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Worldwide Report

LAW OF THE SEA

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WORLDWIDE REPORT

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LEVCHENKO ON U.S. REFUSAL TO SIGN SEA LAW

LD101508 Moscow TASS International Service in Russian 0950 GMT 10 Jul 82

[Text] Washington, 10 July (TASS) -- TASS correspondent Yuriy Levchenko reports:

In California President R. Reagan officially announced that his administration refuses to sign the international convention on the law of the sea, approved on 30 April by representatives of 130 states at the third UN conference on the law of the sea. The head of the White House based his decision on the fact that this convention supposedly "does not meet the aims pursued by the United States."

The White House demarche is the culmination of efforts over many years by American monopolies and the ruling circles of the United States who serve them to wreck the drafting of this important international document, called upon to settle international cooperation in the use of the incalculable wealth of the world ocean for the good of all mankind. U.S. "big business" saw the convention, which declares that sea-bed resources are the "common property of all mankind," as a direct threat to its own plans for their rapacious and uncontrolled plunder.

At the very beginning of last year, following the instructions of the White House, the U.S. delegation at the United Nations blocked the adoption of a draft of the convention under the pretext of the "need for it to be studied carefully" by the new Republican administration. In January of that year the White House announced that the convention "does not suit" the United States and categorically demanded the inclusion into it of a draft of half a dozen "amendments," weakening its purpose and openly discriminating against the majority of participants in the conference. When the draft did not produce an effect and the draft of the convention was put to the vote, the United States delegation came out against its adoption.

As is clear from Reagan's statements, Washington's greatest fury is aroused by those clauses of the convention which envisage practical measures for setting up effective international cooperation in the exploitation of sea-bed wealth and its use in the interests of all countries and all peoples without exception.

In particular, Washington does not like the fact that control over the extraction of valuable minerals in international waters is handed over to an authoritative international body and that developed countries will be in the position of having to give effective material assistance to developing states by giving them the corresponding technology. As far as those provisions are concerned that relate to participation by the developing countries and the national liberation movements that are anathema to Washington in the revenues derived from exploitation of the wealth of the world ocean, these are regarded by American imperialists as quite heretical.

Observers consider the White House decision to be yet another attempt by American imperialism to place its narrow self-interest before those of mankind, and to impede the development of mutually advantageous international cooperation.

CSO: 5200/2095

USSR ACCEPTS ONLY HALF NEW ZEALAND FINFISH QUOTA

Christchurch THE PRESS in English 26 May 82 p 21

[Text]

PA Wellington

The Soviet Union has accepted only half of its 32,500-tonne fin fish allocation in the New Zealand fishing zone for this season.

The remaining 16,250 tonnes that "belong" to the Soviet Union are likely to be offered to Korea and Japan, says the Ministry of Agriculture and Fisheries.

The amount accepted by the Russians was virtually the same as its actual catch in past seasons, said the Ministry.

A spokesman for the Soviet Embassy said that the figure was a realistic one, considering the Soviet fleet's

catching capacity and the difficult conditions. The Russians must make their catches far to the south of the South Island, an area notorious for high winds and rough seas.

"It is the Roaring Forties down there and it is very difficult fishing. Catching is limited to only a few months," the spokesman said.

The assistant director of the Ministry's Fisheries Management Division, Mr Tom Norris, said that the Soviet Union had asked for the remaining half of its allocation to be reserved for it. The request was likely to be declined.

"The normal practice is

that the quantity of fish now taken up will be offered to the other foreign nations. The domestic fleet does not want it because it is all in area E," he said.

The fish would probably be offered to Korea and Japan, the two other nations whose boats were allowed to fish within the New Zealand 200-mile zone, as foreign-licensed fleets. Korea had already indicated that it would like more fish, said Mr Norris.

A spokesman for the Japanese Embassy said that Japan had not yet been approached by the Ministry. The embassy had not yet taken the matter up with its Government.

CSO: 5200/9097

INTER-ASIAN AFFAIRS

JAPAN AWAITS DPRK MOVES ON FISHERY ACCORD

OW291211 Tokyo KYODO in English 1204 GMT 29 Jun 82

[Text] Tokyo, June 29, KYODO -- A government official said Tuesday Japan could do nothing but watch closely the steps the North Korean Government would take for extension of the current Japan-North Korea fishery agreement, set to terminate Wednesday. Japan has no diplomatic relations with North Korea at present.

The official was commenting on the North Korean failure to extend the agreement after the Japanese Government refused entry of a North Korean delegation into this country for negotiations on its renewal. He said North Korean authorities had at one time intended to send a delegation to Tokyo to start negotiations for renewal of the non-governmental fishery talks but later had a change of heart. Extension of the agreement might have been an effective card for political bargaining with Japan but the Pyongyang Government seemed to have given it up, he added.

CSO: 5200/2095

INDIA'S SEARCH FOR OCEAN RESOURCES DESCRIBED

Mining, Other Possibilities

Madras THE HINDU in English 18 Jun 82 p 8

[Article by B. S. Padmanabhan]

[Text] When in January 1981 the National Institute of Oceanography in Goa successfully hauled samples of polymetallic nodules from the seabed--a significant first step towards exploitation of seabed resources--few would have thought that in a year's time NIO would be gearing itself to make India the first developing country to enter the area of seabed mining. But this was what a party of pressmen saw during a recent visit to the Institute.

A chat with the scientists showed that the setting up of a separate Department of Ocean Development and the Government's measures to build up material, manpower and technological capability have given a fresh impetus to the project initiated by the Institute in 1978 to exploit deepsea manganese nodules. The adoption of an international convention on seabed mining at the last session of the U.N. conference on the Law of the Sea has imparted a sense of urgency to this project as the prospects of India securing seabed mining rights under the convention will depend to a large extent on its success.

"Pioneer Investor"

The international convention has accorded India the status of "pioneer investor"--the only developing country to get this status. The others to get this status are: France, Japan, Soviet Union, and four consortia of industrialised States. India has now to show to the satisfaction of the International Seabed Authority that it has spent at least \$30 million (Rs. 27.9 crores) before January 1, 1983 on seabed mineral resources exploration and present two alternative sites of 140,000 sq. km. each, having equal commercial value, in the Indian Ocean to the preparatory commission of the Authority which is expected to start functioning by May-June 1983 after the convention is ratified by the required minimum number of countries.

