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BT

C O N F I D E N T I A L
LIMITED OFFICIAL USE OSLO 3097
E.O. 11652: N/A

TAGS: PLOS, NO

SUBJECT: LOSI EVENSEN GROUP MEETING

REF: STATE 169954

1. FOLLOWING LETTER TO LOSI CONFERENCE PARTICIPANTS FROM EVENSEN SENT OUT JULY 31:

"AT THE CLOSE OF THE GENEVA SESSION OF THE THIRD UNITED NATIONS CONFERENCE ON THE LAW OF THE SEA, THE INFORMAL GROUP OF JURIDICAL EXPERTS REACHED CONSENSUS ON THE DESIRABILITY OF FURTHER INTER-SESSIONAL MEETINGS. I HAVE EXPLORED THE POSSIBILITIES FOR CONVENING A MEETING AT A SUITABLE PLACE, AND AM PLEASED TO BE IN A POSITION TO INVITE YOU TO A MEETING OF THE GROUP IN GENEVA, IN THE PALAIS DES NATIONS, FROM 25TH AUGUST TO 5TH SEPTEMBER, 1975.

"THE MEETING WILL HAVE NECESSARY CONFERENCE FACILITIES, INCLUDING INTERPRETATION SERVICES FOR ENGLISH, FRENCH AND SPANISH, THANKS TO THE VALUABLE ASSISTANCE OF THE SECRETARIAT OF THE UNITED NATIONS AND THE COOPERATION OF THE PERSONAL REPRESENTATIVE OF THE SECRETARY GENERAL OF THE UNITED NATIONS MR. BERNARDO ZULETA.

"I VENTURE TO SUGGEST, IN KEEPING WITH OUR DISCUSSIONS IN GENEVA, THAT THE GROUP TAKE AS ITS SUBJECT MATTER FOR HIS MEETING QUESTIONS DEALT WITH BY THE THIRD COMMITTEE. THE GROUP HAS PREVIOUSLY DISCUSSED THE SUBJECT OF RULES RELATING TO THE PREVENTION OF MARINE POLLUTION FROM VESSELS, AND COULD USEFULLY RESUME THIS DISCUSSION. FURTHERMORE, IT APPEARS TO ME THAT QUESTIONS RELATING TO MARINE SCIENTIFIC RESEARCH REQUIRE THE PARTICULAR ATTENTION OF MEMBERS OF THE GROUP. THE BASIS FOR OUR WORK WILL OF COURSE BE THE INFORMAL SINGLE

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Evensen*

*Evensen Group
Comm. III*

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NEGOTIATING TEXT PRESENTED BY THE CHAIRMAN OF THE THIRD COMMITTEE (DOCUMENT A/CONF. 62/WP.8/PART III), TO WHICH A FIRST READING MIGHT BE GIVEN, IT WOULD SEEM PRACTICAL TO BEGIN OUR EXERCISES WITH SCIENTIFIC RESEARCH, AND DEVOTE THE SECOND WEEK TO THE PRESERVATION OF THE MARINE ENVIRONMENT.

"I WOULD RECALL THAT THERE WAS GENERAL AGREEMENT DURING OUR LAST MEETING IN GENEVA THAT THE INFORMAL GROUP WOULD HENCEFORTH BE OPEN FOR GENERAL PARTICIPATION, I WELCOME THIS EXTENSION OF OUR CIRCLE, AND HAVE COMMUNICATED TO HEADS OF DELEGATIONS OF ALL PARTICIPANTS IN THE CONFERENCE AN INVITATION TO ATTEND THIS MEETING OF THE INFORMAL GROUP, NOTWITHSTANDING THIS CHANGE IN THE COMPOSITION OF THE GROUP. I TRUST THAT IT WILL BE POSSIBLE TO MAINTAIN THE TRADITIONALLY OPEN, FRANK AND INFORMAL ATMOSPHERE WHICH HAS ASSURED A CLIMATE FOR DISCUSSION WHICH APPEARS TO HAVE BEEN CONDUCIVE TO MUTUAL UNDERSTANDING AND A WILL TO REACH BROADLY ACCEPTABLE COMPROMISE SOLUTIONS.

"THE FIRST MEETING WILL COMMENCE AT 11:00 A.M. AND WILL TAKE PLACE IN CONFERENCE ROOM NO. XXV. MEETINGS WOULD BE HELD BOTH IN THE MORNING AND IN THE AFTERNOON.

"IT WOULD BE CONVENIENT IF YOU COULD LET ME KNOW, DIRECTLY OR THROUGH THE INTERMEDIARY OF OUR PERMANENT MISSIONS IN NEW YORK, WHETHER YOU OR YOUR REPRESENTATIVE WILL BE ABLE TO ATTEND THE MEETING."

2. VINDENES EXPLAINS THAT ALTERNATE WEEK SUGGESTION PUT FORWARD SO THAT ADVISORS FOR SCIENTIFIC RESEARCH NEED ONLY COME FOR ONE WEEK AND THOSE FOR MARINE RESEARCH ONLY FOR ONE WEEK.

3. ON MARINE POLLUTION, VINDENES STATES THAT ONLY VESSEL SOURCE POLLUTION WILL BE CONSIDERED.

4. VINDENES, WHO HAS JUST RETURNED FROM VACATION, DOES NOT REPEAT NOT BELIEVE PAUL ENGO HAS BEEN CONTACTED. TRESSELT, WHO IS ON VACATION, HAS DEFINITELY NOT GONE TO YAOUNDE. VINDENES IS NOT AWARE OF EVENSEN'S PLANS TO CONSULT ENGO.

5. VINDENES BELIEVES THAT EVENSEN WOULD WELCOME FURTHER

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CONSULTATIONS IN WASHINGTON AFTER ARRIVING IN MIAMI ON AUGUST 8 ABOARD "CHRISTIAN RADICH," EVENSEN CAN BE REACHED BY "TELEX" ON "CHRISTIAN RADICH", AND VINDENES SUGGESTS THAT MESSAGE BE SENT TO HIM AT SEA VIA NORWEGIAN EMBASSY IN WASHINGTON. DEPARTMENT MIGHT WISH QUERY EVENSEN ABOUT ENGO AT SAME TIME. AT PRESENT EVENSEN PLANS RETURN TO NORWAY AUGUST 10 AND HAS TOLD MEXICANS HE WILL HAVE TO DEFER CONSULTATIONS WITH THEM.
6. VINDENES SAYS VERY FEW ACCEPTANCES TO GROUP MEETING RECEIVED AS YET. EMBASSY WILL ADVISE STATUS IN AUGUST, BUCHANAN

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C O N F I D E N T I A L STATE 175239
E.O. 11652: GDS
TAGS: PLOF, EFIS, PFOR, EC, US
SUBJECT: LOS: EASTERN PACIFIC TUNA INITIATIVE
REF: QUITO 5309: STATE 167970
1. AMBASSADOR CARDENAS CALLED ON THE DEPARTMENT AT HIS REQUEST JULY 23 TO PRESENT GOE REPLIES TO LOS QUESTIONS ADDRESSED TO HIM AT JULY 15 LUNCHEON WITH ACTING SECRETARY INGERSOLL (STATE 167970). THE MEETING WAS HELD IN THE OFFICE OF DEPUTY ASSISTANT SECRETARY RYAN WITH AMBASSADOR J. N. MOORE ATTENDING. CARDENAS REPORTED THAT HIS GOVERNMENT WILL PARTICIPATE IN REGIONAL TALKS ON MIGRATORY SPECIES PLANNED FOR THE FALL UNGA SESSION. USING PRECISE LANGUAGE AS INSTRUCTED BY HIS MINISTRY, HE SAID QUOTE ECUADOR FAVORS THE PARTICIPATION OF STATES AT THE UNGA MEETING WHICH ARE WITHIN THE PERTINENT GEOGRAPHICAL AND ECOLOGICAL REGION, UNQUOTE.
2. CARDENAS WENT ON TO NOTE THAT A VISIT BY AMBASSADORS MOORE AND CLINGAN HAS BEEN STUDIED BY THE GOE FOREIGN MINISTRY WHICH WOULD BE PLEASED TO RECEIVE THE TWO NEGOTIATORS IF IT WOULD BE USEFUL TO THE NEGOTIATING PROCESS. HE ADDED THAT HE FELT IT WOULD BE USEFUL. HE NOTED THAT THE GOE IS ANXIOUS TO RECEIVE COMMENTS ON ARTICLE 53 WHICH WERE PROMISED IN THE JUNE 10 MEETING.
3. IN REPLY TO QUESTIONS ABOUT THE MEANING OF THE GOE STATEMENT ON NON-REGIONAL PARTICIPATION, AMBASSADOR CARDENAS INDICATED THAT IT WAS QUOTE SECRET LANGUAGE UNQUOTE AND UP TO THE DEPARTMENT TO INTERPRET THIS EXPLANATION OF GOE DESIRES. AMBASSADOR MOORE INDICATED THAT BOTH HE AND AMBASSADOR CLINGAN WOULD BE PLEASED TO VISIT QUITO AT SOME TIME BEFORE THE NEW YORK TALKS IF THEIR SCHEDULES PERMITTED. HE SAID THE DEPARTMENT'S COMMENTS ON ARTICLE 53 WOULD BE MADE AVAILABLE TO THE GOE WITHIN A WEEK, AND THE DEPARTMENT HOPED TO BE ABLE TO PROVIDE THE NAME OF A SUGGESTED CHAIRMAN FOR THE UNGA

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MEETING AT ABOUT THE SAME TIME.

4. IN REPLY TO A QUESTION ABOUT THE TIMING OF THOSE TALKS, CARDENAS WAS TOLD THAT THE ORIGINAL PLANS HAD BEEN FOR A TWO-WEEK MEETING THE LAST TWO WEEKS IN SEPTEMBER, TALKS WITH UN SECRETARIAT OFFICIALS IN NEW YORK, WHO ALL STRONGLY ENDORSE THE IDEA OF THE DISCUSSIONS, INDICATED THE SECRETARIAT'S PREFERENCE FOR A SCHEDULE BEGINNING AT THAT TIME BUT THAT THE U.S. DELEGATION WOULD PREFER THE FIRST TWO WEEKS OF OCTOBER OR THE LAST WEEK OF SEPTEMBER AND THE FIRST WEEK OF OCTOBER, AMBASSADOR CARDENAS INDICATED THAT THE FIRST TWO WEEKS OF OCTOBER MIGHT BE PREFERABLE BY THE ECUADORIAN SIDE, BUT THAT HE WOULD CHECK BACK WITH HIS FOREIGN MINISTRY.

5. COMMENT: THE LANGUAGE OF ART PRODUCED BY THE FOREIGN MINISTRY ON THE NON-REGIONAL PARTICIPATION IN THE UNGA MEETING IS SOMEWHAT UNCLEAR, IT WOULD APPEAR FROM CARDENAS' COMMENTS THAT THE INTENT OF THE FOREIGN MINISTRY STATEMENT IS TO EXCLUDE FRANCE WHILE LEAVING THE DOOR OPEN TO CANADA AND JAPAN, OUR JUDGMENT IS THAT THEY MAY NOT WISH TO MAKE AN ISSUE OF THIS PRIOR TO THE UNGA DISCUSSIONS, AND THAT THEY DO NOT WISH TO MAKE THE PARTICIPATION QUESTION TO BE A CONDITION FOR THEIR ATTENDANCE IN NEW YORK, IT MAY NOT BE NECESSARY FOR US TO DO ANYTHING MORE ON THIS ISSUE IF THE CHAIRMAN OF THE NEW YORK TALKS, WHEN SELECTED, DECIDES TO INVITE THE CANADIANS AND THE JAPANESE TO THE TALKS.

6. (FYII WHILE DISCUSSING THE MATTER OF THE CHAIRMAN FOR THE FALL TALKS AMBASSADOR CARDENAS SUBMITTED THE NAME OF GALO PLAZA AS A POSSIBILITY. THE DEPARTMENT WOULD APPRECIATE THE POST'S VIEWS ON THIS CANDIDATE. BOTH EMBASSY AND ECUADOR PRESS REPORTS INDICATE GALO PLAZA IS INTERESTED IN REENTERING ECUADORIAN POLITICS. IF THIS IS TRUE, WOULD THESE AMBITIONS FACILITATE OR HINDER HIS OBJECTIVITY IN DEALING WITH THE SENSITIVE FISHERIES PROBLEM?)

7. INSTRUCTIONS FOLLOW. KISSINGER

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C O N F I D E N T I A L STATE 173082

E.O. 11652: GDS

TAGS: PLOS

SUBJECT: LOS: HMG DEMARCHE

1. SUMMARY: UK EMB CHARGE MORETON AND EMBOFF GLOVER DELIVERED AIDE-MEMOIRE TO UNDER SECRETARY MAW JULY 22. MORETON EXPRESSED STRONG CONCERN AT PROSPECT OF U.S. EXTENSION OF FISHERIES JURISDICTION TO 200 MILES AND URGED USG TO AVOID SUCH ACTION. END SUMMARY.

2. IN DELIVERING AIDE-MEMOIRE (PARA 4 BELOW) MORETON MADE FOLLOWING POINTS, HMG ATTACHES A GREAT IMPORTANCE TO LOS CONFERENCE WHICH IT CONSIDERS VITAL OPPORTUNITY TO ESTABLISH AN AGREED LEGAL REGIME FOR THE SEAS AND AVOID HAVING THEM BECOME AN ARENA FOR WORLD CONFLICT. MORETON SAID HIS GOVERNMENT WISHED TO REGISTER ITS STRONG CONCERN AT PROSPECT OF EARLY EXTENSION OF U.S. FISHERIES JURISDICTION TO 200 MILES. HE SAID KENYA LOS DELEGATION HAD WARNED THAT SUCH UNILATERAL EXTENSION BY DEVELOPED COUNTRIES OF NORTH ATLANTIC WOULD LEAD TO A NUMBER OF AFRICAN COUNTRIES CLAIMING 200 MILE TERRITORIAL SEA. OTHER EUROPEAN COUNTRIES, HE SAID, ARE ALSO CONCERNED ABOUT EFFECT SUCH EXTENSION WOULD HAVE ON FISHING PATTERNS IN NORTH ATLANTIC. HE STATED THAT IN MANY WAYS SINGLE NEGOTIATING TEXT PRODUCED AT GENEVA LOS CONFERENCE IS MORE FAVORABLE TO INTERESTS WHICH US AND UK SHARE THAN COULD HAVE BEEN HOPED FOR FROM MOOD EARLIER AT CONFERENCE. HE SAID MAJOR POSITIVE ELEMENTS ARE A 12-MILE TERRITORIAL SEA, TRANSIT PASSAGE THROUGH STRAITS, A SATISFACTORY REGIME FOR ARCHIPELAGOS, FREEDOMS OF NAVIGATION AND OVERFLIGHT, CABLE LAYING AND PIPE LINES IN ECONOMIC ZONE AND CONTINUANCE OF HIGH SEAS FREEDOMS. TEXT ALSO PROVIDES FOR COASTAL STATE SOVEREIGN RIGHTS OVER ECONOMIC RESOURCES IN 200 MILE ECONOMIC ZONE. IN CONCLUSION, MORETON EXPRESSED HOPE THAT USG WOULD BE ABLE TO AVOID JUMPING THE GUN ON ECONOMIC ZONE QUESTION SO AS NOT TO JEOPARDIZE VERY

Post Geneva UK on Unilateralism General

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REAL ADVANTAGES WHICH EXISTING TEXT INCLUDES,
 3. UNDER SECRETARY MAW STATED THAT U.S. SHARES CONCERNS OF U.K. REGARDING CONSEQUENCES OF EARLY EXTENSION OF U.S. FISHERIES JURISDICTION. MR. MAW NOTED STRONG PRESSURES FOR 200 MILE LEGISLATION IN CONGRESS. HE STATED THAT ALTHOUGH THE DEPARTMENT OF STATE STRONGLY OPPOSES SUCH ACTION, EXECUTIVE BRANCH CANNOT CONTROL CONGRESS AND IT IS DIFFICULT TO TELL WHETHER WE CAN SUCCESSFULLY DEFEAT 200-MILE LEGISLATION. HE SUGGESTED TO MORETON THAT IT MIGHT BE USEFUL TO MAKE SIMILAR POINTS TO GOVERNMENT OF CANADA WHICH IS ALSO UNDER PRESSURE TO MAKE UNILATERAL EXTENSION. MR. MAW EXPRESSED SATISFACTION WITH CLOSE COOPERATION BETWEEN HMG AND USG IN LOS NEGOTIATIONS AND EXPRESSED HOPE THAT WE COULD WORK TOGETHER TO ACHIEVE MEANINGFUL WORK SCHEDULE FOR LOS CONFERENCE IN 1976 INCLUDING OBTAINING AGREEMENT FROM GENERAL ASSEMBLY TO FIRMLY SCHEDULE TWO SESSIONS OF THE CONFERENCE IN 1976. PRESENT ARRANGEMENT CONTEMPLATES SECOND SESSION ONLY IF CONFERENCE AFFIRMATIVELY SO DECIDES AT FIRST SESSION.

4. FOLLOWING IS TEXT OF AIDE-MEMOIRE.
 BEGIN TEXT. THE BRITISH GOVERNMENT CONTINUES TO ATTACH THE HIGHEST IMPORTANCE TO THE LAW OF THE SEA CONFERENCE WHERE THERE IS CLOSE CO-OPERATION BETWEEN THE AMERICAN AND BRITISH DELEGATIONS IN ORDER TO ATTAIN MANY COMMON GOALS.

THE BRITISH AUTHORITIES HAVE BEEN FOLLOWING THE PROGRESS OF DISCUSSIONS IN CONGRESS ABOUT PROPOSALS TO EXTEND UNITED STATES FISHERIES JURISDICTION OUT TO 200 MILES. THE BRITISH AUTHORITIES UNDERSTAND THE DEEP CONCERN FOR FISHING STOCKS IN THE NORTH ATLANTIC AND SHARE THE CONCERNS OF THE UNITED STATES GOVERNMENT ON THIS MATTER. HOWEVER, THEY ARE DEEPLY CONCERNED AT THE POSSIBILITY OF THE UNITED STATES EXTENDING UNILATERALLY TO 200 MILES WHILE THERE ARE STILL GOOD PROSPECTS OF THE CONFERENCE SHOWING POSITIVE RESULTS. THERE ARE GOOD REASONS TO BELIEVE THAT SUCH UNILATERAL ACTION BY THE UNITED STATES WOULD BE LIKELY TO LEAD TO A NUMBER OF SERIOUS REPERCUSSIONS:-

-FIRST, A NUMBER OF OTHER COASTAL STATES ARE LIKELY TO REACT BY CLAIMING A TERRITORIAL SEA OR SIMILARLY BROAD

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JURISDICTION OUT TO 200 MILES, THIS WOULD PREJUDICE OUR COMMON INTERESTS IN MAINTAINING THE PRESENT FREEDOM OF NAVIGATION, PARTICULARLY FOR DEFENSE PURPOSES.
-SECONDLY, EXISTING FISHING PATTERNS AROUND THE WHOLE OF THE NORTH ATLANTIC WOULD BE DISTURBED. SOME COUNTRIES, PARTICULARLY IN NORTH AMERICA AND WESTERN EUROPE, WOULD REACT BY EXTENDING THEIR LIMITS, BUT OTHERS WHICH BECAUSE OF THEIR GEOGRAPHICAL SITUATION ARE UNABLE TO DO SO MEANINGFULLY WOULD ALSO BE AFFECTED. WHOLESALE CHANGES ON THE BASIS OF UNILATERAL ACTION WOULD BREED INSTABILITY AND MIGHT WELL LEAD TO DISPUTES.

-FINALLY, AS A RESULT OF SUCH EVENTS, THE NEGOTIATIONS FOR A NEW LAW OF THE SEA CONVENTION COULD BREAK DOWN COMPLETELY OR AT LEAST IT COULD BECOME VIRTUALLY IMPOSSIBLE TO BRING THEM TO WHAT THE UNITED STATES AND BRITISH GOVERNMENTS WOULD REGARD AS AN ACCEPTABLE CONCLUSION.

THE BRITISH GOVERNMENT BELIEVE THAT THE UNITED STATES GOVERNMENT SHARES THE WISH THAT THE CONFERENCE SHOULD REACH A SUCCESSFUL CONCLUSION BY ADOPTING A NEW CONVENTION. CONSIDERABLE PROGRESS HAS BEEN MADE. THE SINGLE NEGOTIATING TEXT CONTAINS MANY FAVORABLE ELEMENTS TO THE INTERESTS OF BOTH GOVERNMENTS ON SUCH VITAL QUESTIONS AS TRANSIT THROUGH STRAITS AND NAVIGATION THROUGH THE TERRITORIAL SEA. IT WOULD BE MOST REGRETTABLE IF THESE POSITIVE ELEMENTS WERE JEOPARDIZED, AS MIGHT WELL BE THE CASE, BY AN EXTENSION OF UNITED STATES FISHERIES JURISDICTION.

ACCORDINGLY IN VIEW OF THE RISK OF DIRE CONSEQUENCES FLOWING FROM UNILATERAL EXTENSIONS OF JURISDICTION AT THIS TIME, THE BRITISH GOVERNMENT HOPE THAT THE UNITED STATES GOVERNMENT WILL FIND APPROPRIATE MEASURES TO ENSURE THAT THE COMMON INTERESTS DESCRIBED ABOVE ARE PRESERVED.
END TEXT.
KISSINGER

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 C O N F I D E N T I A L STATE 172436
 E.O. 11652: GDS
 TAGS: PLOS

*Post Geneva
 Evensen mtg.
 India*

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 ← Comm. III

SUBJECT: LOS; EVENSEN GROUP MEETING

1. EVENSEN GROUP, AN INFORMAL GROUP CHAIRED BY JENS EVENSEN OF NORWAY WHICH HAS MET THROUGHOUT LOS NEGOTIATIONS TO DEAL WITH DIFFICULT NEGOTIATING PROBLEMS AS AN AID TO FORMAL LOS CONFERENCE COMMITTEES IS PLANNING A MEETING IN GENEVA AUGUST 25 TO SEPTEMBER 5. PURPOSE IS TO CONSIDER PROBLEMS OF MARINE POLLUTION AND SCIENTIFIC RESEARCH IN PREPARATION FOR NEXT YEAR'S SESSION OF LOS CONFERENCE. ATTENDENCE IN PAST HAS BEEN BY SPECIFIC INVITATION ALTHOUGH THIS MEETING WILL BE OPEN TO ALL LOS CONFERENCE PARTICIPANTS. INDIA AND US HAVE PARTICIPATED THROUGHOUT.

2. INDIA HAS BEEN ACTIVE IN POLLUTION AND SCIENCE NEGOTIATIONS AND HAS BEEN IN OPPOSITION TO US ON MANY KEY ISSUES. INDIAN REPRESENTATIVE ON THIS QUESTION HAS BEEN ISHWAR C. JAIN, A LEGAL OFFICER IN MEA, WHO ACTS ON DIRECT INSTRUCTIONS FROM DR. S.P. JAGOTA, HEAD OF INDIAN LOS DELEGATION AND LEGAL ADVISER TO MEA. JAGOTA APPARENTLY GIVES JAIN NO FLEXIBILITY ON SUBSTANTIVE QUESTIONS, THUS MAKING REAL NEGOTIATIONS WITH JAIN IMPOSSIBLE.

3. BECAUSE OF ABOVE SITUATION, WE FEEL IT IS IMPORTANT THAT DR. JAGOTA ATTEND EVENSEN GROUP MEETINGS. REQUEST EMBASSY TO APPROACH JAGOTA TO MAKE FOLLOWING POINTS: US FEELS EVENSEN GROUP DISCUSSIONS COULD BE IMPORTANT IN INTER-SESSIONAL MEETINGS BETWEEN NOW AND NEXT SESSION OF LOS CONFERENCE. CONSEQUENTLY, WE FEEL IT IS IMPORTANT THAT DELEGATIONS BE REPRESENTED AT HIGH LEVEL. IF DR. JAGOTA DOES PLAN TO ATTEND PLEASE INDICATE OUR DESIRE TO MEET PRIVATELY WITH HIM IN GENEVA EITHER JUST PRIOR TO EVENSEN GROUP OR DURING FIRST FEW DAYS OF EVENSEN GROUP MEETING.

KISSINGER

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PAGE 01

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TAGS: /40)9, CO

SUBJECT: PRESIDENT LOPEZ ON LOSUNBNJERRITORIAL WATERS

1. ON THE OCCASION OF THE OPENING OF THE 1975 SESSION OF CONGRESS ON JULY 20, PRESIDENT LOPEZ DELIVERED A SPEECH TO THE SENATE WHICH INCLUDED COMMENTS ON THE LOS AND COLOMBIA'S TERRITORIAL WATERS.
2. LOPEZ SPOKE FAVORABLY ALTHOUGH WITH SOME RESERVATIONS ABOUT THE THIRD LOS CONFERENCE, STATING, "EVEN THOUGH UNDENIABLE PROGRESS WAS MADE ON SOME IMPORTANT SUBJECTS, IT CANNOT BE CONSIDERED TOTALLY SATISFACTORY IN TERMS OF RESULTS".
3. ON COLOMBIA'S OWN TERRITORIAL WATERS, THE PRESIDENT SAID, "WHILE A LAW OF THE SEA IS BEING WORKED OUT WITH DIFFICULTY AND AMID THE SKEPTICISM OF THE SMALL COUNTRISK, COLOMBIA HAS CONSIDERED IT NECESSARY TO BECOME CONSCIOUS OF OUR RIGHTS ON LOS MATTERS, . . . IN TIMES PAST SOME OF OUR NEIGHBORS HAVE MOVED FORWARD TO EXTEND THEIR TERRITORIAL WATERS TO 200 MILES WITHOUT PREVIOUS DISCUSSION WITH THEIR NEIGHBORS CONCERNING PROBLEMS OF SUPERPOSITION WHICH COULD ARISE. AS TIME GOES BY AND AS THE BELIEF IN THE IMPOSSIBILITY OF ARRIVING AT AN AGREEMENT IN THIS AREA IN THE LOS CONFERENCE SPREADS, IT IS NECESSARY TO ADOPT POSITIONS BEFORE STEPS (OF OTHERS) ARE TAKEN WHICH LATER COULD BECOME RIGHTS. COLOMBIA CANNOT FOREGO INDEFINITELY THE ESTABLISHMENT OF A POSITION IN REACTION TO THE EXTENSION OF HER TERRITORIAL WATERS, ESPECIALLY IN THE PACIFIC" . . . LOPEZ COMPLETED THE TOPC BY EMPHASIZING THE ECONOMIC BENEFITS WHICH COULD ACCRUE TO COLOMBIA BY CONCENTRATING ON THE RESOURCES OFF HER SHORES.
4. COMMENT: THIS APPEARS TO BE A REFERENCE TO A PROPOSAL UNDER STUDY TO EXTEND COLOMBIA'S JURISDICTION FOR THE CONSERVATION OF RESOURCES (BOGOTA 6770), IT IS CLEAR THA COLOMBIA IS BEGINNING TO FOCUS ON THE QUESTION OF HER RIGHTS TO WATERS OFF HER SHORES. VAKY

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RUESNA/AMEMBASSY SANTIAGO 0567
INFO RUESMO/AMEMBASSY MEXICO 6055
RUEHDT/USMISSION USUN NEW YORK 3423

*Post Geneva
Tuna Negotiations*

BT
C O N F I D E N T I A L STATE 163459

E.O. 11652IGDS

TAGS:PLOS, EFIS

SUBJECT: LOS; EASTERN PACIFIC TUNA INITIATIVE
REFERENCE: STATE 139420

1. EMBASSY IS REQUESTED TO APPROACH HOST GOVERNMENT FISHERIES AND LOS OFFICIALS TO INFORM THEM U.S. IS INITIATING CONSULTATIONS WITH STATES INTERESTED IN EASTERN PACIFIC TUNA FISHERY WITH A VIEW TO ARRANGING LOS INTER-SESSIONAL MEETING IN SEPTEMBER IN NEW YORK DURING UNGA TO ATTEMPT ARRIVE AT AGREEMENT ON ACCEPTABLE LOS HIGHLY MIGRATORY SPECIES ARTICLE BASED ON ARTICLE 53 OF SINGLE TEXT AND SIMULTANEOUSLY TO DISCUSS DETAILED PROVISIONS FOR EASTERN PACIFIC TUNA CONSERVATION AND MANAGEMENT.

2. EMBASSY SHOULD ASSURE HOST GOVERNMENT OFFICIALS WE WOULD WELCOME THEIR PARTICIPATION IN SEPTEMBER MEETING AND ADVISE THEM U.S. WILL CONTINUE TO KEEP THEM INFORMED OF OUR THINKING ON WHAT MIGHT BE ACHIEVED AT THE MEETING. WE WOULD WELCOME ANY IDEAS OF HOST GOVERNMENT ON PROPOSED MEETING AND, SPECIFICALLY, WHO MIGHT CHAIR MEETING. U.S. FEELS IT INAPPROPRIATE FOR U.S. TO CHAIR MEETING AND BELIEVES SOMEONE FROM A COUNTRY NOT DIRECTLY INTERESTED IN EASTERN PACIFIC TUNA FISHERY BUT WHO KNOWLEDGEABLE ABOUT LOS NEGOTIATIONS AND TUNA AND HAS CONFIDENCE OF STATES INVOLVED SHOULD BE RECRUITED.

3. FOR GUATEMALA, SAN SALVADOR AND TEGUCIGALPA. HOST GOVERNMENTS ARE NOT SIGNIFICANTLY INVOLVED IN TUNA FISHING AT PRESENT AND ARE NOT MEMBERS OF CURRENT REGIONAL CONSERVATION ORGANIZATION (INTER-AMERICAN TROPICAL TUNA COMMISSION-IATTC). HOWEVER, AS THEY ARE STATES OF REGION AND SOME TUNA IS CAUGHT OFF THEIR COASTS, WE BELIEVE

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THEIR PARTICIPATION WOULD BE APPROPRIATE IF THEY ARE INTERESTED.

4. FOR SANTIAGO, CHILE IS NEITHER A MEMBER OF THE IATTC NOR DOES IT HAVE ANY SUBSTANTIAL INTEREST IN THE REGIONAL TUNA FISHERY. NEVERTHELESS, BECAUSE IT PRESUMABLY WOULD BE CONSIDERED A STATE OF THE REGION AND BECAUSE OF ITS CEP ALIGNMENT WITH ECUADOR AND PERU, IT WOULD BE A WELCOME PARTICIPANT IN THIS REGIONAL INITIATIVE AS FAR AS U.S. CONCERNED IF IT SHOULD WISH TO DO SO. (SANTIAGO 4696 MAKES IT SEEM LIKELY GOC WOULD BE SO INCLINED.)

5. FOR BACKGROUND, REFER TO REFTEL FOR MORE DETAILED DISCUSSION OF THIS INITIATIVE. IF ASKED DO WE CONSIDER TO BE INTERESTED STATES OF REGION, YOU MAY SITE REFTEL ADDRESSEES PLUS GUATEMALA WHICH INADVERTANTLY WAS OMITTED.

6. PLEASE REPORT PROMPTLY ANY RESPONSE BY HOST GOVERNMENT.
INGERSOLL

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FBI'S TRENDS
7 MAY 1975

Post Geneva

General
USSR
PRC

10A

LAW OF THE SEA

PEKING ASSERTIVE, MOSCOW DEFENSIVE ON LOS CONFERENCE

The Third UN Conference on the Law of the SEA (LOS), currently in its second substantive session in Geneva, has been used by Peking as a vehicle for promoting its image as a true friend and defender of the developing countries against the "threat" from the "superpowers' rapacious campaign of maritime hegemony."* Having neither a large navy nor extensive deepsea fishing operations, China has espoused the LOS stands of the developing coastal states--extended territorial limits, strict coastal-state control of adjacent straits and economic zones, and the creation of a powerful international organization for exploitation of the deep seabed.

Moscow, forced on the defensive by the PRC's apparently greater support for developing countries, has had to walk a tightrope in criticizing China's LOS views for fear of offending the generally unnamed Third World proponents of "unrealistic" positions who are supported by Peking. Soviet propagandists have thus focused on accusing China of engaging in "disruptive" tactics and encouraging "arbitrary and unilateral acts" which, as INTERNATIONAL AFFAIRS noted in June 1974, "clash with the vital interests of the developing countries" because they threaten to undermine the principles of international law on which all states depend. For its own part, Moscow at the LOS conference has proposed a 12-mile territorial limit but accepted

* The growing importance of the sea as a source of minerals and food and the proliferation of countries since the inconclusive end of the second LOS conference in 1960 were the basic reasons for convening a third UN conference in 1974 in an effort to write an omnibus treaty covering all major LOS issues, including territorial limits, economic zones and fishing rights, passage through straits, exploitation of the deep seabed, and pollution. Recent Soviet and Chinese LOS statements are briefly discussed in the TRENDS of 20 February 1975, pages 15-16.

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FBIS TRENDS

7 MAY 1975

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The new republic secretary for agriculture is a livestock specialist and former first secretary of Ural oblast named Sh.K. Kospanov. Kospanov has not risen rapidly in the Kazakh hierarchy, but he has apparently been well connected. He was one of only three Kazakh obkom first secretaries elected full members of the CPSU Central Committee in 1966 and one of only four so elected at the 1971 CPSU Congress--this despite the fact that his oblast has one of the smallest party organizations in Kazakhstan. The ousted agriculture secretary, Eksanov, traded places with Kospanov, replacing him as first secretary of Ural oblast.

Two relatively obscure Russian officials were named to the vacant industrial posts, Aleksandr Gavrilovich Korkin as Central Committee secretary and Sergey Artemovich Smirnov as first deputy premier. Korkin was formerly director of the Kazakh metallurgical construction trust, and became Kazakh minister for construction of heavy industrial enterprises only three years ago, in February 1972. Smirnov is especially obscure, having only been identified as director of an unnamed combine in Tselinograd in 1971 and as a member of the Kazakh Supreme Soviet's construction commission and an "engineering-technical worker" in the mid-1960's.

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FBIS TRENDS

7 MAY 1975

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the idea of a loosely defined 200-mile economic zone, conditioning support for the economic zone on the achievement of an overall LOS treaty which would include, as a sine qua non, endorsement of the concept of free passage through straits connecting international waters.

STRAITS Although Soviet and Chinese propagandists have
PASSAGE exploited a variety of themes in the 20 June-
29 August 1974 session in Caracas and in the current Geneva session, greatest emphasis recently has been on questions of straits usage and economic issues rather than on extended territorial claims, possibly because something approaching a consensus on a 12-mile territorial limit was achieved at Caracas. The sensitive issue of straits which fall within territorial waters but connect international bodies of water has been systematically exploited by Peking, which has condemned the "superpowers' untenable theory of 'free passage'"--the right of ships and planes to pass without coastal state permission.* Noting on 27 March that the Chinese delegation in Geneva had held that a strait within territorial limits constituted "an inseparable component part of the territorial sea of a coastal state," NCNA has energetically supported the doctrine of "innocent passage," which requires submarines to surface and military ships and planes to receive littoral state permission before passing through such straits. In supporting Third World proposals that "any activities not directly related to passage" be forbidden in straits, NCNA has scored Moscow's "arrogant attempt" to "impose" its own straits proposals on the conference.

The Soviet Union, most of whose shipping passes through straits touching the Black Sea, Baltic Sea or Sea of Japan, has insisted on freedom of navigation for both military and merchant ships, PRAVDA arguing on 31 August 1974 that "free passage for all ships through international straits" must become "a most important integral part of a new international code on the law of the sea." N. Belov, in a ZA RUBEZHOM article signed to press on 20 March, defended free passage as a principle which "is now recognized and has proved its worth

* The extension of territorial limits to 12, rather than 3 miles would enclose some 100 straits within the overlapping territorial waters of one or more states, and thus makes rules governing passage of vital consequence to major maritime nations such as the United States and USSR.

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over a long historical period." Belov noted that such straits as Malacca and Gibraltar, which would be closed with the extension of littoral states' territorial limits to 12 miles, are "key sectors of international seaways" and that any restrictions on their use would be "an infringement of the interests of all other states." The writer said that the Soviet draft proposals on free passage made adequate provision for the protection of coastal states from pollution and other dangers and that further controls would "contradict the interests of the development of international relations." In an effort to make its straits stand palatable, especially to the Arab states, the Soviet Union has been careful to stress that free passage should apply only to straits connecting two bodies of international water and not, for example, to the Strait of Tiran which lies between the Red Sea and the territorially enclosed Gulf of Aqaba. In a long article outlining Soviet LOS positions, INTERNATIONAL AFFAIRS in February 1975 emphasized that the Soviet proposal "specifically stipulates" that "the principle of innocent passage for all ships" should apply in straits such as Tiran and others "which connect the high seas with territorial waters."

ECONOMIC ISSUES Moscow has been careful to tie the straits issue to Soviet support for the 200-mile economic zone, NEW TIMES noting on 21 March that all sections of the proposed treaty were part of a "closely interlinked package" which could not be "taken apart." Regarding the economic zone, Moscow has recognized the coastal state's "sovereign rights" and first call on food and mineral resources, but Moscow radio also noted on 26 August 1974 that foreign states should be allowed to fish "on the basis of paying reasonable prices." Pointing to Soviet consideration of the interests of littoral states in such matters as fishing as proof of the fairness of Moscow's LOS proposals, IZVESTIYA on 21 August 1974 rapped Peking's attempt to "make illusory political capital among the Third World countries" by attacking the Soviet program.

Supporting a broader definition of coastal-state control of the economic zone, NCNA on 26 April quoted the Chinese representative in Geneva as saying that the state must have "exclusive jurisdiction" over the entire economic zone and should enjoy "full sovereignty to protect, regulate, use, explore and exploit" resources in the zone. The Chinese and Third World representatives were reported as having successfully refuted the Soviet Union's "absurd theory" that the economic zone was part of the high seas and that littoral countries should consider "other

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FBIS TRENDS
7 MAY 1975

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legitimate uses" of the area in exercising their rights. NCNA warned that any limitation of a state's exclusive rights would "pave the way for large fishing fleets of the two superpowers" which would plunder the coastal region. Such language is typical of NCNA, which continually accuses the "superpowers" of poaching in other nations' waters. Thus, on 4 April Ecuador was praised for having captured U.S. vessels which "sneaked into its territorial waters for stealthy fishing," and it was reported that Soviet trawlers had "nearly drained the Finnish traditional fishing zone of all fishes."

