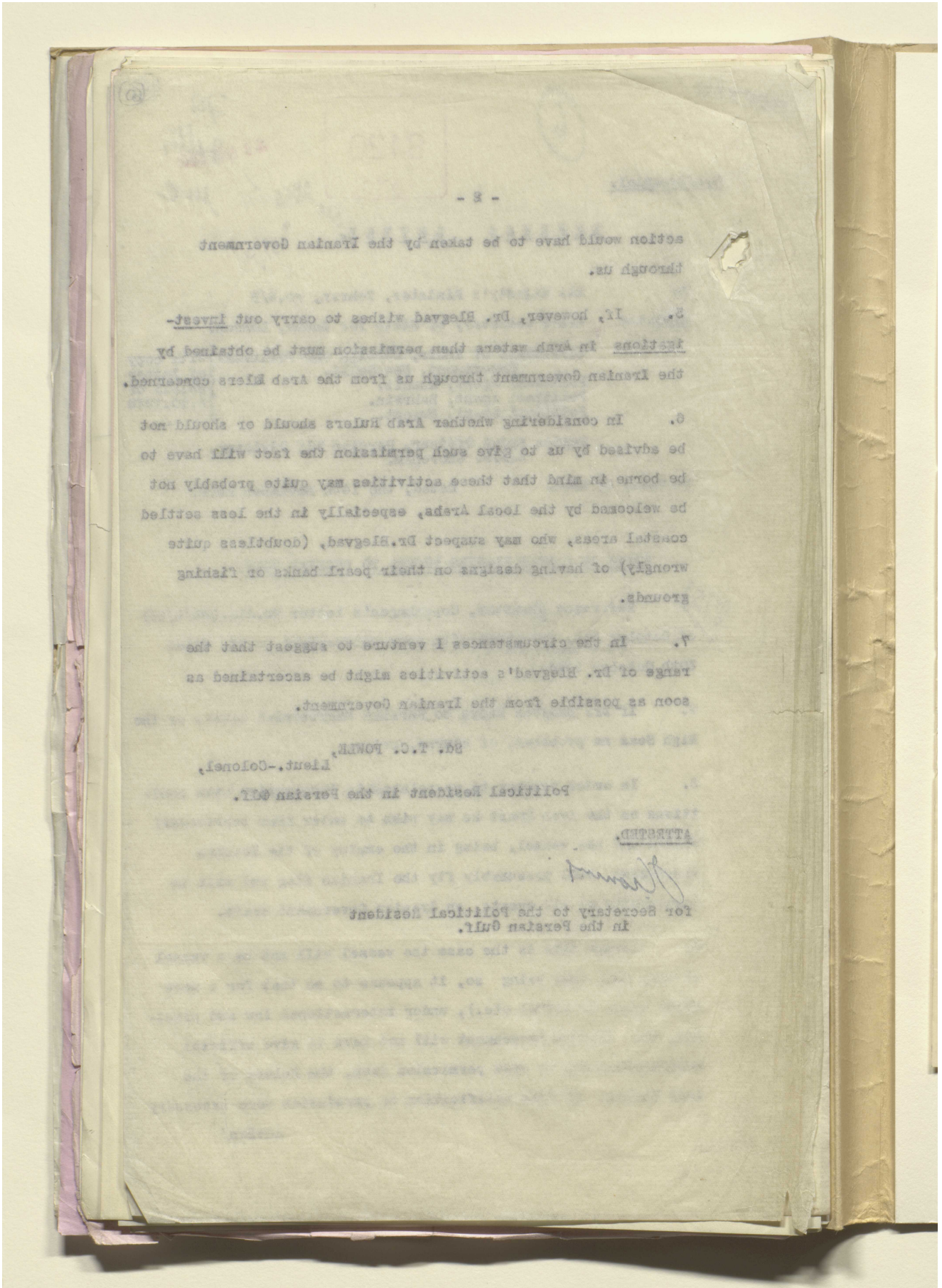
Sd. T.C. FOWLE,
Lieut.-Colonel,

Political Resident in the Persian Gulf.

ATTESTED.

[Signature]
for Secretary to the Political Resident
in the Persian Gulf.

Coll 30/142 'Visit of Danish fishing vessel chartered by Iranian Govnt.' [60v]
(123/129)



Coll 30/142 'Visit of Danish fishing vessel chartered by Iranian Govnt.' [61r]
(124/129)

INDEXED

In any further communication on this subject, please quote
No. *E 6473/12/34*
and address—not to any person by name, but to—
"The Under-Secretary of State," Foreign Office, London, S.W. 1.

India
Bushire *J.M.* (61)
ms
M.S.

THE Under-Secretary of State for Foreign Affairs presents his compliments to *the Under Secretary of State for India* and, by direction of the Secretary of State, transmits herewith copy of the under-mentioned paper.

Foreign Office,
Dec 7, 1936

P. 7.
8753
pp 8632

Reference to previous correspondence *1936*

Description of Enclosure.