India is keen to beat this deadline and make a successful bid for the mining rights in one of the two sites. The NIO's activities are attuned to this objective.

According to Dr. H. N. Siddiqui, head of the division of Geological Oceanography, the deep sea manganese nodules project was conceived as an interlaboratory effort in which a number of R and D institutions were involved, with NIO playing the leading role. Following the hauling of samples of nodules during the two cruises in 1981, three cruises were organised between March and May this year in the central Indian Ocean. The nodules range up to 8.5 cm in size and more than 200 g in weight. Not only nodule samples but also baseline data on environmental parameters were collected during these cruises.

In the coming months, exploration will be done in other areas in the Indian Ocean with sophisticated instruments like deep underwater television cameras, deep tow survey equipment and boomerang corers.

Prime Areas

The Indian Ocean is estimated to have 15 million sq. km of area covered by manganese nodules compared to 23 million sq. km in the Pacific and eight million sq. km in the Atlantic Ocean. It is also estimated that the prime areas suitable for first generation mining will be around 0.50 million sq. km in the Indian Ocean, compared to 5.2 million sq. km in the Pacific and 0.85 million sq. km in the Atlantic. The total quantity of manganese nodules in the seabed in the Indian Ocean is estimated at 150 million tonnes.

Based on the data collected during the cruises, NIO hopes to identify prime areas for mining in the Indian Ocean. This, however, cannot be done by the date set under the international convention with only one research vessel, it has been decided to charter two more vessels to supplement the existing research vessel "Gaveshani". The three vessels will undertake extensive cruises after the monsoon to comb the Indian Ocean for seabed mineral resources and to demarcate the promising areas.

Official sources are confident of India registering its claim for mining rights well in time. Steps for commercial exploitation by mining and metallurgy will follow. A separate organisation is likely to be established for this purpose as NIO, being a research institution engaged in a wide range of oceanographic studies, cannot be saddled with the responsibility of the commercial exploitation of the seabed mineral resources.

Besides looking for manganese nodules, NIO has been playing an important role in the development of offshore oilfields. Its work includes marine geological and geo-physical surveys, which will help in designing platforms, selecting submarine pipeline routes, locating well heads, checking the depth of burial of the pipelines laid. From 1976 until now, NIO has carried out over 1300 line km of surveys for ONGC.

It has also carried out surveys for development of ports and harbours besides undertaking detailed studies in the exclusive economic zone which have shown that the lagoons off Lakshadweep abound in calcareous sands useful for making cement and that the Konkan coast abounds in ilmenite.

Another of its activity is underwater archaeological survey which was initiated last year at the instance of Tamil Nadu to locate ancient towns submerged

in the ocean. Carried out 35 km off Nagapattinam the survey revealed some circular and rectangular structures under the sea. A full report will be presented to the Tamil Nadu Government soon. After that a follow-up survey will be carried out.

The ocean is also rich in fish and the NIO's Biological Oceanography Division is engaged in studies to improve the yield and catch. According to Dr. T. S. S. Rao, head of the division, the annual fish catch rose from 0.5 million tonnes in 1947 to 1.5 million tonnes in 1971. After that it was stagnation or declension.

But NIO studies have shown that the annual catch can be increased to six million tonnes. For this, large-sized combination trawlers are necessary. NIO put the fish requirement of the population by 2000 A.D. at 11.4 million tonnes and has proposed a plan for aquaculture in coastal areas which have two million hectares of brackish waters.

The plan envisages the setting up of at least one "aquaculture estate" in every maritime State as a small scale industry by graduates in biology and fishery sciences under the auspices of the National Science and Technology Entrepreneurship Development Board. To begin with, a detailed project has been prepared for forming such an estate in Goa.

Preparing drugs from marine plants and animals, controlling marine pollution and utilisation of ocean energy are NIO's other activities. The Chemical Oceanography Division has identified anti-fertility, anti-viral and analgesic activities in some corals and seaweeds of Lakshadweep and Andaman coast and these are now being screened at the Central Drug Research Institute, Lucknow. According to Dr. C. V. G. Reddi, head of the division, it will take two or three years before these can be commercially exploited. So far 106 species of marine animals and plants have been studied, of which 40 have been found to hold promise from the bio-medical point of view.

The marine pollution control project is to study the character of estuaries to ascertain the extent to which the various rivers pollute the ocean. The rivers chosen for study are the Ganga, the Mahanadi, the Godavaria, the Krishna, the Cauvery, the Narmada and the Tapti. For the first two rivers studies have been initiated at Hooghly and Paradeep respectively. "Gaveshani" will be near Madras next week for an east coast cruise to collect data on pollution. According to Dr. Sen Gupta, in charge of the project, NIO had already carried out studies off Madras coast and found the water highly polluted.

Energy from Waves

In the field of ocean energy, NIO has developed a laboratory model of plant for converting ocean energy into power and has proposed to set up a one-megawatt plant off Lakshadweep in collaboration with IIT, Madras. It has also designed gadgets to tap the wave energy and thereby protect the shores from erosion due to waves. Its wide range of activities made it take a leading role in the expedition to Antarctica last year where it has left behind a data buoy, developed by its scientists, to function as an unmanned weather station.

According to Dr. V. V. R. Varadachari, acting Director of the Institute, regional centres are proposed to be set up at Madras, Port Blair and near Calcutta besides those at Cochin, Bombay and Waltair. Each centre will concentrate on a particular aspect of oceanographic studies. The Madras centre will specialise in ocean engineering and ocean energy studies off the Tamil Nadu coast.

To build up manpower, NIO started a training programme on the lines of the one in the Bhabha Atomic Research Centre. The first batch of 50 scientists in different disciplines has been recruited and they will be absorbed in the Institute after six months' training.

Oceanographic Vessel Described

Bombay THE TIMES OF INDIA in English 19 Jun 82 p 15

[Text] BOMBAY, June 18--INDIA'S oceanographic research vessel, R. V. "Gaveshani", has completed 100 cruises. This was disclosed to pressmen by Dr. V.V.R. Varadachari, acting director of the National Institute of Oceanography (NIO), Goa, recently.

The vessel, launched in January 1976 by the NIO, is one of the best-equipped oceanographic vessels in the world. It has sophisticated equipment for all disciplines of oceanography.

Pressmen who visited the NIO were taken aboard the vessel. It is 68.33 m. long and 12.9. m. broad and can accommodate 19 scientists and 45 ship's officers and crew. It has four laboratories covering an area of 134 sq. m.