Moscow and Washington have also been criticized by Peking for "plunder" in the deep seabed as well. The two countries advocate an international seabed organization with authority largely limited to licensing--rather than undertaking--the exploitation of the seabed, while Peking has supported a "comprehensive authority" which would itself engage in seabed activities. NCNA argued on 28 March that the U.S. and USSR proposals would create an organization which "would inevitably become a show-piece" while the "superpowers and their monopoly companies will exercise real power, turning the international seabed into a field for their private interests."

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7 MAY 1975

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K O R E A

DPRK MEDIA NOTE CONTINUED U.S. COMMITMENT TO SOUTH

Recent North Korean media comment has suggested that U.S. resolve to maintain its presence in South Korea has been strengthened, rather than weakened, by recent developments in Indochina. A NODONG SINMUN commentary on 2 May, for example, complained that although the United States has been defeated in Indochina, it is not "drawing a proper lesson" and instead is making an effort to "back up at any cost" the Pak Chong-hui government. DPRK media have also continued to highlight a standard Pyongyang theme--that the United States wants to hold on to South Korea forever as a base for "aggression" in Asia.

A 13 April NODONG SINMUN commentary on President Ford's 10 April foreign policy speech focused on the idea that the United States was pledging to reinforce its commitment to the ROK and tighten its alliance with Japan. Commenting on Defense Secretary Schlesinger's 1 May press conference, a 3 May NODONG SINMUN commentary emphasized U.S. resolve to honor its military commitments and reinforce its position in South Korea as part of a post-Vietnam strategy.

Only two monitored DPRK commentaries in recent weeks have questioned either the willingness or capability of the United States to honor its commitments to its allies, and neither suggested that the time was now propitious to challenge directly the U.S. presence in the South. A 25 April Pyongyang radio commentary on the lessons of Indochina, broadcast while Kim Il-song was in Peking, claimed that domestic opposition to U.S. foreign policy had intensified, and the U.S. economic crisis had grown to such an extent that the United States was in no position to help its "puppets," and that it would be unable to save the regime in Seoul. A 6 May NODONG SINMUN commentary directly questioned the efficacy of U.S. commitments when it claimed that the fate of the Lon Nol and Thieu governments, "believing in 'the commitments' and 'assistance' of U.S. imperialist masters," show that "the day has gone when the South Korean puppets could benefit from the help of the U.S. imperialist masters."

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Post Geneva
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SUBJECT: LOS: COLOMBIAN/ECUADORIAN DECLARATION ON MARITIME MATTERS
REF: A) STATE 196536 AND B) BOGOTA 7934

1, IN A FURTHER CONVERSATION WITH KEREIGN MINISTER LIEVANO ON AUG 21 ON ANOTHER TOPIC, I AGAIN BROUGHT UP LOS IN THE LIGHT OF PRESS REPORTS IN THIS MORNING'S PAPERS QUOTING THE COLOMBIAN AMBRASSADOR IN QUITO AS SAYING COLOMBIA WILL JOIN ECUADOR IN DEFENDING THE 200 MILE TERRITORIAL SEA, THE MINISTER LITERALLY SNORTED, AND SAID THAT WAS NOT THE CASE, THEN HE SAID THAT IN TOTAL CONFIDENCE HE WANTED TO SHOW ME THE TEXT OF WHAT HE CALLED THE TWO KEY ARTICLES IN THE AGREEMENT WHICH IS TO BE SIGNED, ONE ARTICLE STATED THAT THE SEAWARD BORDER BETWEEN THE TWO COUNTRIES WAS TO BE DEFINED AS INDICATED ON AN ATTACHED MAP, THE SECOND ARTICLE SAID THAT EACH COUNTRY RESERVES TO ITSELF THE RIGHT TO DECIDE WHAT KINDS OF JURISDICTION IT WILL ESTABLISH IN THE SEAS OFF ITS COASTS UP TO A MAXIMUM OF 200 MILES.

2, HE THEN SHOWED ME THE MAP, IT SHOWS THE BORDER DRAWN SEAWARD, ON THE ECUADORIAN SIDE IT SHOWS A 200 MILE TERRITORIAL SEA, ON THE COLOMBIAN SIDE IT SHOWS A 12-MILE TERRITORIAL SEA; IT THEN SHOWS A SHADED PORTION OUT 200 MILES LABELED AN ECONOMIC CONSERVATION ZONE, REPEATING OUR CONCERNS THAT EXTENSION OF JURISDICTIONS NOT BE ESTABLISHED UNILATERALLY, I INQUIRED WHETHER THE MAP DID NOT DO THAT.

3, THE MINISTER THEN AT LENGTH DISCOURSED ESSENTIALLY AS FOLLOWS: COLOMBIA AGREES WITH THE SECRETARY'S MONTREAL SEPPCH THAT THE LOS CONFERENCE MUST REACH SOME AGREEMENTS NEXT YEAR AND NO ONE CAN WAIT INDEFINITELY; THE GOC UNDERSTANDS THAT COUNTRIES CANNOT BEGIN TAKING ACTION UNILATERALLY AND INDIVIDUALLY AND DOES NOT INTEND TO; WHAT IS IN THE AGREEMENT WITH ECUADOR IS IN EFFECT A STATEMENT OF COLOMBIA'S POLICY ON WHAT JURISDICTION OUGHT TO BE (MUCH, HE SEED, AS THE SECRETARY DID IN HIS SPEECH) RATHER THAN A LEGAL BASIS FOR JURISDICTION, WHICH WOULD REQUIRE LEGISLATIVE AUTHORITY.

4, THE MINISTER AGAIN DID NOT REFER TO THE FUTURE POSSIBILITY

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OF LEGISLATING (PARA 3, REFTEL B), HIS INSISTENCE THAT COLOMBIA WOULD PUSH FOR AGREEMENT IN THE LOS CONFERENCE NEXT YEAR MIGHT MEAN THAT BY PLANNING INTERNALLY FOR LEGISLATION THE GOC IS GETTING READY IN THE EVENT NO INTERNATIONAL PROGRESS IS EVIDENT. IT TOOK THE OCCASION TO GIVE HIM AN AIDE MEMOIRE OUTLINING OUR VIEWS PER REFTEL A.

5. COMMENT: THE MINISTER COMMENTED ON THE AGREEMENT AND SHOWED ME THE TEXT/MAP ON THE BASIS OF PERSONAL CONFIDENCE. PLEASE PROTECT.

6. I DO NOT BELIEVE THAT THE SITUATION IS AS IDEAL AS WE WOULD LIKE TO HAVE IT. WHETHER OR NOT THE AGREEMENT AS IT FINALLY IS PUT OUT WILL BE VIEWED IN STRICTLY LEGAL TERMS AS "UNILATERAL ACTION" BY COLOMBIA OR NOT MAY BE MOOT. IN ANY CASE, THERE IS AT LEAST SOME COMFORT IN KNOWING THAT

A) COLOMBIA WILL APPARENTLY NOT SUCCUMB TO ECUADORIAN BLANDISHMENTS TO SUPPORT A 200 MILE TERRITORIAL SEA CONCEPT;

B) THE POSITION THE GOC HAS ADOPTED IS SIMILAR TO OURS AND TO WHAT WE HOPE THE LOS CONFERENCE WILL END UP WITH AND

C) COLOMBIA STILL INTENDS TO PUSH FOR AN INTERNATIONAL AGREEMENT IN THE LOS CONFERENCE, TO A GREAT DEGREE, ALSO. I THINK LIEVANO AND LOPEZ ALSO VIEW THE AGREEMENT WITH ECUADOR AND THE GOC POLICY AS ADDING TO THE PRESSURE ON THE LOS CONFERENCE TO REACH AN AGREEMENT NEXT YEAR (WHICH IS THE WAY, IN FACT, LIEVANO READS THE SECRETARY'S SPEECH), VAKY

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Post Geneva

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C O N F I D E N T I A L STATE 198767

E.O. 11652: GDS

TAGS: PLOS

SUBJECT: LOS: CONSULTATIONS ON COMMITTEE I (DEEP SEABED)
-ISSUES



1. TWO-MAN US LOS TEAM CONSISTING OF LEIGH S. RATINER, ADMINISTRATOR, OCEAN MINING ADMINISTRATION, DEPARTMENT OF INTERIOR AND OTHO E, ESKIN, STAFF DIRECTOR, NATIONAL SECURITY COUNCIL INTERAGENCY TASK FORCE ON LAW OF THE SEA, PLAN TO HOLD CONSULTATIONS IN YAOUNDE WITH PAUL ENGO, CHAIRMAN OF LOS CONFERENCE COMMITTEE I, AND IN COLOMBO WITH CHRISTOPHER PINTO, CHAIRMAN OF COMMITTEE I'S PRIVATE NEGOTIATING GROUP. PURPOSE OF CONSULTATIONS WILL BE TO DISCUSS INTERSESSIONAL WORK ON COMMITTEE I (DEEP SEABED) ISSUES PRIOR TO NEXT SESSION OF CONFERENCE SCHEDULED FOR MARCH 1976.

2. FOR YAOUNDE: EMBASSY IS REQUESTED TO CONTACT PAULENGO TO ARRANGE CONSULTATIONS WITH HIM FOR RATINER AND ESKIN SEPT 3-5. RATINER HAS DISCUSSED THESE CONSULTATIONS WITH ENGO BY TELEPHONE, THOUGH NO SPECIFIC SCHEDULE DETERMINED, ENGO INDICATED THAT MEETINGS COULD BEGIN SEPT 3. THUS IN MAKING PROPOSAL, EMBASSY SHOULD SUGGEST TO ENGO FULL DAY OF MEETINGS SEPT 3, WITH SCHEDULE FOR SEPT 4-5 TO BE WORKED OUT AFTER TEAM'S ARRIVAL. IN ADDITION, DEPARTMENT IS FORWARDING BY AIRPOUCH (REGISTRY NOS, 165697 AND 165675) TWO PACKETS OF TECHNICAL MATERIAL FOR ENGO, WHICH EMBASSY SHOULD DELIVER TO HIM AS SOON AS POSSIBLE.

3. FOR YAOUNDE: ESKIN AND RATINER PLAN TO ARRIVE DOUALA VIA PAA 186 SEPT 2 AT 1720. THEY WILL ARRIVE YAOUNDE SAME DAY AT 2000 VIA CAM 756. EMBASSY IS REQUESTED TO MEET TEAM AND ARRANGE HOTEL ACCOMMODATIONS. RATINER AND ESKIN WILL DEPART YAOUNDE SEPT 6 AT 0800 FOR DOUALA VIA CAM 745.

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TOR:211730Z AUG 75

4, FOR PARIS: LOS TEAM WILL LAY OVER IN PARIS SEPTEMBER 6 AND 7. REQUEST EMBASSY ARRANGE HOTEL ACCOMMODATIONS (TWO SINGLES WITH BATH) FOR TEAM NIGHTS OF SEPT 6 AND 7 AT HOTEL COLBERT OR EQUIVALENT.

5, FOR COLOMBO: EMBASSY IS REQUESTED CONTACT CHRISTOPHER PINTO, LEGAL ADVISER, MINISTRY OF DEFENSE AND FOREIGN AFFAIRS. PROPOSE CONSULTATIONS WITH HIM FOR US TEAM SEPT 10-12. CONSULTATIONS HAVE BEEN PREVIOUSLY DISCUSSED WITH PINTO AND RATINER. RATINER AND ESKIN PLAN TO ARRIVE COLOMBO TUESDAY, SEPT 8 AT 1145 VIA SR 314. EMBASSY IS REQUESTED TO ARRANGE HOTEL ACCOMMODATIONS FOR ESKIN SEPT 9-13, AND TO INFORM PINTO THAT RATINER ACCEPTS HIS INVITATION TO STAY WITH HIM WHILE IN COLOMBO. ESKIN SCHEDULED DEPART COLOMBO SEPT 13 VIA SINGAPORE AIRLINES FLIGHT 763A AT 2250. RATINER ETD SEPT 14 VIA AIR CEYLON 17 AT 2220.

6, FOR YAOUNDE: DUE TO POSSIBLE SENSITIVITY ON ENGO'S PART OVER HIS ROLE IN COMMITTEE I, EMBASSY SHOULD NOT, RPT NOT MENTION FACT THAT TEAM IS CONTINUING ON TO COLOMBO AFTER YAOUNDE. MAW

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TOR:211631Z AUG 75

P R 211541Z AUG 75
FM AMEMBASSY BOGOTA
TO RUEHC/SECSTATE WJUHDC PRIORITY 335
INFO RUESQI/AMEMBASSY QUITO 1755
BT
C O N F I D E N T I A L BOGOTA 7934

98

Post Geneva
Colombia
Comm. II

EO 11652: GDS
TAGS: PLOS CO
SUBJ: LOS: POSSIBLE COLOMBIAN UNILATERAL ACTIONS
REF: STATE 196536 (NOTAL)
1. AMBASSADOR MADE ORAL DEMARCHE TO FOREIGN MINISTER LIEVANO PER REFTEL. MAKING POINTS INCLUDED THEREIN. LIEVANO, IN REPLY, STATED: A) HE HAD READ THE SECRETARY'S MONTREAL SPEECH CAREFULLY; B) COLOMBIA'S POSITION AS TO WHAT A LOS TREATY SHOULD CONTAIN RE MARITIME JURISDICTION PARALLELS OURS, IE, A 12-MILE TERRITORIAL SEA AND A 200-MILE ECONOMIC ZONE, BUT WITH FREEDOM OF NAVIGATION THROUGH LATTER; C) THERE NEED BE NO FEAR THAT COLOMBIA WOULD DECLARE A 200-MILE TERRITORIAL SEA DURING LOPEZ' VISIT TO ECUADOR; IT DOES NOT AGREE WITH ECUADOR IN THIS REGARD; D) THE GOC'S PRIMARY INTEREST AND MAIN OBJECTIVE AS REGARDS LOPEZ' VISIT TO QUITO IS TO SIGN AN AGREEMENT DELIMITING THE MARITIME BOUNDARY BETWEEN THE TWO COUNTRIES; THERE HAVE BEEN DISPUTES IN THE PAST AS TO HOW THIS LINE SHOULD BE DRAWN, AND THE GOC IS ANXIOUS TO SETTLE ALL SUCH DISPUTES WITH NEIGHBORS AND ABOVE ALL AVOID PERPETUATING A PROBLEM SIMILAR TO THE ONE WITH VENEZUELA IN THE GULF OF MARACAIBO; E) WHAT THE JOINT AGREEMENT OR A DECLARATION WILL PROBABLY SAY IS THAT WHILE ECUADOR HAS ITS POSITION AS REGARDS MARITIME JURISDICTION, COLOMBIA RESERVES THE RIGHT TO DETERMINE ITS OWN POLICY AS TO JURISDICTION, AND THIS WILL BE IN ACCORDANCE WITH THE POSITIONS IT HAS TAKEN IN THE LOS CONFERENCE; VIZ., 12-MILE TERRITORIAL AND 200-MILE ECONOMIC SEAS.

2. ON THE LAST POINT, LIEVANO WAS EVASIVE AS TO PRECISELY WHAT FORM ANY SUCH DECLARATION MIGHT TAKE. THE AMBASSADOR STRESSED THE DANGERS WE SAW IN UNILALTRAL ACTIONS, AND THE MINISTER PROFESSED TO UNDERSTAND AND ACCEPT THE POINT. HE IMPLIED THAT WHAT WOULD BE SAID IN ANY DECLARATION AT QUITO WOULD BE MORE AN ASSERTION BY THE GOC OF ITS POLICY AND POSITION RATHER THAN A FORMAL ASSERTION OF JURISDICTION. THIS IS LIKELY TO BE THE CASE IF THE GOC IS IN FACT CONTEMPLATING SOME LATER LEGISLATIVE

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PAGE 02-02

NC 48291

TOR:211631Z AUG 75

ACTION AS WE HAD HEARD; IT REMAINS TO BE SEEN, IN ANY CASE, HOW IT WILTOCOME OUT IN QUITO. IT DOES SEEM CLEAR THAT WHAT IS TO BE SIGNED AND SAID IN ECUADOR HAS ALREADY BEEN PRETTY WELL DECIDED UPON AND WORKED OUT.

3. THE AMBASSADOR EMPHASIZED THAT WHILE WE APPRECIATED COLOMBIA'S SUBSTANTIVE POSITION AND UNDERSTOOD THAT IT WAS SIMILAR TO OURS, OUR CONCERN WAS THAT THESE POSITIONS NOT BE ASSERTED UNILATERALLY, PARTICULARLY BY LEGISLATION OR SIMILAR ACT, SO AS NOT TO UNDERMINE THE LOS NEGOTIATIONS OR UNLEASH CHAIN REACTIONS. POINT E REFTEL WAS UNDERSCORED. THE MINISTER DID NOT REACT TO THE REFERENCE ON LEGISLATION, AND DID NOT REFER TO ANY POSSIBLE BILL. (INFORMATION IN THIS REGARD WAS GIVEN US IN CONFIDENCE BY MEMBERS OF HIS STAFF, AND WE SUSPECT HE MAY BE UNAWARE OF THAT. OUR UNDERSTANDING IS THAT THE DRAFT OF A BILL IS BEING WORKED ON WITHIN THE MINISTRY BUT THAT NO DECISION MWS BEEN MADE AS TO TIMING. NOR ARE WE ABSOLUTELY SURE THAT A DECISION HAS FIRMLY BEEN MADE TO GO FORWARD TO THE CO RESS WITH IT). THE MINISTER WAS IN ANY CASE ABSORBED IN THE ECUADORAN VISIT AND THOSE ASPECTS OF THE QUESTION.

4. THE AMBASSADOR PROMISED TO PROVIDE LIEVANO WITH AN AIDE MEMOIRE OUTLINING THE POINTS HE HAD MADE ORALLY FOR THE MINISTER'S FURTHER CONSIDERATION; HE WILL DISCUSS THE MATTER WITH LIEVANO AGAIN UPON THE LATTER'S RETURN FROM QUITO -- AND IN THE LIGHT THEREOF -- WITH SPECIFIC REFERENCE TO POSSIBLE UNILATERAL LEGISLATION. VAKY

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PAGE 01-01

NC 48506

TOR:212103Z AUG 75

Post Geneva

West Germany

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R 211511Z AUG 75
FM AMEMBASSY BONN
TO RUEHC/SECSTATE WASHDC 2280
INFO RUFHGV/USMISSION GENEVA 4307
BT
C O N F I D E N T I A L BONN 13592
E.O. 11652: GDS
TAGS: PLOS, GW
SUBJECT: LOS - DEEP SEABEDS
REF: STATE 197168



97

1. ENBOFF EXPLAINED SUBSTANCE OF REFTEL TO KNOKE
AUGUST 21. KNOKE'S PRELIMINARY REACTION WAS FAVORABLE
TO THE US THINKING. HE THOUGHT THE VOTING PROCEDURES IN
THE COMMISSION WERE "VERY WISE."
2. KNOKE HAD NO SUGGESTIONS TO OFFER, BUT MAY HAVE SOME
WHEN HE MEETS WITH USDEL AT GENEVA AUGUST 24.
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PAGE 01-01

NC 46121

TOR:191517Z AUG 75

P 191509Z AUG 75
FM AMEMBASSY LONDON
TO RUEHGV/USMISSION GENEVA PRIORITY 3828
INFO RUEHC/SECSTATE WASHDC PRIORITY 3926

Post Geneva

96

BT

C O N F I D E N T I A L
LIMITED OFFICIAL USE LONDON 12802

E.O. 11652: N/A

TAGS: PLOS, UK

SUBJ: LOS - US/UK INFORMAL MEETING AUGUST 20

REF: LONDON 12714

PLEASE INFORM U.S. DELEGATION TO LOS CONSULTATIONS WHICH OPEN GENEVA AUGUST 21 THAT BRITISH DELEGATION IS STAYING AT HOTEL AMAT-CARLTON, 24 RUE AMAT, TEL. 316850 AND IS PLANNING INFORMAL DINNER MEETING WITH KEY MEMBERS OF USDEL AT HOTEL 1930 FOR 2000 AUGUST 20.
RICHARDSON

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NC 48260

TOR:211559Z AUG 75

R 211441Z AUG 75
 FM AMEMBASSY QUITO
 TO RUEHC/SECSTATE WASHDC 6818
 RUFHGV/USMISSION GENEVA 0127
 INFO RUESBG/AMEMBASSY BOGOTA 1932
 RUESGT/AMEMBASSY GUATEMALA 0318
 RUESLM/AMEMBASSY LIMA 2684
 RUESMG/AMEMBASSY MANAGUA 0214
 RUESMO/AMEMBASSY MEXICO 1699
 RUESZP/AMEMBASSY PANAMA 2061
 RUESJO/AMEMBASSY SAN JOSE 0292
 RUESAL/AMEMBASSY SAN SALVADOR 0217
 RUESNA/AMEMBASSY SANTIAGO 1384
 RUESTE/AMEMBASSY TEGUCIGALPA 0231
 RUESGY/AMCONSUL GUAYAQUIL 7561

Post Geneva
 Ecuador ✓
 Comm. II ✓

95

BT
 C O N F I D E N T I A L QUITO 6135
 GENEVA FOR LOS DELEGATION
 DEPT PLEASE PASS TO AMBS MOORE & CLINGAN
 E.O. 11652: GDS
 TAGS: PLOS, EC
 SUBJ: LOS EASTERN PACIFIC TUNA INITIATIVE
 REF: STATE 196496

1. EMBASSY OFFICER MET WITH AMB RAFAEL GARCIA VELASCO, FOREIGN
 MINISTRY LEGAL ADVISOR AND PRINCIPAL ON LOS, PURSUANT TO
 INSTRUCTIONS REFERENCED CABLE. AMB GARCIA SAID US AND CANADA
 ARE CONSIDERED BY LATIN AMERICAN COUNTRIES AS "GEOGRAPHIC
 PACIFIC STATES" AND GOE EXPECTS US PARTICIPATION IN APPROVING AND
 DELIVERING DIPLOMATIC NOTE REQUESTING GALINDO-POHL TO
 ACT AS CHAIRMAN. AMB GARCIA SAID THE NOTE IS STILL IN
 PREPARATION AND THAT HE HOPED TO BE ABLE TO SHOW THE
 PROPOSED FINAL DRAFT TO AMBS MOORE AND CLINGAN DURING THEIR
 VISIT TO QUITO, SEPTEMBER 4 TO 6.
 2. RESPONDING TO EMBASSY OFFICER'S STATEMENT THAT USG
 REMAINS INTERESTED IN HAVING CANADA, FRANCE AND JAPAN
 PARTICIPATE IN THE MEETING, AMB GARCIA REPEATED THE GOE'S
 EARLIER POSITION THAT INITIAL INVITATIONS SHOULD BE RESTRICTED
 TO GEOGRAPHIC PACIFIC STATES BUT THAT OTHER NATIONS MIGHT
 BE ADDED LATER.
 3. THE GOE, EVIDENTLY IN COLLABORATION WITH PERU AND CHILE,

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TOR:211559Z AUG 75

CONTINUES WORKING ON A DRAFT TEXT ELABORATING ARTICLE 53 FOR USE AT THE MEETING. AMB GARCIA DISAGREED WITH THE SEMANTICS OF THE NECESSITY FOR "SIMULTANEOUS UNDERSTANDING" REGARDING IMPLEMENTATION OF THE PRINCIPLES CONTAINED IN THE ARTICLE. HE CHOOSE INSTEAD THE WORDING "CONSECUTIVE UNDERSTANDING", SAYING THERE MUST FIRST BE AGREEMENT ON ARTICLE 53 ITSELF FOLLOWED BY IMMEDIATE CONSENSUS ON IMPLEMENTATION OF THE PRINCIPLES. BREWSTER

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PAGE 01

NC 48282

TOR:211622Z AUG 75

O P 211355Z AUG 75
 FM AMEMBASSY NASSAU
 TO RUEHC/SECSTATE WASHDC IMMEDIATE 7112
 INFO RUEHDC/USDOC WASHDC PRIORITY
 RUEBJGA/COMDT COGARD WASHDC PRIORITY
 RUCLFOA/COMDR SEVENTH COGARD DIST MIAMI PRIORITY
 RUFHGV/USMISSION GENEVA PRIORITY 36
 BT
 C O N F I D E N T I A L NASSAU 1367
 E.O. 11652: GDS
 TAGS: EFIS, BF
 SUBJ: US/BAHAMAS SPINY LOBSTER TALKS
 REF: NASSAU 1366

Post Geneva
Bahamas ✓
Comm. II ✓

94

FROM US DELEGATION
 GENEVA PASS AMBASSADOR CLINGAN LOS DEL
 DEPT FOR ARA-ASST SEC ROGERS, OES/OFA, L/OES, ARA/CAR
 1. FOLLOWING IS TEXT OF STATEMENT REFERRED TO IN REFTEL.
 2. BEGIN TEXT: MR. MINISTER: IT WAS MY DELEGATION'S HOPE AND
 EXPECTATION, AS YOU KNOW, THAT OUR VISIT TO THE BAHAMAS WOULD
 PRODUCE AN AGREEMENT ON SPINY LOBSTER WHICH WOULD ACCOMMODATE
 THE RESPECTIVE RIGHTS AND INTERESTS OF OUR TWO GOVERNMENTS.
 WE HAVE NOT MADE MUCH PROGRESS TOWARD THAT GOAL.
 A. I HAVE BEEN FRANK AND CANDID WITH YOU THROUGHOUT OUR
 DISCUSSIONS. I WILL CONTINUE THIS PRACTICE TODAY, AS I AM
 CERTAIN YOU WOULD WANT ME TO.
 3. MR. MINISTER, I VERY MUCH REGRET THAT OUR EXPECTATIONS
 IN THESE NEGOTIATIONS HAVE NOT BEEN MET. THE CONSEQUENCES WILL
 NOT BE BENEFICIAL TO EITHER OF OUR COUNTRIES. MY DELEGATION IS,
 FRUSTRATED, AS WELL AS SADDENED BY THE PROSPECTS.
 C. THE DECLARATION OF THE BAHAMAS MAKING SPINY LOBSTER A
 CREATURE OF THE CONTINENTAL SHELF IS PART OF A TREND OF LONG
 STANDING IN THE DEVELOPMENT OF THE LAW OF THE SEA--THE TREND
 TOWARD GREATER COASTAL STATE CONTROL OVER RESOURCES IN IMM-
 EDIATELY ADJACENT AREAS OF OCEAN SPACE. AS WITH THE EXTENSION
 OF COASTAL STATE CONTROL TO A CONTIGUOUS FISHERIES ZONE,
 DECLARATIONS OF OTHER SPECIES AS CREATURES OF THE CONTINENTAL
 SHELF, AND OTHER CLAIMED BUT LARGELY UNRECOGNIZED EXTENSIONS
 OF MARITIME JURISDICTION OF VARYING CONTENT, A LIVING RESOURCE
 THAT WAS PREVIOUSLY SUBJECT TO FREEDOM OF FISHING ON THE HIGH
 SEAS WILL NO LONGER BE FREELY AVAILABLE.

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TOR:211622Z AUG 75

D. OUR EXPECTATIONS HERE, MR. MINISTER, DERIVED FROM THE PRACTICE OF STATES WHICH EMERGED FROM THESE OTHER EXTENSIONS OF COASTAL STATE RIGHTS AS A CUSTOM AMONG THE INDEPENDENT NATIONS OF THE WORLD. WHEN THE UNITED STATES ENACTED A 12-MILE CONTIGUOUS FISHERIES ZONE, FOR EXAMPLE, WE DID NOT ENFORCE IT FOR A TIME AGAINST FOREIGN FISHERMEN WHO WERE ACCUSTOMED TO FISHING IN THAT AREA AS A FREEDOM OF THE SEAS. WE ENTERED INTO GOOD FAITH NEGOTIATIONS WITH THE GOVERNMENTS OF THESE FISHERMEN IN ORDER TO ACCOMMODATE TRADITIONAL OR HISTORIC FISHING RIGHTS, OR OTHERWISE TO PHASE-IN OUR FULL CONTROL OVER THE RESOURCES IN ORDER TO AVOID SEVERE ECONOMIC DISLOCATIONS AND STRESS ON RELATIONS AMONG SOVEREIGNS.

E. WHEN THE UNITED STATES DECLARED THE AMERICAN LOBSTER TO BE A CREATURE OF THE CONTINENTAL SHELF, WE SIMILARLY REFRAINED FROM EXCLUDING FOREIGN FISHERMEN FROM THEIR ACCUSTOMED FISHERY WHILE PROCEEDING WITH GOOD FAITH NEGOTIATIONS, AND EVEN, OUR SPECIAL GUIDELINES TO REDUCE INCIDENTAL CATCHES OF CONTINENTAL SHELF FISHERY RESOURCES WERE HELD IN ABEYANCE FOR A REASONABLE PERIOD OF TIME. THE SOVIET AND JAPANESE KING AND TANNER CRAB FISHERIES OFF THE U.S. ARE BEING REDUCED THROUGH NEGOTIATION, AS ARE OTHER DIRECTED FISHERIES FOR CONTINENTAL SHELF FISHERIES RESOURCES.

D. THE UNITED STATES IS NOT THE ONLY NATION TO HAVE FOLLOWED THIS PRACTICE. CANADA, WHEN MOVING TO A 12-MILE CONTIGUOUS FISHING ZONE, DID THE SAME. BRAZIL SUSPENDED ENFORCEMENT AND NEGOTIATED A TREATY WITH THE UNITED STATES CONCERNING THE SHRIMP FISHERY THAT IS PARTLY WITHIN BRAZIL'S CLAIMED 200-MILE TERRITORIAL SEA. MEXICO, THE USSR, AND THE UK HAVE FOLLOWED SIMILAR PRACTICES.

G. STATE PRACTICE WITH RESPECT TO ICELAND'S EXTENSIONS OF FISHERIES JURISDICTION HAS PERHAPS RECEIVED THE MOST ATTENTION. LAST YEAR, THE INTERNATIONAL COURT OF JUSTICE RECOGNIZED AND APPROVED OF ICELAND'S PRACTICE IN NEGOTIATING A PHASE OUT OF BRITISH AND GERMAN FISHING WITHIN ICELAND'S 12-MILE CONTIGUOUS FISHING ZONE. THE COURT DID NOT APPROVE OF ICELAND'S LATER UNILATERAL ACTION TO EXCLUDE FOREIGN FISHING FROM AREAS BEYOND 12 MILES, WHERE ICELAND HAD LEGITIMATE PREFERENTIAL RIGHTS. THE COURT DECREED THAT ICELAND HAD AN OBLIGATION UNDER INTERNATIONAL LAW AND ARTICLE 33 OF THE UNITED NATIONS CHARTER TO SETTLE THE DISPUTE BY NEGOTIATION, AND NOT THROUGH UNILATERAL EXCLUSION OF HISTORIC FISHING. THE COURT PLACED HEAVY RELIANCE

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NC 48282

TOR:211622Z AUG 75

ON ICELAND'S OBLIGATION TO TAKE DUE ACCOUNT OF THE ECONOMIC DEPENDENCE AND THE LIVELIHOOD OF COMMUNITIES IN THE FOREIGN COUNTRY THAT ARE DEPENDENT ON THE FISHING GROUND IN QUESTION. H, MR. MINISTER, MY GOVERNMENT HAS BEEN FULLY PREPARED TO NEGOTIATE WITH YOUR GOVERNMENT IN REGARD TO OUR TRADITIONAL FISHING FOR SPINY LOBSTER ON THE BAHAMAS BANKS. WE PRESSED FOR SUCH NEGOTIATIONS AS EARLY AS LAST DECEMBER. WE CAME HERE, UNDER CRISIS CONDITIONS, WITH FULL AUTHORITY TO NEGOTIATE AN AGREEMENT THAT WOULD ACCOMMODATE OUR RESPECTIVE RIGHTS AND INTERESTS, INCLUDING MEASURES FOR THE PROPER CONSERVATION OF THE RESOURCE,

I. WE HAVE MADE CONCRETE PROPOSALS FOR DISCUSSION, NOTWITHSTANDING THE FACT THAT WE HAD LITTLE IDEA WHAT THE GOVERNMENT OF THE COMMONWEALTH OF THE BAHAMAS WANTED IN AN AGREEMENT. WE BELIEVE THAT THE PROPOSALS WHICH WE HAVE MADE HERE ARE REASONABLE. THE BEST AVAILABLE SCIENTIFIC EVIDENCE INDICATES THAT THE BAHAMIAN LOBSTER RESOURCE IS PRESENTLY NOT BEING OVERFISHED AND THAT WITH PROPER SCIENTIFIC MANAGEMENT OF THE FISHERY, PROSPECTS FOR AN INCREASE IN THE ANNUAL SUSTAINABLE YIELD ARE GOOD. IT HAS ALSO BEEN SHOWN THAT BAHAMIAN FISHERMEN PRESENTLY HAVE THE CAPACITY TO CATCH ONLY ABOUT HALF OF THE PRESENT ANNUAL SAFE YIELD, LEAVING A SURPLUS OF AT LEAST 5 MILLION POUNDS PER YEAR AVAILABLE FOR FURTHER EXPLOITATION. WE UNDERSTAND AND APPRECIATE THE DESIRE OF YOUR GOVERNMENT TO ENABLE BAHAMIAN FISHERMEN TO FULLY EXPLOIT ALL OF THE AVAILABLE SPINY LOBSTER. INDEED, WE SUPPORT YOU IN THIS EFFORT AND ARE PREPARED TO DO WHAT WE CAN TO CONTRIBUTE TOWARD THIS END. THE ESSENCE OF OUR PROPOSALS IS THAT U.S. FISHERMEN, WHO OVER THE YEARS HAVE MADE THEIR LIVING PURSUING THIS RESOURCE, SHOULD BE PERMITTED TO TAKE THIS EXCESS LOBSTER UNTIL BAHAMIAN FISHERMEN CAN DO SO. WE HAVE OFFERED TO PAY A REASONABLE FEE TO BE ABLE TO UTILIZE THE RESOURCE. WE HAVE OFFERED TO COOPERATE TO ENSURE PROPER MANAGEMENT AND CONSERVATION AND ENFORCEMENT OF WHATEVER MEASURES ARE AGREED UPON. THESE PROPOSALS HAVE BEEN REJECTED, AND WE HAVE RECEIVED NO COUNTER PROPOSALS UPON WHICH MEANINGFUL NEGOTIATIONS COULD PROCEED.
(CLOSING PARAGRAPH TO BE DEVELOPED IN LIGHT OF SUBSTANCE AND TONE OF GOOB PRESENTATION.) WEISS

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TOR:211528Z AUG 75

O P 211354Z AUG 75
 FM AMEMBASSY NASSAU
 TO RUEHC/SECSTATE WASHDC IMMEDIATE 7111
 INFO RUEBJGA/COMDT COGARD WASHDC PRIORITY
 RUCLFOA/COMDR COGARD DIST SEVEN MIAMI PRIORITY
 RUEHDC/USDOC WASHDC PRIORITY
 RUFHGV/USMISSION GENEVA PRIORITY 35

Post Geneva

Bahamas ✓

Comm. II

93

BT
 C O N F I D E N T I A L NASSAU 1366
 E.O. 11652: GDS
 TAGS: EFIS, BF
 SUBJ: US/BAHAMAS SPINY LOBSTER NEGOTIATIONS
 REF: NASSAU 1349 AND PREVIOUS
 FROM US DELEGATION

GENEVA PASS AMBASSADOR CLINGAN LOS DEL
 DEPT FOR ARA-ASST SEC ROGERS, OES/OFA, L/OES, ARA/CAR

1. TODAY'S SESSION OPENED WITH PRESENTATION OF SCIENTIFIC COMMITTEE'S AGREED REPORT ON SUSTAINABLE YIELD OF SPINY LOBSTER FROM BAHAMIAN BANKS, INCLUDING: (A) ESTIMATED PEAK ANNUAL PRODUCTION OF 10 MILLION POUNDS IS WITHIN THE SUSTAINABLE ANNUAL YIELD POTENTIAL, (B) BAHAMIAN CATCH IS OF THE ORDER OF 4 TO 4.5 MILLION POUNDS, AND (C) THERE IS AN UNUTILIZED SURPLUS OF APPROXIMATELY 5 MILLION POUNDS AVAILABLE FOR FURTHER EXPLOITATION.
2. GCOB CHAIRMAN OF DELEGATION ADDERLEY EMPHASIZED NEED FOR CONSERVATIVE EVALUATION OF DATA, BUT DID NOT DIRECTLY CHALLENGE THE MAGNITUDE OF AVAILABLE SURPLUS.
3. US CHAIRMAN OF DELEGATION WALLACE PROPOSED ADOPTION OF THE REPORT AND DISCUSSION OF ELEMENTS THAT MIGHT LEAD TO AN AGREEMENT ON UTILIZATION OF SURPLUS LOBSTERS.
4. ADDERLEY DID NOT AGREE TO ADOPTION OF THE REPORT AND NOTED THAT SIMPLE AVAILABILITY OF SURPLUS ALONE DID NOT PROVIDE BASIS FOR AGREEMENT. IN ADDITION IT WAS NECESSARY TO ESTABLISH AN ACCEPTABLE BALANCE OF RECIPROCAL BENEFITS IN A BROAD SENSE AS THE BASIS FOR AN AGREEMENT. THIS COULD NOT RPT NOT BE PROVIDED BY ALLOWING BAHAMIAN FISHING OFF U.S. SINCE FLORIDA LOBSTER WERE FULLY UTILIZED AND BAHAMIANS LACKED CAPABILITY TO EXPLOIT OTHER RESOURCES THAT MIGHT BE AVAILABLE OFF U.S. COAST. THUS, BAHAMIANS WERE INTERESTED IN SPECIFICS OF WHAT U.S. MIGHT OFFER TO BALANCE AGREEMENT AND PROVIDED BROAD BASIS

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TOR:211528Z AUG 75

FOR RECIPROCITY.

