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TRANSLATIONS ON LAW OF THE SEA
(FOUO 1/79)



WORLD

WIDE



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WORLDWIDE AFFAIRS

USSR-JAPAN FISHING TALKS CONTINUE

USSR Refuses To Discuss Salmon

Tokyo NIHON KEIZAI SHINBUN in Japanese 23 Nov 78 Morning Edition p 4 OW

[Text] Sources concerned with Japan-Soviet fishery negotiations disclosed on 22 November that, at the fishery talks now underway in the Foreign Ministry in Tokyo, the Soviet side has refused Japan's proposal to hold the first session of the Japan-Soviet fishery committee as part of the current Tokyo fishery negotiations.

Under an agreement reached between Japan and the Soviet Union on fishery cooperation this April, the Japan-Soviet fishery committee will hold annual meetings alternating between Tokyo and Moscow to discuss catch quotas for salmon fishery in the northwestern Pacific.

Refusing to accept Japan's proposal to open the committee's first meeting in Tokyo as part of the current fishery negotiations, the Soviet side said: "This delegation was not instructed to discuss the committee issue."

As a result of this refusal, prospects have dimmed for opening talks on next year's salmon fishing in the northwestern Pacific this year in Tokyo. Thus, Japan faces the possibility that there talks may be held in Moscow sometime next year.

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'JAPAN TIMES' on Talks

OW211343Y Tokyo THE JAPAN TIMES in English 20 Nov 78 p 2 OW--FOR OFFICIAL USE ONLY

[Editorial: "Fishery Talks With Russia"]

[Text] Japan and the Soviet Union opened this past weekend what is most likely to be tough prolonged negotiations over fisheries. After the two countries declared 200 miles of their off-shore waters as exclusive fishery conservation zones last year, foreign fishing in the adjacent seas have become more an object of national policy than of free enterprise. And given the well-known Soviet displeasure about the Japan-China treaty of last September, the political climate is less than a jovial one.

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The current talks concern the allowable levels of fish haul in 1979 for the two countries in each other's 200-mile zone. For this year, the Soviet Union conceded Japan a quota of 850,000 tons, off 29 percent from the 1977 level. Japan, in return, permitted the Soviet fishing fleet to haul up to 650,000 tons of fish in the Japanese 200-mile zone, or 19 percent less than in 1977.

Once the Japanese fishing industry grossed a fish haul of up to 1.7 million tons a year in the northern Pacific areas now enclosed by Russia's 200-mile limit. The 1978 ceiling, then, amounts to a halving of the previous peak. The Soviets are being assured nearly as much fish haul in the Japanese coastal seas as before the arrival of the 200-mile fishery limitations.

The present fishery negotiations will most certainly see a repeat of the confrontation between the Japanese-advocated principle emphasizing historical interests and past fishery records, on the one hand, and the Soviet argument for a strict parity in the two countries' fish haul in the restricted zones, on the other.

In the previous negotiations over the 1978 quotas, Japan managed to make a small dent on the Soviets' reciprocity principle, by securing something more in the Soviet 200-mile zone than it gave to the Soviet fishing fleets in the Japanese 200-mile zone. Once again this time, we will have to fall back on "the historical interests" and ask the Soviet Union for permission to fish more in Soviet waters, while attempting to limit the level of Soviet fish catch in Japanese waters.

An increase in the Japanese quota for north Pacific fisheries, according to the Soviet parity principle, is expected to be reciprocated with a matching increase in the Soviet catch in the Japanese off-shore waters. Such a bargain would add to the anguish of half a million small Japanese fishermen living on coastal fishing.

Clearly, Japan is the more disadvantaged party in the present negotiations. In addition to a favorable deal in fishing quotas, Japan seeks a longer-term agreement with the Russians to reduce uncertainties of the present one-year arrangement. This is an occasion to find out the extent of avowed Soviet willingness to develop good neighborly relations with this country, in spite of the differences over the nature of our relationship with China.