The ship has been stabilised against rolling with the help of passive tank stabilisers. It has a photographic room, a conference room and a library. The laboratories are equipped with spectrophotometer, turner fluorimeter, guildline laboratory salinometer, Geiger Muller counter, wave recorder and expendable bathythermograph.

For data and sample collection it has Nansen and Niskin bottles, sound velocity and current meters, submarine photometer, zooplankton nets, corers, grabs, dredges etc. Navigation instruments like Omega, Decca surveyor, Gyrocompass, Radars, echosounders and satellite fixing systems are also available.

In her 100 cruises, "Gaveshani" has performed many tasks. The surveys undertaken have provided a lot of data and information which have increased considerably the knowledge about the seas around India. Surveys for submarine pipeline routes, offshore oil fields, mineral deposits, living resources, monitoring of oil pollution and location of suitable sites for effluent discharge are some of its achievements.

At the request of the ONGC, it has carried out surveys in the Bombay High area and off Gujarat. The surveys--first time by an Indian vessel--have saved valuable foreign exchange.

Mining ocean wealth got a boost in January 1981 when "Gaveshani" collected "manganese nodules" from the Indian Ocean. India is the first developing country to achieve this breakthrough. As these nodules contain nickel, cobalt and copper besides manganese and iron and a trace of gold, the discovery of nodules has proved to be of economic importance.

Apart from this, "Gaveshani" obtained some baseline data on the physics, chemistry and biology of the deep sea. Rich fish and prawn grounds off Gujarat, Pondicherry and Laccadives have been located. The existence of a coral reef off Malvan and other areas along the west coast has also been identified.

To monitor pollution in Indian waters, "Gaveshani" undertook a couple of projects. Physical, chemical and biotic factors were examined to suggest suitable discharge points for industrial effluents and sewage.

Role in Monex

In 1979, the Central government sponsored a programme of Monsoon Experiment (Monex-79), the first global weather experiment. "Gaveshani" undertook six cruises in the Arabian Sea and the Bay of Bengal and collected vital oceanographic and meteorological data from 534 stations.

Nearly two-thirds of the world's oil is transported through the Arabian Sea. During a cruise along the oil tanker route, large quantity of tar balls were identified in the sea between 37 and 168 nautical miles from the west coast. These might affect the living resources of the Arabian Sea "Gaveshani" has plans to survey the areas not covered so far.

The facilities available on board the vessel will be extended to train young scientists. "We need many more such vessels. A new vessel is expected from West Germany in March 1983. A vessel with Danish assistance is expected in 1984. In 1985, a French vessel will arrive. All these will prove very helpful for us," says Dr. Varadachari.

The NIO has plans to have regional centres in Madras, Andamans and Calcutta. It has already centres in Cochin, Bombay and Visakhapatnam. The Bombay centre is dealing with the pollution aspects. So far, the NIO had handled Rs. 70-80 lakhs worth of sponsored projects.

CSO: 5200/7043

SIGNIFICANCE OF DEVELOPMENT OF SEABED NOTED

Calcutta THE STATESMAN in English 24 Jun 82 p 8

[Article by S. Sahay]

[Text] The Government of India's decision to take Delhi journalists to Goa and explain to them what it has been doing to exploit the deep sea-bed minerals in the Indian Ocean is in sharp contrast to its earlier secrecy (particularly where its nationals were concerned, for the outside world did know about it) when it scooped up a handful of mineral nodules from the Indian Ocean. Apparently what has encouraged it to court publicity (in its usual confused way) is its diplomatic triumph at the concluding Law of the Sea negotiations, where it managed to get recognized as "pioneer investor" country.

The triumph is all the more creditable because the "pioneer investor" idea had been mooted to placate the USA, which had been finding fault with the draft provisions on deep sea-bed mining. It was surmised by the Conference Chairman, Mr T. T. B. Koh, and First Committee Chairman, Mr Paul Bamela Engov, that if the USA and other industrialized nations could be assured unfettered rights to exploit the deep sea-bed resources for the first 30 or 40 years, then the USA would not be averse to signing the convention. Even though this was not to be, the USA choosing not to vote for the convention, India did demand and secure for itself the status of a "pioneer investor".

Investor

As the Draft Law of the Sea Convention stands today (its phraseology though not the contents has still to be polished), four countries and four entities have been granted the status of pioneer investor. The countries are France, Japan, India and the USSR, including the State enterprises possessing the nationalities of these countries. The entities are organizations possessing Belgian, Canadian, West German, Italian, Japanese, American and British nationalities or a combination of them.

In order to acquire the status of pioneer investors these States and entities must show that they have spent before January 1, 1982, \$30 million in pioneer activities not less than 10% of which must have been spent on location, survey and evolution of the area intended to be exploited. Secondly, pioneer investor nations and those to which the entities stated above belong must have signed the convention.

Other developing countries too can acquire this status if they can show that they have spent \$30 million in similar activities by January 1, 1985 and have signed the convention.

What is the purpose of devising this pioneer status concept? The idea is to allow the countries having the requisite will and technology to go ahead with the job of preliminary exploration and not wait until the convention formally comes into being 12 months after 60 States have deposited with the U.N. Secretary-General their instruments of ratification or accession. Hence also the device of a preparation commission, charged with certain powers and functions in relation to the establishment of the international sea-bed authority. But even this commission can come into being only 60 to 90 days after 50 States have signed the convention.

What future does the Law of the Sea Convention have? Will it really come into being? Even if it does, will it be a viable proposition?

Options

The first point to be emphasized is that endorsement of the convention, at this stage, by a country does not mean automatic adoption nor does rejection imply automatic withdrawal from the convention. On April 30, when the decision to adopt the draft convention was taken by an overwhelming majority, the countries that opposed it were Israel, Turkey, the USA and Venezuela. Among the countries that abstained were Belgium, the two Germanies, Italy, the USSR, the U.K., Poland, Spain and Thailand. Among the countries that voted for it were France, China and Japan. While it can be reasonably assumed that most of the Group of '77 will sign the convention, thus bringing the convention into being, countries such as China, France and Japan have kept their options open. The same goes for the USA and the USSR.

But, assuming that the convention is ultimately signed by the requisite number of States, what will be its legal standing? Some experts are of the view that the Law of the Sea Convention is to be a law-making treaty, as distinguished from contractual treaties on the lines of the convention on diplomatic relations or that on the law of treaties. This is clear from the title, preamble and the content of the convention as also from the language used. It is emphasized that the convention actually condenses and incorporates the existing international law as accepted through practice, as well as progressive development.