5. US DEL REVIEWED PREVIOUS PROPOSALS NOTING THE BENEFITS THAT U.S. COULD PROVIDE WITH LICENSE FEES, TAX ON LANDINGS, SUBSTANTIAL ENFORCEMENT ASSISTANCE, EXPANDED SCIENTIFIC ASSESSMENT EFFORTS, AND ASSISTANCE IN TRAINING BAHAMIAN FISHERMEN. LATTER POINT WAS ELABORATED IN SOME DETAIL NOTING WHAT COULD BE DONE UNDER EXISTING AUTHORITY, E.G. TRAINING BAHAMIANS IN U.S. GOVERNMENT FACILITIES, ADVICE FROM U.S. SPECIALISTS IN SETTING UP TRAINING FACILITIES, AND ARRANGING TO PLACE BAHAMIAN APPRENTICE FISHERMEN ABOARD U.S. COMMERCIAL VESSELS FOR ON-THE-JOB TRAINING.

6. ADDERLEY SAID HIS VIEW WAS THAT NONE OF THESE ITEMS PROVIDED THE BALANCE OF BENEFITS WHICH BAHAMIANS COULD ACCEPT. WHEN USDEL REQUESTED ADDERLEY TO GIVE SOME INDICATION OF WHAT WOULD CONSTITUTE RECIPROCITY IN BAHAMIAN VIEW, HE SAID HE DID NOT KNOW. HE EMPHASIZED THAT THE BURDEN OF DEVELOPING PROPOSALS THAT MIGHT CONSTITUTE RECIPROCITY WAS ENTIRELY ON THE U.S. AND HE COULD NOT OFFER ANY GUIDANCE IN THAT DIRECTION.

7. US DEL EXPRESSED SHARP DISAPPOINTMENT OVER ADDERLEY'S POSITION AND NOTED THAT FAILURE OF TALKS WOULD BE A MATTER OF SERIOUS CONCERN TO U.S. SPINY LOBSTER FISHERMEN WHO HAVE FISHED FOR A NUMBER OF YEARS QUITE LEGITIMATELY ON THE HIGH SEAS FOR LOBSTERS ON THE BAHAMA BANKS. THE SUDDEN EXCLUSION OF THESE FISHERMEN FROM THEIR TRADITIONAL MEANS OF LIVELIHOOD WITHOUT ANY PERIOD OF ADJUSTMENT WOULD OBVIOUSLY BE VERY TRAUMATIC IN HUMAN AS WELL AS ECONOMIC TERMS.

8. IN SUMMARY, AT THE END OF TODAY'S SESSION OF TALKS, US DEL WAS LEFT WITH CLEAR IMPRESSION THAT EVEN THOUGH THERE MIGHT WELL BE AN AMOUNT OF SPINY LOBSTER WHICH IS CLEARLY SURPLUS AND SHOULD BE HARVESTED, ACCESS TO THAT SURPLUS WOULD ONLY BE GRANTED BY GCOB UPON PAYMENT OF SOME SUBSTANTIAL FEE OR BENEFIT WHICH WOULD GO MUCH BEYOND ANYTHING WHICH HAS THUS FAR BEEN OFFERED. OR WHICH US DEL HAS AUTHORITY TO OFFER, SUCH AS SUBSTANTIAL NEW AID PROJECTS. ALTHOUGH ADDERLEY PROMISED TO COMMENT MORE FULLY ON GCOB POSITION AT THURSDAY SESSION, DELEGATION EXPECTS HE WILL ONLY REHASH STATEMENTS PREVIOUSLY MADE, WINDING UP WITH CONCLUSION THAT GCOB DOES NOT SEE ANY BASIS FOR NEGOTIATION BETWEEN OUR TWO GOVERNMENTS, BUT POSSIBLY LEAVING OPEN OPTION FOR US DEL TO COME BACK ON FRIDAY WITH ADDITIONAL PROPOSALS.

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PAGE 03-03

NC 48209

TOR:211528Z AUG 75

9. GIVEN THE ACTION OF LAST WEEKEND'S ATTEMPTED BREAKOFF OF TALKS, WE DO NOT EXPECT ADDERLEY TO TRY TO CONCLUDE TALKS UNILATERALLY. WE EXPECT HE WILL MAKE AN EFFORT TO HAVE TERMINATION BY MUTUAL ASSENT. AT THAT POINT, US DEL DOES NOT INTEND TO ASSENT TO MUTUAL CONCLUSION OF TALKS, AND WILL INSTEAD MAKE STATEMENT ALONG LINES INDICATED IN SEPTTEL OF NEXT CONSECUTIVE MESSAGE REFERENCE NUMBER, WHICH LEAVES OPEN POSSIBILITY OF CONTINUING TO EXPLORE SOME BASIS FOR AGREEMENT, IF BAHAMIANS WILLING TO CONTINUE NEGOTIATIONS.

10. HOWEVER, ALL AVAILABLE OFFERS OF TECHNICAL ASSISTANCE, TRAINING, ENFORCEMENT, ETC., WHICH CAN BE MADE UNDER EXISTING AUTHORITY AND BUDGETS OF NOAA AND COAST GUARD HAVE NOW BEEN MADE DURING THE TALKS, SHORT OF USAID ASSISTANCE OR OTHER CONGRESSIONAL AUTHORIZATION, THERE ARE NO FURTHER OFFERS WE CAN MAKE TO TRY AND BALANCE MR. ADDERLEY'S RECIPROCITY SCALES. ADDITIONALLY, SIGNIFICANTLY MORE SUBSTANTIVE OFFERS WOULD RAISE QUESTION OF WHETHER THE FISHERY IS WORTH THE EXPENDITURE.

11. IN SPITE OF ALL OUR BEST EFFORTS HERE, HOWEVER, UNLESS DEPT CAN IDENTIFY SOME SOURCE OF AID OR OTHER QUID TO OFFER GCOB IN EXCHANGE FOR ACCESS AGREEMENT, TALKS ARE UNLIKELY TO GO MUCH BEYOND FRIDAY. AT THAT POINT, WE WILL HAVE TO FACE UP TO THE PROBABLE CONSEQUENCES OF NON-AGREEMENT AS IDENTIFIED IN EARLIER REFTELS, DECIDE WHETHER WE CAN ACCEPT THOSE CONSEQUENCES AND, IF SO, PICK OUR METHOD OF TERMINATION. WHILE DEL WILL REPORT IMMEDIATELY RESULTS OF THURSDAY MEETING, DEPT SHOULD BE PREPARED TO ADVISE DELEGATION ON VERY SHORT NOTICE REGARDING MOST ADVANTAGEOUS POSITION FOR U.S. TO TAKE IN FINAL STAGE OF TALKS. WEISS

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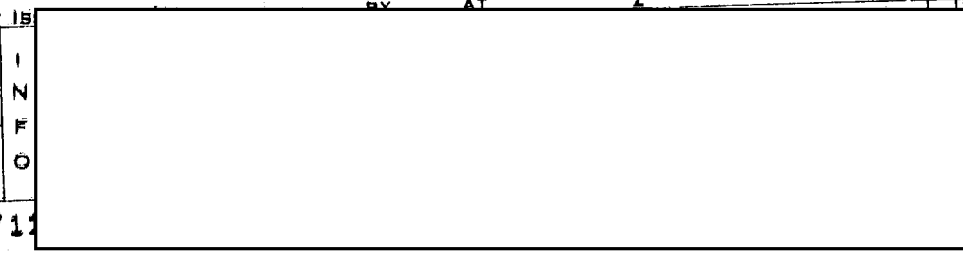
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TOR:210821Z AUG 75

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P R 210735Z AUG 75
 FM AMEMBASSY TOKYO
 TO RUEHC/SECSTATE WASHDC 2675
 INFO RUDTC/AMEMBASSY LONDON 2605
 RUEHMO/AMEMBASSY MOSCOW 2200
 RUFNPS/AMEMBASSY PARIS 3630
 RUFHQB/USMISSION GENEVA PRIORITY 1651
 RUEHDT/USMISSION USUN NEW YORK 1994

BT
C O N F I D E N T I A L TOKYO 11678

E. O. 11652: GDS

TAGS: PLOS

SUBJ: JAPANESE REACTION TO SECRETARY'S MONTREAL SPEECH
 1. LOS DIR GEN IGUCHI CALLED EMBOFF TO FONOFF AUG 18 TO
 STATE THAT GOJ HAD STUDIED SECRETARY'S SPEECH WITH GREAT
 CARE AND FOUND ITSELF IN BASIC AGREEMENT WITH CONCEPTUAL
 FRAMEWORK AND SPECIFIC PROPOSALS MADE. IGUCHI HAD FOLLOWING
 QUESTIONS:

A. THE SECRETARY STATED THAT THE UNITED STATES WILL
 NEGOTIATE INTERIM ARRANGEMENTS WITH OTHER NATIONS TO CONSERVE
FISH STOCKS, ENSURE EFFECTIVE ENFORCEMENT AND PROTECT
 LIVELIHOOD OF FISHERMEN. DOES THE UNITED STATES HAVE IN
 MIND NEGOTIATIONS BEYOND THE ALREADY ESTABLISHED TIMETABLE
 OF CONSULTATION AND NEGOTIATION ON FISHERIES ISSUE?

B. THE SECRETARY SUGGESTED THAT THE UNITED STATES
 AND OTHER POTENTIAL SEABED PRODUCERS COULD CONSIDER
 APPROPRIATE STEPS TO PROTECT CURRENT INVESTMENT AND TO
 ENSURE THAT INVESTMENT PROTECTED IN TREATY. DOES THIS
 MEAN THAT US ENVISAGES SOME INTERIM ARRANGEMENT BETWEEN
 THOSE NATIONS IN A POSITION TO EXPLOIT SEABEDS TO COVER
 PERIOD BEFORE LOS CONVENTION CONCLUDED?

C. IN GENEVA, ACCORDING TO IGUCHI, US HINTED IT
 MIGHT GIVE UP DEMAND FOR DIRECT ACCESS BY STATES
 TO DEEP SEABEDS. LDC'S HAD IMPRESSION THAT US MIGHT
 BACK JOINT VENTURE WITH INTERNATIONAL MACHINERY. DOES
 SECRETARY'S STATEMENT THAT LAW OF SEA TREATY MUST
 PRESERVE RIGHT OF ACCESS PRESENTLY ENJOYED BY STATES
 AND THEIR CITIZENS UNDER INTERNATIONAL LAW MEAN THAT
 US HAS RETREATED ON THIS ISSUE? (MITI POSED SAME QUESTION)
 2. GOJ APPRECIATES EFFORTS BY SECRETARY AND DEPARTMENT

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NC 47948

TOR1210821Z AUG 75

TO OPPOSE UNILATERAL LEGISLATION AND WILL WELCOME CONTINUED EFFORTS TO THIS EFFECT. STATEMENT ON UNILATERAL LEGISLATION IN SPEECH REGARDED BY FONOFF AS FIRST INDICATION OF RESULTS OF DEPARTMENTAL STUDY ON SUBJECT. IGOCHI ASSUMES THERE WILL BE FURTHER ELABORATION OF VIEWS AND WOULD BE INTERESTED IN RECEIVING COPIES OF SPEECHES, PRESS STATEMENTS, AND TRANSCRIPTS OF TESTIMONY BEFORE CONGRESS OPPOSING UNILATERAL LEGISLATION. HODGSON

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E.O. 11652: GDS
TAGS: EFIS, BF
SUBJ: US/BAHAMAS SPINY LOBSTER TALKS
FROM US DELEGATION FOR ARA - ASST SEC ROGERS, OES/OFA, L/OES,
ARA/CAR, S/IL

1. STATEMENT IN DELEGATION MEETING TODAY (20 AUGUST) BY JOSE PUJOL, LEADER OF CUBAN-AMERICAN FISHERMEN'S ASSOCIATION, EXPRESSED FEELING THAT HIS MEN WOULD BEGIN TO TAKE MATTERS INTO OWN HANDS AFTER FRIDAY 22 AUGUST. HE NOTED THAT SOME MIGHT GO BACK TO FISHING AND THAT THE ASSOCIATION WOULD ASK THE INTERNATIONAL LONGSHOREMEN'S ASSOCIATION TO TAKE SUCH ACTION AS IT FEELS APPROPRIATE. HE SAID, QUOTE IF THEY WILL PUT ECONOMIC PRESSURE ON US, WE WILL PUT ECONOMIC PRESSURE ON THEM UNQUOTE. HE ALSO NOTED THAT, AT THAT POINT, HE WOULD NO LONGER BE ABLE TO PARTICIPATE ON THE DELEGATION.
2. IT IS DIFFICULT TO EVALUATE ACTUAL SUBSTANCE OF PUJOL'S STATEMENT AT THIS POINT. SIMILAR STATEMENTS HAVE BEEN MADE IN PAST WITH LITTLE OR NO RESULTS. IN EACH CASE PUJOL HAS CLAIMED THAT HE WAS ABLE, BASED ON USG ACTIONS TO SEEK NEGOTIATIONS WITH GC03, TO HOLD HIS PEOPLE BACK FOR AN ADDITIONAL SHORT PERIOD OF TIME. THIS MAY BE SIMILAR SITUATION NOW, AND EVIDENCE OF PROGRESS IN TALKS BY FRIDAY MIGHT TURN HIM AROUND. DELEGATION VIEW AT THIS POINT IS MIXED, BUT ON BALANCE COMES DOWN ON PUTTING SOME CREDIBILITY IN PUJOL'S STATEMENT THIS TIME. MONEY IN THE CUBAN-AMERICAN FISHING COMMUNITY IS GETTING TIGHT.
3. DELEGATION WOULD APPRECIATE DEPT'S EVALUATION OF LIKELIHOOD OF ILA ACTION NOW. S/IL MAY HAVE ADDITIONAL INFO BASED ON CONTACTS WITH NATIONAL ILA LEADERS. WEISS

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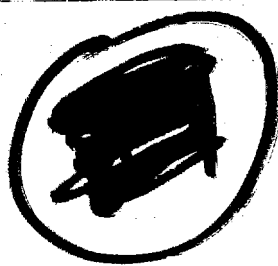
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 FM AMEMBASSY DAKAR
 TO RUEHC/SECSTATE WASHDC 1982
 RUEHGO/AMEMBASSY LAGOS 1769
 BT



Post Geneva

Senegal ✓

Nigeria ✓

Comm. II ✓

UNCLAS DAKAR 4841

E.O. 11652: N/A

TAGS: PFOR, EFIN, SG, NI

SUBJ: SENEGAL AND NIGERIA BEGIN FISHING TALKS
 DEAKAR DAILY LE SOLEIL AUGUST 20 REPORTS COMMENCEMENT OF
 NIGERIAN-SENEGALESE NEGOTIATIONS ON MARITIME FISHING
 AGREEMENT. TALKS WERE OPENED AUGUST 19 IN CEREMONY AT FON
 MINISTRY PRESIDED OVER BY FON MIN CABINET DIRECTOR
 YOUSSEPH SYLLA AND ATTENDED BY NIGERIAN AMBASSADOR AKADIRI
 AND QTE SEVERAL SENEGALESE AND NIGERIANALXPORTS. UNQTE.
 DAVIS

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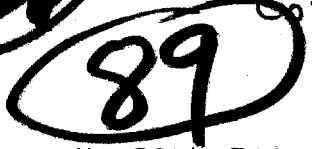
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 FM AMEMBASSY THE HAGUE
 TO RUEHC/SECSTATE WASHDC 6513
 INFO RUEHDT/USUN NEW YORK 1060
 RUFHGV/USMISSION GENEVA 1354

Post Geneva
Group of 17 ✓
Summr. III ✓



BT
 UNCLAS THE HAGUE 4197
 E.O. 11652: N/A
 TAGS: PLOS
 SUBJECT: LOS: GROUP OF 17: AMENDMENTS TO MARINE POLLUTION ARTICLES
 REF: DEPARTMENT'S A-5399 OF AUGUST 12, 1975
 IMMEDIATELY UPON RECEIPT AUGUST 20 OF REPAIR, WE GAVE
 WALKATE OF FONMIN INTERNATIONAL ORGANIZATIONS DIRECTORATE
 COPY OF US COMMENTS AND PROPOSED AMENDMENTS TO MARINE
POLLUTION ARTICLES. WALKATE, WHO IS LEAVING FOR GENEVA LATER
 TODAY, SAID HE LOOKED FORWARD TO DISCUSSING MATTER WITH
 USDEL, BROWN

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R 201400Z AUG 75
FM AMEMBASSY BUENOS AIRES
TO RUEHDC/USDOC WASHDC
INFO RUEHC/SECSTATE WASHDC 2329
BT

89

Post Geneva

Argentina ✓

Poland ✓

Comm. II ✓

UNCLAS BUENOS AIRES 5583
E.O. 11652: N/A
TAGS: EFIS, AR

SUBJ: EAST EUROPEAN AND SOVIET FISHERY DELEGATIONS
REF: STATE 099736

1. EMBASSY INTERVIEWED DR. MANARA, DIRECTOR OF THE ARGENTINE NATIONAL FISHERY SERVICE, WHO STATED THE FOLLOWING REGARDING THE POLISH DELEGATION WHICH VISITED ARGENTINE TOWARDS THE END OF JAN THIS YEAR:
 2. NAMES AND POSITIONS OF DELEGATES NOT AVAILABLE. COUNTERPARTS IN ARGENTINA WERE DR. MANARA AND SUB-DIRECTOR OF FOREIGN INVESTMENTS OF MINISTRY OF ECONOMY.
 3. TALKS CENTERED ON PROPOSAL MADE BY POLISH FISHING COMMISSION AND AS A RESULT OF THESE TALKS THE PROPOSAL IS CONSIDERED UNACCEPTABLE BY THE ARGENTINE NATIONAL FISHERY SERVICE, THE PROVINCE OF SANTA CRUZ AUTHORITIES, THE ARGENTINE NAVY AND MINISTRY OF DEFENSE. UNDER THE TERMS OF THE JOINT-VENTURE PROPOSAL MADE BY THE POLISH FISHING COMMISSION, ARGENTINA WOULD HAVE HAD TO CHARTER THE POLISH CRAFT AND FACTORY SHIPS, AND THE POLISH AUTHORITIES WOULD IN TURN HAVE UNDERTAKEN TO MARKET THE PROCESSED FISH IN EUROPE. ARGENTINE AUTHORITIES WOULD HAVE TO PERMIT THE USE OF ARGENTINE PORTS FOR SUPPLYING THE CREWS WITH SUPPLIES. POLISH COMMISSION ALSO OFFERED TO ERECT A FISH PROCESSING PLANT IN EITHER PUERTO DESEADO OR RIO GALLEGOS, BOTH IN THE PROVINCE OF SANTA CRUZ, INCORPORATING THE LATEST TECHNOLOGY. (SEE BA A-237, JUNE 24, 1975). NO DECISION APPEARS TO HAVE BEEN TAKEN YET, HOWEVER.
 4. POLISH COMMISSION VISITED CHILE AND PERU AFTER ARGENTINA. NO DETAILS ARE AVAILABLE.
 5. MANARA UNAWARE OF ANY VISIT BY BULGARIAN FISHERY DELEGATION.
- HILL

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TOR1201519Z AUG 75

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Costa Rica

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R 192311Z AUG 75
FM AMEMBASSY SAN JOSE
TO SECSTATE WASHDC 1201
BT

UNCLAS SAN JOSE 3503

E.O. 11652: N/A

TAGS: PFOR, PLOS, EFIS, CS

SUBJECT: LOS: PROPOSED PRINCIPLES FOR A REGIONAL
CONSERVATION AGREEMENT FOR HIGHLY MIGRATORY
SPECIES IN THE CONTEXT OF A NEW LOS TREATY

REF: STATE 182196 AND 188398

1. EMBASSY DELIVERED TEXT OF PROPOSED PRINCIPLES
FOR A REGIONAL CONSERVATION AGREEMENT FOR HIGHLY
MIGRATORY SPECIES IN THE CONTEXT OF A NEW LAW OF THE
SEA TREATY TO ALVAR ANTILLON, DIRECTOR GENERAL OF
FOREIGN POLICY, MINISTRY OF FOREIGN RELATIONS. TEXT
ALSO GIVEN TO MILTON LOPEZ AND DIOGENES AMADOR MEZA
OF THE DEPARTMENT OF AGRICULTURE, FISHERIES AND WILDLIFE
DIVISION.

2. EMBASSY STILL NOT AWARE OF PROPOSED DATE FOR NEW
YORK MEETING. PLEASE CONFIRM DATE SO THAT IT CAN BE
PASSED TO GOCHR. TODMAN

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FM USMISSION GENEVA
TO RUEHC/SECSTATE WASHDC 5301
INFO RUQMNI/AMEMBASSY NAIROBI 314
RUFNPS/AMEMBASSY PARIS 8334
RUEHDT/USMISSION USUN NEW YORK 2257

Post Geneva

Comm. III

86

BT
UNCLAS GENEVA 6403
PARIS FOR SALMON
E.O. 11652: N/A
TAGS: SENV, UNEP
SUBJECT: GEMS OCEANS MONITORING PLANNING GROUP
REF: STATE 18877

1. SUBSTANCE REFTEL PASSED SELLA IMMEDIATELY ON RECEIPT AUGUST 9. AFTER CONSULTATIONS HERE, SELLA INFORMS US THAT HE DELIGHTED HAVE JUNGHAUS PARTICIPATE AS MEMBER SMALL PLANNING GROUP, AND PLANS CONTACT HIM BY TELEPHONE SHORTLY TO DISCUSS DETAILS.
2. SELLA FURTHER REPORTS THAT SEMONOV FROM USSR HAS TENTATIVELY ACCEPTED JOIN GROUP AND UNEP SEEKING RECRUIT THIRD MEMBER (UNNAMED) FROM BRAZIL TO COMPLETE ROSTER.
3. SELLA SAYS TENTATIVE DATE FOR PLANNING GROUP MEETING NOW SET FOR OCTOBER 1 AT GENEVA. WHEN ASKED HOW HE EXPECTED HOLD TO THIS DATE GIVEN AVAILABILITY JUNGHAUS SET FORTH PARA 2 REFTEL, SELLA EMPHASIZED DATE "TENTATIVE" AND INDICATED HE WOULD TAKE MATTER UP WITH JUNGHAUS DIRECTLY BY PHONE.
4. GENEVA PG MEETING EXPECTED LAST THREE DAYS WITH POSSIBILITY THAT GROUP WOULD BE ASKED RECONVENE LATER THIS YEAR, PERHAPS IN NOVEMBER. SELLA SAID THAT HE EXPECTED FIRM UP SCHEDULE DEFINITELY ON HIS RETURN NAIROBI THIS WEEK. DALE

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U.C. 11692: N/A

TAGS: ICNAF, OCON, XN, US, CA

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SUBJECT: INTERNATIONAL COMMISSION FOR THE NORTHWEST ATLANTIC FISHERIES

REF: STATE 163237

PERSONAL FOR AMBASSADOR FROM UNDER SECRETARY MAW

1. AS NOTED IN STATE 163237, ICNAF MEETING IN EDINBURGH LAST JUNE FAILED TO AGREE ON A LEVEL FOR THE 1976 OVERALL QUOTA ON ALL FINFISH AND SQUIDS OFF THE U.S. NEW ENGLAND AND MID-ATLANTIC COAST ACCEPTABLE TO THE UNITED STATES. AS A RESULT, THE UNITED STATES HAS FILED AN OBJECTION TO THE PROPOSAL UNDER THE TERMS OF THE CONVENTION AND REQUESTED THAT THE COMMISSION RECONSIDER THE QUOTA AND ITS ALLOCATION AT A SPECIAL COMMISSION MEETING (SCHEDULED FOR SEPTEMBER 21-23, 1975, IN MONTREAL, CANADA). THE MEETING WILL ALSO RECONSIDER THREE ADDITIONAL ITEMS OF PRINCIPAL INTEREST TO THE UNITED STATES RELATING TO IMPROVED CONTROL OVER BYCATCHES, ADDITIONAL PROTECTION FOR HADDOCK AND FLOUNDER STOCKS, AND IMPROVED INTERNATIONAL ENFORCEMENT. AS NOTED IN STATE 163237 THE MONTREAL MEETING WAS INITIALLY SCHEDULED PRIMARILY TO CONSIDER MATTERS RELATED TO FISH STOCKS OFF THE CANADIAN COAST WHICH HAD NOT

BEEN RESOLVED AT THE ANNUAL MEETING.

2. UNDER THE ICNAF PROCEDURE THE U.S. OBJECTION, UNLESS WITHDRAWN, WOULD EXEMPT THE UNITED STATES FROM THE REGULATION IF IT BECAME EFFECTIVE FOR OTHERS. A MAXIMUM PERIOD OF 90 DAYS FOLLOWING THE USUAL SIX MONTH OBJECTION PERIOD IS PERMITTED TO ALLOW SIMILAR OBJECTIONS TO BE FILED BY OTHERS. OBJECTIONS FROM A MAJORITY OF PANEL 5 MEMBERS WOULD KILL THE SUBJECT REGULATION FOR ALL COMMISSION MEMBERS. EVEN IF OTHER MEMBERS DO NOT OBJECT, HOWEVER, IT IS OBVIOUS THAT THE INABILITY OF THE UNITED STATES TO PARTICIPATE IN THE KEYSTONE OF ICNAF REGULATIONS FOR THE REGION OFF THE U.S. COAST PUTS IN JEOPARDY THE ENTIRE ICNAF PURPOSE AND PROGRAM TO CONSERVE THE RESOURCES AND REPLENISH THE OVERFISHED STOCKS WHILE MANAGING THEM WISELY, GIVING DUE CONSIDERATION TO THE

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HARD-PRESSED SMALL BOAT COASTAL FISHERIES.

3. ACCORDINGLY, I REQUEST YOU TO EXPRESS IN A FORCEFUL MANNER AT A SUITABLY HIGH LEVEL THE U.S. CONCERN OVER FAILURE OF 25TH ANNUAL MEETING AND THE CRITICAL NEED FOR SUCCESS AT UPCOMING SPECIAL MONTREAL MEETING, AND PRESENT FOLLOWING AIDE MEMOIRE. IN ADDITION TO FOREIGN OFFICE REPRESENTATIONS, COPIES OF AIDE MEMOIRE SHOULD BE PRESENTED TO FISHERIES OFFICIALS LISTED IN PARAGRAPH 11.

4. BEGIN TEXT: THE UNITED STATES REGRETS THE FAILURE OF ICNAF AT ITS 25TH ANNUAL MEETING TO AGREE ON AN APPROPRIATE LIMITATION ON ALL FINFISH AND SQUID CATCHES FOR 1976 OFF THE U.S. ATLANTIC COAST. EVERY EFFORT WAS MADE BY THE UNITED STATES DELEGATION TO ACHIEVE AGREEMENT ON A LEVEL FOR THE SECOND TIER OVERALL QUOTA WHICH WOULD PERMIT PROMPT RECOVERY OF THE DEPLETED BIOMASS. THE INADEQUACY OF THE QUOTA APPROVED BY THE COMMISSION HAS OBLIGATED THE UNITED STATES TO FILE AN OBJECTION TO THE PROPOSAL, MARKING THE FIRST TIME CIRCUMSTANCES HAVE REQUIRED THE UNITED STATES TO TAKE THIS ACTION IN THE CASE OF A MAJOR ICNAF RECOMMENDATION. WHILE THE POTENTIAL CONSEQUENCES OF SUCH AN ACTION ARE SERIOUS, THE UNITED STATES CONTINUES TO BELIEVE THAT SUPPORT OF INADEQUATE REGULATIONS AND PARTIAL SOLUTIONS CAN ONLY FURTHER DAMAGE THE RESOURCE AND DELAY THE DEVELOPMENT OF MORE RESPONSIBLE AND EFFECTIVE ALTERNATIVES.

5. LACK OF POSITIVE ACTION IN OTHER CRITICAL AREAS HAS FORCED THE UNITED STATES TO REGARD THE 25TH ANNUAL MEETING AS THE LEAST SUCCESSFUL SINCE THAT OF JUNE 1973 ENDED IN FAILURE TO AGREE ON A REGULATORY PROGRAM FOR THE REGION OFF THE UNITED STATES COAST. ONCE AGAIN ACTION WAS NOT TAKEN ON APPROPRIATE MEASURES TO PROTECT VALUABLE BOTTOM DWELLING SPECIES ON GEORGES BANK, DESPITE CONTINUING EVIDENCE THAT ADDITIONAL MEASURES ARE REQUIRED TO STABILIZE THE SERIOUSLY DEPLETED HADDOCK AND FLOUNDER STOCKS IN THIS AREA. A SCHEME FOR THE REGISTRATION OF FISHING VESSELS WITHIN THE CONVENTION AREA WAS ALSO NOT

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APPROVED, DESPITE THE NEED FOR SUCH A SYSTEM AS A MEANS OF IMPROVING COMPLIANCE WITH THE COMMISSION'S COMPLEX SYSTEM OF QUOTA REGULATIONS. FURTHER LACK OF POSITIVE ACTION IN THE CRITICAL FIELD OF INTERNATIONAL ENFORCEMENT WAS DEMONSTRATED BY FAILURE TO APPROVE NEEDED CHANGES IN EXEMPTION CLAUSES IN THE TRAWL REGULATIONS FOR SUBAREAS 3, 4, AND 5 WHICH WOULD ENABLE THE REGULATION TO ADEQUATELY ADDRESS THE CRITICAL PROBLEM OF EXCESSIVE BYCATCHES. RECONSIDERATION OF ALL THESE ITEMS AT THE MONTREAL SPECIAL COMMISSION MEETING HAS BEEN SCHEDULED AT THE REQUEST OF THE UNITED STATES.

6. IN A SPEECH DELIVERED AT MONTREAL ON AUGUST 11, SECRETARY OF STATE KISSINGER OBSERVED THAT QUOTE LARGE, SELF-CONTAINED FACTORY VESSELS ALREADY CIRCLE THE GLOBE AND DOMINATE FISHING AREAS THAT WERE ONCE THE PROVINCE OF SMALL COASTAL BOATS. THE WORLD-WIDE FISH HARVEST IS INCREASING DRAMATICALLY, BUT WITHOUT DUE REGARD TO SOUND MANAGEMENT OR THE LEGITIMATE CONCERNS OF COASTAL STATES. UNQUOTE. HE ALSO STATED THAT QUOTE THE UNITED STATES CANNOT INDEFINITELY ACCEPT UNREGULATED AND UNDISCRIMINATE FOREIGN FISHING OFF ITS COASTS. MANY FISH STOCKS HAVE BEEN BROUGHT CLOSE TO EXTINCTION BY FOREIGN OVERFISHING. UNQUOTE. THE SECRETARY WENT ON TO NOTE THAT QUOTE TO CONSERVE THE FISH AND PROTECT OUR FISHING INDUSTRY WHILE THE BRACKET LOS BRACKET TREATY IS BEING NEGOTIATED, THE UNITED STATES WILL NEGOTIATE INTERIM ARRANGEMENTS WITH OTHER NATIONS TO CONSERVE THE FISH STOCKS, TO ENSURE EFFECTIVE ENFORCEMENT, AND TO PROTECT THE LIVELIHOOD OF OUR COASTAL FISHERMEN. THESE AGREEMENTS WILL BE A TRANSITION TO THE EVENTUAL 200-MILE ZONE. WE BELIEVE IT IS IN THE INTERESTS OF STATES FISHING OFF OUR COASTS TO COOPERATE WITH US IN THIS EFFORT. WE WILL SUPPORT THE EFFORTS OF OTHER STATES, INCLUDING OUR NEIGHBORS, TO DEAL WITH THEIR PROBLEMS BY SIMILAR AGREEMENTS. UNQUOTE. IT IS CLEAR THAT THE SECRETARY HAD VERY MUCH IN MIND THE PROBLEMS CONFRONTING THE UNITED STATES AND CANADA IN ICNAF IN MAKING THESE REMARKS. IT IS ALSO CLEAR THAT HE EXPECTS FULL COOPERATION OF ALL ICNAF MEMBERS IN REACHING AGREEMENT IN FORA SUCH AS ICNAF TO RESOLVE THESE PROBLEMS, LEST THE FAILURE

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TO DO SO LEAD TO A BROADER IMPASSE WHICH IN THE LONG RUN
WILL BE DETRIMENTAL TO ALL OF OUR INTERESTS. THE UNITED
STATES TRUSTS THAT ALL ICNAF MEMBERS WILL COOPERATE
SYMPATHETICALLY IN ACHIEVING A SUCCESSFUL MONTREAL MEETING.

7. THE UNITED STATES CONTINUES TO BELIEVE THAT THE REGULA-
TORY REGIME FOR THE ICNAF REGION OFF THE U.S. COAST MUST
BE VIEWED AS A TOTAL PACKAGE AND THAT AN EFFECTIVE SECOND
TIER OVERALL QUOTA IS A CRITICAL COMPONENT OF THIS TOTAL
REGULATORY APPROACH. INDIVIDUAL SPECIES QUOTAS AND GEAR
REGULATIONS CANNOT BY THEMSELVES FORM AN ACCEPTABLE CON-
SERVATION REGIME FOR THIS AREA. AN OVERALL QUOTA AT THE
LEVEL OF 724,000 MT OR HIGHER (THE PRACTICAL EFFECT OF
THE PROPOSAL FROM THE 25TH ANNUAL MEETING) WOULD, IN THE
VIEW OF THE UNITED STATES, RENDER INEFFECTIVE AND THERE-
FORE UNACCEPTABLE TO THE U.S. ALL OTHER REGULATIONS
APPROVED FOR SUBAREA 5 AND STATISTICAL AREA 6, RETURNING
THE COMMISSION TO A SITUATION SIMILAR TO THAT FACED
FOLLOWING THE 1973 ANNUAL MEETING. IT IS CLEAR TO THE
UNITED STATES THAT LACK OF POSITIVE ACTION AT THE MONTREAL
SPECIAL MEETING WOULD PRESENT THE UNITED STATES WITH THE
SAME DIFFICULT DECISIONS WHICH WOULD HAVE BEEN REQUIRED
HAD THE OCTOBER 1973 SPECIAL MEETING ALSO ENDED IN
FAILURE.

8. AT THE 1975 ANNUAL MEETING THE UNITED STATES DREW
ATTENTION TO THE PARAMOUNT IMPORTANCE OF THE PROJECTED
PERIOD OF RECOVERY UNDER ANY OVERAL TOTAL ALLOWABLE CATCH
(TAC), NOTING THAT THE PRIMARY PURPOSE OF THE SECOND TIER
WAS THE RESTORATION OF THE DEPLETED BIOMASS. THE UNITED
STATES REMAINS COMMITTED TO THAT PURPOSE AND DETERMINED
NOT TO LEND ITS NAME TO ANY MEASURE WHICH CIRCUMVENTS
THIS OBJECTIVE, WHETHER DIRECTLY, OR INDIRECTLY THROUGH
EXCLUSIONS FROM THE TOTAL BIOMASS AS DEFINED AT THE
OCTOBER 1973 OTTAWA MEETING. ACCORDINGLY, THE UNITED
STATES COULD NOT SUPPORT ANY SECOND TIER QUOTA WHICH
WOULD NOT ALLOW THE BIOMASS TO ATTAIN THE MAXIMUM SUS-
TAINABLE YIELD LEVEL WITHIN A RELATIVELY FEW YEARS. IN
CONSIDERING THE APPROPRIATE OVERALL QUOTA LEVEL FOR 1976
DUE NOTE HAS BEEN GIVEN BOTH TO THE ASSOCIATED PROBABILI-

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TIES PRESENTED BY THE ICNAF STANDING COMMITTEE ON RESEARCH AND STATISTICS THAT RECOVERY UNDER ANY GIVEN QUOTA WILL BEGIN IN 1976, AND THE INADEQUACIES OF PRESENT CATCH REPORTING. AS A RESULT, THE UNITED STATES CONTINUES TO SUPPORT A MAXIMUM 1976 OVERALL QUOTA OF 550,000 MT, INCLUDING SQUIDS, WHICH IS ESTIMATED TO PROVIDE A 90 PERCENT PROBABILITY OF RECOVERY WITHIN 5 YEARS. AS THE UNITED STATES HAS INDICATED IN ICNAF, A LOWER OVERALL QUOTA WOULD BE MUCH PREFERABLE.

9. THE UNITED STATES IS CONFIDENT THAT ALL MEMBER GOVERNMENTS ARE AWARE OF THE ACCOMPLISHMENTS THE UNITED STATES VIEWS AS ESSENTIAL AT THE MONTREAL MEETING TO AVOID A MANAGEMENT CRISIS IN THE NORTHWEST ATLANTIC. THE GOVERNMENT OF CANADA HAS ALSO MADE CLEARLY KNOWN THE MEASURES WHICH IT VIEWS AS ESSENTIAL FOR THE ICNAF REGION OFF THE CANADIAN COAST. IT IS THE VIEW OF THE UNITED STATES THAT SUCCESS CAN ONLY BE ACHIEVED IF ALL MEMBER GOVERNMENTS WILL APPROACH THE UPCOMING SPECIAL MEETING WITH AN APPRECIATION OF THE SERIOUSNESS OF THE PRESENT SITUATION AND THE NEED FOR PROMPT AND RESPONSIBLE ACTION. IT IS HOPED THAT THE RESOLVE IN MAINTAINING THE APPROACH PLEDGED AT THE OTTAWA SPECIAL MEETING AND THE PROGRESS ACHIEVED SINCE THAT TIME WILL WORK TO PREVENT THE COLLAPSE OF THE INTERNATIONAL MANAGEMENT SCHEMES SO PAINSTAKINGLY DEVELOPED OVER THE PAST SEVERAL YEARS. END TEXT.

10. FOR OTTAWA:

PRESENT FOR INFORMATION ONLY. U.S. AND CANADIAN FISHERIES OFFICIALS HAVE BEEN COOPERATING CLOSELY ON APPROACH TO MONTREAL MEETING WITH A VIEW TO ACHIEVING BOTH AMERICAN AND CANADIAN OBJECTIVES, WHICH SUBSTANTIALLY SAME. FAILURE OF MEETING WOULD UNDOUBTEDLY GREATLY INTENSIFY UNDESIRED PRESSURES IN BOTH COUNTRIES FOR UNILATERAL ACTION, WHICH SECRETARY'S SPEECH DESIGNED, INTER ALIA, TO FORESTALL.

11. PRINCIPAL ICNAF REPRESENTATIVES:

BULGARIA - P. KOLAROV, RESEARCH INSTITUTE OF FISHERIES AND OCEANOGRAPHY, VARNA

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FRANCE - B. LABROUSSE, MARINE MARCHANDE

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GER - W. LANGE, MIN BEZIRKSBELEITUNG UND LEBENSMITTEINDUSTRIE

ICELAND - T. ASGEIRSSON, MIN FISH

ITALY - M. S. BARADA, MERCHANT MARINE, FISH DEPT.

