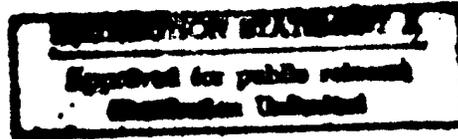


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Worldwide Report

LAW OF THE SEA

No. 212



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WORLDWIDE REPORT

LAW OF THE SEA

No. 212

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BALTIC COMMISSION FAILS TO AGREE TO LIMIT COD, SALMON CATCH

Stockholm DAGENS NYHETER in Swedish 30 Sep 82 p 5

[Article by Elle-Kari Hojeberg]

[Text] The Baltic Fisheries Commission, which concluded its annual meeting in Warsaw last week, has once again failed to reach agreement on the allocation of cod and salmon fishing in the Baltic Sea. The result is that the stock may eventually be depleted.

The fisheries commission consists of the seven Baltic states. It meets every year to agree on the allocation of fishing in the Baltic during the coming year.

Concerning herring and Baltic herring, the commission decided to recommend to the member states that the total catch during 1983 not exceed 474,900 tons.

Of that total, a maximum catch of 89,000 tons will be allowed in the Gulf of Bothnia and the Aland Sea. In the Swedish fishing zone in the rest of the Baltic Sea, the highest catch allowed will be 102,000 tons, meaning that fishing in that area can be kept at the same level as this year.

The commission is also recommending that the total catch of sprat remain unchanged at 47,900 tons, of which 5,500 tons can be taken in the Swedish fishing zone.

As far as cod and salmon fishing is concerned, the commission has failed for several years to reach agreement. Biologists are recommending restrictions on the fishing quota that several of the member states have not been able to accept.

"Since no agreement could be reached, each country must set its own limits on salmon and cod fishing," says Hans Danelius, under secretary for legal and consular affairs in the Ministry of Foreign Affairs. He is the newly elected chairman of the fisheries commission.

The combined catch will therefore exceed the level considered suitable by biologists in view of the fish population.

Where salmon are concerned, the issue is further complicated by the fact that much of the stock is artificially produced.

Overfishing

"The young salmon are put out in rivers, especially in Sweden and to a lesser extent in Finland and the Soviet Union," says Hans Danelius.

"Sweden therefore claims that they should also have a larger share of the salmon fishing quota. But Denmark, for example, which has an extensive salmon fishing industry, has refused to accept that."

The commission did agree, however, that the off-season for salmon will again be extended by 2 weeks this year as a measure for protecting the stock.

Bo Palsson, representative for the South Coast Fisheries Central Union, says: "In general, we are pleased with the agreement reached in Warsaw."

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CSO: 5200/2502

TAIWANESE FISHING VESSEL CAUGHT IN NEW ZEALAND WATERS

Wellington THE EVENING POST in English 2 Oct 82 p 1

[Text]

A Taiwanese fishing vessel inside New Zealand waters was swooped on by the Navy early this morning, following a two-day stake-out of the vessel by Air Force Orions.

The trawler, 51 Feng Yuan, was one of two intruders detected inside this country's 200-mile Exclusive Economic Zone (EEZ) by patrolling RNZAF aircraft this week.

Korean representatives have since been requested to order a Korean long-liner, Dong Jin, into Auckland for investigation.

The Taiwanese vessel was caught in the northern most part of the EEZ near the Kermadec Islands, about 450 nautical miles northeast of Auckland.

It is now being escorted to Auckland by the Navy's hydrographic survey vessel, HMNZS Monowai, and is expected to berth about Tuesday or Wednesday.

The whole operation has been largely orchestrated by the 24-hour fisheries control centre in Wellington, and was described

by the fisheries controller, Lt-Cdr David Davies, as being "as near a text-book operation as could have been wished for."

Monowai was near Tonga at the time the intruders were detected, and was dispatched to carry out surface interception with the trawler. Monowai crewmen boarded the vessel.

Meanwhile, the RNZAF maintained a 24-hour surveillance of the foreign boats before Monowai intercepted the Taiwanese boat at 7am today.

Mr Davies said the operation had to be played "extremely quietly" because of the distance Monowai had to come in order to intercept one of the offenders.

No word of the operation was leaked. Orions conducted their surveillance from high altitudes so no suspicions were aroused onboard the fishing boats.

Monowai literally "downed tools" in the middle of a survey off Tonga to take part in the operation and will later return to pick up crew and equipment.

CSO: 5200/9109

WA FISHERMEN SEEK EASIER PROSECUTION OF FOREIGN POACHERS

Perth THE WEST AUSTRALIAN in English 2 Sep 82 p 42

[Text]

WA FISHERMEN say that amendments to the Fisheries Act to make it easier for the Department of Fisheries and Wildlife to obtain convictions for offences involving foreign vessels are embarrassing but necessary.

The amendments, contained in legislation before State Parliament, place the onus of proof on the defence when a person is charged with using a foreign boat to commit an offence.

People charged under the amended Fisheries Act would have to prove that their boat was not a foreign boat.

The Minister for Fisheries and Wildlife, Mr Old, said when introducing the legislation that the amendments had been introduced because of difficulties in prosecuting Indon-

esian fishing boats.

Council view

The WA president of the Australian Fishing Industries Council, Mr Graeme Stewart, said yesterday that it was embarrassing that people could be regarded as guilty till proved innocent.

But it seemed necessary to give the department the power it needed to control such offences.

"At the moment, those who have been doing the right thing

are probably saying to themselves that they are pretty stupid when others are getting off free," he said.

Mr Stewart said that the council also approved amendments to the Act to dispense with the need for personal fishing licences for members of fishing crews.

At present, it was difficult for owners or masters of fishing vessels to recruit extra crew if some left the ship during a stopover at a regional port.