However, certain parts of the provisions are applicable only to those nations that sign the convention. The provisions on the international sea-bed authority, and on membership make this amply clear.

Experts further emphasize that as far as the adoption of the convention in April is concerned it has no legal consequence except as an indication that the rules and norms laid down will be acceptable to the overwhelming majority of the States. However, when the convention is actually ratified in the prescribed manner, it will be binding on all, including the countries that refuse to ratify it. The reason is that when the convention comes into being it

will constitute the law on the subject and all the activities concerning the sea-bed will be governed by the terms contained.

However, in the absence of participation by the industrialized States, exploitation of the deep-sea-bed by the International Sea-bed Authority will cease to be a workable proposition. This is so because the obligation to provide the finances, the sites and the know-how rests with only those countries that sign the convention. And since financial contribution is on the lines of the U.N., the USA and other industrialized countries hold the purse strings. Contribution of other funds or know-how from all the Third World countries can only be a pittance.

And yet, it would be in the interest of developing countries to ratify the convention. After all it is the most elaborate attempt ever tried to codify every aspect of the sea. It covers territorial sea and contiguous zone, straits used for international navigation, archipelagic States, continental shelf and high seas. It covers exclusive economic zones, regime of islands, and enclosed and semi-enclosed seas. It seeks to protect and preserve marine environments and promote marine scientific research. It ensures right of access to landlocked States. It seeks to regulate the mining of the deep sea-bed area. It provides for settlement of disputes. Not all the provisions can be considered satisfactory but it needs to be remembered that it constitutes a package deal fashioned over more or less a decade.

Legislation

As things stand, the USA and the other industrialized nations cannot pick and choose. They cannot subscribe to some aspects of the convention and reject others. Thus if they do reject the convention, they shall also have rejected such provisions as the innocent passage of ships through the straits, in which they have vital stakes. As far as the straits are concerned, the extension of the territorial sea limits to 12 miles will imply most of the sea area. The super Powers may try to prove that might is right, but then they shall have committed an illegality. This itself will have its own implications. However, what cannot be failed to be noticed is that both super Powers have not only reservations about the convention but also have antinational legislation on exploitation of deep sea-bed minerals.

As far as India is concerned, the pioneer status clears the field for it in the Indian Ocean. The industrialized nations have concentrated their attention on other seas. India has a role to play in the Indian Ocean area and must seek to discharge its responsibility. It is encouraging to find that there is a move by Sri Lanka to join hands with India in sea-bed exploitation. Other developing nations may yet show interest.

The 200-mile economic zone and the 150,000 square miles to which it is initially entitled to look for sea-bed minerals open up new horizons. So do research work in the Antarctic. While the creation of a Department of Ocean Development is a step in the right direction a lot more needs to be done in having the requisite men and machines. Also there must be a more imaginative attempt to create public opinion by making Indians aware of the potentialities of the sea, of the new riches to harvest.

VICE PRESIDENT OPENS DEEP-SEA FISHING PARLEY

New Delhi PATRIOT in English 24 Jun 82 p 7

[Text]

VICE-PRESIDENT M. Hidayatullah on Wednesday called for development and modernisation of deep sea fishing industry in the country without forsaking the interest of 1.9 million coastal fishermen who depend on the sea.

Inaugurating a three-day international conference on deep sea fishing in Delhi the Vice-President said the endeavour should be to link the modernised marine fishing with the traditional methods thereby affording benefits to the traditional fishermen and at the same time seeking their active participation in the total effort, reports UNI.

He said India could become one of the major fish producing countries in the world with an estimated output of more than 4.5 million tonnes of marine fish.

Exploitation of deep sea regime could be a dependable base for a major industry with possibilities of multi-level development, potential in the country.

Union Agriculture Minister Rao Birendra Singh, in his key note address, also warned against neglecting the interests of small fishermen in the development of deep sea fishing.

Development of deep sea fishing industry, Mr Birendra Singh said, obviously would have a sizeable impact on the economy of the country. But my concern would be to ensure that the material advantages do not remain concentrated in certain pockets of rich and elite society. I wish the toiling traditional fishermen of the coastal region are not kept devoid of the benefits from the envisaged development and mo-

dernisation of the marine sector.

The conference is organised by the Association of Indian Fishery Industry and sponsored by the Union Ministry of Agriculture in association with the Marine Products Export Development Authority.

Delegates from the Philippines, France, Indonesia, New Zealand, United Kingdom, and Singapore are attending the conference besides fisheries scientists and experts from this country.

The Vice-President stressed the need for a judicious exploitation of non-renewable resources in the sea and a rational approach in the exploitation of renewable living resources. 'While developing ocean resources, I hope we will not forget protection of the environment from pollution,' he said.

Mr Hidayatullah said while the growth in export of marine food products was one of the most remarkable aspects of the country's economy, its share in the world trade of marine products was still small, despite the very high potential.

He suggested raising a cadre of efficient deep sea fishermen through proper training programmes for the Indian coastal fishermen.

Mr Birendra Singh regretted that the exploitation of the country's ma-

rine resources at present was limited only to one third of the total estimated potential. Of the present production of 1.55 million tonnes from the marine sector, about 67 per cent was contributed by the traditional sector, about 32 per cent by the mechanised boat sector and only one per cent by the deep sea fishing sector.

The Minister said while the Government was considering to redeem its pledge for faster development in the marine sector, much would depend on the response of the Indian entrepreneurs.

He could not understand, Mr Birendra Singh said, how the entrepreneurs could not make deep sea fishing a profitable business, although the Government of India offered such facilities which probably were not available anywhere else in the world.

The Minister said the Government was considering to encourage state fisheries corporations for deep sea fishing.

Another problem which this country faced was poaching by fishing vessels from other countries. Legislation was enacted to check this poaching.

While this country was ready for joint ventures and exploitation of marine resources in cooperation with other countries, it was essential that others also stuck to the rules of the game, Mr Birendra Singh said.

CSO: 5200/7046

SKIPJACK TUNA CATCH IN LOCAL WATERS LOWEST IN 5 YEARS

Auckland THE NEW ZEALAND HERALD in English 26 May 82 p 12

[Text]

The skipjack tuna catch in New Zealand waters this season is likely to be the lowest for five years.