JAPAN - G. CHAUCHI, NIPPON SUISAN KAISHA

NORWAY - U. RASKUSSEN, DIR FISH, BERGEN

POLAND - W. KALINOWSKI, FISHERIES CENTRAL BOARD, WZROZKON (HEAD OF DEL 1975 MEETING; SUGGEST PREFERABLE CONTACT DEP MIN FOREIGN TRADE PIETRASZEK OR ANDERS)

PORTUGAL - CAPD. J. C. F. CARDOSO, RUA 2 DE ABRIL 40, S. PEDRO DO ESTORIL (MFA MARIO RUIVO IS FAMILIAR WITH PROBLEM FROM PREVIOUS FAC WORK WHICH INCLUDED SOME PARTICIPATION ICNAF)

ROMANIA - V. TIPA, NAVROM-TULCEA

SPAIN - V. BERNEJO, PESCA

USSR - V. M. KAMENITSEV, MIN FISH

UK - G. GRAHAM, MIN AG. FISH FOOD

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Enclosed is the FY 1976-1977 Country Analysis and Strategy Paper for The Bahamas as approved by the National Security Council, Interdepartmental Group - ARA.

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PAPER

FY 1976-77

THE BAHAMAS

NSC review(s) completed.

APPROVED BY

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(The following statement was approved by the Inter-departmental Group on March 16, 1972. It replaces the previous statement approved on September 23, 1970.)

Approval by the Interdepartmental Group for Inter-American Affairs (NSC-IG/ARA) of a Country Analysis and Strategy Paper (CASP) signifies that this document is an official statement of U.S. Government policy and posture toward the country in question for the planning period the CASP covers. Policy and programs are obviously subject to change as events and circumstances warrant. So long as the general conditions set forth in the CASP prevail, however, this document will serve as the general policy frame for activities of U.S. Government agencies with respect to the country in question. A CASP is subject to modification at any time by subsequent IG decisions.

The resource figures contained in an approved CASP represent estimates of what it will cost U.S. agencies to carry out the CASP's proposed courses of action in each of two fiscal years.* These resource figures are planning levels which indicate the general magnitude of U.S. financial inputs needed to pursue the stated objectives. Approval of the CASP does not mean an approval of a precise funding level contained in the CASP. Barring changed circumstances, however, the agreed general levels with respect to FY 2 should be observed as initial guidelines by State, AID, DOD and USIA in the field and Washington in the development of budget proposals, and with respect to FY 1 should be observed as guidelines by these agencies in the development and implementation of their programs. The programs for which these funds are designated must be explicitly directed to the achievement of the objectives set forth in the approved CASP.

Technical and/or administrative factors intervening between the time and the Country Team submits its CASP and Country Team components submit their individual agency budget requests may result in recommendations somewhat different from the FY 2 resource levels appearing in an approved CASP. CASP FY 2 resource levels may also require change as they are subjected to closer budget scrutiny in Washington by the agencies concerned. Similarly, changed circumstances in the host country, overriding budgetary constraints, or other factors may require variations from CASP FY 1 resource levels in later stages of program development or implementation. In

*The near term fiscal year (FY 1) begins approximately five months after the time of CASP preparation; the far term fiscal year (FY 2) begins one year later.

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the event any of these changes are such that they represent major departures from approved CASP magnitudes or would produce priorities, policies, goals or objectives that are inconsistent with the approved CASP, then these changes must be referred to the IG if they are to be accepted in lieu of approved CASP recommendations.

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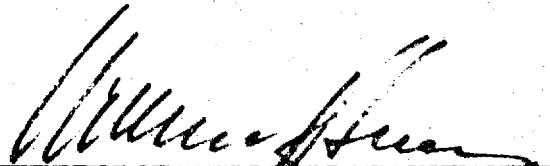
NSC INTERDEPARTMENTAL GROUP
FOR INTER-AMERICAN AFFAIRS

Decision Memorandum #16

SUBJECT: The Bahamas CASP for FY 1976-FY 1977.

The NSC-IG/ARA accepts the recommendation made as a result of the pre-IG discussion of the FY 1976-FY 1977 Country Analysis and Strategy Paper for The Bahamas that the CASP be approved as amended.

The Country Team's recommendation that the U.S. continue to press for a bilateral agreement to provide access for U.S.-based fishermen to Bahamian claimed spiny lobster resources, and a moratorium on enforcement until such an agreement is achieved is approved. However, the tactics to be pursued in achieving this result may include non-recognition of the Bahamian Continental Shelf Fisheries Resource claim except as part of an agreement.



William H. Luers
Acting Executive Chairman

July 16, 1975

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SECTION ISUMMARY OF LONG-TERM U.S. INTERESTS IN THE BAHAMAS

The Bahamas is small in size, benign in its policies and relatively stable in its economic and political institutions. Because of its physical location and configuration, however, it will continue to have significance for U.S. interests over the long term.

As the closest non-contiguous neighbor to the continental U.S., the Bahamas attracts over one million U.S. tourists annually, a significant number of U.S. citizens seeking retirement or vacation homes, and U.S. investment of over \$1 billion. Bahamians are attracted to the U.S. for purposes of visiting, studying and purchasing commodities for use or re-sale within The Bahamas. The closeness of these interchanges will continue to require an essentially tranquil background both within The Bahamas and in our bilateral relations. Significant disruption could at the least prove embarrassing to U.S. interests.

One concomitant of Bahamian geography and history is the location of several U.S. military facilities throughout the islands, and U.S. use and transit of waters in the area. The facilities could be relocated only with difficulty. Impediments to our transit of the waters could also be awkward.

The U.S. continues to have an interest in working with the GCOB in the Law of the Sea negotiations to promote acceptance of an archipelagic regime which satisfies our navigational and other interests within the archipelago and which, at the same time, promotes support for our position on transit through and over straits.

While the Government of Lynden O. Pindling remains for the moment without viable challengers, personality conflicts within the ruling party and domestic frustrations concerning social and economic inequalities may severely inhibit Government's ability to formulate progressive foreign and domestic policies or deal with a worsening economic situation. Pindling's ability to balance off conflicting interests may itself contribute to national entropy and drift. While Government may attempt to deflect frustrations by resorting to populist slogans and flashy programs, it will not wish to depart too far in substance from the conservative image which has proved useful in maintaining foreign investment and sympathetic respect from nations like the U.S., both in terms of its domestic development goals and its preference for a cautious foreign policy.

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AMBASSADOR'S OVERVIEW STATEMENT

A small country which is approaching the second anniversary of its successful "quiet revolution" from British Colonial rule, which retains the heritage of the democratic institutions of British parliamentary government, and which is naturally predisposed toward friendly relations with the United States (whose economy, tourists, and television dominate its day-to-day existence) is hardly one which ought to pose problems for United States foreign policy. And it is precisely this theme which the CASP statement is intended to convey. Nevertheless, running throughout our analysis and review can be discerned areas of uncertainty which would not require a series of grossly improbable events to materialize and, having materialized, result in a major alteration of what is our basically rather optimistic outlook. While the major theme of optimism should dominate our utilization of the CASP analysis, the potentially troublesome areas must not be forgotten.

The first of these relates to our interest in military facilities and operating rights in the area. Our fundamental judgment remains as it has been in the past; that is, that within the time span covered by this CASP, we should be able to work out a mutually satisfactory arrangement with the Bahamians. It is, after all, in their own interest to have us remain in the area (they derive economic benefits by virtue of the existence of the bases, they will certainly receive something in the way of a future quid pro quo and, while they currently perceive no external threat to their security, they recognize that our presence provides a protective shield). We, for our part, are effectively utilizing the base facilities,

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But this does not necessarily mean that this natural mutuality will result in agreement. As our basic analysis suggests, the GCOB may well cling to the belief that their contribution to the security partnership can only be made if they are politically and economically stable and for this to be achieved they may contend that they will require economic development assistance in some as yet undetermined form and magnitude. If we, on the other hand, feel that we either do not believe it is in our interest to meet these possible Bahamian desires (the bases, while highly useful, do have a finite value to us) or conclude that it is not within our capacity to do so, the negotiations could reach an impasse. Moreover, as suggested in the basic analysis, the outcome of

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the Law of the Sea with regard to the archipelago question, and in particular whether or not this remains an issue of bilateral Bahamian interest to pursue with the United States, could well compound the problem.*

It has been my view and remains my view that this is not the time for the United States to anticipate Bahamian demands by making further overtures or concessions on the facilities/operating rights issue. We are enjoying as full and unencumbered an access to Bahamian waters and to our military facilities on Bahamian soil as we could possibly desire without payment of any explicit quid. The Bahamians understand that the ball is in their court and I see nothing to be gained by our applying pressure to achieve a definitive resolution. It is, after all, possible that time will solve the problem with minimum generation of friction of the sort speculated upon immediately above. But the contrary possibility must be flagged.

In a similar vein, the issue of access by U.S. fishing interests to the spiny lobster over the Bahamian continental shelf could also pose serious problems. Here the issue is compounded by a degree of emotionalism: even highly educated senior officials remember "the good old days" when the lobsters were plentiful and of gigantic proportions. (One wonders whether those "granddaddy lobsters" have magnified in the mind's eye with the passage of time). The Bahamians are determined to forestall Americans from repeating off The Bahamas what they believe has happened off our Florida Coast, namely, overfishing to the point of extinction of the resource. Certain U.S.-based fishermen appear no less determined to continue harvesting as many spiny lobster as they can.

As with the bases issue, there is no reason to be pessimistic with regard to the ultimate outcome. Given good faith on our part and tactics which are low pressure, I believe we should ultimately be able to work out an arrangement which permits U.S. fishing interests some access to the resource. I think it equally likely, however, that this access will be substantially reduced from the previous unfettered use by the United States fishing industry, and the Department at some point will almost certainly have to face up to the choice between pressure on the Bahamians at the expense of satisfactory relations or a hopefully equitable but limited access to Bahamian lobsters by U.S.-based interests with the consequent increase in discontent and pressure from those interests.

* The GCOB informed the U.S. in April it is in agreement with the U.S. Archipelago position in the LOS negotiations.

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The manner in which the GCOB will address issues such as the foregoing must be assessed against the background of what I see as weaknesses in the overall Bahamian structure. Despite its high per capita income, the Bahamian economy is by no means entirely sound. In addition to the maldistribution of wealth, with its potential for social disruption, the economy is almost entirely dependent upon the tourist industry. These two factors, aggravated by a world recession (which must in time affect such economically flexible expenditures as tourism), could injure the currently placid social fabric of the nation. The consequences could be significant and potentially highly adverse for Bahamian attitudes towards the United States. Fortunately the government is not unaware of the problem and is attempting, as best it can, to deal with it. "As best it can", because although this is a government reasonably rich in talent at the top, there is a lack of underpinning in its civil administrative reaches which places a distinct limit on how effectively it can deal with problems even if these are clearly perceived. It is a tortuous process for the GCOB to decide what to do, but once having reached that decision, it appears almost totally unable to administer, to implement.

Still, Government is not lacking in imagination or will. Its major effort to develop a high degree of agricultural sufficiency is perhaps an outstanding example of this fact. Here, a U.S. program which had a checkered beginning, namely, the \$10 million AID agricultural program, has evolved into what is seen as an increasingly key element in the Government's broadening agricultural development effort. Whether or not the government's efforts will be successful is dependent on two considerations: the aforementioned paucity of governmental administrative capability and a second consideration not heretofore identified, namely a cultural heritage which causes Bahamians to shy away from various jobs considered to be low in the social hierarchy, notable among these being agriculture. The Prime Minister himself has pointed with concern to this consideration. And it must be remembered that this apparent cultural bias against certain types of work must be viewed against the background of a country whose population growth is among the highest in the hemisphere (3.0%) with a consequent heavy influx of youth into the unemployed work force.

The following CASP suggests the inter-relationship of these issues -- the state of the economy, the effort at agricultural self-sufficiency, access to Bahamian territory for United States facilities and operating rights, the recognition of the Bahamian archipelago either under LOS or bilateral

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auspices, the probable desire of the GCOB for additional U.S. economic assistance, and the continental shelf spiny lobster issue -- even though they have not yet been explicitly inter-related in Bahamian approaches. We suggest that the United States Government anticipate such an inter-relationship being drawn, thereby considering well in advance the options available to us. If our more optimistic assumptions about achieving agreement with the Bahamians on the specific individual issues materialize, so much the better. If, however, some of what we have described as less likely but not totally improbable events occur, which tend toward complicating our relations, we will have had the advantage of having thought through the issue well in advance.

There is one final thought which I intentionally leave to the very end since, if it materializes, there is little or nothing we can do about it. This has to do with the explosive potential inherent in the undercurrent of corruption which seeps through the pores of daily conversation with and among Bahamians. It is one of the so-called locally "well known facts" that corruption is rife and reaches high places -- except that this "fact" has yet to be proven. If it should break upon the scene -- for example, a scandal involving a high official of government up to and including the Prime Minister cannot be ruled out -- the effect on Bahamian placidity and self-respect could be very serious. Charges and counter-charges followed by a government crackdown on press and opposition is not beyond the realm of the probable. Should this occur, moreover, during a period of great economic stress, the pressure to seek scapegoats could conceivably turn Bahamian demagoguery against the United States. One can only hope that such corruption which may exist (and it is probably less than in many other areas of the world, including much of the Caribbean) will remain within the bounds of what this culture considers to be tolerable and thus will not result in the aforementioned unfortunate sequence.

Bahamian respect for human rights which precedes from over 300 years experience with British law and constitutionalism will not be altered in the planning period. There may be, as there has been in the past, the occasional instance of police brutality, alleged or real, and the political opposition undoubtedly will continue to protest what it perceives as government control of radio communications, the tie that binds the islands together. Even though I believe genuine grievances exist they are almost certainly less prevalent than for almost any other state with comparable traditions. Respect for human rights is fundamental to the existing Bahamian system.

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My predecessor's conclusion a year ago was that, at that time, the style of United States diplomacy was perhaps more important than its content. I believe his judgment has been borne out by subsequent events. The effort of the Embassy to learn about and deal with all segments of the population, to be viewed as fair, friendly and concerned with issues that interest Bahamians has, I believe, resulted in a considerable degree of confidence in United States representatives in this country. To that extent, we may have some "bankable currency" upon which we can call in addressing future potential problems. I believe that at this stage our posture should remain as it has been over the past year. As an Embassy in an island nation with significant U.S. interests located on other islands, we could, of course, put to good use more money for internal travel, not only to stay in touch with the significant military and commercial interests here, but also through the extension of consular services to the American community generally. Our representation allowance is inadequate. As previous CASP analyses have indicated, the issuance of new Bahamian passports has increased the demand for tourist visas. The Embassy is at the present time issuing NIVs at the rate of 35,000 per year as compared to last year's level of 25,000. So far we have, through the re-alignment of existing resources, been able to meet this challenge and expect to be able to do so through the CASP period. If we maintain the level of SAS services provided other agencies at their present minimum, we also expect not to need additional administrative personnel in the CASP time-frame. Neither have we identified, in terms of resources reflecting challenges or opportunities affecting U.S. interests, an appropriate objective to which the resources of the Peace Corps might be applied. We have in any event received no request from the GCOB for such assistance. One area which we have so far exploited through the happy coincidence of prior experience and interest on the part of one of our consular officers, contacts with the cultural and press community, may well suffer with her projected re-assignment. Still, we doubt that a full-time slot for these purposes is justified and thus plan to do as best we can with such talent as we have available.

Moreover, the basic policy lines we have been pursuing with regard to such issues as the AID project, LOS, bases and spiny lobster should not be altered. On the other hand, as has already been suggested, some prudent planning for less favorable contingencies might not be a bad idea.

Seymour Weiss
Seymour Weiss
Ambassador

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STATEMENT OF MAJOR ISSUE

What should be the response of the United States to GCOB implementation and enforcement of its claim to spiny lobster resources at present being exploited by U.S.-based fishermen?

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SECRETSECTION IIISSUE ANALYSISSTATEMENT OF ISSUP

What should be the response of the U.S. to GCOB implementation and enforcement of its claim to spiny lobster resources at present being exploited by U.S.-based fishermen?

IMPORTANT ASSUMPTIONS

1. Competing requirements for scarce Bahamian official personnel resources and a general uncertainty about how to address Bahamian national interests will delay the GCOB response to the U.S. negotiating initiative for an eventual fisheries agreement well into the 1975 lobster fishing season.
2. U.S. fishermen will continue to exploit the spiny lobster resources of The Bahamas in violation of Bahamian law.
3. Bahamian fisheries laws are consistent with U.S. practice. GCOB will continue to arrest U.S.-based fishermen for the poaching within the Bahamian 12-mile fisheries zone. The GCOB will be under pressure to begin enforcement of its claim (patterned after U.S. legislation) to the lobster resources of the continental shelf which in many cases extends beyond the 12-mile zone.
4. GCOB believes resources to be presently threatened and at such time as it agrees to initiate negotiations will have as its starting position at least a sharp reduction of the participation in, if in fact not the complete exclusion of, U.S. based fishermen from the resources. If the negotiations are lengthy or fail to produce information which demonstrates that the resource is not threatened, the GCOB may decide to begin enforcement of its claim.
5. U.S. industry and Congress will put pressure on U.S. Government to protect their interests in the lobster resources of the shelf area beyond the 12-mile limit and will expect U.S.-GCOB negotiations to produce the terms for continued U.S. industry access to the resources.

ISSUE RESOLUTION

Recommendation: That the U.S. Government continue to press the GCOB to enter into negotiations to determine the state of the spiny lobster resource in order to establish if possible the basis for continued mutual exploitation of that resource. U.S. Government also should continue to try to persuade the GCOB not to enforce its claim until after the

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completion of negotiations. At the same time, U.S. Government, even though reluctant to enter into bilateral talks on the delimitation of the continental shelf, should for its own purposes have clear that area of the shelf which it is prepared to concede as undeniably Bahamian. U.S. also should undertake continuing consultations with the Florida congressional delegation and U.S. industry representatives to ensure their full understanding of the legitimacy of the Bahamian claim and of the U.S. Government's intention to respect it. If, in the absence or failure of negotiations, a situation should arise in which there is conflict among the fishermen in the area newly covered by the most recent Bahamian claim, the U.S. Government should undertake to police its own fishermen and encourage the GCOB to do likewise for its fishermen. U.S. policy with respect to GCOB arrests of U.S. fishermen for poaching inside the 12-mile fishery zone should remain unchanged i.e. the U.S. should see that U.S.-based fishermen receive due process of law. U.S. should initiate the same policy with respect to fishermen arrested beyond the 12-mile zone over the Bahamian continental shelf.

Reasons for Recommendation: As the Bahamian claim to the lobster resource follows the lead of U.S. legislation, the U.S. Government has no basis for arguing that the Bahamian claim is either inappropriate or legally invalid. Further, in the face of the Bahamian contention that the resource is in danger and could, under the pressure of the U.S. fisheries in the area, be rendered as extinct as the Florida lobster that the U.S. industry previously fished, there currently is no factual evidence available to support a contrary argument concerning the viability of the resource and thus to support the U.S. position that the U.S. industry should be allowed to continue its exploitation of the Bahamian resources. There will be pressures on both governments to do something and, while the GCOB may not be able to pull itself together to address the issue, it may decide to make gestures to enforce the claim to relieve political pressures or it may find itself helpless as Bahamian fishermen undertake their own enforcement activities. The recommended resolution is designed to have the U.S. prepared to pursue the negotiating initiative hopefully armed with facts which sustain the position that the resource can be protected while permitting some degree of continued access to U.S. fishermen while at the same time being able to respond should there be incidents in the fishery grounds involving the U.S.-based industry. This response, if preceded by careful congressional consultations explaining the legitimacy of the Bahamian claim, should make it possible for the U.S. Government to relieve pressures for retaliation and thus hopefully to prevent conflict in this area from

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jeopardizing other U.S. interests in The Bahamas, not the least of which is the cordial atmosphere which governs our relationship.

Alternatives: Theoretically, the first alternative is to insist on the continuing rights of U.S. fishermen despite the fact the Bahamian claim is based on U.S. precedents. This will not wash internationally or in terms of U.S./GCOB bilateral relations and is not therefore considered a legitimate alternative for U.S. policy. The second alternative is to wait until something happens.

Unfortunately, there is a history of conflict between fishermen of Florida and The Bahamas, and Cuba and The Bahamas, and if there is no clear U.S. Government position acknowledging the validity of the Bahamian claim, U.S.-based fishermen, already immune to appeals from the USG, may be encouraged even to intensify their fishing efforts in The Bahamas area. Playing the situation by ear increases the prospect of conflict.

A third alternative would be to encourage the U.S.-based industry to attempt negotiation of the issue directly with the GCOB. In the Embassy's view, the problem with encouraging industry-GCOB discussions is the risk that the agreements emerging from such discussions might be both fragmentary and fragile. Fragmentary, if several industry segments reached separate agreement with the GCOB on separate terms, a possibility the Embassy suspects likely. Fragile, because of what the Embassy believes to be the possibility that private agreements might be based on the peculiar interests and susceptibilities of particular GCOB Ministers, and might therefore fall with the disappearance or reassignment of the Government personality involved (if not before). U.S. Government-GCOB discussions, on the other hand, probably improve the possibilities for reaching a unified agreement covering all legitimate segments of the industry, and one more likely to survive for some time.

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INTEREST, POLICY AND RESOURCE ANALYSIS1. U.S. ECONOMIC PROSPERITY

There will be no change in U.S. domination of the Bahamian market. The close ties between the economies of the U.S. and The Bahamas mean, of course, that the Bahamian economy will continue to decline or rise in the planning period in a manner roughly parallel to the fortunes of the U.S. economy. A decline in The Bahamas may result in a dropping off of imports, but there will be no effect on the proportionate U.S. share of the Bahamian market which, consumer oriented and inspired by U.S. media, produces a continuing and perhaps growing demand for U.S. goods.

Investment and Import Substitution Policies. The Bahamian Government will continue to favor U.S. trade. Despite some rhetorical emphasis on self-help and calls for avoiding over-dependence on U.S. trade, there should be no obstacles to its further development. Nor is the government's encouragement of private foreign investment expected to change. The GCOB will continue to pursue its policy of Bahamianization of the work force, employing work permit regulations to control the number of non-Bahamians in local firms. The impact of the work permit program in the past has been decidedly negative in terms of its effect on willingness of potential investors to come into The Bahamas and on existing investors to add to their commitments here. Bahamianization, however, has moved off of center stage as an investor confidence problem and, while it will continue to exert a negative influence, the seriousness and dimension of that influence is unclear. Government's long term policy objective of import substitution in the area of agricultural products may in time have some effect on the level of U.S. foodstuffs imported into The Bahamas. This import substitution program in the agricultural area will not be realized in the planning period. When and if it is, the expected reduction in agricultural imports from the U.S. will not affect the proportion of U.S. goods in Bahamian trade as the foreign exchange thus freed is expected to go to increased government spending against other priorities, the goods for which, given the propensity of the business community to import from the U.S., will probably continue to come largely from the U.S.

Fisheries Dispute. The Bahamas will continue the vigorous arrest and prosecution of foreign fishermen operating inside the Bahamian 12-mile fisheries limit. Bahamian intentions with respect to its new legislation claiming the spiny lobster as a creature of the continental shelf are not yet clear. In terms of the Bahamian enforcement capacity, the Bahamian Government in the CASP time-frame will not have sufficient resources to pursue both the policing of the 12-mile zone

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and the Bahamas Banks outside of the zone with any degree of efficiency. This does not, however, preclude the possibility of individual acts of enforcement. The U.S. initiative looking toward the eventual negotiation of arrangements which would permit access to the resource beyond the 12-mile limit by the Florida-based spiny lobster industry now operating there will remain on the table. It is not clear at this time whether GCOB objectives with respect to the preservation and management of the spiny lobster resource preclude entirely outside exploitation or permit some other arrangement, e.g. licensing joint ventures, landing in The Bahamas, etc. (See Section II.)

ANTICIPATED CHALLENGES OR OPPORTUNITIES

Continued presence of U.S. fishermen in the Banks area will lead to pressures on the GCOB to enforce its claims to the lobster resource.

SIGNIFICANCE OF CHALLENGES OR OPPORTUNITIES

In any fishery dispute which may emerge, the U.S. Government will be hard-put to resolve a problem which is the product of Bahamian actions which produce hardship on a U.S. industry but follow U.S. precedents. The challenge facing the U.S. Government will be to encourage the GCOB to pursue the negotiating option before beginning enforcement of its claim.

PROPOSED ACTION PLAN

OBJECTIVE 1: Encourage GCOB to pursue fisheries negotiation proposal now on table in order to arrive at arrangements which will permit continued albeit reduced access by U.S. industry to Bahamian spiny lobster resources on Bahamas Banks.

Estimated FY 76
Resources (000)

Estimated FY 77
Resources (000)

None

None

OBJECTIVE 2: Urge the GCOB not to attempt enforcement of claim before the initiation and completion of negotiations.

Estimated FY 76
Resources (000)

Estimated FY 77
Resources (000)

None

None

OBJECTIVE 3: Encourage removal of trade practices discriminating against U.S. goods and services.

Estimated FY 76
Resources (000)

Estimated FY 77
Resources (000)

None

None

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OBJECTIVE 4: Continue to urge Government Ministries and private sector to use U.S. Government's Trade Opportunity Service to locate U.S. supply sources, to give early notice of potential major GCOB projects, and to seek EXIM financing where appropriate.

Estimated FY 76
Resources (000)

Estimated FY 77
Resources (000)

None

None

2. OTHER INTERESTS

U.S. National Defense. The Bahamian position with respect to U.S. use of military facilities in The Bahamas and U.S. operating rights in The Bahamas will not reflect any change in fundamental Bahamian attitudes toward the U.S. and to Americans generally. The institutions and national disposition of The Bahamas are favorable to the U.S. and will remain so. The Bahamian decision to resume diplomatic relations with Cuba and some increase in official contacts between The Bahamas and Cuba will not reflect anything more than a Bahamian desire to make sure that its foreign policy takes account of the unavoidable interests of Cuba in the region south and west of The Bahamas and moreover does so with a timing which anticipates a movement of U.S. policy in a similar direction.

The Bahamian Government, which is still in the process of sorting out its foreign policy priorities, will in the planning period focus most of its foreign affairs effort on the achievement of international acceptance of the archipelago concept at the LOS negotiations. All other foreign policy tasks, including the negotiation with the U.S. of new agreements for U.S. military facilities in this country, will probably await the completion of the LOS Conference.

U.S. draft agreements on facilities and operating rights now on the table awaiting a Bahamian response, do not incorporate the possibility of international recognition of The Bahamas as an archipelago. The GCOB response to those drafts, however, will reflect the importance the GCOB attaches to the acceptance of the application of the archipelago concept to The Bahamas. What form that response will take will be determined by the outcome of the LOS Conference. Consequently, in our view, the present U.S. position on facilities and operating rights is the correct one and should be maintained throughout the CASP period until the uncertainties surrounding the fate of the archipelago concept at the LOS Conference are resolved. In the meantime, the U.S. will want to be examining some of the contingent possibilities but it need not consider at this time a change in present policy.

Estimated FY 76
Resources (000)

Estimated FY 77
Resources (000)

None

None

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World Order

The positions of the U.S. and The Bahamas in the Law of the Sea context, is of more immediate relevance to our national defense interest in the islands than to our concern for world order. The GCOB fully understands and basically supports US LOS interests. The Bahamas generally will take positions in the UN similar to those of the U.S. It does not consider itself a member of the "third world" or Group of 77. It is not likely to become so in the CASP time-frame, although it may not be above using such groups to advance its own ends if necessary. The Bahamas will not join the OAS. It will continue to adhere to international law, customs and agreements.

Bahamian fisheries claims are and will continue to be consistent both with international law and with U.S. custom and practice. The Bahamas will not extend its fisheries claims beyond what is provided for in international law or beyond precedents set by the U.S. itself.

Estimated FY 76
Resources (000)

Estimated FY 77
Resources (000)

None

None

Fair Treatment and Safety of U.S. Citizens and Property.

A decline in the Bahamian economy may aggravate the unemployment problem which at present is associated generally with an unwillingness on the part of some Bahamians to accept certain types of jobs. This could produce a crime rate increase steeper than the present one, although it is difficult to judge the extent to which crime is economically inspired and therefore likely to increase in direct proportion to an increase in unemployment levels. To the extent that rising crime affects the Bahamian image as a desirable tourist center there will be an additional factor forcing a decline in Bahamian economic fortunes.

The kinds of crime which have or may become characteristic of The Bahamas do not qualify, however, as organized acts of crime or terrorism against U.S. citizens and property. Neither is an atmosphere made somewhat strained by a growing concern over crime and a crime-induced "fear" likely to affect attitudes generally about the U.S., U.S. citizens, or U.S. property. There will be no expropriations.

There will be a continuation of the arrests of Miami-based fishermen poaching lobsters inside the Bahamian 12-mile fishery zone. Given the history of this problem, fines are likely to increase, and the potential for violence which at times in the past has been a feature of the "lobster war" between the

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Florida-based fishermen in Miami and The Bahamas will likely increase. In the area encompassed by the new Bahamian claim to the spiny lobster as a creature of the continental shelf, i.e. between the 12-mile limit and the edge of the shelf, there will be considerable uncertainty with respect to the Bahamian Government's intentions and again a very real potential for violence.

The policy of Bahamianization of the work force is, in principle, reasonable for The Bahamas as well as consistent with U.S. practice of protecting jobs for Americans. Administration of work permits, however, continues to include caprice, a large measure of bureaucratic ineptitude, and some malice; and, in terms of Bahamian interests in following policies of encouraging employment of Bahamians and increased foreign investment, is often less than judicious. Frictions will continue to be created.

The Embassy will as in the past see that poachers enjoy due process of law in those instances when they are arrested for violations of the 12-mile fishery zone. Prospects with respect to the treatment of other fishermen are discussed under "World Order" above.

Estimated FY 76
Resources (000)

Estimated FY 77
Resources (000)

None

None

Control of Movement of People and Goods to and From the U.S.

The stereo-type of the illegal immigrant -- a man or woman without employment in his own country who enters the U.S. illegally and accepts employment at the lower end of the job scale, does not include the Bahamian. Bahamians who are willing to work as domestics, hotel staff and laborers can find jobs at the present time in The Bahamas at wages equal to or higher than such employment in the U.S. Even if the decline in the Bahamian economy at present, associated with the decline in the U.S. economy, is accentuated by a falling off of the tourist business because of a rising crime rate, the attractions of the U.S. as a place of employment are not likely to increase significantly if at all in the planning period. Increased pressures on Embassy consular resources to meet demands for tourist visas generated by a stepped up issuance by the GCOB of the new Bahamian passport will continue throughout the CASP time-frame but do not appear at present to require additional personnel resources. They may require the Embassy to reorder consular priorities to reduce the number of state-side cases accepted for immigrant visas.

With respect to Bahamian cooperation in interdicting illicit narcotics traffic, this continues to be excellent. There is every indication of a rising concern in The Bahamas

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over the use of narcotics by young Bahamians and a parallel determination not to allow The Bahamas to become a route for the traffic of narcotics into the U.S.

Estimated FY 76
Resources (000)

Estimated FY 77
Resources (000)

36 Narcotics

36 Narcotics

Favorable Disposition of Other Peoples Toward the U.S.

Even in the worst of circumstances, such as an unfavorable outcome for either party in the military facilities negotiations, the fundamentally favorable disposition of the Bahamians to the U.S. is not likely to change. Too many Bahamians have too many ties with the U.S. -- education, family, ideals -- for the traditional favorable disposition to be eroded in the foreseeable future. The attitude of the government, however, may change in the process of negotiating with the U.S., and to the extent that the Bahamian Government, as we suggested in last year's CASP, may come to the facilities negotiating table with essentially non-negotiable positions, this process of official cooling could increase.

Estimated FY 76
Resources (000)

Estimated FY 77
Resources (000)

\$3
\$12.8 CU

\$3
\$13.4 CU

Open Channels of Communication Between the U.S. and Other Countries. Access to GCOB leaders continues to be good but one concern expressed in the last CASP, Bahamian sensitivity to their own bureaucratic inadequacies, is increasing and does lead to what we perceive to be on occasion a combination of embarrassment and aggravation at discussing frankly with U.S. officials the day-to-day progress of bilateral relationships. The personal relationships and mutual respect which would be necessary to overcome Bahamian sensitivities have been established, however. The U.S. presence in The Bahamas is not overwhelming and because it is dispersed over several islands, is not susceptible of becoming viewed as overwhelming by Bahamian officialdom.

Economic and Social Development of Other Countries.

Bahamian economic growth in the period of the CASP will depend in the first instance on developments in the U.S. and world economy. Secondly, it will also depend on the capacity of the Bahamian government to manage its own affairs and to prevent such factors as a rising crime rate, increased unemployment among young people, poor service or exorbitant prices from accelerating any decline through damage to the Bahamian image as a

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desirable tourist locale. The slowing of economic growth related to the world situation is and will continue to be a problem essentially beyond Bahamian capacities to deal with. The latter problem, i.e. the possibly negative effect of domestic developments on tourism, will be a responsibility of the Bahamian Government. It is in this area that the apparent inability of the Bahamian Government to manage its affairs with ease, confidence, and efficiency will be key. There is room for growth in the Bahamian economy. Government policy will continue to encourage investment both foreign and domestic. Income distribution problems will remain, particularly the inequitable distribution of income among the islands which make up The Bahamas. The national per capita income average of \$2400 makes a wide swing between New Providence, Grand Bahamas, Andros and Eleuthera and the truly "out" islands where subsistence agriculture prevails and the per capita average is nearer \$800. In relative terms, The Bahamas is a wealthy country. In absolute terms it must address the problems of the inequities among the various islands. These inequities extend beyond the extremes of rich and poor people (essentially on New Providence and Grand Bahama) and those of income generally to those of quality of life and there are not as yet any programs or even realistic plans to bring the elements of a "quality life" to these more remote areas of The Bahamas within the CASP time-frame. Moreover, in social terms the problem is aggravated by Bahamian daily access to U.S. TV and radio which projects the American standard of living for Bahamians to enjoy.

Bahamians development policy is not yet translated into specific programs and objectives and the lack of management expertise and a reluctance to make decisions referred to elsewhere makes definitive progress on this score unlikely. The only viable program going, the AID Livestock Development and Research Project, will end January 18, 1978. The GCOB understands that no additional U.S. funds will be forthcoming, though this will not deter their seeking additional assistance within the CASP time-frame. To the extent that this Project emerges as the only concrete evidence of development, and the GCOB is unable to take it over as scheduled, it may request that U.S. provide additional funds. In light of the high Bahamian GNP, U.S. has no real basis for continued assistance in purely economic terms; neither has the U.S. any basis for a Peace Corps presence. This does not preclude the probability the GCOB will continue to link economic and social development assistance with the facilities negotiations, insisting they be part of the U.S. quid, either substitutive for, or additional to, facilities rental payments. Should the GCOB position remain inflexible, the U.S. will have to consider whether some such form of additional commitment is justified.

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Estimated FY 76
Resources (000)

Estimated FY 77
Resources (000)

\$10 million total budget for AID Bahamas
 Livestock Project for five years beginning
 1/18/73.

5.5 CU

6.8 CU

Political Development of Other Countries. The CASP time-frame will include preparations for general elections, likely to be held in October 1977, although an earlier date is not impossible. A combination of a less than vigorous economy, rising crime, disparities in wealth, and the felt frustration which comes from the lack of any real accomplishments in the period since independence, may cause Bahamians generally to question the PLP leadership which brought the nation to independence but now has a somewhat middle-aged and lack-luster appearance. The question will be, "Is the present leadership as capable of administering an independent Bahamas as it was of achieving that independence?"

To the extent the issue arises for the average voter, the answer is likely to be "no" but at the moment there is a serious question as to whether attractive alternatives exist. So far as we can judge, an election held today would probably return the PLP to power but its majority could be reduced substantially. In viewing the matter over the time period covered by the CASP the likelihood of PLP retaining control remains. However, enthusiasm for the PLP, much of it stemming from the charismatic character of Pindling and his leadership in the fight for independence, may well be on the wane. The inherent difficulty of the social and especially economic problems faced by the country, concern over corruption, crime and police excesses, which could become serious if a major scandal should break, internal divisions which are already evident within PLP party ranks, and a separation in time from the original enthusiasm for the all-black PLP which swept to power as the aforementioned champion of independence, could bring down the Government. Even these factors, all of which certainly could materialize within the next two years, would be insufficient to replace the PLP unless there is a viable alternative. At a minimum this, in turn, would probably require the purging of the present white Bay Street elements within the FNM and would certainly require a new and more dynamic party leader. It might even require the emergence of a new party combining PLP dissidents together with a purged FNM. Clearly, for all or most of these circumstances to materialize would take some doing and it is this which leads us to conclude that we will most likely continue to deal with a PLP Government. But in politics events can move rapidly and we are aware of

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a sufficient undercurrent of political turmoil so that one cannot rule out a coalescence of the foregoing factors resulting in the displacement of the PLP control of the Government sometime during the term covered by this CASP. In any event, political alternatives on the Bahamian scene do not include any which represent a challenge to U.S. interests in that a change in the ruling Party would not bring to power individuals hostile to the U.S. and we therefore do not foresee any challenges to us at this time.

The institutions of The Bahamas -- courts, ministries, houses of parliament -- are centuries old and in the British tradition. They are likely to withstand the pressures which may come to them out of the faltering economy or out of the 1976-1977 political life of the country. In the main there will continue to be respect for human rights, but the pressures on the Government to achieve a diminution in crime may result in some degree of callousness in public attitudes toward police practices if not actual occasional excesses by police against the civil rights of accused.

Other U.S. Interests

The Bahamas does see the relationship between a general concern for cooperation in such areas as health and science and the need for urgent address to a possible specific problem of, for instance, typhoid on New Providence. It sees the inter-relationship between its economic development, dependence on tourism, and the rather rapid breakdown of the New Providence sewerage and water system. They are currently seeking World Bank financing of a new system but do face the threat of epidemics in the CASP time-frame, which could, given the volume of daily travel between Nassau and the U.S., be a threat to the U.S. mainland.