CSO: 5200/7505

BRIEFS

OFFSHORE OIL EXPLORATION--OFFSHORE petroleum exploration received a much-needed shot in the arm yesterday with the announcement that two major consortia planned to spend \$41 million on two areas off the northern West Australian coast. The consortia will drill a total of six wells to explore WA-196P in the Carnarvon Basin and WA-197P in the Browse Basin. They plan to carry out a total of 2600km of seismic survey. Yesterday's news will be a confidence booster for the oil exploration industry which has been in the doldrums and was rocked last month by the Esso-BHP consortium's decision to pull out of a \$60 million drilling program on the Exmouth Plateau because of a disagreement with the West Australian Government. The only slight disappointment of the latest news is that the two consortia were the only ones to apply for the off shore areas. In the past the West Australian Government could have counted on several competing groups to boost the level of work commitments. A consortium led by Petrofina Exploration Australia has been awarded WA-196P for six years. The permit covers an area of about 18,300 sq km south-west of Shark Bay. During the permit period the consortium plans to drill four exploration wells and undertake 1100km of seismic survey, for a total expenditure of \$21.3 million. [Text] [Canberra THE AUSTRALIAN in English 2 Sep 82 p 11]

GIPPSLAND BASIN FLOW--MELBOURNE--Bream five well in the Gippsland Basin, offshore Victoria, had recovered gas and very small volumes of condensate, Broken Hill Proprietary Co Ltd said yesterday. BHP said the well had reached a depth of 3,018 metres where wireline logs had been run. The gas recovery resulted from a wireline test run over the interval 2,707 metres to 3,018 metres. The condensate was recovered from 2,833 metres, 2,947.8 metres and 2,968 metres. [Text] [Brisbane THE COURIER-MAIL in English 3 Sep 82 p 30]

SIX-WELL GIPPSLAND PLAN--Phillips Australian Oil Company will begin a six wells drilling programme off the coast of Victoria. The company, acting as operator for two consortia, will drill four wells in Vic P18 in the Gippsland Basin, and two wells in Vic P 14 in the offshore Otway Basin by the end of 1983. Phillips has an equal share with MIM and Lend Lease Petroleum in the Gippsland Basin permit, while it equally shares the Otway Basin permit with MIM and the Gas and Fuel Corporation. The Gas and Fuel Corporation said yesterday that the two consortia had contracted the sem-submersible Diamond "M" Epoch for the drilling programme. The first well will be the highly prospective Discovery Bay 1 well off Portland. [Text] [Melbourne THE AGE in English 17 Sep 82 p 18]

INDIA

BRIEFS

VERSATILE RESEARCH SHIP--India has just taken delivery of an oceanographic research ship built by the Schlichting Shipyard in the Baltic Sea port of Luebeck-Travemuende and financed entirely (DM 80 Millions) by the Federal Republic of Germany. The 100-metre-long and 16.39-metre-wide Sagar Kanya, which has a maximum speed of 14.25 knots, is one of the largest and most modern oceanographic research vessels in the world, according to Mr. Heinz Ebert, Manager of the Schlichting Shipyard. Unlike other ships of its kind, it is capable of conducting experiments in a very wide area of oceanographic research. The ship has a wide variety of basic outfits like laboratories, special equipment and working area to conduct research activities in geology, geophysics, meteorology, physical and chemical oceanography and marine biology. Sagar Kanya will further expand the research activities carried out by the National Institute of Oceanography on board the indigenously-designed and built research ship Gaveshani in collecting polymetallic nodules from the Indian Ocean seabed. The collection of the nodules containing manganese, nickel, cobalt and copper has assumed great significance especially after India qualified for the status of "pioneer investor" as defined by the recent U.N. Law of the Sea Conference. The christening of the 1,300-tonne dwt vessel was done by Mrs. Zainub Khusro, wife of India's Ambassador to West Germany, Dr. A. M. Khusro. [Text] [Madras THE HINDU in English 15 Sep 82 p 7]

CSO: 5200/7001

CHAOS IN MARITIME LAWS PREDICTED UNLESS LOS ENFORCED

Foreign Ministry Official

Christchurch THE PRESS in English 30 Sep 82 p 16

[Article by Karren Beanland]

[Text]

Unless the Law of the Sea agreement comes into force, the world's maritime laws will be in chaos, Mr W. R. Mansfield, a member of the New Zealand delegation at several sessions of the Law of the Sea conference, told a Parliamentary seminar in Wellington last week.

Mr Mansfield, who is the head of the legal division of the Ministry of Foreign Affairs, gave a background to the Law of the Sea to the 26 Australasian and Pacific regional delegates at the two-day seminar.

The Law of the Sea negotiations had often been disparaged because they had taken 10 years and after all that time, the United States had said it would not sign the agreement.

However, the negotiations had resulted in a revolution in maritime law Mr Mansfield said. They had set new rules on ownership, rights of access, and exploitation for an area that covered the greater part of the planet. Considering the scope of its task, the conference had completed its work in a relatively short time. Its consequences would be "here to stay."

The agreement was of very great significance to countries

in the South Pacific, he said.

Before the 1950s, the general belief was that maritime law was settled. Each country owned the narrow band of sea surrounding it. Beyond that, the sea belonged to everybody.

In effect, there was no law at all, he said.

A feeling grew that the laws were inadequate and inequitable.

They were inadequate because of the changes in technology, which changed many of the fundamental assumptions on which the laws were based.

Technological developments made possible the mining of minerals and oil from the sea bed. In the 1950s, nearly all oil was exploited on land; now more than 20 per cent of the world's oil supply came off shore. It was also recognised that major mineral and metal resources, such as manganese, cobalt, and copper, were available on the sea bed.

Advances in fishing technology, particularly the development of highly mobile fishing fleets, challenged the assumption that fish was a renewable and limitless resource.

Growing problems with pollution and military uses of the sea also showed the inadequacy of the old maritime laws.

About 10 million tonnes of pollutants, from the transportation of chemicals, from oil exploitation, and from the run-off from fertilisers, went into the sea each year.

"We now have submarines capable of circumnavigating the world under water in a very short time and the possibility of nuclear weapons on the sea bed," said Mr Mansfield.

On top of these problems, there was a growing recognition by the coastal states, especially in the Third World, that the developed nations had an advantage because of their access to technology and finance.