By the time the seven-month season ends this month the catch could be 5000 tonnes lower than the normal harvest of up to 9500 tonnes.

Skipjack failed to show up off North Island coasts in the numbers expected during January, and foreign fishing vessels left to fish elsewhere.

New Zealand shares its skipjack resource with other Pacific nations because of the migratory nature of the fish.

Dr George Habib, of the Ministry of Fisheries research division, said fluctuations in the abundance occurred because skipjack was so widespread.

"We are only one little corner of a very large picture," he said.

Six New Zealand-owned vessels fished for skipjack during the season and al-

though 11 joint-venture fishing licences were issued to New Zealand fishing companies, only five United States joint-venture seiners arrived.

Because of the poor start to the season, four of the American vessels left New Zealand waters by February. The fifth made a successful trip when fishing improved in March.

Joint-venture tuna fishing is hindered by regulations, which mean the vessels cannot fish within 12 miles of the New Zealand coast.

The fish usually surface within the zone every two years giving fishing companies only a 50 per cent

chance of successful annual seasons.

"Given the uncertainty and the large costs of running the vessels, people cannot hang about for several months in the expectation the fish will show up outside the 12-mile zone," Dr Habib said.

The American vessels had now found waters around Papua New Guinea were a viable alternative to fishing off New Zealand.

Successful catches were guaranteed off Papua New Guinea, Dr Habib said.

"They do not bother coming down here because of the limit on where they can operate."

FOREIGN FLEETS BLAMED FOR DECLINE OF INSHORE FISHERY

Christchurch THE PRESS in English 16 Jun 82 pp 28, 29

[Text]

The day of the little man in fishing has gone, says the Christchurch entrepreneur, Mr Kypros Kotzikas.

Boat owner, exporter, merchant (he is the managing director of United Fisheries, Amalgamated Fisheries, and Blenheim Fisheries), Mr Kotzikas describes himself as a trader.

"The 50-footers used to go out for two or three days at a time, but now they are working inshore," he says (four 50-foot boats of his are based at Lyttelton). This has led to pressure on flat-fish resources.

Mr Kotzikas blames the foreign boats for the decline of the inshore fishery, declining resources of tarakihi and gurnard being left inshore off Canterbury and fewer groper and ling being caught each year.

He sees the big future as being in the deep-sea resources. At present he is buying orange roughy from joint-venture boats. This and other deep-water fish such as the hake and blue warehou are good marketing prospects compared with the red cod and barracouta which are the main catch of the larger inshore boats at present.

But New Zealand should have exclusive fishing rights in its 200-mile zone, he believes.

"At this stage we are competing with too many foreigners. We should have exclusive rights for 10 years, but perhaps with some overseas expertise.

"The South Island is a good base for deep-sea fishing, and I know we could sell the fish overseas."

Mr Kotzikas is flying chilled fish to Australia two or three days a week; the amount is limited only by the air-cargo space available.

He gets a higher return on chilled fish in Australia than on frozen fish sent by ship. A small amount of his chilled fish is going to Europe, and snapper is being airfreighted there from Auckland.

This is where he believes the future lies: in high quality chilled fish flown to markets where it can command good prices.

"Overseas, New Zealand fish, especially that from the deep sea, is regarded as good quality."

But to build up market volume, steady supplies are needed. These will come from big vessels which are less dependent on the weather than the inshore fleet.

Apart from dictating when the boats can go out, the weather changes inshore salinity, both by rivers in flood and rainfall. This affects catches.

Mr Kotzikas sees the backbone of New Zealand fishing becoming 10 to 15 150-foot to 200-foot vessels (the present cost of these is \$5M to \$6M each), perhaps with three or four fishing off Canterbury.

The traditional inshore fleet of 40ft to 50ft craft will survive, with smaller catches, compensated for by

higher prices for the fish.

As a whole, he believes the fishing industry can be an export earner for New Zealand second only to meat production.

However, Mr Howard Shadbolt, managing director of Independent Fisheries, processor and boat owner, sees capital as the big hurdle for deep-sea fishing.

"You pay \$1¼ million for an 85-footer, and in deep-sea terms that's just a canoe," he says.

According to the Ministry of Agriculture and Fisheries, about 20 foreign vessels and 200 joint-venture vessels are working in the 200-mile economic zone at present.

No big foreign fleets have been fishing inshore off Canterbury since 1978.

Canterbury's traditional inshore boats of 40ft to 50ft worked to the 100-fathom line on the edge of the Continental Shelf until the joint-venture and foreign vessels came on to the scene.

When these bigger boats arrived, the 40ft to 50ft class found it could not compete for the fish this far out, and began almost exclusively working the belt within 10 miles offshore, where the smaller craft to 30ft had been dominant.

Now the foreign vessels have gone from the zone off the South Island east coast. The joint-venture vessels have been pushed out to an inner limit of 25 miles from the coast, "and we're working like hell to get them off

the Continental Shelf," says Mr R. M. Brown, chairman of the Lyttelton Fishermen's Association.

The Lyttelton fishermen helped to originate the moratorium. At the 1981 conference of the Federation of Commercial Fishermen there were many remits from associations about what was felt to be the overfishing of the inshore grounds. A composite remit was drawn up calling for a moratorium, and a moratorium had been mentioned by the Lyttelton group.

Mr Brown sees no problems from New Zealand's own growing big-trawler fleet as long as it stays well out.

Life hasn't been all against the tide for the fishermen. Better equipment is helping efficiency. His boat, the 50ft Ida Marion, has an automatic pilot, allowing the crewman who would formerly have been at the wheel to be working on deck. It has a radar which allows the vessel to go out in poorer visibility. There are two sounders, one of which helps to find schools of fish.

"We're doing our damndest to catch them. I'd hate to be a fish today," he said.

For fishermen who have been prudent and planned ahead such equipment is beneficial. But it is a problem for some. Sideband radios are now mandatory, and fishermen have known for a number of years that this would soon be the case. But now that the authorities are insisting that craft carry them, the \$3000 or so for each set is hurting some owners.

Mr Brown's picture of the future is one in which there will be fewer fishing craft

working off the east coast to the 100-fathom line, many having been forced out by rising costs.

But he believes the good fisherman has a good chance of surviving. The good fisherman is the man who can work out his costings, has the drive to go out fishing at every opportunity, who looks after his boat and keeps his gear in good order and up to date, and who has developed a feeling for fishing ("it's a hunting game," he says).

