

The Final Full Spear Letter

"The Sea Was Never Theirs"

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1. Declaration: The Sea Belongs to the Nation

The fishing banks surrounding Iceland are, by law, the **common property of the Icelandic nation**.

This principle was declared clearly in the **Fisheries Management Act No. 38/1990**, Article 1:

“The exploitable marine stocks of the Icelandic fishing banks are the common property of the Icelandic nation.”

No family, company, or individual has ever legally owned these resources.

2. Birth of Quotas: Temporary Emergency (1983–1984)

Fishing quotas were introduced between **1983 and 1984** through **ministerial regulations** authorized by **Law No. 82/1976** (“Lög um stjórn fiskveiða”).

These quotas were an **emergency measure** to prevent overfishing. They were:

- Temporary,
- Regulatory,
- Never intended to create private ownership.

No ownership was transferred — only conditional, revocable permission to fish.

3. The Illusion of Ownership: Quota Trading (1986)

In **1986**, new regulations allowed the **transfer of quotas between ships**.

This created the **illusion** of property rights:

- Quotas began to be bought, sold, and mortgaged,
- Banks began treating them like assets,
- The public and politicians were led to believe they were “owned.”

However, **no law** ever formally granted ownership of the quotas.
It was:

regulatory behavior, not legal transfer.

4. Codification: Fisheries Management Act (1990)

In **1990**, Parliament passed the **Fisheries Management Act No. 38/1990**. It codified the quota system but **explicitly preserved public ownership**.

Two critical facts:

- **Article 1:** The fish stocks are common property.
- **Article 2:**
“Fishing rights allocated by this Act shall not be considered private property, and no compensation shall be paid if they are revoked or changed.”

Thus:

- Quotas remained public resource management tools,
- Parliament retained full authority to revoke, modify, or redistribute them at any time,
- No compensation is owed to quota holders.

5. Court Confirmation: Supreme Court Case (1998)

The **Valdimar Jóhannesson Case (1998)**, confirmed by the **Vatneyrir Case (2000)**, reinforced that:

- Quotas are not private property,
- They exist solely by the will of Parliament and regulatory law.

The courts upheld:

The nation owns the fish; Parliament governs the use.

6. The Hidden Betrayal: Property Illusion Without Law

From 1986 onward, through regulatory permissions, **private trading of quotas** created a powerful illusion of ownership.

Quota holders acted like owners.
Banks treated quotas like real estate.
Political parties grew silent.

But in law — the most important battlefield — **ownership was never created.**

Parliament remains the sole guardian of the nation's fishing rights.

The betrayal was not legal transfer.
It was allowing the public, courts, and governments to drift into treating temporary permissions as eternal property.

7. Parliament's Sword: Full Power Intact

Today, Parliament holds:

- The full right to revoke,
- The full right to restructure,
- The full right to reallocate quotas,

without any obligation to compensate anyone.

This has been true since the very first day quotas existed.

It is not a matter of possibility — it is a matter of will.

8. The Call: Reclaim the Sea

The facts are unbreakable:

- The nation owns the fish,
- Parliament holds the sword,
- Fear and political inertia have replaced lawful action.

There is no excuse left.

To Alþingi:
Use the authority entrusted to you.
Honor the spirit of our laws.

Restore fairness.
Reclaim what was never given away.

The sea does not belong to the few.
The future does not belong to cowardice.

The chains were never made of law.
The chains were made of fear.

Break them.

For Iceland.

1 Key Legal Sources

- Fisheries Management Act No. 38/1990
- Law No. 82/1976 (Lög um stjórn fiskveiða)
- Supreme Court Case No. 12/1998
- Vatneyrir Case (2000)