Late in the 1940s and 1950s, the first crisis in traditional maritime law emerged when a number of countries made claims of sovereignty extending well beyond the accepted three-mile limit. The United States claimed that the continental shelf belonged to it — the first time any country had made a claim to the sea bed.

"If this was carried far enough, we had the prospect of a new kind of colonial scramble," he said.

In 1958 and in 1960, the United Nations convened two conferences on the Law of the Sea to stabilise the situation. These produced four conventions, but they failed to reach agreement on the size of territorial seas and to find a lasting definition of the continental shelf.

It was feared that if something was not done to control the rapid expansion of coastal state claims, they would eventually extend so far that they would meet in the middle of the ocean.

It was soon realised that a new Law of the Sea conference could not confine itself to these

points alone. Rules on the exploitation of the deep sea bed, on the rights of passage through international straits, on the prevention of pollution, on research, and on the settling of disputes were needed.

Achieving these rules in an agreement was complicated by the conflicting interests of the groups involved. Big maritime nations, islands and coastal states, and land-locked countries all had different desires which had to be reconciled.

Gaining agreement for the 300-clause treaty was a laborious process, which represented "quite an achievement." The treaty detailed a very complex regime, which protected the deep sea bed as part of the common heritage of mankind and allowed exploitation to take place under the control of an international sea bed authority, which would be based in Jamaica.

The United States had been prepared to sign the agreement until the Republican administration was elected in 1980.

President Ronald Reagan's reaction to it was "negative" and, even after a year-long review, the United States decided not to sign it.

"Even without the United States, the adoption of the convention is extremely important. As long as the rules set out in the agreement were only in a draft, there was a danger that they could be undermined," he said.

"It is important that as many countries as possible sign the convention, so we can bring it into effect."

Mr Mansfield said that the agreement was particularly significant for Pacific nations. Their success was because they worked together well and became an extremely effective negotiating group. They man-

aged to focus attention on the Pacific in a way that had not been achieved in other negotiations.

After a long and "hard fought" battle, they managed to include in the treaty a clause giving small islands the right to the same sized economic zone as big nations. It protected the right to all the fish in the economic zone, including migratory species such as tuna.

A special regime for archipelagos provided protection for Fiji, Papua-New Guinea, and the Solomon Islands. They were entitled to base their 200-mile economic zone from the line around the outermost islands in the group. Areas within the group could be designated as international waters.

The right of a coastal state to exploit the continental shelf, even beyond its economic zone, was protected. This applied especially to Australia and New Zealand.

Mr Mansfield said that the Law of the Sea conference had its final sitting last week, when it agreed on the wording of the treaty in six languages. The agreement will be open for signing in Jamaica from December 6 to 10, this year.

The New Zealand Cabinet has yet to give its final agreement to the treaty, although the Government has indicated its support in the past and the Prime Minister, Mr Muldoon, has been an advocate for the treaty. A resolution passed at the recent South Pacific Forum conference in Rotorua recently called on all countries to support the agreement.

A spokesman from Mr Muldoon's office said the Cabinet would be asked to ratify the treaty in the next three months.

Christchurch 'PRESS' Editorial

Christchurch THE PRESS in English 2 Oct 82 p 14

[Editorial: "Interests in Law of Sea"]

[Text]

The Pacific countries, including Australia and New Zealand, are among those which have great interests at stake in the outcome of negotiations on the Law of the Sea. The granting of fishing rights to foreign fishermen in waters around New Zealand is among the practical applications of the law. The 200-mile Exclusive Economic Zones have become so widespread that it can easily be forgotten that these zones, and the management of fishing within them, were linked to the establishment of a new Law of the Sea.

Although the Law of the Sea Treaty was adopted, the United States rejected it. Unless it is endorsed by the United States the treaty can be considered to be incomplete. One of the worrying aspects of the failure to conclude the negotiations is that most coastal States have designated 200-mile zones for themselves already. The basic deal in the treaty was that coastal States would get their 200-mile zones and other countries would get the rights to pass through and fly over these zones. Although the zones have been claimed, the treaty must be accepted widely as law before the rights of passage and overflight are guaranteed.

All kinds of difficulties could arise over passage through straits or through groups of islands. Because of the power and influence of the United States, the treaty needs the backing of that country to help the credibility of the new Law of the Sea. The condition in which the United States has left the treaty is bad enough. If the United States also made a treaty among technologically-advanced countries to share the resources of the deep seabed, the treaty would be seriously undermined.

The United States rejected the draft of the treaty because of American reservations about the arrangements for the mining of the deep seabed. A revealing discussion of what occurred within the Reagan Administration and within the American delegation to the negotiations was published in the American journal, "Foreign Affairs." The article was written by the deputy chairman of the American delegation, Mr Leigh S. Ratiner. He confirmed what had long been suspected, that the conflict within the United States was between the ideologues and the pragmatists.

The ideologues, arguing on matters of principle, rejected all concepts such as that the deep seabed is part of the "common heritage of mankind." They were against any restrictions on American companies which wanted to mine. The ideologues did not want any sharing of technology or any international authority which would share in the development of the resources of the deep seabed. The pragmatists wanted to secure as many rights for American interests as possible and were prepared to stomach, though without enthusiasm, some of the rhetoric of the Third World. The pragmatists considered that over-all

American interests would be harmed if the United States rejected the convention outright. The ideologues won and the negotiating team went to the table with a series of propositions that were not acceptable to the conference. New Zealand and 11 other countries tried in vain to effect a compromise.

The most pressing matter for a number of the countries of the South Pacific in declaring their Exclusive Economic Zones is the refusal of the United States to recognise the right of coastal States to tuna, which are a highly migratory species of fish. The importance to the Pacific countries is that tuna is, in some instances, the only valuable fish resource they have. The Pacific Forum countries had hoped that once the Law of the Sea Treaty was signed, the United States would be able to change its own law on highly migratory species. Now that the United States has refused to sign the treaty there seems little chance that the United States will be able to do much to restrain its fishermen. An incident in which Papua New Guinea arrested an American tuna boat and the possibility of sanctions being imposed against Papua New Guinea left some resentment in Papua New Guinea. The possibility of further similar incidents remains high.