The importance of the human factor is also emphasised by a man whose job is assessing the potential of fishing ventures.

"The physical input is a big thing in fishing. You can't make money tied up at the wharf on a good day," says Mr Kevin Wilson, Senior Appraiser with the Rural Bank in Christchurch.

Maintenance is another important factor, he says. This applies not just to the engine, but to the fishing gear and the hull.

Fuel costs have hit fishermen hard. Once, perhaps 10 per cent of a fisherman's turnover went on diesel; now it will be as high as 30 per cent, and of course, the turnover is much higher.

Nets have to be reslung each year and the ropes used are made from an oil product, and have also been rising with the price of fuel.

In all, 371 fishing boats are registered at Lyttelton, but 85 per cent of these are 10 metres or less, and 30 per cent are less than five metres.

Most of the catch landed at Lyttelton is from trawlers in the 40ft to 60ft class. Some craft under this size have

fitted small trawl gear and a few boats are set netting.

At Akaroa seven or eight trawlers and about 20 smaller boats seek mainly rock lobster (the transport costs are against wet-fish catching), with a little set-netting and some line fishing.

Between the Waimakariri and Scarborough, about a dozen hardy tiny boats from a registered fleet of about 40 still do seasonal set-net fishing. They are trailer-launched.

A fleet of 15 to 20 vessels, smaller because of the bar, works from Motunau, mainly taking rock lobster, but there have been some set-net experiments.

A local class of boat is evolving at Kaikoura, according to Mr R. V. Reid, the regional fisheries officer with the Ministry of Agriculture and Fisheries. It is of about 30ft, fast, and a better sea boat than earlier vessels. It is ramp launched.

Since the control of the rock-lobster fishery, many Kaikoura fishermen have taken up set netting. Vessels of 90ft and more from Nel-

son and Wellington trawl further off the coast, and in the last few seasons there has been some seining.

About 50 boats are working from the Chatham's rock-lobster ground; virtually the only wetfish landed is for bait.

Timaru is a strong fishing port. About 50 boats of the traditional 40ft to 50ft inshore class and a few bigger vessels make up a fleet that ranges the east coast from Akaroa to the southern tip. Virtually no rock lobster is landed. Timaru is basically a trawler port.

COLOMBIA'S LEMOS SIMMONDS CRITICIZES U.S., VENEZUELAN STAND

PA120305 Paris AFP in Spanish 1654 GMT 11 Jul 82

[Text] Bogota, 11 Jul (AFP)--Colombia has criticized Venezuela's position in refusing to ratify the Law of the Sea signed by 130 countries, whose approval signifies the fulfillment of an old aspiration to harmoniously regulate the exploitation of maritime wealth.

Colombian Foreign Minister Carlos Lemos Simmonds criticized the stand of the United States and Venezuela against this international instrument but expressed satisfaction at the overwhelming support by the majority of the Caribbean nations in facilitating solutions to current maritime conflicts.

"The treaty on the Law of the Sea, whose approval was achieved with very important participation by Colombia throughout the initial debates, is a fundamental document for the future, above all for Third World or developing nations," he said.

He added that "the announcement that the United States will not sign it is regrettable, because we expected more understanding and flexibility from that country on issues of such importance. Now we need only to confirm what position Venezuela will adopt with regard to it."

Lemos Simmonds said that for Venezuela the treaty would mean having to accept mandatory international mechanisms for the exploitation of maritime resources and the solution of the many conflicts Venezuela has pending with Colombia, Trinidad and the Netherlands Antilles, several of the Caribbean islands and the French Antilles.

The Colombian diplomat stressed that "everything indicates that the Venezuelan Foreign Ministry does not recognize the new mechanisms that merged from that Law of the Sea; hence, its decision not to approve it, expressing solidarity with the United States."

CSO: 5200/2097

MANAGUA RADIO CRITICIZES U.S. LAW OF SEA STANCE

PA110409 Managua Radio Sandino Network in Spanish 1200 GMT 10 Jul 82

[Editorial by AGENCIA NUEVA NICARAGUA correspondent (Roberto Moreno): "Once Again the United States Against International Law; This Time It is the Case of the Seas"--read by announcer]

[Text] The Reagan administration has announced that the United States will again reject the Law of the Sea that has been approved by 130 countries to protect the maritime resources of the less developed countries.

On several occasions the United States has refused to recognize the rights of nations to sovereignty over an area of 200 nautical miles, as stated in the law signed late in 1980.

While Washington considered the law an instrument that limits the freedom of private companies to exploit maritime resources, the Third World countries decided to create the law to protect the wealth of the ocean floor near their national territories from exploitation by large consortiums.

During the third UN Conference on Maritime Rights in 1974, Mexican President Jose Lopez Portillo said that the new Law of the Sea being studied is nothing more than another demonstration that the Third World has stopped being a passive observer in international relations and has become an active participant.

Even though more than 100 countries of the world support the Law of the Sea, the United States has continued to sail the seas and exploit the riches of the poorer countries, ocean floors for the benefit of companies that make enormous profits from the sea.

Militarily, Washington denies the existence of territorial seas, which allows it to introduce its gunboats threateningly almost to the coasts of sovereign nations, as happened in northern Nicaragua just recently.

The law also restricts the sale of technology for oil exploration in the ocean subsoil, and replaces foreign exploitation of maritime resources with state exploitation whose profits benefit of the nations.

The refusal of the United States to sign the law currently accepted by more than 100 countries once again demonstrates that the Third World countries and the United States have conflicting and antagonistic interests.

Washington's arrogant attitude toward maritime sovereignty has reached the point where it uses economic blackmail to try and force the smaller nations to open their seas to plundering by transnationals. This happened in Costa Rica and other Latin American countries, which were faced with economic sanctions by the United States because they captured North American tuna boats fishing in their countries' jurisdictional waters.

The refusal of the United States to recognize the validity of the law is interpreted as a new declaration of war against the Third World, since the United States will continue to allow its civilian and military ships to transit freely along the coasts of any country, challenging the laws established by the nations.

