

JPRS 70047

28 October 1977

TRANSLATIONS ON LAW OF THE SEA

No. 61

DISTRIBUTION STATEMENT A
Approved for Public Release
Distribution Unlimited

U. S. JOINT PUBLICATIONS RESEARCH SERVICE

20000317 135

WORLD

WIDE

NOTE

JPRS publications contain information primarily from foreign newspapers, periodicals and books, but also from news agency transmissions and broadcasts. Materials from foreign-language sources are translated; those from English-language sources are transcribed or reprinted, with the original phrasing and other characteristics retained.

Headlines, editorial reports, and material enclosed in brackets [] are supplied by JPRS. Processing indicators such as [Text] or [Excerpt] in the first line of each item, or following the last line of a brief, indicate how the original information was processed. Where no processing indicator is given, the information was summarized or extracted.

Unfamiliar names rendered phonetically or transliterated are enclosed in parentheses. Words or names preceded by a question mark and enclosed in parentheses were not clear in the original but have been supplied as appropriate in context. Other unattributed parenthetical notes within the body of an item originate with the source. Times within items are as given by source.

The contents of this publication in no way represent the policies, views or attitudes of the U.S. Government.

PROCUREMENT OF PUBLICATIONS

JPRS publications may be ordered from the National Technical Information Service, Springfield, Virginia 22151. In ordering, it is recommended that the JPRS number, title, date and author, if applicable, of publication be cited.

Current JPRS publications are announced in Government Reports Announcements issued semi-monthly by the National Technical Information Service, and are listed in the Monthly Catalog of U.S. Government Publications issued by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

Indexes to this report (by keyword, author, personal names, title and series) are available through Bell & Howell, Old Mansfield Road, Wooster, Ohio, 44691.

Correspondence pertaining to matters other than procurement may be addressed to Joint Publications Research Service, 1000 North Glebe Road, Arlington, Virginia 22201.

BIBLIOGRAPHIC DATA SHEET	1. Report No. JPRS 70047	2.	3. Recipient's Accession No.
	4. Title and Subtitle TRANSLATIONS ON LAW OF THE SEA, No. 61		5. Report Date 28 October 1977
7. Author(s)	8. Performing Organization Rept. No.		6.
9. Performing Organization Name and Address Joint Publications Research Service 1000 North Glebe Road Arlington, Virginia 22201		10. Project/Task/Work Unit No.	11. Contract/Grant No.
12. Sponsoring Organization Name and Address As above		13. Type of Report & Period Covered	14.
15. Supplementary Notes			
16. Abstracts This report contains information from the world press and radio coverage of the Law of the Sea conferences and negotiations, territorial seas and straits, coastal and international seabed economic areas, marine pollution, scientific research and fisheries.			
17. Key Words and Document Analysis. 17a. Descriptors Worldwide Pollution Environmental Control Biological Oceanography Petroleum Fishery			
17b. Identifiers/Open-Ended Terms			
17c. COSATI Field/Group 5C, 6F, 8A, 8J			
18. Availability Statement Unlimited Availability Sold by NTIS Springfield, Virginia 22151		19. Security Class (This Report) UNCLASSIFIED	21. No. of Pages 26
		20. Security Class (This Page) UNCLASSIFIED	22. Price

TRANSLATIONS ON LAW OF THE SEA

No. 61

CONTENTS

PAGE

INTERNATIONAL

Soviet-Japanese Symposium on Ocean Productivity Opens (TASS, 7 Oct 77).....	1
Further Report on Extension of Japan-USSR Fishing Accords (KYODO, 12 Oct 77).....	1
Japan, USSR Make Oil Discovery in Sakhalin (KYODO, 13 Oct 77).....	2
KYODO Reports on Latest Japanese, Soviet Fishing Violations (KYODO, 13 Oct 77).....	2
New Soviet Proposal Delays Fishery Accord With Japan (KYODO, 14 Oct 77).....	3
'IZVESTIYA' Protests Argentine Detention of Soviet Fishing Boats (TASS, 7 Oct 77).....	3
New UK Ambassador to Bolivia Discusses Maritime Issue (Radio Cruz del Sur Network, 8 Oct 77).....	5
Bulgarian Ship Captain Undergoes Interrogation in Argentina (TELAM, 8 Oct 77).....	5
Mauritanians Reportedly Seize Spanish Fishing Boats (Various sources, various dates).....	5
One Ship Machinegunned Crews Released Return to Canary Islands	

CONTENTS (Continued)

ASIA

INTER-ASIAN AFFAIRS

Cambodian Attack on Thai Fishing Boats Reported
(BANGKOK POST, 10 Oct 77)..... 7

Thailand, Cambodia Must Settle LOS Issue
(Editorial; BANGKOK POST, 11 Oct 77)..... 8

South Korea Prods Japan on Sea Development Plans
(HAPTONG, 10 Oct 77)..... 10

Thai Trawler Sunk, Another Captured by Burmese Off Ranong
(BANGKOK POST, 12 Oct 77)..... 10

Burma, Thailand Reach Tentative Agreement on Fishing
(NATION REVIEW, 13 Oct 77)..... 11

MALAYSIA

Briefs
Oil Find Off Trengganu 12

THAILAND

Thai Paper Discusses Decision Not To Extend Territorial Sea
(Editorial; NATION REVIEW, 10 Oct 77)..... 13

EASTERN EUROPE

INTERNATIONAL AFFAIRS

IPU Conference LOS Resolution
(BTA, 30 Sep 77)..... 15

LATIN AMERICA

INTER-AMERICAN AFFAIRS

'LA PRENSA' Endorses South Atlantic Naval Pact
(Radio Carve Network, 12 Oct 77)..... 16

COLOMBIA

'Sovereignty': A Much Confused Term
(Rafael Nieto Navia, EL SIGLO, 16 Sep 77)..... 17