In a broader sense, the rejection of the treaty by the United States is embarrassing to friends of the United States. The Soviet Union abstained on the vote but has since said that it will sign the treaty. This means that the United States can be depicted by the Soviet Union as greedy and the Reagan Administration as being influenced strongly by commercial

interests. Such arguments may well have some influence among poorer countries, of which the Pacific has several. It is an argument that is all the harder to rebut because commercial interests undoubtedly had a profound influence on the Reagan Administration on the issue.

Many other countries have no less interest in grabbing what they can from the oceans. They may even depend upon it, and the label "national interest" is much more respectable than "commercial interest," even if the results in the oceans are the same. Such terms as "common heritage of mankind" hardly stand an attempt at definition. Mankind may seem to be master of what it is technically able to exploit and consume; inheritance implies a proprietorship that amounts to no more than human presumption.

Nevertheless, such terms are conveniently invented for the purposes of what can be agreed upon as prudent management, conservation, and an allocation of resources with minimal dispute and some regard for custom. The world at large would be far better off if the United States joined in the treaty and used its influence for a common good in which it would have its fair share.

CSO: 5200/9110

LOCAL FISHING INDUSTRY TERMED ECONOMIC SUCCESS STORY

Auckland THE NEW ZEALAND HERALD in English 27 Sep 82 p 22

[Text]

Despite all the problems usually associated with rapid expansion, the development of the New Zealand fishing industry is an economic success story, says the Fishing Industry Board.

In a review of the industry, the board says fishing has been one of the nation's growth areas in the last five years.

New Zealand has been able to take advantage of the new regime imposed by the Law of the Sea Conference and introduced in 1977.

Since then 27 vessels of more than 25 metres have been put into service by the local fishing industry.

Doubled

They cost about \$43 million to buy, although almost all were imported secondhand under the Government's duty-free import scheme for new or nearly new fishing boats.

The replacement cost of these craft has now almost doubled, says the board.

It says the total investment in the New Zealand fleet amounted to about \$60 million in 1977, and that gave an indication of the capital investment which has taken place since in the catching

sector.

During the past five years about \$25 million has also been invested in onshore processing and port facilities.

Export Rise

In 1977 the fishing industry, including joint ventures harvested 85,000 tonnes; in 1981 production reached 225,000 tonnes, about half of which was provided by joint-venture craft.

Exports have increased even more dramatically, from 26,000 tonnes valued at \$50 million in 1977 to an estimated 120,000 tonnes valued at \$230 million in 1982.

The board says this reflects considerable emphasis given to export development.

Not Easy

About 1200 new jobs directly related to fishing have been created during the five years.

The board says it was not easy for the industry to expand to its present stage and a period of consolidation is now needed.

One of the most difficult tasks ahead, it says, will be to continue the integration of joint ventures into the domestic industry in a way which does not dislocate existing operations.

REGULATIONS ON SKIPJACK TUNA FISHING PROMULGATED

Domestic Fishing Reduced

Christchurch THE PRESS in English 30 Sep 82 p 2

[Text]

Chartered purse-seiners will be allowed limited access to New Zealand territorial waters for the coming skipjack tuna season.

The Minister of Fisheries, Mr MacIntyre, said the vessels would be permitted to purse seine for skipjack on the west coast of the North Island, but denied access to territorial waters on the east coast.

The position of the east coast north of 35deg. would be kept under review, particularly if the domestic fleet did not fish the area.

Eleven charter applications had been approved. The vessel approvals held by Jaybol (three), Watties (three), New Zealand Pelagic (three), and Nelson Fisheries (one) last year had been renewed and a new approval had been extended to Purse Seiner Services (N.Z.), Ltd.

He said the increase in the vessel allocation had been made because domestic fishing was likely to be reduced as the big New Zealand-owned vessel Finisterre was

not expected to work in New Zealand waters during the coming skipjack season.

There would be provision to reallocate these approvals to successful charterers or new ventures if existing ventures did not recruit vessels by December 1.

Scientists estimated the skipjack run through New Zealand waters could yield 24,000 tonnes a year, Mr MacIntyre said.

Domestic and joint-venture catches together in recent seasons had averaged about 7600 tonnes, and so the stock was clearly not under unreasonable pressure.

On average 58 per cent, or 14,000 tonnes, of the catchable resource was outside the 12-mile limit each year and 10,000 tonnes inside.

Every two or three years the bulk of the fish surfaced inside the limit, he said. For this reason, on an experimental basis only, the chartered purse-seiners were being permitted into the territorial sea on the west coast this season.

Licence fees would remain at \$65 a tonne, Mr MacIntyre said.

No major changes were proposed for the southern bluefin tuna fishery in the coming season. The existing quota of 5000 fish would be maintained in the west coast winter fishery for domestic vessels.

The request by the Federation of Commercial Fishermen for a back-up freezer vessel for 1982-83 had been agreed to in principle and a final decision would be made when the results of the 1981-82 season fishing became known, he said.

Some 96 Japanese vessels, the same number as last year, would be allowed into the south and east coast longline fishery for southern bluefin. But in future years this number was likely to be reduced to protect the stock and to accommodate greater domestic catching, Mr MacIntyre said.

To reflect market demand for southern bluefin tuna, licence fees were being increased from \$27,000 to \$36,000 a vessel.

Super Seiner Laid Up

Auckland THE NEW ZEALAND HERALD in English 1 Oct 82 p 3

[Text]

New Zealand's first big venture into international purse seining with a super seiner appears to have failed.

The problem is that the boat is laid up in the United States. Her owners have been given permission to charter three foreign boats to work New Zealand waters in her place this summer.

The tuna clipper is the 1054-tonne Finisterre. When she was taken over by the New Zealand Pelagic Fisheries Development Company in 1976 it was intended that she pioneer international skipjack tuna fishing by New Zealanders in conjunction with American interests.

That was one of the original conditions under which American super seiners were allowed into New Zealand's 200-mile zone.