Name and Date.	Subject.
<i>From:</i> <i>Min. Representatives</i> <i>Copenhagen</i> <i>no. 311 of Oct 8th.</i>	<i>Exploitation by Persian government</i> <i>of their fisheries</i>

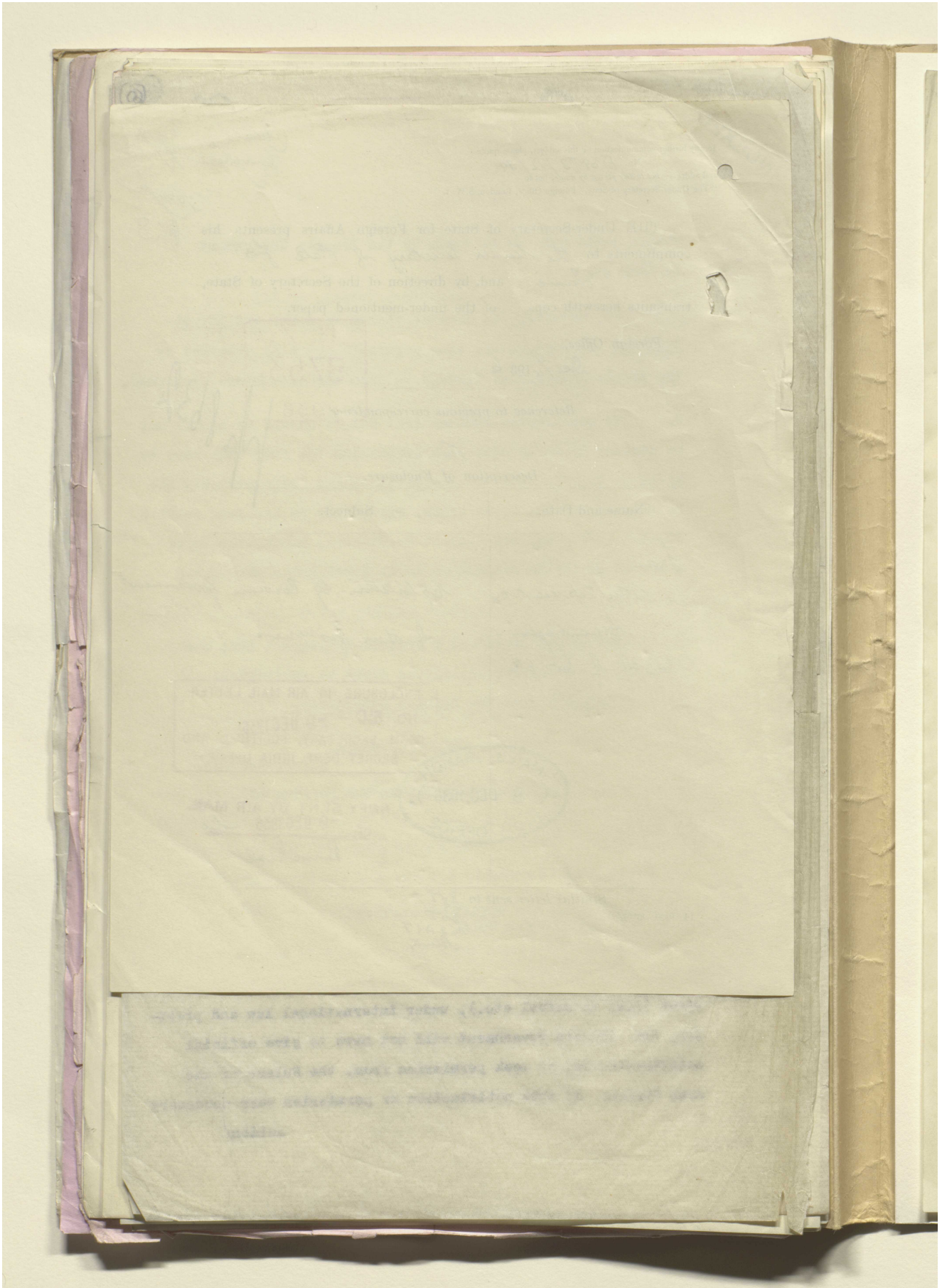
ENCLOSURE IN AIR MAIL LETTER
NO. 510 = 9 DEC 1936
FROM SECRETARY, POLITICAL AND
SECRET DEPT. INDIA OFFICE

MAILS BRANCH
8 DEC 1936
INDIA OFFICE

COPY SENT BY AIR MAIL
of 9 DEC 1936 to
Bushire.

Similar letter sent to *B.T.*
26 T
Min of A.F.
Albany.

14-6130 13667 (2)



Coll 30/142 'Visit of Danish fishing vessel chartered by Iranian Govnt.' [62r]
(126/129)

COPY.

(E 6473/12/34)

No. 311.

(85/2/36)

British Legation,

Copenhagen.

October 8, 1936.

8753

1936

Sir,

I have the honour to inform you that Dr. H. Blegvad, the Director of the Danish Biological Station, has been engaged by the Iranian Government to investigate the waters of the Persian Gulf, with particular reference to fishing. He begins his work in November and expects that it will occupy about six months. Dr. Blegvad will have at his disposal a Danish fishing vessel of 30 tons with a crew of four; the vessel is fitted with refrigerating plant. The appointment, it is stated in the Press, is due to the desire of the Iranian Government to exploit their fisheries.

2. I have transmitted a copy of this despatch to His Majesty's Minister at Tehran.

I have, etc.,

(Sgd.) Patrick Ramsay.

The Rt.Honble.

Anthony Eden, M.C., M.P.,

&c., &c., &c.

Coll 30/142 'Visit of Danish fishing vessel chartered by Iranian Govnt.' [62v]
(127/129)