SUB-SAHARAN AFRICA

SOUTH-WEST AFRICA

SWA, Walvis Bay Exclusive Fishing Zone Limit To Vary
(NAMIB TIMES, 27 Sep 77)..... 19

WESTERN EUROPE

INTERNATIONAL AFFAIRS

Sismik-I Reportedly Not To Sail in Disputed Areas
(CUMHURIYET, 3 Oct 77)..... 20

DENMARK

Danes Fear Threat to Fishing Quota System
(BERLINGSKE TIDENDE, various dates)..... 21

Dutch Trawler Taking Danish Registry
Efforts To Block Move

INTERNATIONAL

SOVIET-JAPANESE SYMPOSIUM ON OCEAN PRODUCTIVITY OPENS

LD071704Y Moscow TASS in English 1554 GMT 7 Oct 77 LD

[Text] Moscow, October 7, TASS--Questions of increasing biological productivity of the world ocean will be discussed by the participants in the 6th Soviet-Japanese Symposium. It opened at the Moscow house of friendship with peoples of foreign countries today.

At the symposium-opening ceremony Georgiy Zhigalov, deputy minister of fisheries of the USSR, has noted that for a number of years now Soviet and Japanese scientists have been pooling their efforts and largely helping increase the oceanic resources, above all in the coastal zone of the ocean. Largely thanks to this, the residents of the USSR and Japan every year get more than a million tons of valuable products from underwater farms and plantations.

Already in the current centenary, Zhigalov said, this harvest should be brought to 4-5 million tons. The scientists will have to cope with many-sided objectives in establishing fully-controlled fresh water and sea water fishery.

A speech of greetings at the symposium-opening ceremony was made by Shigeyoshi Matsumae, president of Tokai University, president of the Japanese association of cultural ties with foreign countries.

As of October 10 the symposium will be in session in Batumi, the Caucasion Black Sea coast. In six sections specialists will deliver reports on the development of the sea culture, artificial propagation of sea and diadromous fish, fish physiological research, cultivation of micro-algae, fodder organisms and food invertebrate. The meeting is attended by observers from GDR, Poland and Bulgaria.

During the work of the symposium the Japanese firm Tairiku Boyeki organizes in Batumi an exhibition of underwater research equipment.

FURTHER REPORT ON EXTENSION OF JAPAN-USSR FISHING ACCORDS

OW120027Y Tokyo KYODO in English 0011 GMT 12 Oct 77 OW

[Text] Moscow, Oct 11 KYODO--Japanese and Soviet negotiators agreed in principle Tuesday to extend the provisional bilateral agreements regulating fishing operations in the 200-mile fishery zones of Japan and the Soviet Union by 1 year. The two pacts, concluded this year, were to expire December 31.

The negotiators also agreed that the two countries should consult with each other on further extension of the agreements beyond 1979 on a year-to-year basis. As a result, observers believed the current negotiations in Moscow on extension of the interim agreements will be concluded during next week.

The Japanese side had proposed that the two interim agreements should be extended for 3 to 5 years, but the Soviet Union had been insisting that the pacts should be extended for only 1 year. Therefore, the focus of attention at the negotiations had been laid on the period of extension of the agreements.

The Japanese and Soviet negotiators were expected to conduct negotiations in the future on the wording of the protocol concerning extension of the agreements.

JAPAN, USSR MAKE OIL DISCOVERY IN SAKHALIN

OW130115Y Tokyo KYODO in English 0030 GMT 13 Oct 77 OW

[Text] Tokyo, Oct 13 KYODO--A joint Japanese-Soviet venture has made what it considers a significant oil discovery off the northernmost tip of Sakhalin, it was announced here Wednesday. Sadao Kobayashi, president of Sakhalin Oil Development Cooperation Co, said a massive oil strike has been made on the continental shelf some 6 kilometers off Okha.

The Tokyo-based firm has been exploring for oil and gas off Sakhalin Island in partnership with the Soviet Union since August.

The wildcat drilling program has hit four promising oil strata and the test wells are now flowing at a combined daily rate of more 1,000 kiloliters of crude oil, Kobayashi said. The deposits could prove to be the largest in Asia, unrivaled by oil fields in Indonesia and other parts of the area, he said.

The joint venture will continue its drilling program until the fall of 1978 to determine the size of the deposits and assess their commercial potential, which Kobayashi said appears highly promising. The oil is of 0.84 gravity with 0.25 percent sulfur and 1.26 percent paraffin contents.

The assessment of the commercial feasibility will take 4 or 5 years. If the joint venture decides to embark on commercial exploitation, Japan will take 50 percent of the output over a 10-year period at a price 8.4 percent below prevailing international levels.

The cost of commercial production--now estimated at nearly 1 billion dollars--will be shared equally between Japan and the Soviet Union.

KYODO REPORTS ON LATEST JAPANESE, SOVIET FISHING VIOLATIONS

OW131151Y Tokyo KYODO in English 1042 GMT 13 Oct 77 OW

[Excerpts] Tokyo, Oct 13 KYODO--Soviet fishing officials have demanded fines of 92.74 million yen from 100 Japanese fishing boats from June 16 when the Japanese-Soviet interim fishing agreement took effect through the first part of this month, the Agriculture-Forestry Ministry said Thursday.

In comparison, the ministry said, only 11 Soviet vessels have been searched inside Japan's 200-mile zone and three Soviet vessels found violating fishing regulations have been fined only 1.5 million yen.

In response to complaints from Japanese fishermen that the Soviet fines are too large and are often capricious, the Fishery Agency is calling on all fishing vessels to strictly follow the rules to avoid fines. Among the Japanese ships charged with violations, most (69 ships, 61.67 million yen in fines), were for failing to properly record catch totals.