Estimated FY 76
Resources (000)

None

Estimated FY 77
Resources (000)

None

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Table 1

ANNEX A

FINANCIAL RESOURCES
BY U.S. AGENCY AND OTHER MAJOR DONORS

U.S. AGENCIES	U.S. DOLLAR RESOURCES (000)			
	FY 74 Actual	FY 75 Est.	FY 76 Pln.	FY 77 Pln.
State				
Salaries and Expenses	516	480	475	490
Representation Allowance	3.0 ^{1/}	3.9 ^{2/}	5.0 ^{3/}	5.0 ^{3/}
FBO	169.0	73.9 ^{4/}	85.0	95.0
Cultural Program (CU)	12.8	12.2	12.8	13.3
AID	(\$10 million total budget for AID Bahamas Livestock Project for five years beginning 1/18/73)			
Narcotics (training)		36.0	36.0	36.0
USIS				
PAO Resources ^{5/}	3	3	3	3
Treasury (Customs - Preclearance)				
Total		410	610	630
Reimbursable by Airlines		243	321	325
Justice (INS - Preclearance)	245	267	275	285
Reimbursable by Airlines	101	104	110	115
Agriculture (Preclearance)	87	93	103	110
Reimbursable by Airlines	24	16	30	35
International Institutions/ Major Bilateral Donors				
UNDP	600	500	600	680
UK	100	100	100	100

- 1/. Post's allotment does not include additional \$700 made available in June 1974 nor approximately \$600 out-of-pocket for FY'74.
- 2/. Post's allotment for FY-75 - does not include anticipated \$800 out-of-pocket for fiscal year.
- 3/. Anticipated requirements.
- 4/. Does not include \$295,000 for acquisition and renovation of new ER in late FY'75.
- 5/. Funds for the Embassy's USIS program are programmed by PAO, Kingston.

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Table 2

ANNEX A

SUMMARY OF PERSONNEL BY U.S. AGENCY

U.S. AGENCIES	Personnel Totals											
	FY 74 Actual			FY 75 Actual			FY 76 Pln.			FY 77 Pln.		
	Off	Clk	FSL	Off	Clk	FSL	Off	Clk	FSL	Off	Clk	FSL
State												
Executive Direction	2	2	2	2	2	2	2	2	2	2	2	2
Political	1	-	-	1	-	-	1	-	-	1	-	-
Economic/Commercial	1	-	1	1	-	1	1	-	1	1	-	1
Consular	4	-	8	4	-	8	4	-	8	4	-	8
Administrative	1	2	5	1	2	6	1	2	6	1	2	6
Subtotal	9	4	16	9	4	17	9	4	17	9	4	17
Total	29			30			30			30		
AID												
U.S.												
Direct Hire	1			1			1			1		
Contract	5			7			7			7		
PASA												
Local												
Total	6			8			8			8		
USIS												
U.S.												
Local												
Total												
DOD												
Marine Guards		5			6			6			6	
Naval Liaison Office	1	-		1	-		1	-		1	-	
U.S.												
Local												
MILGROUP												
U.S.												
Local												
Total	1	5	-	1	6	-	1	6	-	1	6	-
Peace Corps												
Staff												
U.S.												
Local												
PCVs												
Total												
INS												
Total U.S.	6			6			8			8		
Total Local												
CUSTOMS												
Total U.S.	8			13			18			18		
Total Local												
AGRICULTURE												
Total U.S.	2			2			2			2		
Total Local												
TOTAL U.S.	41			49			56			56		
TOTAL Local	16			17			17			17		

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EIA903

PAGE 01

NC 46647

TOR:200138Z AUG 75

R 191550Z AUG 75
 FM SECSTATE WASHDC
 TO RUESQI/AMEMBASSY QUITO 9493
 INFO RUESBG/AMEMBASSY BOGOTA 9617
 RUESGT/AMEMBASSY GUATEMALA 0862
 RUESLM/AMEMBASSY LIMA 3328
 RUESMG/AMEMBASSY MANAGUA 4056
 RUESMO/AMEMBASSY MEXICO 6615
 RUESZP/AMEMBASSY PANAMA 9322
 RUESJO/AMEMBASSY SAN JOSE 5059
 RUESAL/AMEMBASSY SAN SALVADOR 3896
 RUESNA/AMEMBASSY SANTIAGO 0930
 RUESTE/AMEMBASSY TEGUCICALPA 4936

Post Geneva

Comm. II ✓

83

BT
CONFIDENTIAL STATE 196496

E, O, 11652: GDS

TAGS: PLUS

SUBJECT: LOS: EASTERN PACIFIC TUNA INITIATIVE
REF: QUITO 6004

1. EMB SHOULD INDICATE TO ECUADOREANS THAT WE AGREE WITH AND LOOK FORWARD TO PARTICIPATING WITH OTHER PACIFIC STATES IN JOINT NOTE REQUESTING GALINDO-POHL TO ACT AS CHAIRMAN OF NEW YORK MEETING. FYI NEED FOR THIS APPROACH IS TO ENSURE THAT WE ARE CONSIDERED A PACIFIC STATE AND TO INDICATE THAT WE ARE STILL VERY MUCH INTERESTED IN HAVING OTHER STATES PARTICIPATE IN MEETING END FYI. EMB SHOULD ALSO STATE AGAIN OUR INTEREST IN HAVING OTHERS (CANADA, FRANCE, AND JAPAN) PARTICIPATE IN THE MEETING.
2. EMB SHOULD NOTE LEAD TIME NEEDED FOR PREPARATIONS AT UNITED NATIONS. FOR THAT REASON, WE WOULD HOPE THAT NOTE COULD BE PRESENTED ASAP.
3. EMB SHOULD INDICATE THAT WE CONCUR THAT DISCUSSIONS SHOULD FOCUS ON ARTICLE 53. WE DO NOT WANT TO LOSE SIGHT OF THE FACT, HOWEVER, THAT THERE MUST BE A SIMULTANEOUS UNDERSTANDING REGARDING THE IMPLEMENTATION OF THE PRINCIPLES CONTAINED IN THAT ARTICLE. KISSINGER

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PAGE 01-01

NC 46375

TOR:191926Z AUG 75

R 191520Z AUG 75
 FM AMEMBASSY REYKJAVIK
 TO RUEHC/SECSTATE WASHDC 5590
 INFO RUCBSAA/CINCLANT
 RUDISHH/COMICEDEFOR
 RUFHOL/AMEMBASSY BONN 0789
 RUDKHLQ/AMEMBASSY HELSINKI 0627
 RUDTC/AMEMBASSY LONDON 0895
 RUDKSNQ/AMEMBASSY OSLO 1169
 RUDKFMQ/AMEMBASSY STOCKHOLM 0872
 RUFHNA/USMISSION NATO 1178

BT
UNCLAS REYKJAVIK 0942

E.O. 11652: N/A

TAGS: EFIS IC UK

SUBJECT: GOI ANNOUNCES FISHERIES TALKS WITH BRITISH
REF: REYKJAVIK 931

FOREIGN MINISTER EINAR AGUSTSSON ANNOUNCED YESTERDAY THAT GOI HAS
 AGREED TO UK'S REQUEST FOR NEGOTIATIONS ON POSSIBLE BRITISH
 FISHING PRIVILEGES WITHIN ICELAND'S PLANNED 200-MILE LIMIT. TALKS,
 ACCORDING TO AGUSTSSON, WOULD TAKE PLACE IN REYKJAVIK, ALTHOUGH
 DATE FOR NEGOTIATIONS HAS NOT BEEN SET, AGUSTSSON TOLD PRESS HE
 EXPECTED THEY WOULD BEGIN "AROUND SEPTEMBER 15." ASKED BY INTERVIEWER
 ABOUT CONTACTS WITH OTHER GOVERNMENTS ON FISHERIES QUESTIONS,
 AGUSTSSON SAID HE WOULD BE MEETING TODAY WITH FRG AMBASSADOR AT
 LATTER'S REQUEST, MARTIN

Post Geneva

Iceland ✓

UK ✓

Comm. II ✓

82

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PAGE 01-01

NC 45590

TOR:190242Z AUG 75

R 102240Z AUG 75
 FM AMEMBASSY MEXICO
 TO SECSTATE WASHDC 9482
 BT
 UNCLAS MEXICO 7336
 E.O. 11652: N/A
 TAGS: N/A

Post Geneva

Mexico ✓

Comm. III ✓

(81)

SUBJECT: POLLUTION OF MEXICAN WATERS

1. CONTINUING ITS PRACTICE OF PRINTING ON PIECE OF SLANDER AFTER ANOTHER ABOUT THE US, EL SOL EDITORIAL OF AUGUST 15 WRITES THAT A LUIS RAFAEL SEGURA, PROFESSOR AT THE INTITITUTO DE LIMNOLOGIA Y CIENCIAS DEL MAR OF UNAM, HAS CHARGED THAT POLLUTION OF MEXICAN SEAS IS DUE IN LARGE PART TO THE WASTES THAT THE UNITED STATES AND OTHER COUNTRIES DUMP; AND THAT MARINE CURRENTS BIRNG THEM TO MEXICAN WATERS,

2. HE CHARGES THAT THE PRINCIPAL CONTAMINANTS ARE PETROLUM, CHEMICAL RESIDUES AND GARBAGE. THE DAMAGE IS SUPPOSEDLY ENORMOUS AND THE DESTRUCTION OF PLANKTON THREATENS OTHER SPECIES-WITH CONSEQUENCES NOT ONLY FOR ECONOMIC INTERESTS BUT ALSO FOR FOOD SUPPLIES,

3. EL SOL REFERS ALSO TO ITS RECENT CHARGES ABOUT DIVERSION OF HURRICANES AND SAYS IT IS TIME THE INTERNATIONAL ORGANIZATIONS PUT A STOP TO TECHNOLOGICAL AGRSSION.LJOVA

LA

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PAGE 01-01

NC 45418

TOR:182234Z AUG 75

P R 182220Z AUG 75
FM AMEMBASSY SAN SALVADOR
TO RUEHC/SECSTATE WASHDC PRIORITY 8859
INFO RUESBT/AMEMBASSY BOGOTA 424
RUESGT/AMEMBASSY GUATEMALA 4235
RUESLM/AMEMBASSY LIMA 166
RUESMG/AMEMBASSY MANAGUA 902
RUESMO/AMEMBASSY MEXICO 1601
RUESJO/AMEMBASSY SAN JOSE 3072
RUESNA/AMEMBASSY SANTIAGO 146
RUESQI/AMEMBADDFLQUITO 198
RUESTE/AMEMBASSY TEGUCIGALPA 3856
RUESZP/AMEMBASSY PANAMA 2410

*Post Geneva
El Salvador ✓
Comm. II ✓*



BT
C O N F I D E N T I A L
LIMITED OFFICIAL USE SAN SALVADOR 3301
EO 11652: N/A

TAGS: PLOS ES
SUBJ: LOS: PROPOSED PRINCIPLES FOR A REGIONAL CONVERSATION
AGREEMENT FOR HIGHLY MIGRATORY SPECIES IN THE CONTEXT OF A NEW
LOS TRATY

REF: STATE 188398 SAN SALVADOR 2989
ON AUGUST 13, EMBOFFS DISCUSSED PROPOSED PRINCIPLES WITH SUBSE-
CRETARY OF FOREIGN AFFAIRS CASTANEDA WHO INDICATED THAT
GOES WILL STUDY PROPOSAL AND INFORM EMBASSY IN DUE COURSE OF ITS
REACTION. DURING DISCUSSION, POSSIBILITY OF GALINDO POHL CHAIR-
MANSHIP WAS RAISED. SPEAKING "UNOFFICIALLY", CASTANEDA THOUGHT
THAT, IF CALLED UPON, GALINDO POHL WOULD BE AVAILABLE TO CHAIR
MEETING.
MOSKOWITZ

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PAGE 01-01

NC 45405

TOR:182228Z AUG 75

P 182200Z AUG 75
 FM AMEMBASSY LIMA
 TO RUEHC/SECSTATE WASHDC PRIORITY 6375
 INFO RUCLFOA/MIAMI RECEPTION CENTER PRIORITY
 BT
 UNCLAS LIMA 6729
 EO 11652: NA
 TAGS: OVIP, PE, US
 SUBJ: VISIT TO US OF FISHERIES MINISTER TANTALEAN
 REF: LIMA 6545

Post Geneva

Peru ✓

79

1. MINFISHERIES GENERAL JAVIER TANTALEAN CALLED TODAY (AUGUST 18) TO INFORM ME OF HIS TRAVEL PLANS. HE WILL DEPART LIMA TOMORROW AUGUST 19 AT 11:30 P.M. ON AEROPERU'S FLIGHT 602 WHICH ARRIVES IN MIAMI ON AUGUST 20 AT 5:45 A.M. FROM MIAMI HE WILL PROCEED TO WASHINGTON DC ON AUGUST 20 ON NATIONAL FLIGHT 100 WHICH LEAVES MIAMI AT 8:00 A.M. AND ARRIVES IN WASHINGTON AT 10:14 P.M.
2. APPROPRIATE COURTESIES REQUESTED OF MIAMI RECEPTION CENTER AND ON ARRIVAL IN WASHINGTON DC.
3. HE PLANS TO STAY IN WASHINGTON UNTIL AUGUST 22 WHEN HE WILL CONTINUE HIS TRAVELS. DEAN

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PAGE 01

NC 45330

TOR:182030Z AUG 75

Post Geneva

Venezuela ✓
Bolivia ✓

78

R 181817Z AUG 75
 FM AMEMBASSY CARACAS
 TO RUEHC/SECSTATE WASHDC 9847
 INFO RUESBO/AMEMBASSY BOGOTA 1718
 RUESUZ/AMEMBASSY BRASILI 918
 RUEBLZ/AMEMBASSY LA PAZ 761
 RUESLM/AMEMBASSY LIMA 1489
 RUESNA/AMEMBASSY SANTIAGO 1355

BT
C O N F I D E N T I A L CARACAS 8507

NOFORN
E.O. 11652: GDS
TAGSI PFOR, VE

SUBJECT: PRESIDENT PEREZ AND BOLIVIA'S ACCESS TO THE SEA
 1. SUMMARY: THE DECISION OF PRESIDENT PEREZ TO INJECT HIMSELF INTO THE ISSUE OF BOLIVIA'S ACCESS TO THE SEA IS PUZZLING AT FIRST GLANCE. BUT THE MOVE WAS NOT ENTIRELY ILLOGICAL IN TERMS OF VENEZUELA'S FOREIGN POLICY OBJECTIVES. LATIN AMERICAN SOLIDARITY AS PROTECTION ON THE OIL PRICE ISSUE IS THE FIRST OF THESE. CARLOS ANDRES BELIEVES THAT VENEZUELAN INFLUENCE CAN AND MUST BE USED TO OVERCOME THE OBSTACLES TO UNITY. VENEZUELA'S DRIVE TO COOPT THE SMALLER AND POORER COUNTRIES OF THE REGION PLAYED A PART, AS DID VENEZUELAN SENTIMENTALITY ABOUT BOLIVIA AND BOLIVAR. THE PRESIDENT MAY NOT HAVE THOUGHT THAT HIS ENDORSEMENT OF BOLIVIA'S ASPIRATIONS WOULD BE SEEN IN CHILE AS A PROVOCATION--OR HE MAY HAVE CALCULATED THAT IT WOULD MAKE NO DIFFERENCE IN VIEW OF THE GOC'S LOW STANDING. DOMESTICALLY THE TRIP TO BOLIVIA PROBABLY DID NOT DO MUCH FOR THE PRESIDENT, END SUMMARY

2. AS SEEN FROM HERE THE PEREZ VISIT TO LA PAZ FOLLOWED THE FAMILIAR PATTERN ESTABLISHED IN HIS PREVIOUS EXCURSIONS: CONSIDERABLE BOLIVARIAN RHETORIC, A GOOD DEAL OF CAMPAIGN-STYLE MINGLING WITH THE CROWDS, PLEDGES TO CONTINENTAL SOLIDARITY AND OFFERS OF FINANCIAL ASSISTANCE--ALL ACCOMPANIED BY MASSIVE PUBLICITY AT HOME, BUT THIS TRIP WAS DIFFERENT IN ONE IMPORTANT ASPECT. WITH EVERY EVIDENCE OF DUE DELIBERATION AND EVEN ENTHUSIASM, THE PRESIDENT INJECTED HIMSELF INTO AN ANCIENT AND PASSIONATE QUARREL INVOLVING OTHER LATIN AMERICAN STATES. WHY? MORE THAN A FEW VENEZUELAN ARE ASKING WHAT HE WOULD HOPE TO GAIN BY MIXING IN THAT DISTANT AFFAIR.

3. FIRST, THERE IS LATIN AMERICAN SOLIDARITY. PEREZ STATED

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PAGE 02

NC 45330

TUR1182030Z AUG 75

THE PROPOSITION CLEARLY IN HIS AUG 8 PRESS CONFERENCE: "IF THESE PROBLEMS (HISTORIC LATIN AMERICAN DISPUTES) ARE NOT SOLVED, LATIN AMERICAN UNITY WILL REMAIN A MERE TERM--AND WE WILL NEVER BE ABLE TO ACHIEVE THE ECONOMIC INDEPENDENCE OF OUR COUNTRIES." THE PRESIDENT GENUINELY BELIEVES THAT THESE PROBLEMS CAN BE SOLVED WITH VENEZUELAN LEADERSHIP AND A COMMON DEDICATION TO UNITY. (THIS EVEN EXTENDS TO THE DIFERENDO WITH COLOMBIA WHERE PEREZ APPEARS MORE DISPOSED TO MAKE CONCESSIONS THAN MOST ANYONE ELSE IN VENEZUELA). THERE IS LITTLE QUESTION THAT ON LATIN AMERICAN UNITY HE IS A TRUE BELIEVER. HIS VISION IS BOLIVARIAN AND HE MEANS TO ADVANCE THE CAUSE DURING HIS TERM OF OFFICE.

4. LATIN AMERICAN SOLIDARITY SERVES OTHER PURPOSES. IT IS A KEY ELEMENT IN THE VENEZUELAN STRATEGY FOR PROTECTING ITSELF ON THE OIL PRICE ISSUE. THAT STRATEGY INCLUDES UNREMITTING SUPPORT FOR THE NIEO AND THE THIRD-WORLD POSITION ON INTERNATIONAL ECONOMIC ISSUES GENERALLY. BUT THE GOV WANTS ALL THE HEMISPHERE COMPANY IT CAN GET. IF THERE IS LATIN AMERICAN UNITY, VENEZUELA CAN STAND UP TO THE US WITHOUT FEAR OF FINDING ITSELF A LONELY TARGET FOR THE AREA'S CONSUMERS. THE OVERRIDING OBJECTIVE OF GOV FOREIGN POLICY IS TO PREVENT ISOLATION ON THE PRICE ISSUE.

5. THE VENEZUELAN DRIVE FOR LEADERSHIP IS ANOTHER ELEMENT. THIS DRIVE HAS TENDED TO CONCENTRATE ON THE SMALLER, ECONOMICALLY WEAKER COUNTRIES OF THE CARIBBEAN, CENTRAL AMERICA AND THE ANDEAN REGION. THE STRATEGY IS TO CREATE TIES AND INFLUENCE WITH COUNTRIES WHERE VENEZUELA'S WEALTH CAN HAVE ITS GREATEST IMPACT. THE OBJECTIVE IS TO BUILD A LOOSE COALITION OF SYMPATHETIC GOVTS PREPARED TO SUPPORT THE GOV'S INTERNATIONAL POSITIONS. SOME THOUGHT OF A COUNTER-WEIGHT TO BRAZIL AND MEXICO IS ALSO PROBABLY PRESENT. CLOSE TIES WITH BOLIVIA WOULD FIT NEATLY INTO SUCH A DESIGN--AND SUCH TIES CAN ONLY BE FORGED THROUGH VENEZUELAN SUPPORT ON THE ONE ISSUE THAT REALLY MATTERS TO BOLIVIA.

6. SIMON BOLIVAR MUST ALSO BE COUNTED AS A FACTOR. VENEZUELA IS AS OBSESSED WITH THE LIBERATOR AS EVER, AND THIS PRESIDENT PERHAPS MORE SO THAN MOST OF HIS PREDECESSORS. BOLIVIA IS VERY SPECIAL IN THIS COUNTRY'S BOLIVARIAN SCHEME OF THINGS. IT BEARS THE GREAT MAN'S NAME AND IS THE SYMBOL OF HIS RELATIONSHIP WITH SUCRE; IT IS POOR, BACKWARD AND HISTORICALLY MISTREATED; IT DESERVES VENEZUELA'S SPECIAL SYMPATHY AND BROTHERHOOD. FURTHERMORE, IT IS SAFELY SOME DISTANCE AWAY. CARLOS ANDRES PEREZ IDENTIFIES WITH BOLIVAR

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PAGE 03-03

NC 45330

TOR:182030Z AUG 75

AND NO DOUBT BELIEVES A MAGNANIMOUS GESTURE TOWARD BOLIVIA WOULD HAVE THE LIBERATOR'S BLESSING.

7. THE CHILEAN ANGLE IS THE MOST DIFFICULT TO CALCULATE. IN PRIVATE THE FOREIGN MIN AT LEAST TALKS ABOUT EXERTING A FRIENDLY AND MODERATING VENEZUELAN INFLUENCE ON THE GOC. ALTHOUGH A NUMBER OF ALLENDE-ERA REFUGEES ARE COMFORTABLY POSITIONED ON THE PUBLIC PAYROLL HERE (E.G. CARLOS JORQUERA IN THE MINISTRY OF INFORMATION AND ANICETO RODRIGUEZ ON THE STAFF OF THE SENATE), THERE HAVE BEEN NO SIGNS OF OFFICIAL ENCOURAGEMENT OF THEIR POLITICAL ACTIVITIES. THEY GET ALMOST NO PRESS AND CERTAINLY NO RECENT WORDS OF SOLIDARITY FROM THE GOV OR AD. (OUR GUESS IS THAT THE MEETING AT COLONIA TOVAR OF LEIGHTON, MIRANDA, ET AL., WAS THE WORK OF GABRIEL VALDES, WITH NO MORE THAN ACQUIESCENCE FROM THE GOV.) IT THUS SEEMS UNLIKELY THAT THE PRESIDENT SET OUT TO EMBROIL HIMSELF IN A CONTROVERSY WITH THE GOC.

BUT HE MAY HAVE CALCULATED THAT ANY RISK IN THAT DIRECTION WAS INCONSEQUENTIAL GIVEN THE JUNTA'S FEEBLE INTERNATIONAL POSITION. 8. DOMESTICALLY, THE IMAGE OF A VIGOROUS LEADER ABROAD ASSERTING LATIN AMERICAN "INDEPENDENCE" AND SOLIDARITY HAS APPEAL. BUT POPULAR ENTHUSIASM HERE FOR THESE EXPEDITIONS HAS WANED, AND THE VISIT TO BOLIVIA HAS GENERATED CRITICISM ON THE GROUNDS THAT THE PRESIDENT IS TRAVELING TOO MUCH AND GIVING AWAY TOO MUCH MONEY. THE WARM ASSOCIATION WITH BANZER PRODUCED MORE POINTED AND PUBLIC CRITICISM. THE DAYS OF THE BETANCOURT DOCTRINE ARE OVER BUT VARIOUS COPEI SPOKESMEN HAVE CHARGED THAT EMBRACING THIS "DICTATOR" WAS NO SERVICE TO LATIN AMERICAN DEMOCRACY. (THERE HAS ALWAYS BEEN A TINGE OF THE DOUBLE STANDARD IN THE INTERPRETATION THAT POLITICAL CAMP GIVES TO THE PRINCIPLE OF "IDEOLOGICAL PLURALISM.") IN SUM, WE DOUBT THAT THE TRIP DID PEREZ ANY GREAT GOOD HERE AT HOME. SHLAUDEMAN

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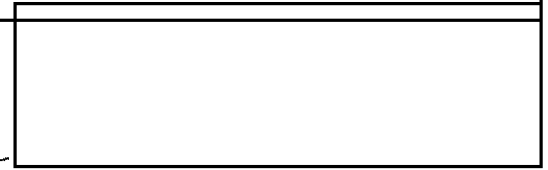
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 RUESBA/AMEMBASSY BUENOS AIRES PRIORITY 0520 -
 RUEHBAC/AMEMBASSY CANBERRA PRIORITY 8223
 RUMJGM/AMEMBASSY COLOMBO PRIORITY 0618
 RUDTC/AMEMBASSY LONDON PRIORITY 1854 -
 RUEHMO/AMEMBASSY MOSCOW PRIORITY 7200 -
 RUDKSNQ/AMEMBASSY OSLO PRIORITY 9053 -
 RUFNPS/AMEMBASSY PARIS PRIORITY 8693 -
 RUEHSA/AMEMBASSY PRETORIA PRIORITY 1445 -
 RUESNA/AMEMBASSY SANTIAGO PRIORITY 0819 -
 RUEHKO/AMEMBASSY TOKYO PRIORITY 3725 -
 RUEHBAZ/AMEMBASSY WELLINGTON PRIORITY 1454
 INFO RUSBAE/AMEMBASSY NEW DELHI 1304 -



Post Geneva 25X1

Sri Lanka ✓



BT
 C O N F I D E N T I A L STATE 187746
 E.O. 11652: GDS
 TAGS: XV, TGEN
 SUBJECT: ANTARCTICA AND SRI LANKA AT 30TH UNGA
 REF: A) BUENOS AIRES 5202 (NOTAL), B) SANTIAGO 4931
 (NOTAL)

1. DEPT HAS BEEN INFORMED BY CHILEAN GOVERNMENT AND SEVERAL OTHER ANTARCTIC TREATY PARTIES THAT SRI LANKA MAY ATTEMPT AT 30TH UNGA TO PLACE ON AGENDA THE QUESTION OF POSSIBLE UN JURISDICTION OVER ANTARCTICA. CONCEPT MAY BE TO SUGGEST UNGA RESOLUTION EXTENDING GLOBAL INTERNATIONAL JURISDICTION, PERHAPS OF THE INTERNATIONAL SEABED RESOURCE AUTHORITY NOW BEING NEGOTIATED AT THE LAW OF THE SEA CONFERENCE, TO ANTARCTICA.

2. SEVERAL TREATY MEMBERS HAVE SUGGESTED, EITHER FORMALLY OR INFORMALLY, THAT THERE BE CONSULTATIONS AMONG THE TREATY CONSULTATIVE PARTIES IF THE SRI LANKAN IDEA BECOMES OR APPEARS TO BE DEVELOPING INTO AN OFFICIAL POLICY. THE MEETING OF THE EVENSEN GROUP OF LOS NEGOTIATORS, SCHEDULED FOR GENEVA IN THE LAST WEEK OF AUGUST, HAS BEEN SUGGESTED BY SOME AS PROVIDING A POSSIBILITY FOR SEPARATE CONSULTATIONS ON THE SRI LANKAN MATTER AMONG REPRESENTATIVES OF THE TWELVE ANTARCTIC TREATY CONSULTATIVE PARTIES (I.E. ADDRESSEE

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PAGE 02

NC 37659

TOR:081855Z AUG 75

HOST GOVTS EXCEPT COLOMBO). SEVERAL TREATY MEMBERS, HOWEVER, HAVE MISGIVINGS, WHICH WE SHARE, ABOUT CONSULTATIONS IN OR AROUND THAT FORUM. SOME HAVE FEARS AS WELL THAT THE END OF AUGUST MAY BE TOO LATE FOR USEFUL CONSULTATIONS IF THE SRI LANKAN EFFORT IS MATERIALIZING. THE U.K. HAS SUGGESTED TO AT LEAST ONE TREATY MEMBER (BUT NOT YET TO US) THAT IT IS CONSIDERING CALLING A MEETING SHORTLY TO DISCUSS THE MATTER AND SEEK COMMON GROUNDS FOR REMEDIAL ACTION BY THE TWELVE. AUSTRALIA MAY ALSO ASK FOR MEETING SOON IN NEW YORK.

3. THE U.S. IS, OF COURSE, WILLING TO CONSULT WITH OUR ANTARCTIC TREATY PARTNERS ON THIS AS ON ANY OTHER ANTARCTIC MATTER. WE BELIEVE THE ANTARCTIC TREATY HAS SERVED NOT ONLY THE PARTIES, BUT THE INTERNATIONAL COMMUNITY AS A WHOLE, VERY WELL. ASSUMING THE PARTIES ARE ABLE TO AVOID ISSUES THAT DIVIDE THEM, THERE IS AN EXCELLENT BASIS FOR DEFENDING THE TREATY AS A SERVANT OF INTERNATIONAL COMMUNITY INTERESTS. THERE IS NO EVIDENCE THAT NEW QUESTIONS WILL BE ADDRESSED BY THE PARTIES IN ANY DIFFERENT SPIRIT.

4. POSTS WILL RECALL THAT THE U.S. IS ONE OF 5 TREATY SIGNATORIES THAT DO NOT REPEAT NOT MAKE OR RECOGNIZE TERRITORIAL CLAIMS IN ANTARCTICA.

5. FOR THE MOMENT WE FEEL U.S. SHOULD MAINTAIN A LOW PROFILE AND SHOULD NOT REPEAT NOT CONVEY IMPRESSION WE ARE OVERLY CONCERNED. HOWEVER, DEPT WOULD APPRECIATE BEING RAPIDLY INFORMED OF DEVELOPMENTS AS THEY BECOME KNOWN IN NEW YORK AND TREATY CONSULTATIVE PARTY CAPITALS TO THE EXTENT THIS CAN BE DONE CONSISTENT WITH THIS POSTURE.

6. FOR ALL ACTION ADDRESSES (EXCEPT COLOMBO): YOU MAY DRAW UPON PARAS 1 THROUGH 4 OF THE FOREGOING IF APPROACHED BY APPROPRIATE OFFICIALS OF HOST GOVERNMENTS. USUN IS REQUESTED TO AVOID COMMENT TO REPS OF OTHER THAN TWELVE CONSULTATIVE PARTIES AND TO REPORT ANY RELEVANT INFORMATION.

7. FOR TOKYO: THE UNCLAIMED LAND AREA OF ANTARCTICA (APPROXIMATELY 15) AND ADJACENT WATERS AND SEABED MAY BE A SPECIFIC TARGET OF ANY UNGA INITIATIVE. JAPAN AND U.S., AS NON-CLAIMANTS AND IN OTHER RESPECTS, HAVE SIMILAR ANTARCTIC INTERESTS. EMBASSY IS REQUESTED TO CONTACT

C O N F I D E N T I A L

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PAGE 03-03

NC 37659

TOR:081855Z AUG 75

HISASHI OWADA, CHIEF OF LEGAL DIVISION FONMIN, TO MAKE POINT ON CONFIDENTIAL BASIS THAT SPECIAL ATTENTION TO UNCLAIMED SECTOR IN UNGA, IF IT MATERIALIZES, MAY REPRESENT IN PART A MANEUVER BY SOME TREATY PARTIES WHO ARE CLAIMANTS TO ACHIEVE TACIT U.N. RECOGNITION OF THE TERRITORIAL CLAIMS. SUCH RECOGNITION OF TERRITORIAL CLAIMS WOULD, IN OUR VIEW, JEOPARDIZE THE ANTARCTIC TREATY AND INTERNATIONAL COOPERATION THEREUNDER. U.S. BELIEVES ANY EFFORT BY THE TWELVE TO DEFEND TREATY REGIME IN U.N. MUST NOT BE BASED ON TERRITORIAL CLAIMS.

8. FOR MOSCOW: U.S.S.R. ALSO HAS SIMILAR INTERESTS AS NON-CLAIMANT. IF EMBASSY BELIEVES IT APPROPRIATE, CONTACT COULD BE USEFUL WITH FONMIN LEGAL DIVISION (WHICH IS ACCUSTOMED TO COOPERATION WITH U.S. LEGAL REPS) TO MAKE SUBSTANTIVE POINTS OUTLINED IN PARA 7 ON CONFIDENTIAL BASIS.

9. FOR COLOMBO: EMBASSY SHOULD NOT REPEAT NOT APPROACH FONMIN OR OTHERS ON THIS MATTER YET.

10. FOR BUENOS AIRES: RESPONSE TO GOA AS SUGGESTED IN REF A WOULD BE PREMATURE AT THIS TIME IN DEPARTMENT'S VIEW. KISSINGER

C O N F I D E N T I A L

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PAGE 01-01

NG 45194

TOR:181728Z AUG 75

R 181400Z AUG 75
FM A CONSUL LENINGRAD
TO RUEHC/SECSTATE WASHDC 1500
INFO RUDKFDQ/AMEMBASSY LISBON 0002
RUEHMO/AMEMBASSY MOSCOW 2104

Post Geneva

Portugal ✓

76

BT
CONFIDENTIAL
LIMITED OFFICIAL USE LENINGRAD 1284
EO 11652N/A

TAGS: PFOR, ETRD, UR, PO

SUBJ: PORTUGUESE PARTICIPATION IN LENINGRAD FISHING EXHIBITION

1) PORTUGUESE FIRMS ARE REPORTEDLY PARTICIPATING FOR THE FIRST TIME IN AN INTERNATIONAL EXHIBITION HELD IN SOVIET UNION WITH THE CURRENT PARTICIPATION OF 12 PORTUGUESE FIRMS IN THE LENINGRAD FISHING EXHIBITION "INRYBOROM-75," WHICH OPENED ON AUGUST 6, PORTUGUESE EXHIBIT HAS VARIETY OF DISPLAYS SHOWING SHIPBUILDING AND SHIP REPAIR, ELECTRONIC EQUIPMENT FOR FISHING VESSELS, CABLES, TACKLE, AND FISH PROCESSING EQUIPMENT.

2) PORTUGUESE AMBASSADOR TO MOSCOW, MARIO NEVES, VISITED LENINGRAD AUGUST 15 IN CONNECTION WITH "PORTUGAL DAY" AT EXHIBITION, PRESS ACCOUNTS QUOTE HIM AS SAYING AT PRESS CONFERENCE THAT "AS REPRESENTATIVE OF PORTUGUESE GOVERNMENT I AM PLEASED TO HAVE THE OPPORTUNITY TO GREET THE SOVIET PEOPLE, WITH WHOM WE HAVE BECOME FRIENDLY AND WITH WHOM, I AM CERTAIN, WE WILL STRENGTHEN FRIENDLY TIES," THESE REMARKS WERE FOLLOWED BY THOSE OF PORTUGUESE EMBASSY TRADE ATTACHE ERNESTO MASEDO, WHO WAXED MORE ELOQUENTLY ON SIGNIFICANCE OF PORTUGUESE PARTICIPATION IN EXHIBITION, INTER ALIA, HE WAS REPORTED AS SAYING "PARTICIPATION HERE HAS FOR US, THE PORTUGUESE, SPECIAL SIGNIFICANCE IN VIEW OF THE FACT THAT IT IS A DIRECT RESULT OF THE CARRYING OUT OF A REVOLUTION; ONLY THE REVOLUTION GAVE US THE POSSIBILITY TO ESTABLISH FRIENDLY TIES WITH THE SOVIET UNION AND OTHER SOCIALIST COUNTRIES; WE ARE INTERESTED IN LAYING A FIRM FOUNDATION OF FRIENDSHIP AND COOPERATION WITH THE USSR. MATTHEWS

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PAGE 01

NO 44070

TOR:161748Z AUG 75

R 161305Z AUG 75
FM AMEMBASSY QUITO
TO RUEHC/SECSTATE WASHDC 6760
INFO RUEHIA/USIA WASHDC 2884

75 (circled)

Post Geneva
Ecuador ✓
Comm. I & II ✓

BT
C O N F I D E N T I A L QUITO 6007
E.O. 11652: GDS
TAGSI PLOS, EC

SUBJECT: REACTION TO THE SECRETARY'S MONTREAL SPEECH
REF: QUITO 5915

1. PRESS COVERAGE OF THE KISSINGER SPEECH WAS PROMINENT BUT ROUTINE WITH THE EXCEPTION OF AN EDITORIAL -- THE ONLY COMMENT TO DATE -- IN EL COMERCIO OF QUITO (REF A) AND A MISLEADING HEADLINE IN LEFTIST EXPRESO OF GUAYAQUIL. THE EDITORIAL CRITICIZED WHAT IT SAID WAS THE IMPLIED THREAT OF MILITARY AND COMMERCIAL CONFRONTATION IN THE EVENT OF FAILURE AT THE FORTHCOMING LOS CONFERENCE. IT URGED THE UNITED STATES TO "TAKE A SECOND STEP" NOW THAT IT HAS MOVED AWAY FROM THE 12-MILE LIMIT, AND AGREE TO THE 200-MILE TERRITORIAL SEA LIMIT AS THE FINAL SATISFACTORY SOLUTION.
2. EXPRESO USED THE SPANISH NEWS AGENCY EFE COVERAGE UNDER THE HEADLINE, "TWO HUNDRED PATRIMONIAL MILES, OR THE USE OF THE NAVY" KISSINGER," THE SECOND PARAGRAPH OF THE ARTICLE, UNDER THE BYLINE OF SANTIAGO PEREZ DIAZ, QUOTES KISSINGER: "THE NAVY IS ADEQUATE MEANS TO PROTECT OUR INTERESTS" AT SEA.

3. THE SECRETARY'S SPEECH HAS CAUSED GREAT SPECULATION AND COMMENT AMONG GOE OFFICIALS. FOR THE MOST PART THE REACTION HAS BEEN POSITIVE WITH ECUADOREANS EXPRESSING THE VIEW THAT THE US IS INEVITABLY MOVING TOWARD THE JUST POSITION LONG EXPUNDED JURIDICALLY BY ECUADOR.

4. SUB-SECRETARY FOR FISHERIES, CAPITAN ETIEL RODRIGUEZ, WAS ALMOST EUPHORIC IN HIS COMMENTS ON THE SECRETARY'S REMARKS ABOUT EXTENDING THE 200-MILE LIMIT AND EXPRESSED CONFIDENCE THAT THIS MOVE WOULD GREATLY IMPROVE US-ECUADOREAN RELATIONSHIPS. EMBASSY OFFICERS REMINDED HIM THAT THE SECRETARY WAS COMMITTED TO SEEKING CHANGES THROUGH INTERNATIONAL ORGANIZATIONS AND THAT THIS MIGHT NOT BE ACCOMPLISHED FOR SOME TIME, PERHAPS NOT UNTIL AFTER THE NEXT TUNA FISHING SEASON.