CSO: 5200/2091

SEA LAW GROUP URGES MARITIME PEACE, SECURITY

PM290903 Moscow SOVETSKAYA ROSSIYA in Russian 18 Jun 82 p 3

[Correspondent A. Mozgovoy interview with Doctor of Legal Sciences A.L. Kolodkin, chairman of the Soviet Law of the Sea Association and vice president of the International Maritime Committee: "Reliable Security for the Oceans"; date and place not specified]

[Text] A general meeting of the Soviet Law of the Sea Association and an international symposium on the law of the sea in which a number of socialist countries' scientists participated and which were held in Moscow were devoted to topical legal questions of the use and study of the world oceans. SOVETSKAYA ROSSIYA correspondent A. Mozgovoy met with Doctor of Legal Sciences A.L. Kolodkin, chairman of the Soviet Law of the Sea Association and vice president of the International Maritime Committee, and asked him to describe the problems connected with the exploitation of the world ocean.

The scientific and technical revolution, A.L. Kolodkin said, has opened up tremendous opportunities for mankind in the sphere of the comprehensive use and study of the world ocean and the assimilation of its resources. The volume of maritime passenger and freight transit is increasing. The peoples' interests require an increase in the marine products industry. Year by year scientific research into the ocean broadens, and measures are formulated and implemented to reduce pollution.

Fruitful international cooperation in opening up the world ocean is inconceivable without implementing the principles of peaceful coexistence, pursuing the policy of detente and ensuring the peoples' security. As is well known, there are vast expanses of open sea which are not subject to states' sovereignty and control.

The United States and its allies are trying to exploit this factor for the unrestrained militarization of the oceans and the predatory exploitation by monopolies of the sea's riches. This is why measures must be taken to block imperialism's aggressive aspirations.

The CPSU and the Soviet state are paying considerable attention to the constructive resolution of these problems. The CPSU Central Committee report to the 26th party congress stressed the urgent need "to begin the very important process of reducing the military presence in various regions of the world ocean." This argument was further developed in Comrade L.I. Brezhnev's speech at the 17th Congress of the USSR Trade Unions. Our country has called for agreement to be reached on the mutual limitation of naval actions operations and for confidence-building measures to be extended to the seas and oceans, particularly those regions through which the busiest sealanes run, so that in the near future the largest possible area of the world ocean should become a peace zone. These initiatives were widely understood and approved by the international public. As USSR Foreign Minister A.A. Gromyko noted in his speech at the UN General Assembly's second special session on disarmament, "the United Nations must advocate that the arms race spiral not extend into the expanses of space or the depths of the world ocean," since the significance of these spheres for the future of all humanity is steadily increasing.

The USSR and other socialist community countries are playing an active role in all the international organizations connected with problems of the utilization of the world ocean. Graphic manifestation of the Soviet Union's cooperation with other states was provided by its constructive participation in the many years of preparation of the new all-embracing Law of the Sea Convention adopted on 30 April this year.

The West frequently and very loudly discourses on international law and the need to observe it. In practice, however, the imperialist states comprehensively flout or ignore international law, including maritime law. We are all witnesses to the Ango-Argentine conflict over the Falkland (Malvinas) Islands. London has resorted to colonialist methods of "gunboat diplomacy" and arbitrarily declared not only the zone around the archipelago but also vast expanses of the South Atlantic closed to other countries' ships and aircraft. These actions are contrary to the 1958 convention on the high sea and the generally recognized principle of freedom of navigation. Britain's South Atlantic blockade has considerably harmed international trade and economic ties. Because of the threat of being sunk, scores of tankers, dry-cargo ships and fishing vessels are forced to stand idle in port. In addition, even British shipowners have made a loss. As THE GUARDIAN has reported, they have lost 22-25 percent of their business. Thus it is that such "sanctions" which on U.S. initiative have become "fashionable" in the West also hit their organizers. I should point out that at one time British lawyers, including as great an authority on maritime law as Prof George Schwarzenberger, deemed the U.S. maritime blockade of Cuba an illegal act.

Of course, London is well aware of all the legal niceties. Consequently it is a question of the conservative government's deliberate violation of the generally recognized norms of international law. The colonialist relapse in the South Atlantic is explained by the desire of London and Washington to secure for themselves firm military-strategic positions in waters where important sealanes intersect. Furthermore, the Falkland region is believed to contain large deposits of oil. It was not for nothing, as the BBC reported, that the United States provided Britain with the oil-exploration ship (Shtena) Inspector within the framework of military assistance.

The aggravation of the international situation through the fault of imperialist circles does not leave Soviet lawyers indifferent. The meeting of the Soviet Law of the Sea Association unanimously adopted a statement which appeals for peace and security to be ensured on the seas and oceans.

CSO: 5200/2095

BRIEFS

'NOVOYE VREMYA' ON CONFERENCE--Moscow NOVOYE VREMYA in Russian on 18 June carries on pages 26-27 a 2,300-word article by I. Gorev entitled "In Line With Everyone's Interests." The article sums up the results of the Law of the Sea Conference, saying that it drew up a "fine, all-embracing convention" which is a "balanced package of compromise accords." The article goes on to list the "invalid" U.S. arguments against the convention and describes the conference's "substantial concessions" to the United States and its Western allies. [PM280921] [Editorial Report]

CSO: 5200/2095

DOUBTS EXPRESSED ON RATIFYING LOS TREATY

Newspaper Editorial

Frankfurt/Main FRANKFURTER ALLGEMEINE in German 10 Jul 82 p 1

[Editorial by "R.H.": "Socialization of the Sea"]

[Text] The doubts expressed by German scientists even more than by the German government have now been confirmed by the United States: The outcome of the last round of the LOS conference will remain nothing but a piece of paper for the time being. There have long been doubts as to progress in international political life which the establishment of a new and comprehensive Law of the Sea might bring.

What had started with the slogan "the common heritage of mankind" served national interests in the main. The expansion of national sovereignty into ever larger zones and the inclusion of the continental shelf was bound to increase the possibilities for conflict even more. The fundamental distinction between land and sea—which was poetically but usefully described by Carl Schmitt—was abolished but that did not improve matters at all. The sea—common heritage and all—is being exploited. Everyone tries to grab as large a piece of it as he can. The "terrization" and "territorialization" of vast stretches of the oceans and the industrial assault on the sea bottom are in full swing—all in the name of nationalism. To illustrate the point: the seas surrounding the tiny Falkland Islands comprise an area as large as Europe.

Count Vitzthum, an expert in international law, put it this way with all the scientific fervor at his command in his book "The Rape of the Seas": "General territorialization of the seas will not lead to political solutions in the long run which by their very existence attain to the historically requisite level of regulation."