Another six ships (10.3 million yen were docked for failing to respond to orders to stop, while 14 ships (9.98 million yen) were fined for exceeding quotas and polluting the waters. Five ships (8.04 million yen) were accused of operating without a license, and six ships (1.1 million yen) of catching unauthorized fish. Fifty-two of the ships were stopped in the cuttlefish fishing grounds of the Japan Sea, and 32 ships in the waters off eastern Hokkaido.

August was the worst month for fines with 56, the number dropping to 23 in September and 10 thus far in October.

NEW SOVIET PROPOSAL DELAYS FISHERY ACCORD WITH JAPAN

OW140131Y Tokyo KYODO in English 0041 GMT 14 Oct 77 OW

[Text] Moscow, Oct 13 KYODO--A new proposal made by the Soviet Union Thursday has dampened hopes for an early conclusion of current negotiations here on extension of the interim Japan-Soviet agreements regulating fishing operations in each other's 200-mile fishery zone.

In negotiations conducted up to Thursday, Japanese and Soviet negotiators had agreed to extend the provisional agreements, concluded earlier this year, for a 1-year period beyond December 31. They also had agreed to conduct consultation on further extension of the agreements on a year-to-year basis from 1979 also.

Japanese sources said, however, the Soviet Union made a new proposal on the wording of the protocol for extension of the two agreements. As a result, it is now believed difficult to conclude the negotiations by the middle of this month. The Japanese sources have declined to reveal the contents of the new (?proposal), saying that the matter involves delicate problems. It is reported, however, that the new proposal is concerned with legal aspects which are difficult for the Japanese side to accept.

'IZVESTIYA' PROTESTS ARGENTINE DETENTION OF SOVIET FISHING BOATS

LD072108Y Moscow TASS in English 2053 GMT 7 Oct 77 LD

[Text] Moscow, October 7 TASS--Follows the article published in the newspaper IZVESTIYA under the headline "What Happened on the Patagonia Shelf":

At 23.43 hours on September 21, Moscow time, the Soviet fishing vessel "Bussol", operating in southwestern Atlantic, was approached by the Argentinian naval vessel "Rossalis" and a team of armed men boarded the peaceful fishing ship. Following a check-up and apologies for delaying the vessel, the officer of the guards asked the captain's permission to communicate with his ship. Having finished the conversation, the Argentinian representative suddenly declared to the captain that the vessel had violated the Argentine's

200-mile zone, that it was under arrest and should proceed to the Argentine port of Madrin. Despite the fact that the captain protested and demanded that the coordinates of the ship would be jointly checked up to see if the Soviet fishing trawler was actually within the Argentine 200-mile zone, the Argentine military authorities, without bothering to clarify the situation, told the fishing vessel to proceed towards the shore under threat of arms.

Three hours later a similar incident involved refrigerator fishing factory "Apatite" and a little later two other Soviet fishing trawlers were arrested. "Apatite" was not only arrested, the captain and his assistants were removed from control of the ship, isolated from the crew, the radio tower and other command rooms were occupied by Argentine servicemen and all the crew were searched.

In view of the nature of the arrests, the heads of the Soviet fishing fleet in southwestern Atlantic ordered the captains not to approach the Argentine's 200-mile zone to rule out such incidents.

However, on September 26 the Argentinian Navy stopped another Soviet trawler, "Nerey". In the case of "Nerey" one is struck by the fact that even the coordinates given by the Argentine officer at the moment of arrest (the only case when the Argentine side named the coordinates at the moment of arrest) show that the ship was outside the Argentine 200-mile zone.

When the Argentinian servicemen boarded Soviet fishing vessels, the captains of all the arrested ships suggested to the Argentines to determine the coordinates of the ship together so as to establish precisely whether the ship had in fact violated the 200-mile zone. Oddly enough, in all these cases the Argentines categorically turned down the suggestion. Moreover, after the arrest of the Soviet fishing vessels and their arrival under escort to the Argentine ports, the Argentine officials, replying to the demands of the Soviet Embassy staff to be told where exactly the Soviet ships had been detained, said that the coordinates were being clarified. As the entries in the logbooks of Soviet ships show, none of them was within the Argentine 200-mile zone. Besides, the "Prokopyevsk" trawler, arrested on October 1, was not fishing at the time but was anchored repairing its main engine 16.5 miles outside the zone.

The question suggests itself: What prompted the arrest of Soviet fishing vessels outside the Argentine 200-mile zone and who needs to whip up anti-Soviet hysteria over the issue?

Some political observers link the arrest of Soviet fishing vessels and the hue and cry raised about it not only by the rightwing Argentine press but by the reactionary press in other Latin American countries as well, with the exacerbated internal political struggle in the Argentine.

The Soviet Union does not interfere in the internal affairs of other countries. The recent years have seen economic and political relations between the USSR and the Argentine grow stronger and broader. One can only regret the fact that some forces in the Argentine would like to use international fishing to undermine our trade, scientific-technical and cultural links. Fishing is an absolutely peaceful business. That is why attempts to make it an object of aggravating relations between the Soviet Union and the Argentine look so "elumsy".

NEW UK AMBASSADOR TO BOLIVIA DISCUSSES MARITIME ISSUE

PY081658Y La Paz Radio Cruz del Sur Network in Spanish 0230 GMT 8 Oct 77 PY

[From the "Facetas" program]

[Excerpts] UK Ambassador Hope Jones today presented his credentials to President Hugo Banzer. The ambassador said he will continue working to improve trade, financial and mutual cooperation between the UK and Bolivia. The most important part of a statement he made during a short dialog with reporters dealt with the maritime issue. He said that the UK supports the efforts which are being carried out at the diplomatic level to solve this Bolivian problem. This statement is quite important since the UK has always maintained very cordial relations with the Chilean Government, in fact with all Chilean governments.