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PAGE 02-02

NC 44373

TOR:161748Z AUG 75

5. AMBASSADOR RAFAEL GARCIA VELASCO, LEGAL ADVISOR TO THE FOREIGN MINISTRY AND PRINCIPAL OFFICIAL ON LAW OF THE SEA MATTERS, WAS PLEASED WITH INITIAL REPORTS OF THE SPEECH AND STATED HIS INTENT TO STUDY IT CAREFULLY. HE LAUDED PARTICULARLY THE SECRETARY'S COMMENTS ON THE NEED TO PLACE THE RESOURCES OF THE HIGH SEA UNDER INTERNATIONAL CONTROL AND THE IMPORTANCE OF THIS IN REACHING GLOBAL UNDERSTANDING ON RATIONALLY SHARING THE SEAS RESOURCES AND IN CONSERVING THEM FOR FUTURE GENERATIONS. BREWSTER



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TOR1160319Z AUG 75

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 FM AMEMBASSY NASSAU
 TO RUEHC/SECSTATE WASHDC IMMEDIATE 7088
 INFO RUEHDC/USDOC WASHDC IMMEDIATE
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Post Geneva

Bahamas ✓

Comm. II ✓



74

SECRET NASSAU 1338

E.O. 11652: GDS

TAGS: EFIS BF

SUBJ: US/BAHAMAS SPINY LOBSTER TALKS

FROM US DELEGATION FOR ARA - ASST SEC ROGERS, OES/OFA W.L.
 SULLIVAN, L/OES B.H. OXMAN, ARA/CAR T. HUEVNER
 COMMERCE PLEASE PASS NMFS - C. BLONDIN

SUMMARY: MINEXTAFF ADDERLEY PRIVATELY ADVISED USDEL CHAIRMAN WALLACE PRIOR TO TODAY'S SESSION OF TALKS THAT GC08 SAW NO BASIS FOR AGREEMENT ON SPINY LOBSTER FISHERY. ADDERLEY SUGGESTED JOINT REPEAT JOINT STATEMENT ON MONDAY STATING THAT TALKS WERE CONCLUDED WITHOUT FINDING BASIS FOR AGREEMENT, BUT PERHAPS SUBJECT TO REOPENING AT LATER TIME. AFTER TODAY'S SHORT SESSION, WHICH ENDED IN RECESS FOR FURTHER STUDY OF SCIENTIFIC GROUP'S REPORT AND WHICH WAS CONDUCTED WITHOUT REFERENCE TO THE APPARENT BREAKDOWN OF TALKS, WALLACE MET WITH ADDERLEY IN PARTLY SUCCESSFUL EFFORT TO TRY AGAIN TO KEEP TALKS OPEN. AMBASSADOR WEISS SUBSEQUENTLY MET WITH P. M. PINDLING AND OBTAINED COMMITMENT TO CONTINUE SUBSTANTIVE TALKS ON MONDAY, BUT WITH NO COMMITMENT TO TRY TO NEGOTIATE AN AGREEMENT, ONLY TO CONTINUE EVALUATION OF WHETHER THERE WAS ANY BASIS FOR NEGOTIATING AN AGREEMENT. END SUMMARY. WEISS/PINDLING TALK REPORTED SEPTEL.

1. U.S. AND BAHAMIAN SCIENTIFIC SPECIALISTS MET IN LENGTHY SESSION THURSDAY AND PREPARED AGREED REPORT NOTING SOME EVIDENCE OF SUBSTANTIAL LOBSTER FISHING ON PARTS OF BAHAMIAN BANKS, BUT POSSIBILITY FOR INCREASING SUSTAINABLE LOBSTER YIELDS FROM BANKS OVERALL.

2. IN SPITE OF ENCOURAGING SCIENTIFIC REPORT, ADDERLEY MET PRIVATELY WITH CHAIRMAN OF USDEL WALLACE ON FRIDAY MORNING, IMMEDIATELY PRIOR TO SCHEDULED NEGOTIATING SESSION, AND DECLARED BAHAMIAN INTENTION TO BREAK OFF NEGOTIATIONS. ADDERLEY REPORTED BAHAMIANS HAD REVIEWED U.S. PROPOSAL AT HIGH LEVELS OF GOVERNMENT

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PAGE 02

NG 44007

TOR:160319Z AUG 75

AND CONCLUDED THERE WAS NO POSSIBLE WAY IT COULD PROVIDE BASIS FOR ANY AGREEMENT THAT WOULD BE POLITICALLY ACCEPTABLE TO GCOB. ADDERLEY PROPOSED AN IMMEDIATE JOINT U.S.-BAHAMIAN ANNOUNCEMENT THAT DISCUSSIONS HAD CONCLUDED WITHOUT FINDING A BASIS FOR AN AGREEMENT, ALTHOUGH HE SUGGESTED THAT THE ANNOUNCEMENT MIGHT INDICATE POSSIBILITY FOR FURTHER CONSIDERATION OF AN AGREEMENT AT AN INDEFINITE FUTURE TIME. TO ALLOW TIME TO FURTHER PROBE BAHAMIAN POSITION AS WELL AS LIKELY EFFECTS PROPOSED BREAK-OFF OF NEGOTIATIONS, WALLACE PROPOSED FRIDAY NEGOTIATING SESSION PROCEED AS SCHEDULED WITH REVIEW OF SCIENTIFIC REPORT, WITH ALL DISCUSSION BETWEEN FULL DELEGATIONS OF TALKS BREAKDOWN DELAYED UNTIL MONDAY. ADDERLEY AGREED AND UNEVENTFUL REVIEW OF SCIENTIFIC REPORT FOLLOWED. JOINT PRESS RELEASE AT END OF SESSION STATED TALKS RECESSED TO PERMIT BOTH DELEGATIONS TO FURTHER REVIEW SCIENTIFIC GROUP'S REPORT.

3. FOLLOWING CONSULTATIONS BETWEEN GOVERNMENT MEMBERS OF USDEL AND EMBASSY, WALLACE ARRANGED SECOND PRIVATE MEETING WITH ADDERLEY IN EARLY AFTERNOON. ADDERLEY REAFFIRMED THAT HE SAW NO CONCEIVABLE BASIS FOR AN AGREEMENT BECAUSE U.S. PROPOSAL HAD SIMPLY QUOTE TOO NARROW A BASIS UNQUOTE. HE APPEARED COMPLETELY UNINTERESTED IN ANY CONCEIVABLE MODIFICATIONS THAT THE U.S. MIGHT BE ABLE TO DEVELOP. HE NOTED THAT THE TALKS MIGHT CONTINUE THROUGH WEDNESDAY IF THE U.S. THOUGHT THIS WOULD BE DESIRABLE FOR SAKE OF APPEARANCES, BUT THAT THESE WOULD BE NEGOTIATIONS ONLY IN FORM.

4. RESULTS OF SECOND MEETING WITH ADDERLEY LEFT RATHER STRONG IMPRESSION WITH USDEL THAT BAHAMAS HAD NEVER INTENDED TO ENGAGE IN ANY SERIOUS NEGOTIATIONS ON LOBSTER WITH U.S., BUT WERE SIMPLY SEEKING BASIS TO ABRUPTLY DENY ALL FUTURE ACCESS TO LONG-STANDING U.S. LOBSTER FISHERY OFF BAHAMAS.

5. FOLLOWING ADDITIONAL CONSULTATIONS BETWEEN DEL AND EMB, AMBASSADOR WEISS CALLED ON PRIME MINISTER PINDLING TO SEEK CLARIFICATION OF GCOB POSITION AND DETERMINE IF ANYTHING COULD BE DONE TO REVERSE ADDERLEY'S POSITION, OR AT LEAST TO PERMIT CONTINUANCE OF SUBSTANTIVE TALKS WHICH MIGHT ULTIMATELY LEAD TO FINDING A BASIS FOR NEGOTIATING AN AGREEMENT. PINDLING AGREED THAT WE WOULD MEET AGAIN AT LEAST ON MONDAY TO CONTINUE SUBSTANTIVE TALKS AIMED PRIMARILY AT EXPLORING THE POSSIBILITY FOR A SHORT-TERM AGREEMENT. THE FULL CONVERSATION AND AMBASSADOR'S EVALUATION IS BEING SENT SEPTEL.

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PAGE 03-03

NC 44007

TOR:160319Z AUG 75

6. DELEGATION'S FULL EVALUATION AND RECOMMENDATIONS FOR FURTHER ACTION AND DEPT. CONSIDERATION WILL BE SEPTEL AS SOON AS POSSIBLE. WEISS

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PAGE 01

NC 43793

TOR1152248Z AUG 75

O R 152201Z AUG 75
 FM AMEMBASSY QUITO
 TO RUEHC/SECSTATE WASHDC IMMEDIATE 6759
 INFO RUEBGG/AMEMBASSY BOGOTA 1927
 RUEBQT/AMEMBASSY GUATEMALA 315
 RUEBML/AMEMBASSY LIMA 2680
 RUEBMO/AMEMBASSY MANAGUA 212
 RUEBMO/AMEMBASSY MEXICO 1696
 RUEBEP/AMEMBASSY PANAMA 2057
 RUEBJO/AMEMBASSY SAN JOSE 291
 RUEBSU/AMEMBASSY SAN SALVADOR 216
 RUEBNA/AMEMBASSY SANTIAGO 1382
 RUEBTE/AMEMBASSY TEQUIGALPA 229
 RUEBQY/AMCONSUL QUAYAQUIL 7530
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Ecuador ✓
Chile ✓
Peru ✓
Comm. II ✓



C O N F I D E N T I A L QUITO 6004
 FOR AMBS MOORE AND CLINGAN
 E.O. 116521 GDS

TAGS: PLOS PFOR EFIS EC US
 SUBJECT: EASTERN PACIFIC TUNA INITIATIVE
 REF: A) QUITO 5852 B) STATE 108398

1. AMBASSADOR RAFAEL GARCIA VELASCO, LEGAL ADVISOR OF THE FOREIGN MINISTRY, IN CONVERSATIONS ON AUGUST 14 WITH EMBASSY OFFICERS, AFFIRMED POSITIONS OF GOE ON THE EASTERN PACIFIC TUNA INITIATIVE WHICH HE PROVIDED TENTATIVELY ON AUGUST 11 (REF A).

2. AMBASSADOR GARCIA SAID THAT THE GOE HAD CARRIED OUT THE CONSULTATIONS WITH CHILE AND PERU AND THAT A JOINT NOTE IS BEING DRAFTER FOR AMBASSADORS TO REQUEST GALINDO-POHL TO ACT AS CHAIRMAN. GARCIA SAID THAT DRAFT, DESIGNED FOR PRESENTATION BY PACIFIC COAST COUNTRIES EITHER IN SAN SALVADOR OR WASHINGTON, WOULD BE SHOWN TO US FOR OUR VIEWS IN THE NEAR FUTURE.

3. AMBASSADOR GARCIA COMMENTED THAT ALTHOUGH THE DRAFT PRINCIPLES PROPOSED BY THE AMERICANS HAD INITIALLY MET RESISTANCE, IT WAS NOW AGREED THAT THEY MIGHT BE USEFUL IN SERVING AS A POINT OF DEPARTURE. HE EMPHASIZED AGAIN THAT DISCUSSIONS MUST BE BASED ON ARTICLE 53, HOWEVER, AND SAID THAT THE LATIN AMERICAN NATIONS ARE PREPARING A PROPOSED TEXT THAT AMPLIFIES ARTICLE 53, THE TEXT WILL

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TOR152248Z AUG 75

BE VERY BROAD IN CONCEPT AND CAPABLE OF SERVING AS AN UMBRELLA FOR OTHER AGREEMENTS. WHEN ASKED IF WE MIGHT OBTAIN A COPY OF THE LATIN AMERICAN TEXT IN ADVANCE, HE SAID, THE NATIONS WOULD PREFER TO WAIT UNTIL THE MEETING IN NEW YORK.

4. GARCIA STATED HIS PLEASURE THAT AMBASSADORS MOORE AND CLINGAN WILL VISIT LIMA AND SANTIAGO, AND SAID THAT THE FOREIGN MINISTRY LOOKS FORWARD TO THEIR VISIT TO QUITO. BREWSTER



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FM AMEMBASSY LONDON
TO RUEHC/SECSTATE WASHDC IMMEDIATE 3864
INFO RUFHGV/USMISSION GENEVA 3824
BT

784

CONFIDENTIAL
LIMITED OFFICIAL USE LONDON 12714
E.O. 11652: N/A

TAGS: PLOS
SUBJ: LOS - PREPARATORY CONSULTATIONS FOR EVENSEN GROUP

REF: (A) OXMAN/CLAPPIN TELECON 8/15;
(B) LONDON 12608; (C) LONDON 12363
1. MEETINGS WITH UK LOS REPS IN LONDON AUGUST 18
(REF B) FOR LEITZELL AND OTHERS CANCELLED PER OXMAN
INSTRUCTIONS REF (A).
2. MEETING WITH ROZENTAL IN GENEVA PARA 3 REF (B) ALSO
CANCELLED. ROZENTAL SAID HE CAN BE CONTACTED IN
GENEVA AT FOLLOWING NUMBERS: HOTEL - 98-2450;
MEXICAN MISSION - 98-4710.
3. BUSBY MEETING WITH BRIAN TAYLOR PARA (5) REF C
HAS NOT REPEAT NOT BEEN CANCELLED.
4. UK FCO TOLD US U.S. AMENDMENTS AND COMMENTS ON
MARINE POLLUTION ARTICLES PROVIDED DEPT. A-5260 AND
DEPTEL 191103 HAVE NOT BEEN CIRCULATED TO GROUP OF 17
BASED ON UK UNDERSTANDING THAT WE WOULD CIRCULATE THEM
OURSELVES PER PARA (3) DEPTEL 191103.
RICHARDSON

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FM AMEMBASSY PANAMA
TO RUEHC/SECSTATE WASHDC 4842
INFO RULPALJ/PANCANAL
RULPALJ/USCINCSO
RUESBG/AMEMBASSY BOGOTA 3144
RUESQI/AMEMBASSY QUITO 2122
RUESJO/AMEMBASSY SAN JOSE 2369

BT

UNCLAS PANAMA 4971

E.O. 11652: N/A

TAGS: PLOS, PN

SUBJECT: LOS; REGIONAL CONSERVATION AGREEMENT FOR HIGHLY
MIGRATORY SPECIES

REF: (A) STATE 182196 (B) STATE 1883988

UPON RECEIPT OF REF B EMBOFF DELIVERED TEXT (REF A)
OF PROPOSED PRINCIPLES FOR A REGIONAL CONSERVATION AGREEMENT
FOR HIGHLY MIGRATORY SPECIES IN THE CONTEXT OF A NEW LAW
OF THE SEA TREATY TO PEDRO BRIN, DIRECTOR OF OFFICE OF
INTERNATIONAL ORGANIZATIONS, CONFERENCES, AND TREATIES
OF FONMIN, EMBOFF EXPRESSED US INTEREST IN ANY COMMENT GOP
MIGHT HAVE ON THEM, EMBASSY ALSO WILL GIVE COPIES TO OTHER
APPROPRIATE GOP OFFICIALS. JORDEN

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PAGE 01

NC 44211

TOR:160949Z AUG 75

R 191717Z AUG 75
 FM AMEMBASSY REYKJAVIK
 TO RUEHC/SECSTATE WASHDC 5586
 INFO RUFHOL/AMEMBASSY BONN 0788
 RUDKPNQ/AMEMBASSY COPENHAGEN 1175
 RUDKHLQ/AMEMBASSY HELSINKI 0625
 RUEHMO/AMEMBASSY MOSCOW 0165
 RUDKSNQ/AMEMBASSY OSLO 1167
 RUDKFMQ/AMEMBASSY STOCKHOLM 0870
 RUDISHH/COMICEDEFOR
 RUCBSAA/CINCLANT
 RUFHNA/USNATO 1177

Post Geneva
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70

BT
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 E.O. 11652: N/A
 TAGSI EFIS, IC

SUBJECT: GOI WRESTLES WITH IMPLEMENTATION OF 200-MILE FISHERIES ZONE

1. WITH ONLY TWO MONTHS TO GO BEFORE EFFECTIVE DATE OF ICELANDS 200-MILE FISHERIES LIMITS, GOI HAS NOT YET AGREED ON POSITION TO TAKE IN ANY NEGOTIATIONS ON SUBJECT WITH OTHER GOVERNMENTS AND REMAINS UNRESPONSIVE TO LATTERS' INTEREST IN TALKS.

2. FOREIGN MINISTRY HAS ANNOUNCED THAT SEVERAL COUNTRIES, INCLUDING UK AND FRG HAVE FORMALLY SOUGHT NEGOTIATIONS, BUT THUS FAR GOI HAS ONLY EXPRESSED WILLINGNESS TO CONSIDER SUCH REQUESTS. BRITISH AMBASSADOR COMPLAINED YESTERDAY TO CHARGE OVER GOI FOOT-DRAGGING, ALTHOUGH SCHEDULED RETURN TO ICELAND THIS WEEKEND OF GOI AMBASSADOR IN LONDON APPEARS TO SIGNAL SOME MOVEMENT ON QUESTION AT LEAST AS FAR A BRITISH ARE CONCERNED. THERE ARE NO SIGNS THAT ICELAND IS ANY CLOSER TO DISCUSSIONS WITH FRG. MEANWHILE, USSR HAS DELIVERED FORMAL WRITTEN PROTEST TO GOI OVER PLANNED EXTENSION, WHICH MOSCOW REPORTEDLY TERMED ILLEGAL. FOREIGN MINISTER AGUSTSSON TOLD PRESS THAT GOI WOULD REPLY BY REITERATING INTENTION TO EXTEND AND SPELL OUT JUSTIFICATION FOR DOING SO.

GOI'S DELIBERATE APPROACH TO NEGOTIATIONS APPARENTLY FROM UNRESOLVED QUESTION WITHIN CABINET OF WHAT,

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TOR1160949Z AUG 75

IF ANY, FOREIGN FISHING WITHIN 50 MILES WOULD BE CON-
SIDERED IN TALKS, ISSUE HAS MAJOR POLITICAL OVERTONES
AND COULD CAUSE BOTH STRAINS WITHIN COALITION AND SERIOUS
VULNERABILITY OF COALITION TO OPPOSITION ATTACKS, CON-
SENSUS WITHIN PM HALLGRIMSSON'S INDEPENDENCE PARTY
APPEARS PREPARED TO CONSIDER CONCESSIONS INSIDE 50 MILES,
BUT HIS PROGRESSIVE PARTY PARTNER IS REPORTEDLY SPLIT ON
QUESTION WITH STRONG ELEMENT OPPOSED TO ANY FOREIGN FISH-
ING WITHIN THAT ZONE. OPPOSITION COMMUNIST-DOMINATED
PEOPLES ALLIANCE HAS INSISTED ON NO CONCESSIONS TO
FOREIGNERS INSIDE NEW LIMITS AND ESPECIALLY INSIDE 50
MILES. IF SUCH PRIVILEGES ARE GRANTED, PA CAN BE EXPECTED
TO SEEK MAXIMUM POLITICAL ADVANTAGE BY PLAYING ON POPULAR
CONCERN OVER DEPLETION OF VITAL RESOURCES AND ON GENER-
ALLY INTENSE NATIONALISTIC FEELINGS OVER FISHERIES ISSUE.
BEARING IN MIND EMBARRASSMENT IT SUFFERED LAST FALL WHEN
PEOPLES ALLIANCE PRESSURE AND GROUNDSWELL OF PROGRESSIVE
DISSIDENTS SCUTTLED DRAFT AGREEMENT WITH FRO CABINET WILL
DOUBTLESS STICK TO ITS KID-GLOVE HANDLING OF THIS HIGHLY
SENSITIVE ISSUE. MARTIN

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R 151450Z AUG 75
FM AMEMBASSY LIMA
TO RUEHC/SECSTATE WASHDC 6345
INFO RUESNA/AMEMBASSY SANTIAGO 2221
RUESQI/AMEMBASSY QUITO 3024
RUESGY/AMCONSUL GUAYAQUIL 652

BT
C O N F I D E N T I A L LIMA 6642

E.O. 11652: GDS
TAGS: PLUS, PE

SUBJECT: LOS; PROPOSED PRINCIPLES FOR A REGIONAL CONSERVATION
AGREEMENT FOR HIGHLY MIGRATORY SPECIES IN THE
CONTEXT OF A NEW LOS TREATY

REF: (A) STATE 188398 (B) STATE 182195 (C) LIMA 6503

1. ON AUGUST 14 EMBASSY OFFICERS MET WITH ALVARO DE SOTO, THE
ACTING DIRECTOR OF THE FOREIGN MINISTRY'S OFFICE OF MARITIME
SOVEREIGNTY. WE PRESENTED HIM WITH A COPY OF THE PROPOSED
PRINCIPLES FOR A REGIONAL CONSERVATION AGREEMENT FOR HIGHLY
MIGRATORY SPECIES IN THE CONTEXT OF A NEW LOS TREATY. WE ALSO
INFORMED HIM OF THE OCTOBER MEETING IN NEW YORK TO DISCUSS THIS
AND EXPRESSED OUR HOPE THE GOP WOULD BE REPRESENTED.
DESOTO SAID THAT HE WOULD STUDY THE PROPOSED PRINCIPLES AND
WOULD GIVE US COMMENTS AT A LATER TIME. HE ADDED THAT HE WAS
CERTAIN THE GOP WOULD SEND A REPRESENTATIVE TO THE OCTOBER
MEETING AND THAT HE WOULD RECOMMEND THAT AMBASSADOR ARIAS
SCHREIBER ATTEND, IF THIS WERE NOT POSSIBLE, DESOTO WOULD
PROBABLY REPRESENT PERU IN NEW YORK.

2. WE ALSO TOLD DESOTO THAT AMBASSADOR CLINGAN IS PREPARED TO
VISIT LIMA SEPTEMBER 8 FOR CONSULTATIONS ON THIS AND ON OTHER
LOS MATTERS. DESOTO SAID HE WOULD BE DELIGHTED TO SEE HIS
FRIEND, BUT NOTED THAT FOR SUCH CONSULTATIONS AMBASSADOR ARIAS
SCHREIBER SHOULD BE IN LIMA. HOWEVER, ARIAS SCHREIBER WILL
ATTEND THE EVENSEN GROUP MEETING IN GENEVA AUGUST 25-SEPT, 5
AND DESOTO THOUGHT THAT HE MIGHT WANT TO STOP IN NEW YORK ON
HIS WAY BACK TO LIMA. WE NOTE FROM REFTEL B THAT AMBASSADORS
MOORE AND CLINGAN WILL ALSO ATTEND THE EVENSEN GROUP
MEETING IN GENEVA, UNLESS THERE ARE OTHER INDIVIDUALS
IN THE GOP WHOM AMBASSADOR CLINGAN WOULD LIKE TO MEET, HE
MAY WISH TO HOLD ANY DISCUSSIONS WITH AMBASSADOR ARIAS SCHREIBER
IN GENEVA.

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3. DESOTO MADE SEVERAL COMMENTS ON SECRETARY KISSINGER'S MONTREAL SPEECH. HE NOTED THAT ALTHOUGH EVERYONE KNEW THAT THE U.S. POSITION ON THE STRAITS QUESTION WAS NON-NEGOTIABLE, THIS WAS THE FIRST TIME A USG REPRESENTATIVE DISCUSSED IT IN SUCH UNEQUIVOCAL TERMS. HE ALSO PERCEIVED A "HARDENING" OF THE U.S. POSITION ON EXPLOITATION OF DEEP SEABEDS. HE COMMENTED THAT EXPLOITATION BY NATIONAL COMPANIES IN ADDITION TO EXPLOITATION BY AN INTERNATIONAL ENTITY WOULD INEVITABLY RESULT IN THE FAILURE OF THE LATTER BECAUSE OF ITS INHERENT LACK OF COMPETITIVENESS. FINALLY, HE SAID HE DETECTED AN INCREASE IN EMPHASIS ON COASTAL FISHING AND A DECREASE IN EMPHASIS ON DEEP-SEA FISHING. DEAN

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INFO RUMJKL/AMEMBASSY KUALA LUMPUR 5855
RUMJRV/AMEMBASSY RANGOON 4770
RUKOSP/AMEMBASSY SINGAPORE 6370

BT

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R.O. 11652: N/A

YAGS: PLUS

SUBJ: LOSI THAI-INDONESIAN TALKS

1. ACCORDING PRESS REPORTS, THAI AND INDONESIAN DELEGATIONS ON AUGUST-14 CONVENED TALKS, SCHEDULED TO LAST SIX DAYS, ON CONTINENTAL SHELF ISSUES IN ANDAMAN SEA. MEETING IS FIFTH IN SERIES, FOURTH HAVING BEEN HELD IN JAKARTA IN SEPTEMBER 1973. INDONESIAN AMBASSADOR IS CHAIRING INDODEL. ON CONCLUSION OF TALKS WE WILL SEEK TO DEBRIEF PRINCIPALS. WHITEHOUSE

68

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Indonesia ✓

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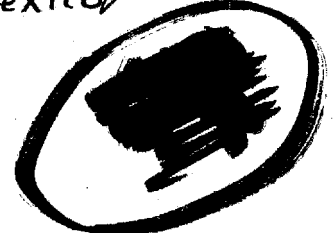
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 TO AMEMBASSY MEXICO 6551
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 C O N F I D E N T I A L STATE 193625
 E.O. 11652:GDS
 TAGS: PLOS
 SUBJECT: LOS: PREPARATORY CONSULTATIONS WITH MEXICO FOR
 EVENSEN GROUP
 REF: MEXICO 7201
 1. EMB SHOULD INFORM VARGAS THAT SCIENCE TEAM WILL BE IN
 GENEVA WEEK PRIOR TO EVENSEN MEETING AND WOULD BE HAPPY TO
 MEET WITH MEXICAN SCIENCE TEAM MEMBERS AT EITHER WORKING
 LEVEL WITH VARGAS OR HEADS OF DEL LEVEL WITH CASTANEDA.
 2. FYI: DEL WILL CONTACT CASTANEDA UPON ARRIVAL TO DIS-
 CUSS QUESTION OF COORDINATION ON SCIENCE ISSUE. END FYI.
 KISSINGER

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 INFO RUMJPG/USLO PEKING 5965
 RUMJDH/AMCONSUL HONG KONG 2229
 RUKOBT/AMEMBASSY JAKARTA 9535
 RUMJKL/AMEMBASSY KUALA LUMPUR 5362
 RUSBAE/AMEMBASSY NEW DELHI 1421
 RUHQHQA/CINCPAC
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Post Geneva

PRC ✓

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C O N F I D E N T I A L
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 E.O. 11652: N/A
 TAGS: PLOS, CH, SN
 SUBJECT: GOS - PRC DISCUSSION ON LOS MATTERS
 CINCPAC ALSO FOR POLAD
 REF: SINGAPORE 3404 DTG 060854Z AUG 6

1. DEPARTMENT AND FBIS ARE UNABLE TO FIND ANY EVIDENCE THAT PRC HAS RETREATED FROM ITS OPPOSITION TO RIGHT OF UNIMPEDED TRANSIT THROUGH STRAITS USED FOR INTERNATIONAL NAVIGATION WHICH WOULD BE OVERLAPPED BY A 12-MILE TERRITORIAL SEA (SUCH AS MALACCA). NCNA ENGLISH ON MAY 3 AND 13 REITERATED APPROVAL OF EFFORTS OF "SMALL AND MEDIUM SIZED COUNTRIES" IN LOS CONFERENCE TO FRUSTRATE SUPERPOWER SCHEMES SUCH AS THE ASSERTION OF "FREEDOM OF THE HIGH SEAS" TO PERMIT TRANSIT OF STRAITS WITHIN TERRITORIAL WATERS.

2. DEPARTMENT AGREES WITH FONMIN THAT PRC ATTITUDE TOWARD DIEGO GARCIA EXPANSION HAS COME ABOUT AS CLOSE TO APPROVAL AS POSSIBLE, GIVEN BASIC PRINCIPLE OF OPPOSITION TO OVERSEAS BASES AND "SUPERPOWER HEGEMONISM." MOST STRIKING PUBLIC EVIDENCE IS JULY30 NCNA ENGLISH REPORT ON CONGRESSIONAL APPROVAL OF EXPANSION PLANS. AFTER PRO FORMA NOTE THAT THE MOVE DEMONSTRATES INTENSIFYING US-USSR RIVALRY IN INDIAN OCEAN, NCNA PORTRAYED TREMENDOUS EXPANSION OF SOVIET POWER IN THE AREA AS "GRAVELY THREATENING" THE SECURITY OF THE COASTAL COUNTRIES. IT THEN SUMMARIZED WITHOUT COMMENT HISTORY OF US PROPOSALS FOR EXPANSION OF DIEGO GARCIA FACILITY, IMPLYING THAT THE BUILDUP IS A NECESSARY RESPONSE TO SOVIET CHALLENGE.

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 TAGS: EFIS, BF

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 Bahamas ✓
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SUBJ: OPENING SPINY LOBSTER TALKS
 REF: NASSAU 1306; NASSAU 1309

1. USG AND GCOB DELS MET AUGUST 13 IN OPENING SESSION ON SPINY LOBSTER. ADDERLEY WELCOMED U.S. DEL WITH STATEMENT ON IMPORTANCE GCOB ATTACHES TO OFFSHORE RESOURCES, ARCHIPELAGO STATUS AND THIS FIRST FOREIGN POLICY VENTURE SINCE INDEPENDENCE (TEXTS SENT 8/13). FOLLOWING OPENING STATEMENTS BY U.S. AMB AND U.S. DEL CHRNM WALLACE, ADDERLEY ASKED WHAT U.S. POSITION IS.
2. US REP INDICATED SPECIFICS OF U.S. POSITION WOULD BE PUT FORWARD NEXT MEETING IN A DOCUMENT AND REVIEWED GENERAL OBJECTIVES OF U.S. IN NEGOTIATION, INCLUDING CONSERVATION, ACCESS TO THE RESOURCE WITH A LIMIT ON NUMBER OF LICENSES, ASSISTANCE IN ENFORCEMENT, RECIPROCITY, AND SCIENTIFIC COOPERATION.
3. PRESENTATION OF GCOB DEL VERY FRIENDLY, SELF-ASSURED. ADDERLEY INDICATED GCOB POSITION ON INTERIM ENFORCEMENT MORATORIUM UNCHANGED.
4. TALKS RESUMED AUGUST 14 WITH PRESENTATION AND EXPLANATION BY U.S. REP OF FOLLOWING PAPER ON U.S. POSITION:
 BEGIN TEXT U.S. PROPOSALS FOR ACCOMMODATION IN MATTERS RELATING TO SPINY LOBSTER

LISTED BELOW ARE THE PRINCIPAL ELEMENTS WHICH THE UNITED STATES BELIEVES SHOULD BE INCLUDED IN ANY ARRANGEMENTS WITH THE BAHAMAS CONCERNING SPINY LOBSTER. THIS LISTING IS MADE ON THE UNDERSTANDING THAT THE SPINY LOBSTER IS A CREATURE OF THE CONTINENTAL SHELF, AND IS MADE WITHOUT PREJUDICE TO THE PRECISE FORM IN WHICH ANY ARRANGEMENTS BETWEEN THE TWO GOVERNMENTS MIGHT BE CAST OR THE NATURE OF ADMINISTRATIVE ARRANGEMENTS WHICH MIGHT BE NEEDED TO IMPLEMENT THESE PROPOSALS.

I. RECIPROCITY

THE TERMS AND CONDITIONS OF ANY ARRANGEMENTS UNDER WHICH U.S. FISHERMEN WOULD OPERATE REGARDING SPINY LOBSTER FISHING ON

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THE BAHAMIAN BANKS WOULD BE RECIPROCAL IN THE SENSE THAT THESE SAME TERMS AND CONDITIONS WOULD APPLY WITH RESPECT TO BAHAMIAN FISHERMEN DESIRING TO FISH FOR SPINY LOBSTER ON THE U.S. CONTINENTAL SHELF.

II. LICENSING OF VESSELS

AMERICAN VESSELS WOULD BE ELIGIBLE TO PURCHASE LICENSES TO FISH FOR SPINY LOBSTER ON THE BAHAMIAN BANKS. THE NUMBER OF AMERICAN VESSELS WHICH WOULD BE ALLOWED TO PURCHASE LICENSES WOULD BE BASED ON THE AMOUNT OF FISHING WHICH WOULD ENSURE THE PROPER CONSERVATION OF THE RESOURCE, AFTER TAKING INTO ACCOUNT THE LEVEL OF BAHAMIAN FISHING. IN ACCORDANCE WITH THE BEST SCIENTIFIC EVIDENCE AVAILABLE, IT IS THE U.S. VIEW THAT 350 AMERICAN VESSELS SHOULD BE ALLOWED TO PURCHASE LICENSES AT THE PRESENT TIME. THIS FIGURE WOULD BE ADJUSTED, IF APPROPRIATE, FOLLOWING PERIODIC REASSESSMENTS OF THE STATUS OF THE SPINY LOBSTER STOCKS, AS WELL AS REASSESSMENTS OF THE LEVEL OF BAHAMIAN FISHING.

THE UNITED STATES WOULD RECOMMEND THAT EACH VESSEL BE SUBJECT TO A FLAT FEE TO BE PAID ANNUALLY, THE AMOUNT TO VARY PER VESSEL LENGTH AS FOLLOWS:

LENGTH OF VESSEL	AMOUNT OF FEE
0 TO 30 FEET	DOLS 250
OVER 30 TO 45 FEET	500
OVER 45 TO 60 FEET	750
OVER 60 FEET	1,000

THE UNITED STATES BELIEVES THAT LICENSES SHOULD BE ISSUED BY THE FLAG STATE IN ACCORDANCE WITH ARRANGEMENTS AGREED UPON BY BOTH GOVERNMENTS.

III. COORDINATION IN MANAGEMENT AND CONSERVATION

THERE SHOULD BE A MEANS OF FACILITATING THE PROPER CONSERVATION OF THE SPINY LOBSTER STOCKS OF BOTH COUNTRIES. IT IS THE VIEW OF THE UNITED STATES THAT THERE SHOULD BE A MECHANISM TO PROVIDE FOR A REGULAR AND SYSTEMATIC REVIEW OF THE STATUS OF THE RESOURCE AND TO RECOMMEND TO THE TWO GOVERNMENTS WHATEVER CONSERVATION MEASURES ARE APPROPRIATE.

IV. FISHERY ANALYSIS AND RESOURCE ASSESSMENTS

THE UNITED STATES PROPOSES A COOPERATIVE SCIENTIFIC INVESTIGATION OF THE LOBSTER STOCKS OF THE BAHAMIAN BANKS. MONITORING AND ANALYSIS OF THE FISHERY AS WELL AS SURVEYS AND ASSESSMENT OF THE RESOURCE ARE ENVISAGED. THESE STUDIES WOULD INCLUDE

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AREAS WHERE THE FISHERY NOW OPERATES AS WELL AS OTHER AREAS NOT UTILIZED AT THE PRESENT TIME. EXISTING EFFORTS TO COLLECT AND ANALYZE FISHERIES CATCH DATA WOULD BE EXPANDED. WE WOULD ALSO PROPOSE ADDITIONAL ASSESSMENT ACTIVITIES INCLUDING REEF SURVEYS, THE ESTABLISHMENT AND MONITORING OF A SANCTUARY AREA WHERE AN UNMOLESTED POPULATION CAN BE OBSERVED, AND TAGGING TO DETERMINE GROWTH, MORTALITY, MIGRATORY MOVEMENTS, AND OTHER POPULATION CHANGES. V. COOPERATIVE ENFORCEMENT OF MANAGEMENT MEASURES U.S. PARTICIPATION IN ENFORCEMENT PROGRAMS FOR CONSERVATION MEASURES COORDINATED BETWEEN THE TWO COUNTRIES WOULD BE VERY SIGNIFICANTLY ENHANCED BY A BAHAMIAN/AMERICAN TREATY REGARDING SPINY LOBSTER. IMPLEMENTING U.S. LEGISLATION FOR SUCH A TREATY

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WOULD ESTABLISH NEW FEDERAL AUTHORITY SPECIFICALLY DESIGNED TO
IMPROVE ENFORCEMENT EFFICIENCY AND ACHIEVE FULL COMPLIANCE BY ALL
PERSONS UNDER U.S. JURISDICTION WITH CONSERVATION AND LICENSING
CONTROLS ESTABLISHED UNDER THE TREATY. IN THE INTERIM PERIOD,
PENDING TREATY RATIFICATION AND THE ENACTMENT OF IMPLEMENTING
LEGISLATION, U.S. ENFORCEMENT ACTIVITIES WOULD INCLUDE VOLUNTARY
COMPLIANCE BY THE FISHERMAN, U.S. ENCOURAGEMENT OF VOLUNTARY
COMPLIANCE THROUGH INTENSIVE EDUCATIONAL PROGRAMS, AND THE
APPLICATION OF EXISTING LAWS INSOFAR AS THEY MAY ASSIST IN
ACHIEVING THE OBJECT AND PURPOSE OF THE AGREEMENT.
A MAJOR ASPECT OF U.S. ENFORCEMENT EFFORTS WOULD INCLUDE
THOROUGH SURVEILLANCE BY U.S. COAST GUARD PATROLS OF SPINY
LOBSTER FISHING AREAS OFF THE BAHAMAS. THIS WOULD ASSIST IN
DETERRING VIOLATIONS AND IN THE COLLECTION OF EVIDENCE FOR
ENFORCEMENT PROCEEDINGS. IN CONJUNCTION WITH COOPERATIVE
ENFORCEMENT PROGRAMS, THE U.S. COAST GUARD WOULD BE PREPARED
TO ASSIST IN TRAINING AND INFORMATION EXCHANGE PROGRAMS TO
EXPAND THE ENFORCEMENT CAPABILITY OF THE BAHAMAS.
VI. ASSISTANCE IN TRAINING BAHAMIAN FISHERMEN
THE UNITED STATES COULD PROVIDE TRAINING PROGRAMS FOR BAHAMIAN
FISHERMEN. AS AN EXAMPLE, TRAINEES MIGHT BE SELECTED BY THE
BAHAMAS AND THE UNDP/FAO FISHERIES DEVELOPMENT PROGRAMME AND
OBTAIN INITIAL INSTRUCTION IN THE BAHAMAS. FOLLOWING SUCH
INSTRUCTION, TRAINEES COULD PARTICIPATE IN CRUISES ABOARD U.S.
FISHERY RESEARCH VESSELS, STUDYING FISHING TECHNIQUES, IN-
CLUDING TECHNIQUES FOR EXPLORATORY FISHING, AND METHODS FOR
GEAR OPERATION AND GEAR DEVELOPMENT. END TEXT

5. GCOB REP (ADDERLEY) REQUESTED A DAY TO STUDY U.S. PAPERS.
HOWEVER, THE FOLLOWING POINTS WERE MADE IN PRELIMINARY DIS-
CUSSIONS:

- (A) GCOB DEL ASKED FOR U.S. COMMENT ON BAHAMIAN LEGAL REQUIRE-
MENT THAT AN AGREEMENT APPLY ONLY TO BOATS OWNED BY U.S.
CITIZENS. (B) U.S. DEL, IN RESPONSE TO REQUEST FOR EXPLANATION
OF FLORIDA LICENSING WITH RESPECT TO ALIENS, INDICATED THERE

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IS NO DISCRIMINATION THERE. AFTER LENGTHY DISCUSSION OF FLORIDA LAWS, FISHING AND MARKETING PATTERNS IN U.S. AND BAHAMAS, AND RESOURCE CONDITIONS, ADDERLEY SUGGESTED THAT THERE ARE MORE FISHERMEN IN FLORIDA THAN FLORIDA FISHERY CAN SUSTAIN. HE QUESTIONED HOW HE COULD JUSTIFY TO BAHAMAS LEGISLATURE A RECIPROCAL AGREEMENT FOR 350 BAHAMIANS TO GET LICENSES TO FISH IN FLORIDA WATERS WHEN THIS MEANS THERE ARE NO SURPLUS LOBSTER OFF FLORIDA FOR BAHAMIANS UNDER ANY RECIPROCAL ARRANGEMENT. U.S. DEL AGREED THAT RECIPROCAL FISHING OPPORTUNITIES FOR BAHAMIANS OFF FLORIDA MIGHT NOT BE A MAJOR ATTRACTION TO THE BAHAMIANS AT THE PRESENT TIME. HOWEVER, IT WAS ANTICIPATED THAT LONG TERM MECHANISM WOULD BE ABLE TO ACCOMMODATE THIS CONCERN, AND OTHER OFFSETTING FEATURES OF AN AGREEMENT MIGHT BE OF SUBSTANTIAL INTEREST TO THE BAHAMAS PROVIDING AN OVERALL BALANCE IN THE AGREEMENT.