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'ASAHI' Reports Ponomarev Remarks on Fishing

Tokyo ASAHI SHINBUN in Japanese 21 Dec 78 Morning Edition p 2 OW

[Correspondent Chuma]

[Text] Moscow, 20 Dec--on 20 December the Japanese Socialist Party [JSP] delegation currently visiting the USSR held another energetic round of talks with Soviet officials on fishery problems between the two countries, including gathering sea tangle in the northern waters around Kaigara Island. The 20 December session was prompted by criticism from concerned quarters that conclusions reached at the previous meeting with Fish Industry Minister Ishkov on 19 December were ambiguous. First, at its second political session with Suslov on 20 December, the JSP delegation entrusted him with a letter of request addressed to Fish Industry Minister Ishkov. In this letter, the JSP delegation stated that "in order to extend a helping hand to small fishermen and medium-and small-size

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fisheries in our country, we will make positive efforts to form a new organization of small fishermen, medium and small-size fisheries and medium and small-size trade firms in place of the present Greater Japan Fisheries Association. The new organization will endeavor to defend the interests of its members from a position favoring Japan-USSR friendship." "Regarding the gathering of sea tangle in waters around Kaigara Island," it continued, "we will strive to resolve the problem from the same position. Furthermore, as for the proposed Japan-USSR joint projects inside the Soviet 200-mile limit, we propose that the Soviet side, separately from intergovernment negotiations, agree to begin them at an early date, allowing the organization we recommend to participate in them using the Japan-Soviet trade association as an intermediary." After the JSP letter was read at today's meeting, Ponomarev, candidate member of the Politburo, said that "the Soviet leadership will see to it that the Soviet fish industry minister considers the interests of the JSP and fishermen of Hokkaido." Ponomarev's remark has been interpreted by the JSP delegation as meaning that "the new proposal of the JSP has been fully accepted." Based on this development, the JSP is expected to set up a new organization to replace the Greater Japan Fisheries Association. Nevertheless, the delegation requested another meeting with Ishkov to obtain further assurances. The JSP has long been working for a new organization to replace the fisheries association. However, the association has a long history and currently runs extensive and diversified businesses. Accordingly, whether the JSP can form a new organization to take its place remains to be seen.

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Official Hails Outcome

Tokyo THE DAILY YOMIURI in English 16 Dec 78 p 1 OW

[Text] Fisheries Agency Director-General Seiichi Mori Friday welcomed the outcome of the Japan-Soviet fishery negotiations, especially Japan's success in maintaining the same quota for its catch for next year as this year in the Soviet 200-mile fishery zone.

The negotiations in Tokyo since November 18 were for deciding Japanese and Soviet catch quotas in each other's 200-mile zone.

Speaking to newsmen following the conclusion of the talks, Mori said the outstanding result was Japan's winning an overall quota of 750,000 tons, though the quota was 100,000 tons short of last year's 850,000 tons.

The Soviet negotiators tried to hold down the Japanese quota to 700,000 tons.

Mori said the 750,000-ton quota was very significant because it removed Japanese fishermen's fears that they might be obliged to reduce the number of their fishing vessels operating off the Soviet Far East next year.

Mori also noted the Japanese success in holding down to the minimum a Soviet demand for equal quotas for Japanese and Soviet fishermen off each other's coast. The Japanese side insisted on taking into account past fishing records.

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INTER-ASIAN AFFAIRS

JAPAN-ROK CONTINENTAL SHELF TALKS HIT SNAG

OWO30600Y Tokyo YOMIURI SHINEUN in Japanese 25 Nov 78 Morning Edition p 8 OW--
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[Text] Which enterprise should undertake exploration and prospecting in the joint Japan-ROK continental shelf development project in the East China Sea remains to be determined as both Japan and the ROK insist on undertaking it themselves. An informed source on 24 November said that unless a settlement is reached in private-level negotiations, the matter will have to be settled through government-to-government negotiations. If and when this happens, rougher going is foreseen since national prestige will be affected.

Hence, the Japanese firm involved in the private talks--Nippon Oil Development Co, Ltd., a subsidiary of the Nippon Oil Co, Ltd.--views the matter with apprehension.

Under an agreement between the two governments, Japan and the ROK seek to develop oil and natural gas in an 83,000-square-meter area in the East China Sea in the joint development project. Japan has picked two mining concessionaries for the project--the Nippon Oil Development Co and the Teikoku Oil Co, Ltd.--and is now in the process of choosing an operator, or a firm to undertake exploration and prospecting.