BULGARIAN SHIP CAPTAIN UNDERGOES INTERROGATION IN ARGENTINA

PY081754Y Buenos Aires TELAM in Spanish 1420 GMT 8 Oct 77 PY

[Text] Puerto Madryn, 8 Oct--The captain of the Bulgarian fishing ship Ofelia, which was illegally fishing in Argentine jurisdictional waters and was captured by ships of the Argentine ocean squadron, was interrogated for 3 hours yesterday.

Capt (Nikola Kostadionov) was questioned by officials of the subprefecture of this city, which is the authority in charge of the proceedings, from 1700 to 2000 yesterday.

Reliable sources of the subprefecture also said that the Bulgarian seaman would continue his exposition this morning.

It is also planned that the crews of the last four of the captured ships will come ashore today.

After the various preliminary hearings have been finished and the captains have been given an opportunity to answer the charges, the results will be submitted to Rear Adm Pedro Santamaria, national naval prefect, who will make the final decision.

It should be noted that for the captains of the five Soviet fishing ships--captured on 21 and 28 September--the 5-day term of notice for the hearings is still in effect. After this term is up, they will have another 9 days to answer the charges.

MAURITANIANS REPORTEDLY SEIZE SPANISH FISHING BOATS

One Ship Machinegunned

Paris AFP in Spanish 1840 GMT 11 Oct 77 PY

[Text] Madrid, 11 Oct--Three hundred Spanish ships fishing off the coast of Mauritania left that site today after one of them was machinegunned by a Mauritanian gunboat. The Spanish ships returned to their home ports in the Canary Islands.

Nobody was injured on the machinegunned Spanish fishing ship.

The Spanish Navy immediately sent the warship Fl Villamil to protect the Spanish fishing vessels. According to a Spanish news agency, Mauritanian gunboats ordered four Spanish fishing boats to go to Villa Cisneros, a port on the former Spanish Sahara, where the 68 members of their crews were detained.

Three other Spanish fishing boats were captured and forced into a Mauritanian port last week.

Negotiations on the fishing rights of the Spaniards, particularly on the coasts of the former Spanish Sahara, should soon be held.

The question of fishing had already been dealt with in the negotiations in which Spain ceded to Mauritania and Morocco the administration of western Sahara.

Crews Released

LD121052Y Madrid Domestic Service in Spanish 1000 GMT 12 Oct 77 LD

[Text] Sources close to the Foreign Ministry have reported the release of the crews of Spanish fishing boats which had been captured in Mauritania. The release, according to the same sources, is the result of representations made by the ministry to the Mauritanian authorities.

From Las Palmas we now have a report on the Spanish fishing boats released by Mauritania. A journalist for our radio news has interviewed Foreign Minister Marcelino Oreja about this:

[begin recording] [Reporter] Mr Minister, after the release of the fishing boats seized yesterday, what guarantees does the Canary Island fishing fleet have in the area?

[Oreja] I can say that with regard to Mauritania, in a few days time Llado, minister for communications and transport, who is responsible for fishing, will go to Nouakchott for talks (?on) negotiations and the possibility of signing an agreement which will resolve a problem which up to now has been worrying us. We must protect Spanish interests (?and fishing) particularly the Canary (?fishermen). The demarches made yesterday directly with the Mauritanian Foreign Ministry have had results [words indistinct]. [end recording]

Return to Canary Islands

LD120202Y Madrid Domestic Service in Spanish 2300 GMT 11 Oct 77 LD

[Excerpt] More than 300 Spanish fishing boats with a total of 7,000 crew members are returning to port in the Canary Islands from the fishing grounds off the Sahara. This move follows a series of attacks on Spanish boats by Mauritanian patrol boats in the past few days.

The Villamil [large Spanish patrol craft] is sailing for the Saharan coast to give protection to the Spanish fleet.

Here is what Foreign Minister Marcelino Oreja said on his arrival in Las Palmas:

[Begin Oreja recording] On arrival in Las Palmas, I was informed of the incidents which took place a few hours ago. I immediately contacted the Foreign Ministry in Madrid, the Mauritanian Embassy in Madrid and also our representative in Nouakchott. I am now awaiting a call from Mauritanian Foreign Minister Mouknass, to whom I want to express our annoyance over this incident.

INTER-ASIAN AFFAIRS

CAMBODIAN ATTACK ON THAI FISHING BOATS REPORTED

Bangkok BANGKOK POST in English 10 Oct 77 p 1 BK

[Text] ~~Trat~~--One Thai fishermen died and three were wounded when a Khmer Rouge gunboat attacked their trawler with machineguns in the high sea Friday morning. A second trawler was captured and several crewmen were missing in the same incident.

The Phanit trawler of Samut Prakan managed to limp back to this coastal province in the afternoon with the bullet-riddled body of the skipper, Phaisan Kaewsamran and the three wounded crew members, whose identities were not known. The second trawler, Watthanachai Phanit also of Samut Prakan, was seized by the Khmer Rouge and the fate of its crewmen was still in doubt.

Provincial police, quoting survivors, said last night that Khmer Rouge soldiers using a Thai fishing boat, converted into a gunboat, machinegunned Phanit as it was fishing near Ko Kut Island with the second trawler.

Skipper Phaisan was killed instantly and other crewmen fell into the sea. The Cambodian gunboat then turned on Watthanachai Pahnit and opened up with machinegun fire forcing several crewmen to jump into the sea. The boat was later commandeered and towed to Cambodia.