The company said she had been laid up in the United

States since the end of the last New Zealand tuna season.

The Ministry of Agriculture and Fisheries has just announced the regulations for this summer's skipjack tuna fishing and it allows the Pelagic fishing company to charter up to three foreign boats.

The Finisterre is New Zealand registered and crewed. A Pelagic company spokesman said there was a financial risk involved in employing her.

Under many of the joint venture agreements approved by the ministry, the New Zealand partners are not exposed to any financial risks.

Their role is often little more than a port agent who organises providoring and maintenance but takes a percentage of the catch in payment.

The Pelagic company spokesman said the company had taken foreign chartering options because there was a "no loss situation involved."

He said there was no particular intention to bring the Finisterre to New Zealand this season. Part of the problem was depressed tuna prices.

An associate company is now operating other New Zealand owned and maned super seiners in Fiji waters.

They are the Western Pacific and Western Ranger.

He said they had been operating very successfully in those waters but it was too early to say if they would come back to New Zealand this season.

In announcing the new skipjack fishing rules yesterday, the Minister of Fisheries, Mr MacIntyre said they would be allowed access to New Zealand territorial waters this season.

Industry Board Protests

Auckland THE NEW ZEALAND HERALD in English 2 Oct 82 p 8

[Text]

Whangarei

A dangerous precedent had been set with the ministerial decision to allow both joint-venture and foreign purse-seiners within New Zealand territorial waters, says the chairman of the Fishing Industry Board, Mr Mark Hinchliff.

The board would make very strong and urgent representations to the Minister of Agriculture and Fisheries, Mr MacIntyre, expressing its concern at the decision to allow the skipjack tuna boats within the 12-mile limit.

"Allowing foreign vessels within the 12-mile limit would not occur anywhere else in the world. It is setting a serious and dangerous precedent, and we will tell the

minister this," Mr Hinchliff said.

The fishing industry board met at Waitangi for one of its two meetings each year outside Wellington. It also met, in committee, representatives of the Northland commercial fishing industry. Following the joint meeting, Mr Hinchliff said both the board and Northland fishermen had been strongly opposed to the decision, released this week, on the skipjack tuna licences.

"Our concern is that this decision may be a precedent for similar action in other areas of the industry. Once it has been established that we are letting foreign vessels into one sphere of the industry, we could have people coming in under the law of the seas in other spheres."

He said the board's concern was with the precedent rather than at the implications on the skipjack tuna resources.

But on the surface the decision was unacceptable.

The ministerial decision on the skipjack tuna sets no vessel limits for the domestic ventures and a limit of 11 vessels for co-operative ventures, one of which may be Japanese.

"The Government has decided the fishery should yield its full potential and therefore the catching capacity should, as far as possible, be provided with access to the bulk of the resource each season," says the department.

CSO: 5200/9110

SQUID CATCH QUOTAS SET AT SAME LEVEL AS 1982

Wellington THE EVENING POST in English 2 Oct 82 p 22

[Excerpt]

Quotas for the 1982-83 squid season have been set at the same level as last year, the Minister of Fisheries, Mr MacIntyre reports.

The exclusive economic zone squid stock was still assessed at 600,000 tonnes by scientists, and as a result the total allowable catch of 90,000 tonnes set for 1981-82 would again apply, Mr MacIntyre said.

This would be divided in the same way as previously. There would be a jigging allocation for the whole of the zone of 40,000 tonnes, and a trawl allocation of 50,000 tonnes made up of 30,000 tonnes to be taken from Auckland and Campbell Island waters and 20,000 from elsewhere in the zone.

Japan, Korea and the USSR would again be allowed to trawl for around 23,000 tonnes. The domestic and joint venture fleets would have access to the remaining 27,000 tonnes or so.

The jigging quota of 40,000 tonnes would again be available to 180 vessels. Of these, 78 would be joint-venture and 102 foreign-licensed.

DRILLING RIG TO BEGIN OFFSHORE EXPLORATION IN JUNE 1983

Auckland THE NEW ZEALAND HERALD in English 9 Sep 82 Sec 3 p 4

[Text]

New Zealand Oil and Gas Ltd has contracted for a drilling rig to bore the first well in its prime prospect area in the Taranaki Basin.

The company has also secured a position in a well to be drilled in another offshore Taranaki block.

NZOG said yesterday that a consortium had arranged for a semi-submersible drilling rig to start work in New Zealand waters in June. The present programme is for the platform to drill at least four wells.

NZOG has contracted for one of the well "slots" so that a well can be drilled within the area of its prospecting licence area 33113 during the permit year which ends on May 15, 1984.

The commitment has been supported by Petrocorp, the other participant in the licence area.

Reserved

NZOG has also taken a 10 per cent position in a second well slot which has been reserved by the participants in prospecting licence area 33116. Petrocorp is the operator for this area which lies offshore, to the south of the Kapuni field and is within the Kupe block structure. A Fletcher Challenge subsidiary is also a partner in this licence area.

The NZOG directors said the commitments were a reasonable commercial risk, justified by the need to make sure that a suitable rig was available at competitive rates to meet the company's likely drilling requirements on areas in which it had interests.

The rig is still under construction in Scotland. It is described as the enhanced Pacesetter design, capable of operating in water depths of up to 457 metres (1500ft) and drilling to a depth of 7600 metres.

The rig is regarded as being ideally suited to the roughest weather conditions in the Taranaki Basin and elsewhere off the New Zealand coast, and lost time through bad weather is expected to be minimal.

Unsuccessful

The last New Zealand offshore drilling was completed last year by the drill ship Sedco 445 which left the country in December. It was unsuccessful in a four-well programme in spite of some whiffs of hydrocarbons.

It drilled the Tangaroa well 75 kilometres off Kawhia, Kiwa south-west of the Maui field and Wainui 92 kilometres north-west of New Plymouth for Shell BP Todd and Petrocorp and the Mikonui well off Greymouth for a consortium of companies in the NZ Petroleum licence area.