In the beginning Japan thought that there would be no problem in picking a Japanese firm as the operator in view of the fact that the Nippon Oil Development Co has a technical tie-in with an American major. However, the private-level negotiations held thus far have shown that a South Korean enterprise is also keenly enthusiastic about becoming the operator for the benefit of acquiring mining technology and has no intention of yielding. As a result, the continental shelf development project has hit a snag.

Whichever side becomes the operator, the two countries will have equal rights over crude oil to be discovered and, therefore, there will be no harm to either side. However, the Nippon Oil Development Co says Japan should not concede in the competition. It says: "We need to acquire technology for future continental shelf development and by all means we want to undertake it."

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Under the bilateral agreement, when an operator cannot be selected in private negotiations 3 months after mining concessions are granted, the matter is to be put to government-to-government negotiations. If worst comes to worst, it would have to be decided by lottery.

However, if it requires government-to-government negotiations, factors other than the principle of economy and technical standards will intrude into the development project, which has already been used as a political tool. Hence, there is no guarantee that the project may not become a complicated problem again.

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JAPAN

KEIDANREN URGES GOVERNMENT PUSH FOR OCEAN EXPLOITATION

Tokyo NIKKAN KOGYO SHINBUN in Japanese 2 Dec 78 p 1

[Text] In the near future the Federation of Economic Organizations (Chairman Toshio Doko) will make recommendations to the government regarding the establishment of a body to promote the exploitation of the ocean in order to move forward with oceanic development. These recommendations will probably press the government to establish a basic promotional system on the grounds that even though use of the ocean's resources is an important problem for Japan there are many deficiencies in its system for promoting oceanic development, such as reliance on the private sector. At the same time, the recommendations will be intended to serve as counter-recessionary measures for such industries as steel and shipbuilding which are struggling with a structural recession. At present, the recommendation incorporates such items as (1) tackling the exploitation of the ocean as a national project by establishing an "Oceanic Development Commission" which, like the Atomic Energy Commission would be directly under the prime minister and would be entitled to budgetary allocations; (2) putting effort into the technology of exploiting the ocean in order to cope with the era of the 200-mile territorial limit; and (3) promoting the exploitation of manganese and other mineral resources.

While Japan talks about the importance of exploiting the ocean, thus far, the private sector has taken the lead in Japan with the government following. Because the risks in developing the ocean are great, there are increasing demands from the private sector that the government put more effort into this area.

The Keidanren had been wrestling with this problem mainly in its roundtable on the exploitation of the ocean (chaired by Isamu Yamashita, president of Mitsui shipbuilding). With a basic policy of changing from

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private sector initiative to a public sector initiative, and proceeding with this as a national project, the Keidanren put together a new policy that a system be established for promoting the exploitation of the oceans, and it decided to recommend this policy to the government shortly.

The first item in the recommendation is the establishment of a consolidated agency to promote the exploitation of the ocean; the Keidanren holds that an "Oceanic Development Commission" should be established which, like the Atomic Energy Commission and the Space Activities Commission, would be directly under the prime minister and would be entitled to budgetary allocations. In the Keidanren's judgment it is necessary to promote exploitation through this organ as a national project and on a national scale.

Furthermore, the recommendations maintain that with the advent of the 200-mile territorial limit, adjustments in oceanic exploitation and fishing will be necessary and measures such as greater funding should be taken to encourage the advancement of technology in oceanic exploitation which will take these adjustments fully into account and will respond to the advent of the 200-mile territorial limit.

Furthermore, since there are abundant mineral resources on the ocean floor, a recommendation is being considered that, for the present, every effort should be put into the exploitation of manganese.

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JAPAN

MARITIME SAFETY AGENCY MARKS REMOTE ISLANDS, REEFS

Tokyo THE JAPAN TIMES in English 4 Dec 78 p 2

[Text] YOKOHAMA (Kyodo) -- The Maritime Safety Agency (MSA) is now placing station marks on remote islands and reefs whose importance has assumed new dimensions with advent of the 200-mile territorial limit.