THAILAND, CAMBODIA MUST SETTLE LOS ISSUE

Bangkok BANGKOK POST in English 11 Oct 77 p 6 BK

[Editorial: "Marine Rights Must Be Defined"]

[Text] While Foreign Minister Uppadit Pachariyangkun and Supreme Commander Kriangsak Chamanan spoke about improved relations with Cambodia, a Khmer Rouge gunboat attacked a Thai trawler with machineguns on high seas last Friday, killing one fisherman and wounding three others. The Khmer Rouge also captured a second trawler and an untold number of crew members. The attacked trawler which originally came from Samut Prakan returned to shore at Trat with the bullet-riddled body of its captain and three wounded crewmen. The reason for the assault is not clear but it does not help at all to have such an incident happen while both the Thai and Cambodian governments are doing their best to create an atmosphere conducive to friendly negotiations.

While our top policy-making leaders are paving the way for fruitful negotiations with conciliatory comments, such incidents along the border continue to be a discouraging factor. There has been no let-up in the campaign conducted by the Khmer Rouge Navy against our fishing boats which have gone out to sea on legitimate business.

The Khmer Rouge claim that the Thai vessels have entered Cambodian territorial waters, but our fishermen insist that they have been operating either in Thai waters or in international waters. It is disadvantageous to us to recognize 200-mile economic zones declared by neighbouring countries. Such unilateral announcements encroach upon our sovereignty over waters that rightfully belong to us and prevent us from fishing in seas that are supposed to belong to all countries.

If any dialogue with Cambodia is to lead to long-lasting friendly relations it must include, in the initial stages, the problem of territorial sea limits. In fact, the subject may have to be taken up on a broader basis, with all Southeast Asian countries having access to the sea attending.

Thailand cannot wait until it is the last to declare a 200-mile zone. Each of the countries in Southeast Asia which makes such a declaration infringes on the territorial waters of the other countries. The problem is easier for the Philippines which is a maritime nation and which has no land attached to the Asian mainland. Indonesia has waters which border those of Malaysia, while we in Thailand have to settle disputes with Cambodia, Vietnam, Malaysia and Burma.

A conference of the Southeast Asian countries is imperative to solution of problems raised by the Law of the Sea and caused by poaching by the fishermen of one country in the waters of another. Before a regional conference is organized, it will be useful for the member governments of ASEAN to meet first and discuss their own problem and then to form a common front for a larger conference.

CSO: 5200

SOUTH KOREA PRODS JAPAN ON SEA DEVELOPMENT PLANS

SK100108Y Seoul HAPTONG in English 0100 GMT 10 Oct 77 SK

[Text] Seoul, Oct. 10 (HAPTONG)--Premier Choe Kyu-ha has indicated that South Korea might unilaterally explore the sea bed zone lying between Korea and Japan unless Japan enacts necessary internal laws for the implementation of their bilateral continental shelf development agreement without any further delay.

Testifying on overall national affairs before the National Assembly plenary session, Premier Choe said Saturday afternoon: "The continental shelf development has been delayed due to Japan's failure to enact domestic procedural laws for the implementation of the agreement, but we cannot wait for it indefinitely. Counter-measures should be worked out in case of any further delay on the part of Japan."

The government has been asking Japan to complete all her necessary procedures for the joint development of the sea bed area during the current Diet session, Premier Choe said.

Japan is not in a position to make a direct military contribution to free countries in northeast Asia, but it can contribute to the maintenance of security of those countries including South Korea through economic and diplomatic cooperation, Choe said.

Asked about the trade imbalance lopsidedly favoring Japan, the premier said that it will be rectified over two or three years to come, to a considerable extent.

As for the Japanese policy toward North Korea, he said that he does not expect the Japanese Government to approach Pyongyang at the expense of South Korea's interest. However, he went on, the government will do all it can to prevent Japan from making official contacts with North Korea.

THAI TRAWLER SUNK, ANOTHER CAPTURED BY BURMESE OFF RANONG

Bangkok BANGKOK POST in English 12 Oct 77 p 3 BK

[Text] Ranong--A Burmese coastal patrol boat on Monday evening sank a Thai fishing boat and seized another while they were trawling in Thai territorial water off Tambon Paknam of Muang district here. Two crewmen swam back to this province, but the fate of the other 40 [as published] crewmen on the two fishing boats was still unknown.

It was the first attack on Thai fishing boats by a Burmese coastal patrol vessel in Ranong Sea area after the withdrawal of HMS Prasae on September 19.

Ranong district officer, Capt Thiansak Thammaracharak reported that the fishing boat, Lap Charoenchai with a crew of 15 was sunk by the Burmese patrol boat at about 5 p.m. Monday evening while they were trawling in the sea between Chang and Payam islands, which is about 4 hours by boat from the Ranong ferry landing.

After sinking the Lap Charoenchai, the Burmese patrol boat seized another fishing boat, with about 15 crew members. The name of the boat was not yet known.

Governor Panya Roek-urai said yesterday that he was not yet informed of the details of the incidents because he was in Kra Buri district on that day.

Meanwhile, the Royal Thai Navy has sent HMS Pinkhlao to replace HMS Prasae in Ranong waters but the HMS Pinkhlao was still on the way to Ranong.

BURMA, THAILAND REACH TENTATIVE AGREEMENT ON FISHING

BK130558Y Bangkok NATION REVIEW in English 13 Oct 77 p 1 BK

[Text] Ranong--Thai and Burmese officials have reached tentative agreement on the fishing problem on the common territorial waters limit, governor Panya Roek-urai said yesterday. Burmese officials, he said, had accepted a set of proposals on how to prevent future conflicts between Thai fishing boats and Burma's naval patrols. The governor gave no details of the proposals but said that the Burmese had promised Thai authorities that they will in future refrain from attacking Thai trawlers.

The agreement came after the latest incident in which a Burmese naval patrol boat rammed a Thai trawler and seized another earlier this week.

"Now that agreement has been reached, it would not be necessary to place our warship on a cruising mission along this coast," the governor said.

