



F A C S I M I L E C O V E R S H E E T

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'on file'

WRC 027/1

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British Embassy
Laufasvegur 49
PO Box 460
121 Reykjavik
Iceland

Telephone 15883/4
International +354 1 15883/4
Telex 2037 a/b UKREYK IS
Facsimile 27940
International +354 1 27940

TO Nigel Dickerson Esq
WED, FCO

FAX NO 971 270 2821

SERIAL NO 31

DATE 14 February 1991

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4/702
cc for Dept.
RAD.

I'm sure they
haven't.
(in confidence)
The Icelandic Ambassador here is not
convinced his government have looked at this since
thoroughly
Nigel Dickerson
note

The Mr (Gibson) 15.11.91
Mrs MacGlashan.

Dear Nigel,

LITHUANIA: ICELANDIC RECOGNITION

1. The Ministry for Foreign Affairs have sent the attached non-note to allied and Nordic missions in Reykjavik setting out the legal basis for the Althing resolution of 11 February on recognition of the independence of Lithuania (reported in my telno 027 of 12 February).
2. You may wish to copy this to Soviet Department and to Legal Advisers.
3. Apparently a copy has not been sent to the Soviet Embassy although there is no reason to suppose that they are not aware of its contents.

Yours ever,
Dick

Richard Best

13 February 1991

The Icelandic Government decided on 23 January 1991 to agree to the request by the Government of Lithuania to initiate talks concerning the possibility of establishing diplomatic relations between Iceland and Lithuania. This decision was supported by the Althing in a resolution adopted on 11 February 1991. The resolution confirms that the recognition by the Government of Iceland in 1922 of the independence of the Republic of Lithuania is fully valid. It furthermore called upon the Government to formally establish diplomatic relations with Lithuania as soon as possible.

The Icelandic Government realizes that the dispute between Lithuania and the central authorities of the Soviet Union, the core of which involves the question of independence and the right of Lithuanians to self-determination, may give rise to questions as to the political and legal basis for its decision to comply with the request of Lithuanian authorities to establish diplomatic relations.

The purpose of this statement is to set out the background of Iceland's consideration of this matter.

Following the restoration of the independent state of Lithuania Iceland recognized the Republic of Lithuania de jure in 1922. Commercial relations were established between the two countries on the basis of trade agreements in 1923 and 1930.

In the view of the Icelandic authorities the occupation of Lithuania by the armed forces of the Soviet Union in 1940 and the subsequent annexation of Lithuania into the Soviet Union did not affect the recognition by Iceland of the Republic of Lithuania.

The restoration of the independent state of Lithuania by the Supreme Council of the Republic of Lithuania on 11 March 1990 and the ratification of the Provisional Basic Law of the Republic of Lithuania on the same date revived the possibility of treating Lithuania as a full subject of international law.

The informal referendum earlier this month confirmed that these recent actions enjoy the support of the vast majority of the Lithuanian nation.

Over the past year the Icelandic authorities have made every effort to support Lithuania in its quest for recognition of its independent status. The Government of Iceland has raised the question in multilateral fora, such as the Council of Europe, the Conference on Security and Co-operation in Europe, the North Atlantic Treaty Organization and the General Assembly of the United Nations, as well as in bilateral contacts with many European countries. Specifically, in a series of contacts last

month with the Soviet authorities the Government of Iceland has raised several aspects of the relations between the Baltic States and the central authorities of the Soviet Union.

In addition to the aforementioned resolution of 11 February 1991 the Althing had during this period passed three other resolutions relating to the Baltic States, on 13 March 1990, 18 December 1990 and 14 January 1991.

Following the outbreak of violence in the Baltic States in January 1990 Mr. Jon Baldvin Hannibalsson, Minister for Foreign Affairs, made an official visit to the capitals of the three Baltic countries.

Upon his return to Iceland the Government of Iceland took up the question of its relations with Lithuania, resulting in its decision of 23 January 1991 dealing with the question of diplomatic relations with Lithuania and also calling for renewed attention to the situation in Lithuania in multilateral fora.

The Government of Iceland has carefully studied such rules as exist to determine whether, under international law, a given body is entitled to the status of a State. In this connection regard must be had to Iceland's recognition of Lithuania in 1922, the establishment of a legitimate constitutional authority in Lithuania in March 1990 and the clear demonstration in the informal referendum earlier this month of the will of the Lithuanian people. That Lithuania is restrained in its independence at the present time is a fact which cannot be denied; however, the circumstances which have led to that restriction dictate that they cannot be determinative of its international status. In support of this conclusion, reference can be made to a large body of international practice.

The nature of jurisdiction that is exercised in Lithuania makes it impracticable to carry out diplomatic relations through the establishment of permanent diplomatic missions and the Government of Iceland is not now contemplating the formal exchange of diplomatic representatives.

Iceland has consistently emphasized the need for a peaceful solution to the dispute between the Baltic States and the Soviet Union. Iceland has consequently, on many occasions, expressed the view that the dispute should be solved through negotiations.