The new rig will be the first semi-submersible rig used for drilling in New Zealand waters since Penrod 4 completed its programme for the Seahunt partners, Hunt Petroleum and Phillips Petroleum, in the Great South Basin in the summer of 1978.

MINISTER WARNS AGAINST OVEREXPLOITATION OF FISHERIES

Wellington THE EVENING POST in English 9 Sep 82 p 12

[Text]

Reckless exploitation at the expense of management must not be allowed to hole the buoyant New Zealand fishing industry, according to the Minister of Agriculture and Fisheries, Mr MacIntyre.

Opening the joint Fisheries Research Centre/Oceanographic Institute building at Greta Point, Mr MacIntyre noted that export receipts from fishing rose from \$20.4 million in 1973 to \$63.6 million in 1978.

"In the next three years export values trebled again to \$192 million by the end of 1981," Mr MacIntyre said.

However as demands on fisheries increased research was needed to ensure a future for the industry.

Manage

"We have a national and international responsibility to manage our resources not only for the present but for the future," said Mr MacIntyre.

"We need to develop towards full utilisation rather than reckless exploitation which has, all too often, led to the downfall of fisheries elsewhere in the world."

The \$8.2 million centre was an investment in the future of the fishing industry, Mr MacIntyre believed.

Scientists of the centre would continue research into existing fishing methods and new fields such as shellfish farming, tuna export and orange roughy.

Research staff were keenly aware their recommendations for conservation or exploitation of stocks had a serious impact on the livelihood of fishermen.

"Unlike their counterparts in agriculture, they have to be concerned with adjusting the harvest to the natural production — rather than in trying to improve production and the harvest," he said.

Processing

Just as in agriculture, however, it was increasingly important to consider further processing of the product.

"They (fish) have cost money to haul up from the bed of the ocean and there should be every effort to obtain the maximum return from the catch in terms of high-quality food products and useful by-products," Mr MacIntyre said.

"With the capital investments involved we cannot afford to make mistakes," said Mr MacIntyre. "Thus as the offshore fisheries in particular develop, so must the accompanying scientific expertise."

BRIEFS

FISH CATCH STATISTICS--Nelson, Sept 10 (PA)--Auckland had the most valuable fishing catch landed last year, the Ministry of Agriculture and Fisheries said today, while the biggest catch at any New Zealand port was at Nelson. The ministry's domestic catch figures for 1981 released today show that \$8,250,000 worth of fish were landed at Auckland while at the city's Tasman port, Manukau, \$6,719,000 worth were brought ashore. Nelson's catch was easily the biggest--14,591 tonnes were landed, the third most valuable at \$3,828,000. The Manukau catch was 8205 tonnes. Auckland was third with 7535, followed by Tauranga 7037, Gisborne 6800, Timaru 6377 and Greymouth 5316 tonnes. Other ports with their catch tonnages are: Port Chalmers 2512, Lyttelton 2160, Wellington 2000, Motueka 1904, Napier 1897, Kaikoura 1617, New Plymouth 1547, Mangonui 1453, Akaroa 1410, Bluff 1322, Wanganui 1168, Whangerei 1158 and Raglan 1130. [Text] [Wellington THE EVENING POST in English Sep 82 p 4]

CSO: 5200/9108

INCENTIVES PROMPT FISHERMEN TO RISK JAIL OVERSEAS FOR TERRITORIAL WATERS VIOLATIONS

Bangkok BANGKOK POST in English 9 Sep 82 p 4

[Article by Nongnuth Kimanonth]

[Text]

DURING the last three years, 116 Thai trawlers — valued at more than 400 million baht — were seized for fishing in foreign waters, according to Fisheries Department records.

The seizure of these boats reflects the serious problems being faced by the fishing industry.

Figures provided by the Conservation and Extension Division of the Fisheries Department show that foreign authorities this year confiscated more than 35 Thai trawlers and jailed more than 1,000 crewmen.

Thai fishing boats are normally well equipped — containing radar, sonar fish finders, freezer, and radio transmitter and receiver — and are capable of trawling in deep waters. Of those seized only a few have been returned, representing a huge loss to the industry in terms of equipment and investment.

The majority of Thai trawlers are seized in Vietnamese waters. While the number of crewmen arrested is unknown, the Fisheries Department reported this year alone the Vietnamese have already seized 17 Thai trawlers.

“Most trawlers seized by the Vietnamese were confiscated. Somewere returned in bad condition with their engines and trawling equipment removed” Director-General of the Department of Fisheries Capt Sawang Charoenpol RN said.

Records kept by the Samut Sakhon Fishing Cooperatives, show that about 100 Thai trawler crewmen have been shot dead in the past seven years for allegedly trespassing into Vietnamese territorial waters.

A recent case occurred last May when a Thai vessel was fired on while fishing illegally in Indonesian waters. Four Thai crewmen were injured.

Informed Foreign Ministry and Fisheries Department sources disclosed that there were many unrecorded arrests, property seizures or deaths because of the action which foreign authorities had taken against Thai trawlers operating in their territorial waters.

Vietnam, Kampuchea, Malaysia, Indonesia, Burma, and India have jailed the crews of Thai boats which intruded into their waters, a Foreign Ministry official said.

The crewmen invariably claim that the intrusion was unintentional. They say that as there are no demarcation lines at sea, it is difficult for them to tell when they may have crossed into territorial waters. This is despite most deep-sea trawlers carrying expensive navigating equipment.

Nonetheless, there have been several cases where the trespassing appears to have been intentional. Most intruders seem to realise that they will be punished for intruding foreign waters. But neither the risk of death nor a long term in a foreign jail seems to deter them from trawling in foreign waters.

One reason is the problem of depleting marine resources in Thai waters — and a major contributing factor behind the destruction of the marine environment is pollution. Capt Sawang said that there are more than 1,800 factories operating along the Chao Phya River from

Ayutthaya to Samut Prakan — all dumping their waste in the river. The waste flows into the Gulf of Thailand and the result is a marine environment as barren as a desert.