HMS Prasae has just returned to Sattahip naval base after a 45-day patrol mission in the area. The Royal Thai Navy said it would despatch another warship to continue the patrol to protect Thai fishing trawlers "operating legally" in the area.

CSO: 5200

MALAYSIA

BRIEFS

OIL FIND OFF TRENGGANU--Kuala Lumpur, Wed.--EXXON Production Malaysia Incorporated [EPMI] have discovered oil and gas in a new area called Palas off the Trengganu coast, about 12 miles northeast of the Tapis field. A PETRONAS and EPMI statement today said encouraging occurrences of oil and gas had been encountered following further exploration activities in the EXXON contract area. Additional wells would, however, have to be sunk and further tests made before commercial potential of the oil and gas could be fully assessed. The oil and gas was discovered in the "Palas No. 1" exploration well recently. It is located 140 miles offshore from Kuala Trengganu. [Excerpt] [Kuala Lumpur NEW STRAITS TIMES in English 6 Oct 77 p 1 BK]

CSO: 5200

THAILAND

THAI PAPER DISCUSSES DECISION NOT TO EXTEND TERRITORIAL SEA

Bangkok NATION REVIEW in English 10 Oct 77 p 2 BK

[Editorial: "Wise Decision on Declaration of Economic Zone"]

[Text] Whether Thailand has to extend her economic zone in the seas nearby or not become a Hobson's choice when many countries following the Law of the Sea Conference in New York earlier this year decided to impose the 200-mile limit. It was a question of "The devil we do, the devil we don't."

But our government had to come to some sort of a decision considering that most of our neighbours have declared an economic zone of 200 miles, except for Malaysia and Cambodia. Malaysia does not rank high among the fishing countries of the world and most of the fishing in Cambodia is done on the Togle Sap River. But Thailand is very high in the ranking of the world's top fishing countries--occupying the seventh place last year. The question is whether we will be able to keep on maintaining this place.

The cabinet has decided that we will not exercise the privilege of the economic zone as yet and will be the last to do so in this region. This decision is as good as any other and how far it will benefit our fishermen is something yet to be seen. Considering our outlets to the sea, and considering that Malaysia and Cambodia have not extended their economic zone, the problem that will arise will be only with Burma--probably with Bangladesh and India if our fishing boats go far enough in the Bay of Bengal.

It is not quite clear whether by not announcing our extended economic zone, Thailand automatically fails to recognize the declaration by others. According to Mr Rongphet Sutcharitkun of the Foreign Ministry, a specialist on international treaties, Thailand, by not accepting arbitrary declaration of the economic zone of other countries, can allow Thai fishermen to continue to fish in international seas.

Does this mean that the new economic zone declared by Burma is considered by Thailand as international waters? The matter is not quite clear. Possibly it is proper for Thailand to let the dust settle in several international fishing disputes--right now a big dispute is going on between

Japan, the Soviet Union and the United States. Once Thailand knows how the "big shots" are settling their fishing disputes there may be workable arrangements which we could arrive at with our neighbours.

CSO: 5200

INTERNATIONAL AFFAIRS

IPU CONFERENCE LOS RESOLUTION

AU302153Y Sofia BTA in English 1907 GMT 30 Sep 77 AU

[Text] Sofia, September 30 (BTA)--The 64th Interparliamentary Conference here today unanimously approved a resolution of disputed questions in the law of the sea.

The document calls on the parliaments and the governments to pay special attention to the problems connected with the exploitation of sea resources beyond the limits of the continental shelf and speaks in favour of the setting up of a specialized international authority on these matters.

Special attention is paid to the exclusive economic zone.

The resolution dwells on the rights and interests of land-locked and geographically disadvantaged countries as well as on the problems caused by marine pollution.

CSO: 5200

INTER-AMERICAN AFFAIRS

'LA PRENSA' ENDORSES SOUTH ATLANTIC NAVAL PACT

FY131351Y Montevideo Radio Carve Network in Spanish 0000 GMT 12 Oct 77 PY

[Text] The Uruguayan Navy initiative supporting the establishment of a naval alliance for defense of the South Atlantic has been favorably noted in Buenos Aires.

The newspaper LA PRENSA indicated that a collective defense of the maritime area, particularly in the continental southern cone, is becoming imperative and urgent. The group should be made up of the navies of the American states, without excluding other extra-continental countries which have interests in the Atlantic and which oppose Soviet penetration.

The idea was launched several months ago and was recently restated by Uruguayan Navy Commander in Chief Hugo Marquez. It has been indicated in Argentina that the proposal of the Uruguayan navy official becomes more urgent in the face of the seizure of seven Soviet and two Bulgarian fishing vessels.

LA PRENSA supports its statement by noting the access of Soviet vessels to the ports of Angola, Guinea and the Congo, on the West African coast.

CSO: 5200

"SOVEREIGNTY": A MUCH CONFUSED TERM

Bogota EL SIGLO in Spanish 16 Sep 77 p 4

[Article by Rafael Nieto Navia]

[Text] Few subjects are so debated and so full of conceptual vacuums, within the general theory of the state and international law, as that of sovereignty. That expression, furthermore, is more demagogic than any other. What is evident, however, is that within the international community, the state is increasingly less sovereign, or if one wishes, less arbitrary, and each treaty, simple though it may be, always represents a self-limitation on sovereignty.

Whatever the meaning of the term, however, the state was always sovereign over its territory, including the maritime zone which separates it from open sea, referred to as territorial waters. The latter has been completely assimilated with the territory, with the exception of the right referred to as innocent passage. Within territorial waters, however, the territorial state exercises competence and controls the air, water, soil and subsoil.