(C) GCOB DEL THEN SUGGESTED THAT LOBSTER RESOURCE ON BAHAMIAN BANKS MIGHT BE OVERFISHED AT CURRENT LEVEL OF EXPLOITATION, NOTING THAT CLARIFICATION OF RESOURCE CONDITION WAS ESSENTIAL BEFORE OTHER ISSUES WERE ADDRESSED FURTHER. U.S. DEL RESPONDED WITH PROPOSAL (ACCEPTED BY BAHAMIANS) FOR IMMEDIATE MEETING OF TECHNICAL EXPERTS FROM BOTH SIDES TO REVIEW AVAILABLE DATA. (FYI - INFORMATION DEVELOPED BY U.S. SCIENTISTS INDICATES BAHAMIAN LOBSTER RESOURCE CURRENTLY BEING UTILIZED AT LEVEL BELOW MAXIMUM SUSTAINABLE YIELD).

6. TALKS SCHEDULED RESUME AUGUST 15. WEISS

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TOR1150213Z AUG 75

R 142113Z AUG 75
FM AMEMBASSY OTTAWA
TO SECSTATE WASHDC 7261

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BT
UNCLAS OTTAWA 3063
E.O. 11652: N/A
TAGSI PLUS, CA
SUBJECT: TEXT OF TRUDEAU'S LOS REMARKS
REF: OTTAWA 2968

1. FULL TEXT OF PORTION OF PM TRUDEAU'S AUGUST 7 PRESS CONFERENCE DEALING WITH LOS MATTERS FOLLOWS:
2. BEGIN TEXT: Q, MR. TRUDEAU, HAVE WE DECIDED THAT WE ARE GOING TO PROCLAIM A 200-MILE LIMIT IF CERTAIN AGREEMENTS CANNOT BE MADE? IF SO, HAVE WE SET A DEADLINE FOR THAT TIMING, AND ARE YOU SATISFIED THAT WE HAVE SUFFICIENT EQUIPMENT TO POLICE ANY SUCH CLAIM BY US?
A, NO, WE HAVEN'T SET A DEADLINE. WE HAVEN'T MADE THE DECISION THAT WE WOULD CERTAINLY DO IT IF CERTAIN THINGS DIDN'T HAPPEN, WE HAVE NOT EXCLUDED; WE HAVE SAID IT IS A POSSIBILITY. WE HAVE ACTED UNILATERALLY BEFORE, YOU'LL RECALL IN THE ARCTIC, AND ALSO IN CLOSING THE FISHERIES CLOSING LINES WHEN WE CLOSED OFF THE GULF OF ST. LAWRENCE, THE BAY OF FUNDY, AND THE WHOLE AREA AROUND THE CHARLOTTEs. THESE ARE SOME CASES WHERE UNILATERAL ACTION HAS BEEN TAKEN. IN THE LATTER EXAMPLE, WE INCREASED CANADA'S TERRITORY BY SOMETHING LIKE A HUNDRED THOUSAND SQUARE MILES OF FISHING AREA, SO IT'S NOT SOMETHING WE OBJECT TO IN PRINCIPLE, BUT WHEN WE'RE IN THE DISCUSSION OF MANY COMPLEX ISSUES IN THE LAW OF THE SEAS, WE STILL FIND IT BETTER TO GET MULTILATERAL ACTION AND INTERNATIONAL RECOGNITION OF THAT LAW OF THE SEAS THAN TO ACT UNILATERALLY, FOLLOWING WHICH, BECAUSE, WE DON'T INTEND GOING TO WAR WITH HALF OF EUROPE BY SEIZING THEIR SHIRS, WE WOULD HAVE TO SIT DOWN WITH THEM AND NEGOTIATE THE TERMS ON WHICH THEY WOULD LEAVE WHAT UNILATERALLY WE WOULD HAVE DECLARED TO BE OUR WATERS, SO IT WOULD, AS I SAID IN THE HOUSE OF COMMONS, IT WOULD BE MISLEADING TO HAVE THE CANADIANS BELIEVE THAT A UNILATERAL DECLARATION BY CANADA WOULD SOLVE THE MATTER ANYMORE THAN THE UNILATERAL DECLARATION IN OUR FISHING CLOSING LINES WOULD SOLVE THE MATTER. IT WAS POSSIBLE BECAUSE WE HAD BEGUN AND WE SUCCEEDED TO GET THE VARIOUS COUNTRIES TO PHASE THEIR FISHING RIGHTS, THEIR SOMETIMES CENTURIES-OLD FISHING RIGHTS IN

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THESE WATERS, TO PHASE THEM OUT,
 3. "BUT ANOTHER PINT I MUST MAKE, WHICH I THINK WILL MAKE YOU UNDERSTAND WHY THE LAW OF THE SEAS ROUTE IS BETTER THAN UNILATERAL ACTION, IS THAT WE'RE ASKING A DEVIL OF A LOT OF THINGS: SPECIAL TREATMENT FOR CANADA, AS IT WERE, FOR THIS LAW OF THE SEAS, WE'RE ASKING, YOU KNOW, FOR RIGHTS BEYOND THE 200-MILE, AND WE'RE ABOUT THE ONLY COUNTRY THAT IS DOING THAT BECAUSE OF THE SPECIAL EXTENSION OF OUR SHELF, MINERAL RIGHTS AND EVEN FISHERIES RIGHTS, WE'RE ASKING FOR SPECIAL RIGHTS IN THE ARCTIC SO THAT OUR ARCTIC POLLUTION PREVENTION LEGISLATION WILL BE RECOGNIZED IN INTERNATIONAL LAW. WE'RE ASKING FOR SPECIAL RIGHTS IN THE STRAITS, SO THAT THE NORTHWEST PASSAGE WILL NOT BECOME AN INTERNATIONAL STRAIT. WE'RE ASKING FOR SPECIAL RIGHTS IN THE CASE OF SALMON BECAUSE THEY BREED IN CANADA BUT THEY ARE FISHED IN THE HIGH SEAS, AND WE'RE ASKING FOR SPECIAL TREATMENT FOR THAT. WE'RE ASKING FOR SPECIAL TREATMENT IN THE AREA OF ENVIRONMENT BECAUSE THE ARCTIC IS SUCH A SPECIAL AREA IN TERMS OF THE ENVIRONMENT, SO MAYBE WE COULD UNILATERALLY MAKE ONE DELCARATION. BUT IF WE DO THAT IN A WAY WHICH DESTROYS ALL OUR CLAIMS TO THESE OTHER THINGS THAT WE'RE TRYING TO FIGHT FOR IN THE LAW OF THE SEAS, WE WILL HAVE MADE A VERY BAD BARGAIN INDEED. AND I THINK IT'S THAT KIND OF SHORTSIGHTEDNESS THAT THE PEOPLE IMMEDIATELY INTERESTED IN ONE ASPECT OF IT ARE GUILTY OF, AND I STATE THIS WITHOUT HOSTILITY TO THEM, I REALIZE THE IMPORTANCE. BUT I THINK CANDIANS AT LARGE SHOULD REALIZE THAT WE HAVE VERY LARGE STAKES INDEED IN THE LAW OF THE SEA CONFERENCE, AND THAT WE WOULD BE FOOLS TO GIVE UP THOSE STAKES BY AN ACTION WHICH WOULD BE PURELY A TEMPORARY, PAPER SUCCESS. BECAUSE THEN, AS YOU POINT OUT, WE WOULD STILL HAVE TO GO TO WAR TO IMPOSE OUR UNILATERAL ACTION IF WE COULDN'T NEGOTIATE IT IN AN ACCEPTABLE WAY. NOW, THESE NEGOTIATIONS ARE GOING ON PARALLEL TO THE LAW OF THE SEA CONFERENCE. WE'VE MADE PROGRESS IN ICNAF. THE DISPUTE WITH THE RUSSIANS IS OVER QUOTAS WHICH ICNAF HAS SET. THERE ARE ALSO BILATERAL TALKS AS WE'RE HAVING WITH THE RUSSIANS, AS WE'RE HAVING WITH THE SPAINIARDS. THEY'VE GOT A DELEGATION IN TOWN TODAY, I BELIEVE, OR TOMMORROW, FOR DISCUSSIONS. SO WE'RE NOT EXCLUDING ALL THE BILATERALS. BUT WE'RE NOT GIVING UP THE IDEA THAT IT WOULD BE PREFERABLE IF INTERNATIONAL LAW WERE CHANGED RATHER THAN CANADA

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TOR:150213Z AUG 75

TAKING THE LAW INTO ITS OWN HANDS." PORTER

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T 234158

EIA325

PAGE 01

NG 42624

TOR:142254Z AUG 75

R 141815Z AUG 75
FM AMEMBASSY NASSAU
TO SECSTATE WASHDC 7068

BT

UNCLAS NASSAU 1309

E.O. 11652: N/A

TAGS: EFIS BF

SUBJ: SPINY LOBSTER NEGOTIATION - JOINT PRESS RELEASE

REF: NASSAU 1306

1. THE FOLLOWING REMARKS BY AMBASSADOR SEYMOUR WEISS, SHOULD BE ADDED TO REFTEL AS ONE OF THE ATTACHMENTS TO THE JOINT PRESS RELEASE:

QUOTE OPENING REMARKS BY AMBASSADOR SEYMOUR WEISS - U.S. AMBASSADOR TO THE BAHAMAS SPINY LOBSTER NEGOTIATION - AUGUST 13, 1975

MR. MINISTER,

ON BEHALF OF MY COLLEAGUES AND MYSELF LET ME SAY THAT WE ARE VERY PLEASED TO HAVE THE OPPORTUNITY TO MEET WITH YOU FOR THE PURPOSE OF EXPLORING AN AGREEMENT UNDER WHICH UNITED STATES BASED FISHERMEN MAY BE PERMITTED TO CONTINUE TO FISH FOR LOBSTER ON THE BAHAMIAN CONTINENTAL SHELF.

WE ARE, OF COURSE, FAMILIAR WITH THE GOVERNMENT OF THE BAHAMAS FISHING ACT OF 1969 AS AMENDED AND THE PROVISION THAT IT MAKES FOR ENTERING INTO AGREEMENTS WITH OTHER NATIONS TO PERMIT SUCH FISHING. WHILE I WOULD NOT IN ANY SENSE WISH TO UNDERESTIMATE THE POTENTIAL PROBLEMS WHICH MAY PRESENT THEMSELVES IN WORKING OUT A DETAILED ARRANGEMENT, NEVERTHELESS, AS YOU WELL KNOW FROM OUR MANY PREVIOUS CONVERSATIONS, I REMAIN CONVINCED THAT AN AGREEMENT CONSISTENT WITH THE INTERESTS OF BOTH NATIONS CAN BE DEVELOPED.

FROM THE POINT OF VIEW OF MY GOVERNMENT, OUR INTEREST IS SELF APPARENT AND WE HAVE MADE NO PRETENCE ABOUT IT. WE HAVE A LARGE AND ACTIVE FISHING INDUSTRY LARGELY BASED IN FLORIDA WHICH FOR MANY YEARS HAS DEPENDED UPON ACCESS TO LOBSTERS IN THESE WATERS. TO PUT IT IN HUMANITARIAN TERMS LARGE NUMBERS OF FISHERMEN WHO HAVE ABSOLUTELY NO OTHER MEANS FOR SUPPORTING THEIR FAMILIES ARE PRESENTLY IDLED. THIS IS NOT ONLY A SERIOUS MATTER BUT FROM OUR POINT OF VIEW ONE REQUIRING URGENT ATTENTION. IN APPROACHING THIS PROBLEM AND IN ATTEMPTING TO MEET OUR OWN NATIONAL INTERESTS I WANT TO ASSURE YOU THAT WE DO NOT DO SO

Post Geneva
Bahamas

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FROM A NARROW POINT OF VIEW, TO THE CONTRARY IN SOLVING OUR PROBLEM WE HOPE TO CONSIDER WITH YOU APPROACHES WHICH YOU WILL FIND CONSISTENT WITH ADVANCING YOUR OWN INTERESTS, INDEED WE RECOGNIZE THAT IN THE ABSENCE OF A MANIFEST COMMONALITY OF PURPOSE AGREEMENT IS UNLIKELY.

WITHOUT BEING PRESUMPTUOUS, WE HOPE THAT OUR DISCUSSIONS CAN DEMONSTRATE IT IS AT LEAST EQUALLY IN YOUR COUNTRY'S INTEREST TO ENTER INTO AN AGREEMENT OF THE SORT I HAVE BEEN ALLUDING TO. FOR EXAMPLE, YOU ARE ANXIOUS THAT YOUR LOBSTER RESOURCE NOT BE UTILIZED IN SUCH A MANNER SO THAT ITS VIABILITY AS A RESOURCE OVER THE INDEFINITE FUTURE IS LOST TO THE BAHAMAS. SECONDLY, AND NOT UNRELATED TO THE PREVIOUS POINT, YOU PRESUMABLY WISH TO GAIN ECONOMIC BENEFIT FROM THE EXPLOITATION OF THAT RESOURCE.

WITH REGARD TO BOTH THE AFOREMENTIONED POINTS WE BELIEVE THAT AN AGREEMENT CAN AND SHOULD MEET YOUR ASPIRATIONS. MOREOVER, WE BELIEVE THAT BOTH POINTS CAN BE ACCOMMODATED WITHIN AN AGREEMENT WHICH AT THE SAME TIME DOES PERMIT OUR FISHERMEN TO CONTINUE TO PURSUE THEIR LIVELIHOODS.

WHILE I HAVE INDICATED THAT IN MY VIEW EACH OF THE GOVERNMENTS HAVE OBJECTIVES WHICH ARE MUTUALLY CONSISTENT I RECOGNISE FULL WELL THAT THAT CONCLUSION REMAINS TO BE DEMONSTRATED BY REFERENCE TO THE SPECIFICS OF ANY PROPOSAL WHICH MAY BE AGREED UPON, THAT IS, OF COURSE, WHAT WE ARE PREPARED TO DISCUSS IN THESE MEETINGS. I WOULD LIKE TO SAY, HOWEVER, THAT IN ADDITION TO THE INDIVIDUAL NATIONAL INTERESTS WHICH EACH OF US SHARE IN ACHIEVING AN AGREEMENT, I THINK THAT THERE IS ALSO A COMPOSITE COMMON INTEREST WHICH IN A SENSE SUPERIMPOSES ITSELF UPON EACH OF OUR INDIVIDUAL INTERESTS AS THESE INDIVIDUAL INTERESTS RELATE SOLELY TO THE FISHERY ISSUE. OUR COUNTRIES HAVE HAD AND CONTINUE TO HAVE A VERY CLOSE AND FRIENDLY RELATIONSHIP. IT IS A RELATIONSHIP FROM WHICH BOTH NATIONS HAVE BENEFITTED. IT IS A RELATIONSHIP WHICH I HAVE NO DOUBT WHATSOEVER BOTH NATIONS WISH TO FOSTER AND INDEED OVER TIME EVEN IMPROVE UPON. AN AGREEMENT WHICH ACCOMMODATES OUR MUTUAL NATIONAL INTERESTS IS THE ONLY OUTCOME OF OUR DISCUSSIONS WHICH WOULD BE CONSISTENT WITH THE POSITIVE CHARACTER OF THE RELATIONSHIP BETWEEN OUR TWO COUNTRIES.

THUS IT IS THESE CONSIDERATIONS:

-- THE FACT THAT AN AGREEMENT CAN AND SHOULD MEET IMPORTANT

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TOR:142254Z AUG 75

INTERESTS OF BOTH PARTIES AND MY EARNEST BELIEF THAT AN AGREEMENT MEETING SUCH A PRESCRIPTION CAN BE DEvised AND -- THE FACT THAT AN AGREEMENT ON THIS ISSUE WHICH IS MUTUALLY ACCEPTABLE TO BOTH SIDES IS IMPORTANT TO THE TOTALITY OF THE RELATIONSHIP BETWEEN OUR TWO COUNTRIES, THAT I BASE MY CONFIDENCE ON OUR ABILITY TO NEGOTIATE SUCH AN AGREEMENT. WITH THESE THOUGHTS IN MIND, MR. MINISTER, MY GOVERNMENT HAS MADE AVAILABLE THE VERY BEST EXPERTS THAT IT HAS IN FISHERIES MATTERS. IN PARTICULAR, MR. DAVID WALLACE OF THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION OF THE DEPARTMENT OF COMMERCE IS A MAN OF OUTSTANDING CREDENTIALS IN FISHERY PROBLEMS HAVING HAD MANY YEARS IN DEALING WITH THOSE PROBLEMS ON BEHALF OF THE UNITED STATES GOVERNMENT. I CAN ASSURE YOU THAT YOU WILL FIND MR. WALLACE NOT JUST EXPERT IN THE DETAILS OF THE FISHERY PROBLEM BUT A SYMPATHETIC AND INTELLIGENT MAN EARNESTLY DESIROUS OF FINDING THE EQUITABLE SOLUTION TO WHICH I HAVE REFERRED. HE IS, MOREOVER, SUPPORTED BY A NUMBER OF ADVISORS WHOM WE HOPE CAN BE OF ASSISTANCE AS THESE DISCUSSIONS PROGRESS. I BELIEVE IT IS A TESTIMONY AS TO THE IMPORTANCE WE ATTRIBUTE TO THESE DISCUSSIONS THAT THE UNITED STATES GOVERNMENT HAS ASSEMBLED UNDER MR. WALLACE'S LEADERSHIP SUCH AN EMINENTLY QUALIFIED TEAM. MR. MINISTER, I WANT TO ASSURE YOU THAT I MYSELF, MR. WALLACE, AND OUR ENTIRE TEAM APPROACH THESE DISCUSSIONS WITH AN OPEN MIND, DEDICATED SOLELY TO ACHIEVING AN EQUITABLE AGREEMENT WHICH CAN FORM STILL ANOTHER LINK IN THE CHAIN OF FRIENDSHIP AND COOPERATION WHICH BINDS OUR TWO NATIONS. FINALLY, I ALSO WANT TO ASSURE YOU THAT WE ARE PREPARED TO DEVOTE SUCH TIME AS NECESSARY AND, TO QUOTE YOUR PRIME MINISTER'S EARLIER COMMENT TO ME, TO CONDUCT AS INTENSE AND CONCENTRATED NEGOTIATION AS NECESSARY WITH A VIEW TO OBTAINING AS RAPID AND SUCCESSFUL A CONCLUSION TO THESE NEGOTIATIONS AS IS FEASIBLE. WE ARE, MR. MINISTER, AT YOUR DISPOSAL. UNQUOTE WEISS

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TOR:142228Z AUG 75

R 141647Z AUG 75
 FM AMEMBASSY BOGOTA
 TO RUEHC/SECSTATE WASHDC 226
 INFO RUESBG/AMCONSUL CALI
 RUESBG/AMCONSUL MEDELLIN 1001
 BT
 C O N F I D E N T I A L BOGOTA 7702

Post Geneva

Colombia
Comm. I, II, III

Biographic

62

E.O. 11652: GDS

TAGS: PLOS, CO

SUBJECT: COLOMBIA AND LOS

1. IN ADDITION TO THE PRESENTATION BY THE AMBASSADOR OF A COPY OF SECRETARY KISSINGER'S MONTREAL SPEECH TO FOMIN LIEVANO (SEPTEL) A COPY DELIVERED ON AUG 13 TO DR JOAQUIN FONSECA, UNDER SEC FOR INTL ORGANIZATIONS AND CONFERENCES OF THE FOREIGN MINISTRY, THE OCCASION PROVIDED AN OPPORTUNITY FOR A GENERAL DISCUSSION OF LOS MATTERS WHICH HIGHLIGHTED SOME COLOMBIAN PERCEPTIONS.

2. FONSECA, WHO IS HIGHLY KNOWLEDGEABLE AND IS A REGULAR MEMBER OF COLOMBIAN LOS DELEGATIONS, EXHIBITED A HIGH DEGREE OF OPTIMISM REGARDING THE OUTCOME OF THE COMING N.Y. LOS CONFERENCE. HE SAID THAT IF NO MAJOR ROADBLOCKS ARE ENCOUNTERED, AN AGREEMENT COULD BE WORKED OUT IN N.Y. AND IN A FOLLOW-UP CONFERENCE IN CARACAS POSSIBLY IN MID OR LATE 1976. HE THOUGHT THAT WITH LUCK THE FORMAL SIGNING COULD BE CARRIED OUT IN EARLY 1977. FONSECA EMPHASIZED THAT THE THREE COMMITTEE AND SINGLE TEXT APPROACH HAS BEEN RESPONSIBLE FOR THE SIGNIFICANT PROGRESS SO FAR AND HAS HELPED TO AVOID ENDLESS DEBATE ON POSSIBLY OVERWHELMING NUMBERS OF INDIVIDUAL COUNTRY PROPOSALS. HE PROPOSED THAT AS A NEXT STEP IN N.Y., SPECIFIC ARTICLES WITH ALREADY WIDE ACCEPTANCE SHOULD BE PUT TO A FINAL VOTE. THE FORMAL APPROVAL OF THESE "EASY" ARTICLES, ACCORDING TO FONSECA, WOULD PROVIDE REAL FORWARD MOVEMENT AND WOULD CONSTRUCT THE NECESSARY PSYCHOLOGICAL FRAMEWORK FOR CARRYING LOS TO A RAPID SUCCESSFUL CONCLUSION.

3. FONSECA POINTED OUT THAT COLOMBIA IS ALREADY IN AGREEMENT WITH 80 PERCENT OF THE SINGLE TEXT OF COMMITTEE ONE. HE SAID THAT GERMAN ZEA, CHIEF COLOMBIAN LOS COORDINATOR, HAS DIFFICULTY WITH SOME OF THE ARTICLES IN THE TEXTS OF COMMITTEES TWO AND THREE, BUT FURTHER NEGOTIATIONS WOULD

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NO DOUBT ELIMINATE ANY SERIOUS RESERVATIONS. FONSECA SAID THAT COLOMBIA SUPPORTED "100 PERCENT" THE U.S. POSITION ON PEACEFUL SETTLEMENT OF DISPUTES AND, WHILE LESS ENTHUSIASTIC OVER THE U.S. POSITION ON THE STRAITS ISSUE, WAS WILLING TO GO ALONG. HE ALSO INDICATED THAT COLOMBIA FAVORED ALLOWING SEABED DEVELOPMENT BY PRIVATE FIRMS INSTEAD OF REQUIRING GOVERNMENT CONTROLLED OPERATIONS AS PROPOSED BY THE USSR AND OTHER COMMUNIST COUNTRIES. IN DISCUSSIONS OF THE 12 MILE TERRITORIAL WATERS AND 200 MILE ECONOMIC ZONE CONCEPT, HE SPOKE OF THE MATTER AS IF IT WERE A FOREGONE CONCLUSION. LOOKING TO THE FUTURE, FONSECA BROADLY HINTED THAT, IMMEDIATELY FOLLOWING THE EXPECTED SUCCESSFUL CONCLUSION OF LOS, COLOMBIA AND OTHER NATIONS WOULD CALL FOR AN INTERNATIONAL CONFERENCE ON REGULATING THE USE OF THE "WATER COLUMN" BEYOND THE PROSPECTIVE 200 MILE ECONOMIC ZONES.

4. FONSECA TOLD EMBASSY OFFICIALS THAT HE HAD RECEIVED A COPY OF A NEWSPAPER ARTICLE WHICH HINTED THAT AMBASSADOR STEVENSON WILL RESIGN AS CHIEF U.S. NEGOTIATOR FOR LOS. FONSECA EXPRESSED HIS DISPLEASURE AT THE PROSPECT AND SAID THAT COLOMBIA WOULD STRONGLY PREFER THAT HE REMAIN. HE SAID THAT THE CONTINUITY WOULD BE VALUABLE AND, ALTHOUGH STEVENSON IS A "HARD NEGOTIATOR", HIS VIEWS ARE KNOWN AND HE CAN BE TRUSTED.

5. FONSECA SAID THAT GERMAN ZEA WOULD REMAIN AS CHIEF COLOMBIAN LOS COORDINATOR (BOGOTA 7612) AND WOULD LEAD THE GOC DELEGATION IN NY NEXT FEB. HOWEVER, FOR THE EASTERN PACIFIC FISHERIES NEGOTIATIONS IN OCTOBER, THE GOC WILL SEND GABRIEL ACEVEDO, DIRECTOR GENERAL OF FISHERIES, AND PERHAPS COLONEL LONDONO, CHIEF OF THE FRONTEIRS SECTION OF THE FOREIGN MINISTRY AND AN EXPERT IN SEA LIMITS MATTERS. VAKY

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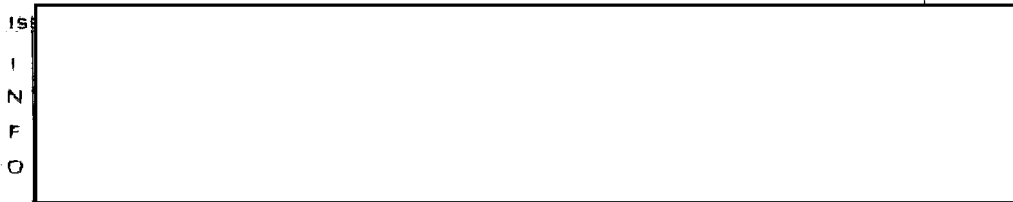
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 INFO RUESQI/AMEMBASSY QUITO 1749
 ZEN/AMCONSUL CALI 1008
 ZEN/AMCONSUL MEDELLIN 999
 BT
 C O N F I D E N T I A L BOGOTA 7699

Post Geneva

Colombia ✓

Ecuador ✓

Gmm. II ✓



EO 116521 GDS

TAGSI PLOS PFOR CO EC

SUBJ: COLOMBIA, ECUADOR, AND LOS

1. PRESIDENT LOPEZ RECEIVED AUTHORIZATION FROM THE SENATE ON AUG 12 TO TRAVEL TO QUITO FOR DISCUSSIONS WITH PRESIDENT RODRIGUEZ ON AUG 22-24. THE ANNOUNCED TOPICS OF DISCUSSION FOR THE MEETING WILL BE CLOSER COLLABORATION IN AREA OF MARITIME TRANSPORT, NORMALIZATION OF COMMERCE AND TRANSIT OF WORKERS IN FRONTIER AREAS, AND DEVELOPMENT OF BORDER AREAS. LOPEZ AND RODRIGUEZ WILL ALSO SIGN AN AGREEMENT READJUSTING THEIR TERRITORIAL SEAS BORDERS (BOGOTA 7522).

2. BOGOTA DAILY EL ESPECTADOR OF AUG 13 PUBLISHED A STATEMENT BY THE ECUADORIAN AMBASSADOR TO COLOMBIA IN WHICH HE SAID THAT COLOMBIA WILL EXTEND ITS TERRITORIAL WATERS TO 200 MILES AT THE TIME THAT LOPEZ SIGNS THE ABOVE MENTIONED AGREEMENT WITH ECUADOR. HOWEVER, IN A DISCUSSION WITH EMBOFFS, JOAQUIN FONSECA, FONOFF UNDER SECRETARY FOR INTERNATIONAL ORGANIZATIONS AND CONFERENCES, JOKINGLY BRUSHED ASIDE THE AMBASSADOR'S STATEMENT BY SAYING THAT THE ECUADORIANS WOULD PROBABLY ATTEMPT TO "BRAINWASH" LOPEZ INTO SUCH AN EXTENSION OF TERRITORIAL WATERS BUT THE PRESIDENT DOES NOT HAVE THAT KIND OF MOVE IN MIND. (IN A SUBSEQUENT CONVERSATION, FONOFF UNDERSEC FOR ECONOMIC AFFAIRS ALSO MADE LIGHT OF THE ECUADORIAN AMB'S STATEMENT.) FONSECA ADDED, HOWEVER, THAT LOPEZ HAS FIRMLY DECIDED FOR NOW ON A 12-MILE TERRITORIAL SEA LIMIT AND A 200-MILE RESOURCE CONSERVATION ZONE AND WILL SOON PRESENT LEGISLATION TO THAT EFFECT (BOGOTA 6770). FONSECA EXPLAINED THAT THE LEGISLATION WILL BE IN ACCORD WITH THE 1958 GENEVA LOS AGREEMENTS AND WILL BE A STOPGAP MEASURE WHICH WOULD BE SUPERSEDED BY NEW LOS ACCORDS ONCE THEY ARE AGREED UPON AND SIGNED. VAKY

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Post Geneva

Denmark

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R 141330Z AUG 75
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 TO RUEHC/SECSTATE WASHDC 1357
 INFO RUFHOL/AMEMBASSY BONN 2055
 RUDTC/AMEMBASSY LONDON 2597
 RUDKMDQ/AMEMBASSY MADRID 448
 RUFNPS/AMEMBASSY PARIS 2780
 RUEHOT/AMEMBASSY OTTAWA 563
 RUDISDF/AMEMBASSY REYKJAVIK 1355
 RUEHKO/AMEMBASSY TOKYO 305
 RUEHOT/AMCONSUL HALIFAX 12
 RUEHMT/AMCONSUL MONTREAL 96
 BT

UNCLAS COPENHAGEN 2317
 STATE PASS W. L. SULLIVAN, OES; COMMERCE PASS
 D. H. WALLACE, NOAA
 E.O. 11652: N/A

TAGS: ICNAF, EFIS, OCON, XN, US, NEAFC, DA
 SUBJECT: ICNAF SPECIAL MEETING MONTREAL
 REF (A) STATE 19082 ET AL; (B) COPENHAGEN 2028
 1. DANISH GOVERNMENT HAS DECIDED TO LODGE OFFICIAL
 OBJECTION WITH THE NORTH-EAST ATLANTIC FISHERIES
 COMMISSION ON RECOMMENDATION 8 (A) WHICH PROVIDES
 FOR A TOTAL ALLOWABLE CATCH OF 254,000 METRIC TONS
 ON NORTH SEA HERRING DURING THE EIGHTEEN MONTH
 PERIOD BEGINNING UJULY 1, 1975 (SEE REF B FOR
 DETAILS). THE NOTIFICATION OF OBJECTION IS
 PRESENTLY BEING COMPOSED AND IS EXPECTED TO BE
 SENT TO THE COMMISSION DURING THE WEEK BEGINNING
 AUGUST 18. EMBASSY WILL SEND FURTHER DETAILS WHEN
 NOTIFIED THAT THE OBJECTION HAS ACTUALLY BEEN
 SENT.

2. BEGIN COMMENT: WE BELIEVE THIS INFORMATION
 USEFUL IN NEGOTIATIONS PROPOSED IN REF A,
 ESPECIALLY ON THE SUBJECT OF HERRING FISHING OFF
 THE UNITED STATES COAST.

3. REGIONAL FISHERIES ATTACHE ALSO SUGGESTS THAT
 IT MIGHT BE APPROPRIATE TIME FOR US TO PURSUE
 ARGUMENTS USED BY A NUMBER OF COUNTRIES CONCERNING
 THEIR NEED FOR FISH QUOTAS BASED ON NATIONAL FOOD

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REQUIREMENTS. IN THIS LINE, US OFFICIALS MIGHT ASK OHKUCHI HOW MUCH OF THE JAPANESE SQUID CATCH IN THE ICNAP AREA IS CONSUMED IN JAPAN AND HOW MUCH IS EXPORTED TO SPAIN, ITALY AND OTHER COUNTRIES. END COMMENT. LUKENS



25X1A

Approved For Release 2002/08/19 : CIA-RDP82S00697R000400070001-8

Approved For Release 2002/08/19 : CIA-RDP82S00697R000400070001-8

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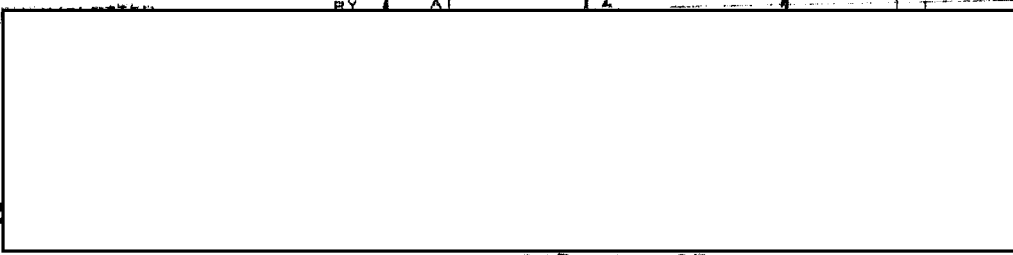
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NC 41710

T 231535

TOR1140354Z AUG 75

Post Geneva
Malaysia ✓
Indonesia ✓
Comm. II ✓

58

R 140310Z AUG 75
 FM AMEMBASSY KUALA LUMPUR
 TO RUEHC/SECSTATE WASHDC 945
 INFO RUMJQB/AMEMBASSY BANGKOK 5928
 RUKOBT/AMEMBASSY JAKARTA 3380
 RUMVC/AMEMBASSY MANILA 4251
 RUKOSP/AMEMBASSY SINGAPORE 5037
 RUEHDT/USMISSION USUN NEW YORK 592
 RUHQHQA/CINCPAC
 BT

UNCLAS KUALA LUMPUR 4784
 CINCPAC FOR POLAD
 E.O. 11652: N/A
 TAGSI PLOS, MY

SUBJ: LOSI MALAYSIAN ATTORNEY-GENERAL'S COMMENTS ON US
 AND USSR PASSAGE THROUGH STRAITS OF MALACCA

1. ACCORDING AUG 12 EDITION "MALAY MAIL," AT AUG 11 PRESS CONFERENCE, MALAYSIAN ATTORNEY-GENERAL, TAN SRI KADIR (SURNAME KADIR) YUSOF, SAID MALAYSIA WILL MAKE CONCESSIONS ON STRAITS OF MALACCA IF U.S. AND SOVIET UNION ADOPT LESS RIGID STAND OVER USE OF THAT WATERWAY. MALAYSIA AND INDONESIA HAVE NO OBJECTIONS TO INNOCENT PASSAGE THROUGH STRAITS BUT WANT RESTRICTIONS OF WARSHIPS AND VESSELS ABOVE 200,000 TONS, KADIR ADDED.
2. KADIR SAID THAT ALTHOUGH LOS NEGOTIATIONS HAVE BEEN IN PROGRESS FOR TWO YEARS, U.S. AND SOVIET UNION HAVE INDICATED NO SIGNS OF COMPROMISE. FURTHERMORE, MALAYSIA WOULD NOT CHANGE IT POSITION ON PASSAGE IF SOME COMPROMISE WAS NOT AGREED UPON. KADIR CITED A NEED FOR GLOBAL CONSENSUS ON LOS MATTERS. HE CONTINUED THAT HE IS PRESENTLY DISCUSSING PROPOSED CONTINGENCY PLANS TO FIGHT STRAITS POLLUTION WITH VISITING INDONESIAN JUSTICE MINISTER, DR. MOCHTAR KUSUMAATMADJA.
3. COMMENT: MALAYSIA'S POSITION ON TONNAGE AND WARSHIPS TRANSITING STRAITS IS WELL KNOWN AND KADIR'S STATEMENTS ARE NO SURPRISE. GOM APPARENTLY BEGINNING TO LAY GROUNDWORK FOR 4TH LOS SESSION SCHEDULED FOR NEW YORK IN 1976 AND WE ARE LIKELY TO SEE AN INCREASE IN PUBLIC STATEMENTS BY GOM ON LOS MATTERS IN COMING MONTHS. DILLON

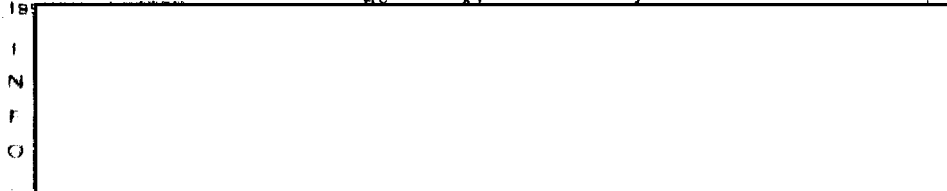
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NC 41637

TOR1140144Z AUG 75

R 132120Z AUG 75
 FM AMEMBASSY QUITO
 TO RUEHC/SECSTATE WASHDC 6715
 INFO RUEBQ/AMEMBASSY BOGOTA 1923
 RUEBDM/AMEMBASSY LIMA 2675
 RUEBNA/AMEMBASSY SANTIAGO 1380
 RUEBQY/AMCONSUL QUAYAQUIL 7515
 BT

Post Geneva

- Ecuador ✓
- Colombia ✓
- Comm. II ✓

57

C O N F I D E N T I A L
 LIMITED OFFICIAL USE QUITO 5921
 E.O. 11652: N/A
 TAGSI PLOS EC

SUBJECT: LOSI AGENDA ITEM FOR ECUADOR/COLOMBIA SUMMIT
 1. AUGUST 13 EDITION OF QUITO'S LEADING DAILY, EL COMERCIO, FEATURES AFP AND UPI STORIES DATED LINED BOGOTA TO EFFECT THAT LOS MATTERS WILL FIGURE PROMINENTLY ON AGENDA OF RODRIGUEZ/LOPEZ SUMMIT SCHEDULED TO BEGIN HERE AUGUST 22. STORIES STATE THAT IN AUGUST 12 MESSAGE TO LOPEZ, PRESIDENT RODRIGUEZ NOTED NECESSITY TO DISCUSS QUESTION OF "SOVEREIGNTY OVER OCEAN SPACE" AT FORTHCOMING MEETING. AFP STORY, QUOTING GOE AMBASSADOR IN BOGOTA, FURTHER SUGGESTS THAT GOE AND GOC HAVE ALREADY REACHED AGREEMENT (TO BE UNVEILED AT RODRIGUEZ/LOPEZ SUMMIT) THAT COLOMBIA WILL EXTEND ITS CLAIM TO FULL SOVEREIGNTY OUT TO 200 MILES. UPI VERSION PANTS SOMEWHAT LESS EXTREME PICTURE SUGGESTING THAT LOPEZ HAS SIMPLY AGREED TO DISCUSS ISSUE WITHIN CONTEXT OF "PATRIMONIAL" SEA (E.G. ECONOMIC ZONE) CONCEPT.
 2. MEANWHILE WE HAVE LEARNED THAT GOE FONOFF DIRGEN FOR TERRITORIAL SOVEREIGNTY (AYALA) LEFT FOR BOGOTA EARLIER THIS WEEK. WE ASSUME HIS TRIP IS RELATED TO FOREGOING AND POSSIBLY TO WORKING ON DRAFT OF JOINT-COMMUNIQUE.
 3. EMOFFS WILL BE SEEING OTHER FONOFF LOS EXPERTS IN NEXT SEVERAL DAYS AND WE WILL REPORT ANY COMMENTS THEY MIGHT HAVE TO OFFER ON REPORTED ECUADOR/COLOMBIA LOS DISCUSSIONS. BREWSTER

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PAGE 01

NC 41486

TOR:132200Z AUG 75

P 132110Z AUG 75
 FM AMEMBASSY MEXICO
 TO SECSTATE WASHDC PRIORITY 9406
 BT
 C O N F I D E N T I A L
 LIMITED OFFICIAL USE MEXICO 7204
 E.O. 11652: N/A
 TAGS: PFOR, PLOS, MX

Post Geneva

Mexico ✓

Comm. II ✓

Handwritten circled number: 56

SUBJECT: REACTION TO GOM 200-MILE ANNOUNCEMENT

1. PUBLIC AND PRESS REACTION TO GOM ANNOUNCEMENT THAT MEXICO WOULD DECLARE 200-MILE "EXCLUSIVE ECONOMIC ZONE" OFF ITS SHORES HAS OF COURSE BEEN UNIFORMLY FAVORABLE. SURPRISINGLY STRONG EMPHASIS HAS BEEN GIVEN TO ACTION'S EVENTUAL EFFECT IN "CLOSING" GULF OF CALIFORNIA TO FOREIGN EXPLOITATION. AMONG OTHERS, MEXICAN NAVY'S DIRECTOR GENERAL OF OCEANOGRAPHY, RADM GILBERTO LOPEZ LIRA, SUGGESTED THAT ACTION WOULD CANCEL OUT A "TREATY OF SERVITUDE" -- EVIDENTLY A REFERENCE TO GUADALUPE-HIDALGO (1848) -- BY WHICH U.S. UNTIL NOW HAD PREVENTED MEXICO FROM CLOSING GULF AND EXPLOITING ITS RESOURCES.