But all the things that were not supposed to be nationalistic but internationalistic in a positive sense did not work out either. In exploitation of the sea bottom, state-owned firms were assigned a dominant role in international cooperation with private firms—which amounts to a law of the sea which favors state capitalism. Beyond that, it became clear that the major nations were to be forced to transfer their technology without charge to all interested countries who are less efficient than they. Thus, international socialization of national capabilities was to become law in one

field of operations. And the German government, which had been willing to go pretty far to show its good will, can now breathe a sigh of relief because the Americans dared go "where angels fear to tread."

Foreign Minister Statement

Frankfurt/Main FRANKFURTER ALLGEMEINE in German 10 Jul 82 p 5

Article: "German Reservations on New LOS"

Text The position of the German government on the outcome of the 3rd LOS conference has become clearer now that the United States has announced it will not ratify the treaty texts. The German reservations were spelled out more clearly than heretofore by the Foreign Minister in replying to an interpellation of the CDU/CSU fraction. Here are some major portions of the reply contained in document No 9/1771 dated 22 June 1982.

German LOS interests, agreed upon by all concerned, were not easy to bring out from the very start of the LOS conference in 1973.

The course of the conference was highlighted to a large extent by the Third World and the long coastal nations. Beyond this, the accepted alliances and common interest groupings were only partially effective at the conference. It worked to our disfavor that there is no other larger-sized industrial nation which is as much at a geographical disadvantage as we.

At a time when all the other Western industrial nations, including the United States, were aiming for an outcome to the conference of which we did not approve, the FRG raised its voice and called for more consideration of its interests. The German government was all the more pleased when the newly elected American President Reagan ordered a review of the conference results. Based on this review, the American delegation submitted a number of proposals we approved of and supported with respect to deep sea mining which had been a source of particular concern to us earlier.

These proposals were submitted at the 11th session of the conference. In spite of our support for the proposals and in spite of the largely unified position on these issues held by the major Western industrial nations, the group of 77 and the East Bloc were unwilling to enter into a substantive discussion.

This applies to all proposals with the exception of protection for pioneer investments in deep sea mining on which agreement in the form of a conference resolution was obtained. The group of 77 and the group of socialist states pressed for a quick conclusion of the conference. Despite our objections, the conference moved that all possibilities for negotiation had been exhausted. At that point, the United States objected to adopting the conference outcome by voice vote and called for voting by ballot. In the vote held on 30 April 1982, the United States, Venezuela, Israel and Turkey

—all for different reasons—voted against adopting the conference texts. The FRG, along with Great Britain, Italy, the Benelux countries as well as the Soviet Union and its allies with the exception of Romania, Spain and Thailand all abstained. In a declaration on the vote, the FRG expressly kept its options open with regard to signing and ratifying the treaty at some later date. 130 countries, including France and Japan, voted in favor of adopting the conference texts. The substantive negotiations of the 3rd UN LOS conference were concluded at the end of the 11th session held in New York from 8 March 1982 to 30 April 1982.

Substantive negotiations came to an end at the close of the 11th session and with the 30 April 1982 vote on the treaty texts. Renegotiation of the rules governing the sea bottom—which the FRG, among others, supported—did not take place during the 11th session either formally or informally due to the opposition of the predominant majority of participants (the group of 77 and the group of the socialist states). During this session, detailed substantive negotiations were solely conducted on participation issues, on the protection of pioneer investors in deep sea mining operations and on the preparatory commission.

The result of the American review was in the FRG's interests. It covered a majority of points which the FRG had criticized for some time. On sea bottom operations, the findings of the American review did not diverge from our own but did not go as far as we would have liked on one particular point: The United States did not ask for a reduction of taxes on private and national deep sea mining firms.

Technology transfers without cost are not provided for. Firms wishing to engage in deep sea mining operations, however, are obligated to transfer any technology they employ—including technology employed by their contractors—to state-owned enterprises and in some cases to developing countries at appropriate and reasonable cost.

For economic and organizational reasons, the German government has reservations with regard to limiting production in deep sea mining.

The German government considers the taxes proposed to apply to state-owned and private deep sea mining operations too high and views them as running counter to the speedy start of deep sea mining operations.

The establishment of the 200-mile zones contained in the draft treaty text by and large corresponds to general usage independent of the conference. The FRG has felt that some of the applicable rules could be improved—particularly those dealing with the legal provisions pertaining to sole-use economic zones. In reviewing the results achieved thus far, however, one must also take into consideration that there are limits to how far a large number of littoral states can go.

The German government came out in favor of an extension of the time allotted to the negotiations. It expressed its opposition to the statement by the president to the effect that all possibilities for negotiation had already been exhausted.

'DAGBLADET': MEDIAN LINE PRINCIPLE SHOULD APPLY WITH USSR IN BALTIC

PM060927 Stockholm SVENSKA DAGBLADET in Swedish 25 Jun 82 p 2

[Editorial: "Zmeinyy and Us"]

[Text] It seems all the better, as Thursday's [24 June] SVENSKA DAGBLADET reported, that Foreign Minister Ola Ullsten (Liberal Party) has, on behalf of the government, withdrawn the "compromise offers" which have been made in the negotiations between Sweden and the Soviet Union on where the demarcation line between the two countries in the Baltic should be drawn.

This matter is not one that admits of some settlement through political haggling to be reached after lengthy discussion. No, the present case is one involving principles, principles which must be followed.

Ullsten was right when he told SVENSKA DAGBLADET that "the Russians are good at finding principles which benefit their own interests."

However, Sweden should spare the Soviet Union the future headaches of keeping track of different principles for use in different demarcation line disputes.

The Soviet Union itself in a border dispute with Romania in the Black Sea has adopted the median line principle in the case of the island of Zmeinyy. The principle adopted here means that the median line model applied to Gotland in the Baltic would fully satisfy the original Swedish demands.

This principle--accepted by the Soviet Union and simple and clear as it is--should be pushed by the Swedes in future. The foreign minister can count on total popular support for such a policy on Sweden's part.

This median line principle has two advantages which every other principle lacks--first, it is based firmly on general international ideas of justice and legality and second, it helps to avoid all the haggling this way and that about such and such a percentage of the Baltic's none too blue waters.

Additionally, the Soviet view should be that the principle would be of great value--since the risk that its submarines could stray into Swedish territorial waters or, even worse, naval restricted areas would, with its help, be radically reduced.

CSO: 5200/2090