In 1952 the Chilean Government, motivated primarily, but not exclusively, by problems of whale fishing, proposed a conference attended by delegates of Peru and Ecuador with an observer from Colombia, out of which arose the declaration of maritime zone in which mention was made of "exclusive sovereignty and jurisdiction" over the sea up to a minimum distance of 200 nautical miles. Today it may be said that those states attempted to increase their territorial waters to 200 miles, although this is not all that clear with reference to the domestic laws of those same states.

Later, a general convention consecrated the notion of a continental shelf. At the same time it was stated that the coastal state would have "rights of sovereignty...with respect to the exploitation of its natural resources."

Little by little these confused ideas in which "sovereignty" is the confusing factor have been clarified, and today the path has been cleared, with increasing momentum, for the idea of the Chilean ex-minister Valdez of a 200 mile "economic zone."

It is worthwhile to distinguish these ideas from each other. In effect, sovereignty necessarily implies a monopoly in the execution of state competence. If state competence is limited one can no longer speak of sovereignty but of minor territorial rights. That is why, in spite of the expression used by the Geneva Convention on the Continental Shelf, a product of the hypnotism encompassed in the word, one can not speak of "sovereign rights" when that same convention very specifically limits these rights.

This is exactly the question which the idea of an "economic zone" attempts to clarify. Under this concept the states would reserve, primarily for reasons of security, territorial waters and sovereign rights over them of approximately 20 miles. In addition, they would have exclusive rights to economic exploitation of the resources of the water, the ocean floor and below the ocean floor. But there would be freedom of navigation, of laying underwater cables and of overflight. This zone would include rights of police, health and custom's jurisdiction, which at present correspond to the old zone.

Thus it would be quite clear that the state would not have sovereignty over the "economic zone" but would have minor territorial rights over it.

The treaties which were recently executed by Colombia with neighboring states to delineate maritime and submarine areas which were so speedily approved by the congress in spite of basic observations which were made against them, did not fall, however, into the error of talking about sovereign jurisdiction. They referred instead, to the rights which might eventually be derived from general agreements on the subject. For this, our chancellery should receive credit.

But the word "sovereignty" and related topics are so fascinating and so attractive that during such a movement of moral renewal in congress, mention was made in a communique (?) of "200 miles of national sovereignty". The weekly newspaper NUEVA FRONTERA, in an article intended to praise the government's action in delineating marine and submarine areas, again makes the mistake of talking repeatedly of sovereignty.

Only one thing is clear at this moment, and that is that neither Colombian nor international law have given Colombia new territorial dimensions or sovereignty over 200 miles, and very likely will not do so.

9117
CSO: 5200

SWA, WALVIS BAY EXCLUSIVE FISHING ZONE LIMIT TO VARY

Walvis Bay NAMIB TIMES in English 27 Sep 77 p 3

[Text]

CAPE TOWN: The latest addition to South Africa's maritime fighting forces is seen off Simonstown recently undergoing extensive sea trials. According to a statement from naval headquarters this vessel will be used extensively in the maritime system and might also be used for patrolling the country's fishing zone, which is to be extended.

It is already common knowledge that South Africa is expanding its naval defences by the addition of smaller vessels, corvettes and submarines.

More than a year ago the Minister of Defence, Mr. P. W. Botha announced that some of these vessels, which can be equipped with sophisticated weapons, would be added to the South African Navy's fleet.

In future the long South African coastline and strategic shipping lane around the Cape will be defended by submarines, corvettes and fast patrol vessels.

FISHING LIMITS

The extension of South Africa's exclusive fishing zone to 200 nautical miles is expected to come into operation in the very near future.

However, South West Africa is excluded from the recently adopted legislation — but the 60 km coastline of the port and settlement of Walvis Bay and that of the 12 small islands to the south are included.

With a view to the rapid depletion of the pelagic fish resource, in particular off the South West Africa coast, the Town Council of Walvis Bay in close co-operation with the local fishing industry are seeking an interview with the new Administrator-general of South West Africa/Namibia, Mr. Justice M. T. Steyn with a view to persuading him to extend South West Africa's exclusive fisheries zone as well.

However, it is understood that this question is considered so delicate at this stage that the Administrator-general has indicated that he could not act in the matter and it would have to stand over until such time as the new government for independent South West Africa/Namibia is formed.

ENFORCEMENT

To enforce the law governing the extended fishery zone of South African Navy will be called in.

The Dept. of Industries (under which Sea Fisheries resort) are at present studying the

practical problems involved in enforcing the new law at Walvis Bay and the relevant islands and once finality is reached the law will become applicable.

In the application of the extended fisheries zone the Dept. of Industries will work in close co-operation with the South African Navy.

Vessels operated by the Division of Sea Fisheries are not armed and do not have power of arrest. So the South African Navy would have to be called in if a foreign trawler refused to head a warning given by a Sea Fisheries patrol boat.

INTERNATIONAL AFFAIRS

SISMİK-I REPORTEDLY NOT TO SAIL IN DISPUTED AREAS

NC041122Y Istanbul CUMHURİYET in Turkish 3 Oct 77 p 1 NC

[Text] Ankara--ANKA--It is reported that the Hora [Sismik-1], which will carry out seismic research in the seas surrounding Turkey, will not enter areas disputed by Greece. Officials have stated that the two countries are avoiding any moves that may create tension, because of the general elections in Greece on 20 November and the local elections in Turkey on 11 December, and that that is why the Hora will not enter disputed waters.

Officials have said that the Hora will carry out research primarily in the Black Sea and the Sea of Marmara and that even if it goes out into the Aegean, it will carry out its research in Turkish territorial waters in the southern part of the Saros Gulf and in international waters to the west of Midilli [Lesbos].

It is also claimed that the issue of the Hora was taken up during the meeting between Caglayangil and Bitsios in New York and that both sides stated that they do not want this issue to cause new disagreements.