INCOMPARABLE

According to a group of fishermen in Rayong Province fishing in foreign waters is a favourable risk. The income they can get between fishing in Thai waters and foreign waters is incomparable. They said that fishing in Thai waters would earn them about 300,000 baht a trip while a similar excursion into foreign waters could earn them up to two million baht.

In Vietnamese national waters Thai trawlers seem to get a better deal. The Thai fishermen know the Vietnamese need to buy some food such as rice or even steel and gas. So there is a compromise. The Thais sell them smuggled products in exchange for right to fish temporarily in their waters.

"This has been going on for a long time, and the Thai coastal authorities are aware of it," Capt Sawang said.

"The matter concerns us for national security reasons and effective control needed to be taken.

"However, it's difficult for the time being to keep an eye on everything happening in foreign waters, especially when we have a limited number of patrol boats to guard our national waters," Capt Sawang said.

Another matter concerns the introduction of 200-mile exclusive economic zones (EEZ). Neighbouring states' claims on the EEZ reversed some areas in the South China Sea, Andaman Sea, and the Indian Ocean — which were once identified as international waters — to the areas under exclusive rights of coastal states to exercise their jurisdiction over resource exploitation.

The problem is that EEZs do not benefit the Thais. Thailand's geographical position — with its maritime border next to other coastal states — makes it impossible to extend an economic zone to 200 miles either in the East where the widest part of the Gulf of Thailand is only 120 nautical miles, or in the Andaman Sea of the West where the width of the coast can be extended to only 160 nautical miles at most owing to Burmese territorial claims.

However, Thailand announced an extension of its economic zone to 200 miles in February, 1981; ever since the new law become applicable to the Thais.

An expert in international law at Chulalongkorn University Dr Niphan Jittasombat said that EEZ claims by Thailand, Vietnam, and Kampuchea in the South China Sea overlap and the issues have not been settled.

In the case of overlapping claims, the new law of the sea provided that the EEZ may be divided equally through agreement between the countries concerned, he said.

The effect of economic zones are various. It accounts for Thailand's loss of about 300,000-square miles of fishing areas — lying off the coasts of Vietnam, Kampuchea, Burma, and Malaysia — where the area used to provide 40% of the country's catches which contributed to more than 4 billion baht to the country's annual income.

Recent figures show the country's marine products in the last three years has been decreased from 2.3 to 1.9 million metric tons worth 10 billion baht. The decrease has consequently effected a slump in export value of marine products to six billion baht during that period.

Another obvious effect, as Capt Sawang said, is the breach of regulation on 3,000 metre off-shore limits for fishing in the Gulf. As EEZ claims have been enforced, a number of Thai trawlers turned to fish inshore where small fish live.

"And if our fishermen still illegally use dynamite or very fine mesh nets in fishing, the fish we have in the Gulf will deplete in the next few years," he said.

So what is the solution?

The Government is implementing a plan for fishery development to promote inland fishery and fish breeding in villages, schools, temples, and rice paddies.

The Department of Fisheries is also considering the introduction of flushing fisheries to help increase fish in the rivers.

With the assistance of the Tokyo Rayon Company about four million fingerlings will be dumped in the source of the rivers at Phichit Province tomorrow. In this way, fish will spread out into rivers and klongs, Capt Sawang said.

As for deep water fisheries, the Government should push to reach a joint fisheries agreement with our neighbouring countries to operate

fishing in the form of joint ventures. So far Thailand has had joint fishery pacts with a number of countries like China, Oman, and Malaysia while a joint agreement with India is expected sometime this year.

Dr Niphan also suggested a joint agreement among ASEAN countries to share natural resource exploitation in member countries' economic zones. This can be done in various forms, joint ventures with profit sharing, or an application of preferential rights for member countries' vessels to fish in one another's economic zones, he said.

Once inland fisheries are better developed and fishery agreements with neighbouring countries can be negotiated, our fishermen may have a better choice than adventuring in foreign waters.

CSO: 5200/4301

COMMITTEES WORK TO COUNTER OIL SPILLS IN LOCAL WATERS

Nassau THE TRIBUNE in English 24 Sep 82 p 11

[Text]

THE BAHAMAS was among other members of the International Maritime Organization (IMO) that celebrated World Maritime Day Thursday under the theme of "Global Co-operation for the prevention and Control of Marine Pollution from Ships."

In an observance of World Maritime Day, the Minister of Transport, Phillip Bethel, issued a press release in which he said that the Bahamas was "very concerned" about the pollution of our waters caused by oil and other pollution caused by dumping garbage in our waters.

"Here in the Bahamas we are not only concerned about pollution of our waters caused by oil, but being a well-known tourist destination, Tourism being our main industry, we are also concerned about pollution by the dumping of garbage into our waters," Mr Bethel said.

Mr Bethel said that this year the Boat Safety Committee has launched a clean-up campaign

for the water fronts and the beaches. And he said that an Oil Spill Contingency Planning Committee had already been formed.

"It would appear," said Mr Bethel, "that our average Bahamian is not aware that to toss cans and other items into our waters is an illegal act for which they can be prosecuted, if caught," he said.

Mr Bethel also said that, the Ministry, in its campaign to promote the Bahamas as a reputable ship registration centre, through its Maritime Affairs Division, is involved in the workings of the International Maritime Organization.

"With the number of tankers registered under the Bahamas flag to date, it is important that we keep abreast of the many conventions, Resolutions and Protocols that may come into effect from time to time,"

Mr Bethel said.

Mr Bethel said that as Minister responsible for Maritime Affairs he feels the

theme for this World Maritime Day was fitting.

"When one considers the tanker traffic in our waters transporting oil and related products to and from Borco and Burmah Oil terminals in Freeport, the Clifton Pier facility in Nassau and indeed those tankers that pass through the shipping lanes on their way to other foreign ports - pollution is very real," Mr Bethel said.

Mr Bethel said that so far the Bahamas has been lucky because apart from the intermittent oil slicks, we have had no major spills.