The work is aimed at accurately locating remote islands and reefs. But its true objective is to register them as national properties and to take steps to show to the world that Japan effectively controls them.

During the first stage of work, about 40 station marks will be erected on islands and reefs belonging to 27 island groups located around Hokkaido in the north to the Senkaku Islands in the south.

Most of them are isolated and rocky, and difficult to approach. MSA officials are reaching them aboard small boats or landing on them from helicopters.

In a recent operation, the MSA put up a station mark on Inanba Island about 220 km south of Tokyo.

The MSA patrol boat Shikine first tried to approach the island but failed because of reefs around the island.

Because of this, three special rescue squad members were

taken to the island by a helicopter and descended onto the island by a rope ladder.

The helicopter had to make repeated attempts before successfully landing all the three men because of air turbulence over the island.

After landing on the island, the officials dug a hole 30 cm deep and about 50 cm in diameter and then set a station mark in the hole with the words the "MSA Hydrography Department" inscribed on it. They then filled in the hole with concrete.

The station mark is a demonstration of Japanese territorial claim over the island.

Such station marks have been placed on about 1,200 places in various parts of the country since the Meiji era for measuring locations of islands and configurations of shorelines.

The MSA has begun putting more of them since August this year to cope with problems arising out of the 200-mile territorial limit and the Sino-Japanese dispute over the Senkaku Islands last summer.

Since August, it has so far set up marks at 11 places including Oshima Island west of the

Matsumae Peninsula in Hokkaido, Nanatsujima Island north of the Noto Peninsula, Muko and Yome Islands in the Ogasawara Islands, Kita Iwojima Island, and Yokoatejima in the Amami Islands.

The MSA plans to complete the first stage of setting up marks at 40 places by the end of the year.

Jutaro Azuma, professor at Tsuda College, said under international law, it is necessary to have some kind of national administrative agency make territorial claims to uninhabited islands.

In this respect, it is significant to set up MSA station marks on uninhabited islands to make territorial claims to them, he added.

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INTER-AMERICAN AFFAIRS

CUBAN-MEXICAN FISHING RELATIONS DESCRIBED AS FRIENDLY

PA102235Y Havana PRELA in Spanish 2030 GMT 9 Nov 78 PA--FOR OFFICIAL USE ONLY

[By Victor M. Copa]

[Text] Havana, 9 Nov (PL)--Cuban-Mexican fishing relations reflect the ties of friendship and cooperation that have historically prevailed between the peoples and governments of the two countries, it was revealed today in this city.

In an exclusive interview with PRELA, Rafael Cabrera, the Cuban Fishing Industry Ministry's director of international relations, said that the fishing agreement between the two countries does not have an expiration date.

Cabrera explained that the document states that it will be in effect until either of the two parties ends it by formal notification presented 6 months prior to the annual bilateral meeting.

He added that Mexico annually determines the amount of the catch, the number of vessels and the conservation measures that the Cuban fleet must implement.

In his opinion these measures are designed to prevent harmful methods of exploitation that could affect the fishing reserves to the detriment of Mexicans.

The Cuban fleets, he emphasized, strictly abide by these regulations which are supervised by responsible Mexican authorities.

Cabrera said that Cuban vessels operate in Mexican waters together with factory ships or support vessels that also have the respective operating permits.

He explained that all Cuban vessels operate legally in Mexican waters using the corresponding fishing permits issued in accordance with the agreement between the two countries.

For this reason, he said, it is impossible for the number of Cuban vessels operating in Mexican waters to exceed the number authorized by Mexico.

During the fishing seasons prior to the signing of the agreement, that is, during the years 1976-1977 and 1977-1978, the Cuban fishing fleets have always operated fewer than the number of authorized ships.

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Cabrera said that no Cuban fishing vessel has ever operated in Mexican waters without the proper fishing permit.

In the fishing industry, Cabrera said, relations are based on the agreement between both countries on the sovereign right to use natural resources for the benefit of their respective peoples as well as on the maximum rational utilization of said resources.

He emphasized that Cuba and Mexico are at present cooperating with other Latin American countries in the integration of their efforts to achieve harmonious development of their respective fishing industries.

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