CSO: 5200

DENMARK

DANES FEAR THREAT TO FISHING QUOTA SYSTEM

Dutch Trawler Taking Danish Registry

Copenhagen BERLINGSKE TIDENDE in Danish 14 Sep 77 p 1

[Text] Dutch fishermen appear to be getting set for war about the national fishing quotas in the North Sea.

The 326 gross tons Dutch boom trawler "Benjamin Ian" is today lying in Thyborøn harbor and is waiting with its crew to change to Danish flag so that the Dutchmen can participate in the small Danish fishing quotas in the North Sea. The law firm P. Wisbech Christensen in Lemvig has for skipper A. van der Knaab from Texel in Holland assumed the job of setting up a partnership and obtaining two Danish members of the board so that the ship can come under Danish flag.

A Test Case

The attorney tells BERLINGSKE that he has received several calls from the Dutch Embassy, who wanted to hear how the case was coming. The fishermen in the west coast harbors are worried that it may be a test case and that more foreign fishing vessels will be registered in Denmark.

"If this happens, we can expect that the fishermen here at home, when our fishing quotas have been used up, will get their fishing vessels registered in England, Holland and other countries," said Ole Lilleør, Secretary in Thyborøn's Fisheries Association. "Then there will be chaos about the fishing quotas."

The vice chairman in Denmark's Ocean Fisheries Association, Poul H. Petersen, Hirtshals, says: "The relationships between Danish and Dutch fishermen are cool to start with. We remember the battles this spring in the North Sea, where there were numerous conflicts at the fishing sites between the Dutch and the Danes. Even though the cases have quieted down now, they are not completely forgotten."

The System Collapses

"It came as a surprise to me that the Dutch through the partnership law apparently will try to penetrate the quota system. It is unfortunate,

but if they are trying to use our quota by changing flag, this is something we will not be happy about. The entire quota system will collapse, if they succeed. In Denmark's Ocean Fisheries Association we will follow the developments in the case closely," said the vice chairman.

Efforts To Block Move

Copenhagen BERLINGSKE TIDENDE in Danish 15 Sep 77 p 1, 18

[Text] "No tradesmen from Thyborøn are going on board the Dutch trawler to carry out the work which is necessary before it can be approved by the National Ship Inspection, can be registered in Denmark and start to make inroads in the Danish catch quotas in the North Sea."

This is how master smith Preben Andersen from Thyborøn evaluated the situation yesterday. The case about the Dutch trawler, "Benjamin Ian," which is lying in Thyborøn harbor and waiting to be registered under Danish flag so it can take part in the Danish fishing quotas in the North Sea, set tempers moving in Thyborøn.

The Fisheries Minister

Fisheries Minister Svend Jakobsen tells BERLINGSKE that he thinks the case is serious. This is the second time a foreign fishing vessel has tried to come under Danish flag -- the first case was a Norwegian cutter, which wanted to fish off Greenland.

"We had already agreed on a meeting on Friday between the Fisheries Ministry, the Ministry of Trade and the Ministry of Foreign Affairs, where the Norwegian ship was to be discussed. The case about the Dutch cutter makes the case even more pressing and will naturally also be discussed. The principle must be that national fishing quotas are available for national fishermen -- and not for ships that have become Danish by virtue of a couple of legal regulations," said Svend Jakobsen. He says that they are now also investigating whether Danish cutters are registered under other countries' flags, since it will become important for any possible legislation. The case also got Member of Parliament Nathalie Lind (V) to announce an inquiry to Prime Minister Anker Jørgensen, and in Thyborøn the Fisheries Association held a special board meeting yesterday.

The Local Attorney

On the pier in Thyborøn the fishing community took their case in their own hands. "Boycott the Dutchman" was the word. Messages were sent to the fishermen's tradesmen, and it was made clear that they were not to carry out the work or perform services which may help to bring the Dutch trawler under Danish flag. If local people help the Dutch ship, they can expect to lose their customers among the fishermen.

"We are disappointed that a local attorney is in Dutch service by trying to set up partnerships," says Thomas Eriksen, chairman in the Fisheries Association in Thyborøn. "The attorney involved, who has an office in the town, can probably close it up today."

"We will not stand defenseless and see the Dutchmen catch our fish," says fishing skipper Mads Kruse, Thyborøn. "We have asked the tradesmen not to help them, and if Dutch tradesmen are coming up here, we are throwing them in the harbor. In the last three and a half years we have had nothing but problems with the Dutchmen -- in one way or another. Our patience is soon at an end."

"The Dutch Embassy has shown that it is interested in hearing how the registration of the cutter involved is proceeding. Instead it should be interested in getting us compensation for the chicanery and the destruction the Dutchmen caused our fishing vessels and equipment this spring. There have been 65 cases of Dutch chicanery, which are being processed in a Danish-Dutch commission, and there are absolutely zero cases of the opposite case, that is where Danes have bothered the Dutchmen," concludes Mads Kruse.

Overrun By Others

The 326 gross ton Dutch trawler is lying alone at a pier in Thyborøn's western harbor without registration number -- it has been painted over -- and it is freshly painted in green/black colors. Yesterday the Dutch crew prepared their nets, while the skipper A. van der Knaap was at a meeting with his Danish attorney in Lemvig. Later on there was a visit by the auditor on board.

"If they are successful in registering this single trawler, we will be overrun by other Dutchmen," says fishing skipper Aage Jensen, Thyborøn. "Part of the Dutch fishing fleet is lying in the harbor all the time, while the other half is sailing. That is because the fishing fleet is far too big for the Dutch quotas. So the fishermen are together on the catches and give assignments from a pool. It is probably this system which the Dutch trawler wanted to get away from. But this doesn't change the fact that it is and remains pirate methods."

8958
CSO: 5200

END