"The occasion of World Maritime Day gives us the opportunity to reflect and restate our goals. It is the Ministry's pledge that in spite of our limited financial resources we intend to do all we can through "Global Co-operation" to prevent and control marine pollution from ships in Bahamian and international waters," he said.

CSO: 5200/7504

ACTION PLAN DRAWN UP TO PROTECT OUR SEA RESOURCES

Victoria NATION in English 1 Oct 82 pp 2, 10

[Text]

A FAR-REACHING action plan to develop and protect the sea and coast resources of the East African region was agreed on yesterday at the end of a week-long meeting in Seychelles.

The draft plan is expected to be formally adopted by the eight countries of the region next year, and the Seychelles Government has offered to host the final meeting.

The offer was made by Planning and Development Minister Dr. Maximes Ferrari in his closing speech to the regional workshop sponsored by the United Nations Environment Programme (UNEP) at the Reef Hotel.

Dr. Ferrari said he was delighted to see the draft action plan approved since it provided the right kind of framework for the region's governments to work together in defence of the environment.

Seychelles felt that environmental assessment was particularly important, not only for itself but for the whole re-

gion, and was pleased to see that the plan laid so much stress on this point.

Unless the nations of the region carried out studies to provide a basis of facts for improved management of the environment, they risked wasting precious resources on projects that had been badly drawn up, Dr. Ferrari added.

He thanked UNEP, and especially its Regional Seas Programme, for their help in bringing together the countries that will carry out the East African action plan.

Together they would achieve far more in marine and coastal protection and development of the region than would have been possible as individual states.

In a short closing address Dr. Stjepan Keckes, Director of the Regional Seas Programme, thanked the Seychelles Government for hosting what was such an important meeting.

UNEP, he said, was com-

mitted to helping the countries of the region carry out the difficult task they had set themselves in the wise management of their marine and coastal resources.

The main components of the action plan are :

- Environmental assessment so as to gain a better understanding of the complex links between development and the environment. This will include pooling research findings in the region, training marine scientists, setting up "regional activity centres" for specific studies and drawing up a list of pollution sources.

- Environmental management for a sound national development that does not destroy resources. Among the measures on which the regional states will co-operate are preparing for pollution emergencies, drawing up guidelines for controlling domestic, agricultural and industrial wastes, and the management of wildlife and natural habitats.

- Environmental legislation, not only in the strengthening of national laws but in drawing up a regional convention for the protection and development of the sea and coast environment of the East African region.

--Institutional and financial arrangements, which will include the setting up of a small central co-ordination unit to oversee the carrying out of the action plan. Financial aid may come from the United Nations at first but the countries involved should eventually finance the action plan themselves.

--Supporting measures, including training programmes for staff who will carry out the plan, publicity campaigns to create public awareness of the issues at stake and education in schools on the principles of protection and development of marine resources.

Dr. Ferrari also mentioned two important international conservation meetings that will be held in Seychelles next year.

The Indian Ocean Alliance of some 20 ocean states, which was born as a result of a meeting on Mahe in 1980, will convene here with the resources of the Antarctic as a key theme.

And following a decision at this year's International Whaling Commission meeting, Seychelles will host a conference to discuss alternative uses of whales, in particular for science and tourism, which do not involve killing these animals.

Countries attending the workshop were Comoros, Madagascar, Mauritius, Seychelles, Somalia and Tanzania. Kenya and Mozambique sent their written approval of the draft action plan.

CSO: 5200/3

SWEDISH FISHERMEN ANGRY AT NORWAY FOR WARNING SHOTS IN ZONE

Stockholm DAGENS NYHETER in Swedish 4 Sep 82 p 11

[Article by Per Sjogren]

[Text] Sodertalje, Friday--Norwegians and civil servants were two groups targeted when the National Association of Professional Fishermen held its annual meeting in Sodertalje on Friday. Minister of Agriculture Anders Dahlgren was there and tried to calm the critics.

The criticism of Norway was based chiefly on an incident that occurred last summer when two Swedish fishing boats in the Norwegian economic zone were stopped by warning shots and taken into port, where their crews received heavy fines. Their offense consisted of not having their radio tuned to the prescribed channel.

The association's chairman, Jens Eriksson, who is also a member of Parliament from Galto, said: "The dangers involved in the job itself are not enough--now we are in danger of being shot at if we enter another country's territory. We need to know clearly whether it is an offense to be in the Norwegian economic zone."

The minister of agriculture agreed that the Norwegian Coast Guard had overreacted.

Dahlgren said: "Neighbors should not shoot at each other."

Others added that Norwegian authorities seem to be hopeless when it comes to negotiating larger quotas for Sweden's west coast fishermen in Norwegian waters.

Price Dumping

One participant in the annual meeting said that civil servants have long and pleasant vacations and that some of them arrange their vacations so they can be free during the best fishing times. Then they go out fishing with professional equipment, not to meet their own needs but to sell their catch, thus undercutting professional fishermen.

According to Eric B. Lundberg, the representative in Harmanger, Angermanland, it is more likely that the people involved are former professional fishermen

who have given up their trade but kept their equipment and still fish in that way. It just sounds more dashing to talk about civil servants.

Boundary Issue

The unresolved boundary issue in the Baltic Sea was quite naturally on the agenda. It involves the dispute between Sweden and the Soviet Union over an area of 13,500 square kilometers east of Gotland. At present, any country can fish there, and it was said that the area will soon be fished out. It would be better if the area were designated a gray zone open only to Swedish and Soviet fishermen.

The government was previously considering making concessions to the Soviet Union, but at this meeting--and with the elections drawing near--the minister of agriculture gave assurances that the government would not yield a single nautical mile.

In round numbers, there are currently about 4,000 professional fishermen, and fishing brings in about 500 million kronor per year. A major internal problem is the marketing and distribution of fish. The organization that handles those matters dates from the mid-1930's, and it is too cumbersome today. A new organization known as Swefisk has existed for the past year, but 17 cooperative and private purchasers of landed fish do not participate, and the system is not working well.

Chairman Jens Eriksson said: "If Swefisk is not going to work, we will have to find something else."

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CSO: 5200/2502

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