2. A COMMON THEME AMONG COMMENTATORS HAS BEEN BELIEF THAT U.S. ITSELF WAS ON BRINK OF A UNILATERAL 200-MILE DECLARATION OF ITS OWN. THIS MAY WELL HAVE BEEN A BASIC ASSUMPTION OF GOM ACTION (IT WAS MENTIONED TO CHARGE BY FONSEC OFFICIAL WHO FIRST GAVE US NEWS OF GOM DECISION), AND IT MAY HAVE BEEN ENCOURAGED AMONG COMMENTATORS BY OFFICIAL "BACKGROUNDERS." WE TRUST SECY KISSINGER'S CLEAR STATEMENT OF ADMINISTRATION POSITION IN MONTREAL SPEECH WILL HELP TO CLARIFY MATTERS.

3. ONLY IMPLICIT CIRITICSM OF GOM ACTION TO DATE HAS COME FROM THOSE WHO ARGUED IT DID NOT GO FAR ENOUGH IN ASSERTING MEXICAN RIGHTS IN GULF OF CALIFORNIA ("SEA OF CORTES"). OPPOSITION PARTY ACCION NACIONAL (PAN) HAS LONG SOUGHT TO IMPROVE ITS NATIONALIST CREDENCALS BY LOBBYING PUBLICLY FOR MEXICAN ASSERTION OF SOVEREIGNTY OVER GULF OF CALIFORNIA. IN LETTER TO EXCELSIOR EDITOR AUGUST 12, PAN LEADER ROSAS MAGALLON TAUNTS GOM FOR FINALLY COMING AROUND TO HIS PARTY'S POSITION AND DEMANDS THAT LOGICAL FINAL STEP BE TAKEN TO DECLARE GULF "MEXICAN PROPERTY."

4. WITH CONSIDERABLY TIGHTER REASONING, RESPECTED ASSAYIST CESAR SEPULVEDA (REGARDED AS A TOP AUTHORITY ON INTERNATIONAL LAW AMONG MEXICAN IN-GROUP) ALSO ARGUES THAT GULF OF CALIFORNIA SHOULD BE DECLARED "INTERNAL MEXICAN WATERS." SEPULVEDA CONCEDES

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PAGE 02-02

NC 41486

TOR:132200Z AUG 75

THAT PRESENT ACTION WILL SUFFICE FOR NOW IN TERMS OF ASSURING MEXICAN RIGHTS OVER GULF RESOURCES, AND HE NOTES THAT NAVIGATION AND OVER-FLIGHTS OF OTHERS WILL NOT BE VITALLY AFFECTED. HE ALSO SEES NO REASON FOR MEXICO TO WORRY ABOUT INTERNATIONAL REPERCUSSIONS GORWING OUT OF GUADALUPE-HIDALGO, SINCE TRANSIT RIGHTS ACCRUING TO U.S. UNDER ITS TERMS HAVE BEEN (HE SAYS) A DEAD LETTER FOR OVER ONE HUNDRED YEARS.

5. ON THE OTHER HAND, CONTINUES SEPULVEDA, THIRD COUNTRY FISHING RIGHTS IN GULF CANNOT BE INVOKED BECAUSE THEY REQUIRE DEMONSTRATION OF "VITAL, HISTORIC, AND CONTINUOUS INTEREST" AS WELL AS A "HIGHER INTEREST THAN THAT OF THE LITTORAL STATE," THESE DO NOT EXIST IN THE CASE OF GULF OF CALIFORNIA, HE ARGUES, ON THIS BASIS, SEPULVEDA ASSERTS THAT ANY PRETENSION CHALLENGING AN EXCLUSIVE MEXICAN TITLE OVER GULF RESOURCES CAN BE LEGALLY REFUTED, BUT HE CONCLUDES THAT THE FINAL STEP OF DECLARING THE GULF TO BE MEXICAN WATERS CAN BE POSTPONED UNTIL AFTER MEXICO HAS CONSOLIDATED EXERCISE OF ITS RIGHTS OVER GULF RESOURCES.

JOVA

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TOR:140137Z AUG 75

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R 132055Z AUG 75
FM AMEMBASSY LIMA
TO SECSTATE WASHDC 6322
BT
C O N F I D E N T I A L
LIMITED OFFICIAL USE LIMA 6574
EO 11652: NA
TAGS: PLOS, PE
SUBJ: CRONICA CONTINUES TO REACT TO SECRETARY'S LOS REMARKS
REF: LIMA 6541

1. ON AUGUST 13, THE GOP-OWNED LA CRONICA CONTINUED ITS SHARP CRITICISM OF SECRETARY KISSINGER'S MONTREAL SPEECH ON LAW OF THE SEA WITH A PAGE-LENGTH, TWO-COLUMN EDITORIAL. THE EDITORIAL IS DIVIDED INTO FOUR PARTS. THE FIRST PART SAYS THAT BY SECRETARY KISSINGER'S "STRIKING OUT AS 'UNACCEPTABLE!' THE THESIS OF A 200 MILE TERRITORIAL SEA," HE HAS RETURNED TO A POLICY OF "THE BIG STICK (GRAN GARROTE)." IT STATES THAT THE U.S. CONTINUES ON THE "TORTUOUS AND UNACCEPTABLE PATH OF (RESORTING TO) PRESSURES, COERCIONS, AND EVEN AGRSSION, IF NECESSARY."
2. THE SECOND PART OPINES THAT THE U.S. HAS NO COHERENT POLICY WITH RESPECT TO LAW OF THE SEA. IT RECOUNTS ALLEGED U.S. VIOLATIONS OF ITS OWN PRINCIPLES (E.G. SEIZURES OF FOREIGN VESSELS MORE THAN THREE MILES OFF U.S. COASTS) AND POINTS OUT THAT AT GENEVA IN 1958 AND 1960 THE U.S. PRESSED FOR ADOPTION OF A SIX-MILE TERRITORIAL LIMIT.
3. THE THIRD PART, HEADED "RIGHT AND ABUSE," STATES THAT PERU HAS NEVER DENIED THE RIGHT OF INNOCENT PASSAGE WITHIN 200 MILES OF ITS COAST -- BUT THAT THIS ISN'T ENOUGH FOR THE GREAT POWERS. "THEY, EVEN THOUGH THEY DISGUISE THEMSELVES IN SHEER'S CLOTHING, ONLY WANT TO FISH WITHOUT CONTROL AND PLUNDER OUR MARITIME WEALTH."
4. THE FINAL PART IS HEADED "WE WILL NOT RETREAT," IT LEADS OFF SAYING THAT "THE THREATS LAUNCHED BY MR. KISSINGER ARE NEITHER THE FIRST NOR THE LAST TO BE FORMULATED AGAINST THE IRREVERSIBLE PERUVIAN POSITION..." IT CONTINUES, "THE SWORD OF DAMOCLES HAS BEEN PLACED OVER OUR HEADS IN THE SENSE THAT THE U.S. FLEET IS DISPOSED TO PROTECT 'ITS INTERESTS'..." SINCE THIS "THREAT" COMES FROM THE SECRETARY OF STATE, THE EDITORIAL SAYS, "WE MUST NECESSARILY

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PAGE 02-02

NC 41628

TOR:140137Z AUG 75

INTERPRET IT AS THE OFFICIAL VOICE OF THE UNITED STATES, UNLESS THEY PRESENT SOME RECTIFICATION OR CLARIFICATION..."

5. COMMENT: APPEARING AS IT DOES IN LA CRONICA, THIS EDITORIAL MAY REFLECT THE GOP'S INITIAL REACTION TO SECRETARY KISSINGER'S SPEECH. (AN EQUALLY LENGTHY BUT MORE RESTRAINED EDITORIAL APPEARS IN LA PRENSA UNDER HEADING "DR. KISSINGER DOESN'T HAVE THE LAST WORD.") AS STATED IN REFTTEL, WE ARE NOW ACQUAINTING TOP GOP OFFICIALS WITH THE FULL TEXT OF THE SPEECH AND EXPECT SOON TO BE ABLE TO ASCERTAIN IF THE LA CRONICA EDITORIAL REPRESENTS TRUE GOP POSITION. DEAN

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NC 41458

TOR:132117Z AUG 75

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 FM AMEMBASSY LONDON
 TO RUEHC/SECSTATE WASHDC 3781
 INFO RUEHMO/AMEMBASSY MOSCOW 3346
 RUEHKO/AMEMBASSY TOKYO 2747
 RUFNPS/AMEMBASSY PARIS 4608
 RUTADE/AMEMBASSY YAOUNDE 0254
 RUEHDT/USMISSION USUN NEW YORK 3931
 BT

Post Geneva
 Comm. I ✓
 Group of 5 ✓

54

C O N F I D E N T I A L LONDON 12508

E, O, 11652: GDS

TAGS: PLOS

SUBJ: LOS: COMMITTEE I ISSUES AND GROUP OF FIVE

REF: STATE 184733

1. POINTS MADE REFTEL DISCUSSED WITH DUDGEON, DEPUTY CHIEF UK LOS TEAM AUGUST 13.
2. DUDGEON SAID SEPTEMBER 16 DATE FOR GROUP OF FIVE MEETING IN NEW YORK ACCEPTABLE. HE NOTED THAT HE HAD ALREADY TRANSMITTED THROUGH UK EMBASSY WASHINGTON SUGGESTION THAT SEABED EXPERTS MEET SEPARATELY FROM HEADS OF DELS WHILE HEADS OF DELS DISCUSS COMMITTEE II ISSUES. WHEN EXPERTS HAD PRODUCED PROPOSALS THEY WOULD THEN JOIN HEADS OF DELS TO DISCUSS COMMITTEE I TOPICS.
3. GENERAL OUTLINE OF INTERSESSIONAL WORK WE PROPOSED REFTEL AND NEED TO WORK CLOSELY WITH ENGO ALSO IN KEEPING WITH UK VIEWS. DUDGEON AGREED THAT MEETING IN JANUARY SUGGESTED BY ENGO WAS TOO LATE AND FOUND OCTOBER/NOVEMBER MEETING IN NEW YORK PREFERABLE. IN REGARD TO SECOND VISIT TO YAOUNDE BY TWO GROUP OF FIVE REPS BETWEEN SEPTEMBER 16 MEETING AND OCTOBER/NOVEMBER MEETING, DUDGEON SAID HE BELIEVED UK MIGHT NOT BE IN POSITION TO TAKE PART DUE TO SCHEDULING DIFFICULTIES OF ITS LOS REPS. HE WILL LOOK INTO THIS IN CASE UK SHOULD BE ONE OF THE TWO WHICH WOULD BE EXPECTED TO MAKE TRIP. RICHARDSON

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 FM AMEMBASSY LONDON
 TO RUEHC/SECSTATE WASHDC 3780
 INFO RUFNPS/AMEMBASSY PARIS 4607
 RUEHKO/AMEMBASSY TOKYO 2746
 RUEHMO/AMEMBASSY MOSCOW 3345

BT
C O N F I D E N T I A L LONDON 12506

E.O. 116521 GDS

TAGS: PLOS

SUBJ: LOSI PROPOSED U.S. AMENDMENTS AND COMMENTS
ON MARINE POLLUTION ARTICLES

REF: (A) STATE 191103; (B) STATE A-5260
 1. AMENDMENTS TO ARTICLES AND COMMENTS PROVIDED
 REPAIR, AS MODIFIED BY PARA 1 (A) AND (B) REFTEL, GIVEN
 TO UK LOS TEAM DEPUTY HEAD HARRY DUDGEON AUGUST 13.
 2. INFO PARA (3) REFTEL ALSO PASSED TO DUDGEON. HE
 SAID IT UNLIKELY THAT UK WILL BE ABLE PROVIDE ANY COM-
 MENTS ON PROPOSED AMENDMENTS PRIOR TO GROUP OF 17
MEETING AUGUST 21-22. RICHARDSON

C O N F I D E N T I A L

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NC 40637

TOR:130326Z AUG 75

R 130010Z AUG 75
FM AMEMBASSY MEXICO
TO SECSTATE WASHDC 9387
BT

Post Geneva
Mexico ✓
Comm. II ✓

CONFIDENTIAL
LIMITED OFFICIAL USE MEXICO 7176
EO 116521 NA
TAGS: PFOR, MX

52

SUBJECT: GOM UNILATERAL MOVE ON 200-MILE ZONE

REF A. MEXICO 6987; B. STATE 189192; C. STATE 189249
1. IN ACCORDANCE WITH REF B, CHARGE AND POL COUNSELOR MADE DEMARCHE ON SUBJECT WITH ACTING FOREIGN SECRETARY RUBEN GONZALEZ SOSA. CHARGE MADE POINTS DISCUSSED REFS, EXPRESSING U.S. OPPOSITION TO UNILATERAL ACTION AND STRONG HOPE THAT, IF GOM ABSOLUTELY COMMITTED TO UNILATERAL ACTION, THIS MIGHT AT LEAST BE DELAYED UNTIL AFTER LOS CONFERENCE NEXT SPRING. AT SAME TIME GONZALEZ WAS PROVIDED WITH TEXT OF SECRETARY KISSINGER'S AUGUST 11 SPEECH RELATING TO LOS.
2. GONZALEZ' FIRST COMMENT ATTEMPTED TO LINK MEXICAN ACTION WITH THAT OF PRESIDENT TRUMAN IN 1948 CONCERNING CONTINENTAL SHELF. HE HAD APPARENTLY STUDIED PRESS REPORTS OF SECRETARY'S SPEECH AND FURTHER SOUGHT TO LINK GOM ACTION TO "IMPATIENCE" WHICH HE NOTED IN SPEECH WITH RESPECT TO DEEP SEABED RESOURCES.
3. ACTING FONSEC REFERRED TO DIFFICULTIES IN LOS NEGOTIATIONS BUT EXPRESSED CONVICTION INTERNATIONAL AGREEMENT WAS ESSENTIAL TO AVOID ANARCHY. CHARGE AGREED AND STRESSED IMPORTANCE OF MANAGING PROBLEM SO AS TO AVOID A SERIES OF UNILATERAL ACTIONS THAT WOULD MAKE AGREEMENT MORE DIFFICULT.
4. CHARGE INQUIRED AS TO ACCURACY OF PRESS REPORTS WHICH QUOTED PRESIDENT ECHEVERRIA TO THE EFFECT THAT FOREIGN FISHING VESSELS WOULD BE LICENSED TO FISH IN GULF OF CALIFORNIA. HE SAID HE COULD NOT CONFIRM THE STORY AND HAD NO COMMENT ON IT. CHARGE INQUIRED ABOUT PROCEDURES FOR IMPLEMENTATION OF GOM DECLARATION; GONZALEZ WAS NON-COMMITTAL.
5. COMMENT: GONZALEZ' REFERENCES TO USG 1948 UNILATERAL ACTION AND GENERAL TENOR OF HIS COMMENTS REFLECTED SOMEWHAT DEFENSIVE ATTITUDE PROBABLY BECAUSE HE WAS NOT CUT IN ON DECISION-MAKING. IT SEEMS CLEAR THAT DECISIONS AS

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TOR:130326Z AUG 75

TO IMPLEMENTATION OF MEXICAN DECLARATION WILL BE MADE AT HIGHER LEVEL ONCE PRESIDENT AND FOREIGN SECRETARY RETURN. GONZALEZ PROMISED TO BRING USG POSITIONS TO ATTENTION OF RABASA. CHARGE DID NOT REFER TO DEPUTY SECRETARY INGERSOLL'S MEETING WITH AMBASSADOR DE OLLOQUI, AND GONZALEZ SHOWED NO SIGNS THAT HE WAS AWARE OF THAT MEETING. BRANDIN

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TOR:130338Z AUG 75

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 RUFNPS/AMEMBASSY PARIS 8805
 RUEHKO/AMEMBASSY TOKYO 3805
 RUEHMO/AMEMBASSY MOSCOW 7328
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 C O N F I D E N T I A L STATE 191103
 E.O. 11652: GDS
 TAGS: PLOS

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SUBJECT: LOS: PROPOSED US AMENDMENTS AND COMMENTS ON MARINE POLLUTION ARTICLES

REFS: (A) STATE A-5260, AUGUST 5, 1975; (B) STATE 178934
 1. REF (A) TRANSMITS COPY OF USG PROPOSED AMENDMENTS AND COMMENTS TO SINGLE NEGOTIATING TEXT ON MARINE POLLUTION. EMBASSIES ARE REQUESTED TO DELIVER PROPOSED AMENDMENTS AND COMMENTS TO HOST GOVERNMENT LOS OFFICIALS ASAP, PRIOR TO DELIVERY, EMBASSIES SHOULD MAKE FOLLOWING CHANGES TO POUCHED TEXTS:

(A) ON FIRST PAGE OF AMENDMENTS, INSERT FOLLOWING BETWEEN AMENDMENTS TO ARTICLE 4 AND ARTICLE 15: QTE ARTICLE 14. INSERT QTE PUBLISH OR UNQTE AFTER QTE STATES SHALL... UNQTE.

(B) ON FIRST PAGE OF COMMENTS, INSERT FOLLOWING BETWEEN COMMENTS ON ARTICLES 12-13 AND ARTICLE 15: QTE ARTICLE 14. CLARIFICATION, UNQTE

2. IF REF (A) NOT RECEIVED BY EMBASSIES BY WEDNESDAY, AUGUST 13, PLEASE NOTIFY DEPT AND WE WILL CABLE TEXT. REF (A) POUCHED AUGUST 8.

3. FOR LONDON: UK, AS CHAIRMAN OF GROUP OF 17, WILL BE RESPONSIBLE FOR DISTRIBUTION OF MARINE POLLUTION AMENDMENTS AMONG THAT GROUP. IN VIEW OF SHORT TIME REMAINING BEFORE GROUP OF 17 MEETING WE INTEND DISTRIBUTE OUR AMENDMENTS AND COMMENTS DIRECTLY NOT ONLY TO GROUP OF FIVE BUT TO OTHER GROUP OF 17 MEMBERS AS WELL. YOU SHOULD PASS THIS INFO TO UK LOS OFFICIALS WHEN DELIVERING OUR PROPOSED AMENDMENTS AND COMMENTS.

KISSINGER

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R 122155Z AUG 75
FM AMEMBASSY LIMA
TO SECSTATE WASHDC 6306
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C O N F I D E N T I A L
LIMITED OFFICIAL USE LIMA 6541

EO 116521 NA
TAGS: PFOR, PE

SUBJ: LOS: GOP-OWNED NEWSPAPER DISTORTS SECRETARY'S
MONTREAL REMARKS

REF: (A) STATE 189249 (B) STATE 189250 (C) LIMA 6503

1. THE AUGUST 12 ISSUE OF THE GOP-OWNED LA CRONICA PROMINENTLY FEATURES A COMBINATION ARTICLE ON SECRETARY KISSINGER'S MONTREAL REMARKS ON LAW OF THE SEA AND N.Y. TIMES REVELATIONS THAT THE U.S. IS TRAINING COMMANDO GROUPS TO PROTECT SELECTED U.S. EMBASSIES ABROAD. THE ARTICLE IS HEADED "USA WILL USE FORCE AGAINST 200 MILE SOVEREIGNTY" AND SUBHEADED "IT IS DISCLOSED THAT 2,500 COMMANDOS ARE BEING TRAINED TO PROTECT ITS EMBASSIES IN SEVERAL COUNTRIES OF THE WORLD."
2. THE ARTICLE, WHICH IS BASED ON EFE AND AFP WIRE REPORTS, LEADS OFF BY STATING THAT THE U.S. WARNED IT "CONSIDERS 'UNACCEPTABLE' THE MARITIME SOVEREIGNTY OF 200 MILES RECOGNIZED BY PERU, ECUADOR, AND CHILE AND EVEN SAID THAT 'THE NAVY IS THE MEANS MOST SUITED FOR DEFENDING (US) INTERESTS' IN THE SEA." "THESE MENACING DELCARATIONS," THE ARTICLE GOES ON TO SAY, "COME FROM SECRETARY KISSINGER HIMSELF."
3. WITH RESPECT TO THE NY TIMES STORY, THE ARTICLE STATES THAT "SEAL COMMANDOS MIGHT EVEN SERVE AS 'ADVISORS' TO CERTAIN GOVERNMENT TO SUGGEST MEANS OF COMBATING INSURGENTS AND (IN HEAVY TYPE) AT THE SAME TIME PROTECT THE LIVES AND PROPERTIES OF AMERICAN CITIZENS." THE ARTICLE ALSO SAYS, "IT IS UNKNOWN SPECIFICALLY TO WHICH COUNTRIES THESE 'SPECIALISTS' WILL BE SENT, BUT (IT IS THOUGHT) TO VARIOUS CAPITALS OF EUROPE, THE MIDDLE EAST, AFRICA, THE WESTERN PACIFIC, AND (IN HEAVY TYPE) PROBABLY LATIN AMERICA."
4. THE ANTI-US EXPRESO TREATS THE LOS STORY IN SIMILAR VEIN BUT CARRIES IT ON AN INSIDE PAGE AND SEPARATE FROM THE COMMANDO ARTICLE. IN MARKED CONTRAST, ELCOMERCIO AND LA PRENSA PLAY IT STRAIGHT (LA PRENSA HEADLINES "US WILL ACCPET 200 MILE FISHING LIMIT" OVER AP WIRE COPY).

Post Geneva

Peru ✓

Com II ✓

50

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NC 40630

TOR:130324Z AUG 75

5. COMMENT: CRONICA'S LUMPING THE LOS COMMENTS WITH THE COMMANDO STORY IS ILLOGICAL AND CLUMSY, AND ITS TECHNIQUE OF PRINTING IN HEAVY TYPE OR SURROUNDING WITH QUOTATION MARKS WHAT IT CONSIDERS KEY WORDS OR PHRASES IS JOURNALISTICALLY AMATEURISH. BUT CERTAINLY THE POINT OF THE ARTICLE WILL NOT BE LOST ON ITS READERS.

6. PRESIDENT VELASCO HAS SAID THAT THE NEWLY-APPOINTED NEWSPAPER DIRECTORS WILL BE HELD RESPONSIBLE FOR THE CONTENTS OF THEIR PUBLICATIONS. IN THIS REGARD, IT IS WORTH REMEMBERING THAT LA CRONICA'S DIRECTOR LUIS GONZALEZ POSADA IS ALSO VELASCO'S BROTHER-IN-LAW.

7. THROUGH OUR USIS MAILING LIST, WE ARE BRING CORRECT SPANISH VERSION OF SECRETARY KISSINGER'S REMARKS TO THE ATTENTION OF A WIDE RANGE OF PERUVIAN LEADERS, BUSINESSMEN, INTELLECTUALS, AND JOURNALISTS. AMBASSADOR IS SENDING FULL TEXT TO TOP GOP OFFICIALS. HE WILL ALSO DRAW GOP LEADERS' ATTENTION TO DISTORTION IN CRONICA ON EARLY OCCASIONS AS APPROPRIATE. DEAN

C O N F I D E N T I A L

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PAGE 01

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TOR:130317Z AUG 75

R 122051Z AUG 75
 FM AMEMBASSY SANTIAGO
 TO RUEHC/SECSTATE WASHDC 4335
 INFO RUEBGM/AMEMBASSY BOGOTA 1448
 RUEBGT/AMEMBASSY GUATEMALA 325
 RUEBGM/AMEMBASSY LIMA 2493
 RUEBGM/AMEMBASSY MANAGUA 169
 RUEBMO/AMEMBASSY MEXICO 1949
 RUEBJO/AMEMBASSY SAN JOSE 357
 RUEBAM/AMEMBASSY SAN SALVADOR 205
 RUEBQI/AMEMBASSY QUITO 1137
 RUEBTE/AMEMBASSY TEGUCIGALPA 260
 RUEBZP/AMEMBASSY PANAMA 1574

*Post Geneva
Comm. II ✓
Chile ✓*

49

BT
C O N F I D E N T I A L
 LIMITED OFFICIAL USE SANTIAGO 5532
 EO 11652: N/A
 TAGS: PLOS, CI

SUBJECT: LOS: EASTERN PACIFIC TUNA INITIATIVE
 REF: A) STATE 188398 B) SANTIAGO 5486

1. AFTER EMBOFF AUGUST 12 PRESENTED PROPOSED PRINCIPLES AS INSTRUCTED IN REF A, CHIEF FONMIN AMERICAN AFFAIRS GUILLERMO CASTRO CONFIRMED OFFICIALLY FONMIN CARVAJAL'S DECISION THAT GOC WILL ATTEND OCTOBER MEETING IN NEW YORK (REF B). OFFICIAL SAID CHILEAN DELEGATION WILL CONSIST OF FERNANDO ZEGERS, WELL KNOWN TO DEPARTMENT AS LOS EXPERT, AND GONZALO PRIETO, DEFENSE MINISTRY FUNCTIONARY AND ALSO LOS EXPERT. BOTH WILL BE MEMBERS OF CHILEAN DEL TO UNGA (SEPTEL). OFFICIAL NOTED THAT FONMIN AT AUGUST 7 MEETING WITH AMBASSADOR HAD NOT YET BEEN BRIEFED ON SUBJECT.
2. EMBOFF TOLD CASTRO THAT AMB. MOORE COULD VISIT SANTIAGO SEPTEMBER 8. IN VIEW OF FONMIN'S EARLIER COMMENT ON USEFULNESS OF SUCH VISIT, CASTRO THOUGHT MINISTRY WOULD SURELY WELCOME IT AND WOULD CONFIRM.
3. COMMENT: FERNANDO ZEGERS (PARA FOUR, REF A) WAS TRANSFERRED FROM SANTIAGO TO GENEVA EARLY IN YEAR; HE IS EXPECTED TO GO TO NEW YORK DIRECTLY FROM GENEVA. DEPARTMENT MAY WISH TO INSTRUCT GENEVA TO BRIEF HIM AND GIVE HIM PROPOSED PRINCIPLES. POPPER

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R 122033Z AUG 75
FM AMEMBASSY TEGUCIGALPA
TO SECSTATE WASHDC 886
BT
C O N F I D E N T I A L TEGUCIGALPA 3503
E.O. 11652: GDS
TAGS: PLOS, HO
SUBJECT: LOS: EASTERN PACIFIC TUNA INITIATIVE
REF: STATE 163459, 182196, 188398

Post Geneva

Comm. II ✓

Honduras ✓

48

1. POLOFF PRESENTED U.S. PROPOSE PRINCIPLES FOR A REGIONAL AGREEMENT FOR HIGHLY MIGRATORY SPECIES TO FOREIGN MINISTRY OFFICIAL ON AUGUST 12. POLOFF REITERATED INQUIRY ABOUT GOH INTENTIONS CONCERNING ATTENDANCE AT MEETING TO DISCUSS LOS TUNA ARTICLE AND PROVISIONS FOR A REGIONAL CONSERVATION SCHEME. THE OFFICIAL STATED THAT NO DECISION HAD BEEN MADE BY GOH ABOUT ATTENDANCE, BUT THAT HE WOULD INFORM POLOFF AS SOON AS DECISION IS MADE. POLOFF ALSO ASKED FOR ANY COMMENTS GOH MAY HAVE ON PROPOSED PRINCIPLES.
2. THERE IS AN OBVIOUS LACK OF INTEREST ON THE PART OF THE GOH REGARDING THE MATTER. THIS IS PROBABLY A RESULT OF THE LACK OF HONDURAN INVOLVEMENT IN TUNA FISHING. HOWEVER, THE EMBASSY WILL CONTINUE ITS ATTEMPTS TO OBTAIN A REPLY ABOUT GOH ATTENDANCE AT MEETING. SANCHEZ

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TOR:130933Z AUG 75

R 121531Z AUG 75
FM AMEMBASSY MADRID
TO RUEHC/SECSTATE WASHDC 2711
INFO RUDKPNQ/AMEMBASSY COPENHAGEN 311
BT

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47

E.O. 11652: N/A
TAGS: PLOS, EFIS, SP
SUBJ: LOS: CONGRESSIONAL ACTION AFFECTING LOS

- REF: A) STATE 146678 B) MADRID 4396 C) STATE 153045
- 1. SPANISH AUTHORITIES HAVE NOT INQUIRED ABOUT STATUS OF PENDING 200 MILE FISHERIES LEGISLATION IN U.S. CONGRESS.
- 2. ON BASIS OF EARLIER COMMENTS OF GOS OFFICIALS AND SPAIN'S POSITIONS ON LOS ISSUES, EMBASSY BELIEVES THAT SPANISH WOULD REACT ADVERSELY TO ANY US UNILATERAL ACTION TO ESTABLISH 200 MILE FISHING ZONE. SPANISH FISHING INTERETS ARE WELL ARTICULATED PRESSURE GROUP WHICH HAS BEEN SUCCWSSFUL IN PAST IN INFLUENCING OFFICIAL POLICY ON FISHERIES ISSUES, E.G., MOST NOTABLY WITH MOROCCO. SPANISH HIGH SEAS FISHING FLEET WHICH FREQUENTS TRANS-ATLANTIC FISHING BANKS ON NORTH AMERICAN CONTINENT WOULD BE CONCERNED THAT IT WOULD BE HURT BY ANY UNILATERAL U.S. ACTION ESTABLISHING A LIMITED FISHING ZONE.
- 3. EARLIER GOS INTEREST IN BILATERAL PROBABLY STEMS FROM THIS CONCERN AND PRECEDENT SET BY BILATERAL AGREEMENT REACHED WIT MOROCCO IN JANUARY 1974 INVOLVING CREATION OF PRIVATELY REGISTERED COMPANY WITH EQUAL SHARES TO MANAGE FISHING AND COMMERCIALIZATION OF CATCH FOR BOTH COUNTRIES IN AREA OF MOROCCO'S 70 MILE FISHING ZONE. GOS IS NOT ENTIRELY SATISFIED WITH ITS BILATERAL WITH MOROCCO WHICH ALLOWS MOROCCO TO EARN MORE THAN 50 PERCENTOF VALUE OF CATCH, BUT, IN THE CIRCUMSTANCES, HAD NO OTHER CHOICE.
- 4. THERE IS NO INDICATION AS YET THAT SPAIN IS THINKING OF ADOPTING FOR ITSELF A LIMITED FISHING ZONE. STABLER

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TOR:120127Z AUG 75

R 120005Z AUG 75
FM AMEMBASSY MEXICO
TO SECSTATE WASHDC 9362
BT

UNCLAS MEXICO 7131

E.O. 11652: N/A

TAGS: PLOS, PFOR, MX

SUBJ: LOS: FISHING IN GULF OF CALIFORNIA

1. ACCORDING TO SHORT AP EXCELSIOR ARTICLE DATED IN
JERUSALEM, PRESIDENT ECHEVERRIA (WHO IS VISITING ISRAEL)
ANNOUNCED AUGUST 8 THAT MEXICO WILL ISSUE SPECIAL PERMITS
TO FOREIGN VESSELS TO FISH IN THE GULF OF CALIFORNIA, BUT
WILL MAINTAIN ECONOMIC CONTROL OF ALL THE WATERS
WITHIN THE 200 MILE LIMIT.

2. THE SAME ARTICLE QUOTES PRESIDENT ECHEVERRIA AS SAYING
"THAT IS NOT A TERRITORIAL SEA.." BRANDIN

Post Geneva

Comm. II ✓

Mexico ✓

46

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TOR:112313Z AUG 75

R 112233Z AUG 75
FM AMEMBASSY LIMA
TO RUEHC/SECSTATE WASHDC 6288
INFO RUESNA/AMEMBASSY SANTIAGO 2217
RUESQI/AMEMBASSY QUITO 3021
RUESGY/AMCONSUL GUAYAQUIL 649

Post Geneva

Peru ✓

Comm. II ✓

BT
C O N F I D E N T I A L LIMA 6503

~~Duplicate~~

45

EO 11652: GDS

TAGS: PLOS

SUBJ: LOS: PROPOSED PRINCIPLES FOR A REGIONAL CONSERVATION
AGREEMENT FOR HIGHLY MIGRATORY SPECIES IN THE CONTEXT
OF A NEW LOS TREATY

REF: STATE 188398

1. DURING COURSE OF AUGUST 11 CALL ON FONOFF MARITIME ADVISOR ARIAS SCHREIBER, ACTING DCM AND EMBOFF TOOK OCCASION TO REFER TO PROPOSED PRINCIPLES AND SHCEDUED OCTOBER MEETING IN NEW YORK.
2. ARIAS SCHREIBER SAID OCTOBER MEETING, TO WHICH GOP REPRESENTATIVES COULD TRAVEL AFTER MEETING IN GENEVA AND IN CONNECTION WITH OPENING OF UNGA, WOULD BE MOST CONVENIENT. PERU SUPPORTED GATHERING IN PRINCIPLE.
3. ARIAS SCHREIBER ALSO SAID A VISIT TO LIMA ABOUT SEPTEMBER 8 BY AMBASSADOR CLINGAN WOULD BE WELCOME, EMBASSY BELIEVES VISIT COULD BE USEFUL ALTHOUGH WE THINK THAT PERU WILL CONTINUE TO HOLD FIRM VIEWS REGARDING FISHING IN THE OVER-ALL CONTEXT OF ITS LOS POSITIONS.
4. WE WILL FOLLOW UP SHORTLY. DEAN

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NC 39253

TOR:111818Z AUG 75

R 111627Z AUG 75
FM AMEMBASSY PARIS
TO RUEHC/SECSTATE WASHDC 2087
INFO RUDTC/AMEMBASSY LONDON 1860
RUEHMO/AMEMBASSY MOSCOW 7390
RUEHKO/AMEMBASSY TOKYO 8174
RUTADE/AMEMBASSY YAOUNDE 2347
RUEHDT/USMISSION USUN 7662

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Comm I ✓

France

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BT

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LIMITED OFFICIAL USE PARIS 20678

E.O. 11652: N/A

TAGS: PLOS

SUBJECT: LOD: COMMITTEE I ISSUES AND GROUP OF FIVE

REF: STATE 184733

1. FRENCH MFA (DE LACHARRIERE) IS IN AGREEMENT WITH OUR PROPOSED SCENARIO FOR COMMITTEE I INTERSESSIONAL WORK. (PARAS 2 AND 3 REFTEL). HE WOULD PREFER, HOWEVER, THAT GROUP OF FIVE MEETING IN NEW YORK BEGIN SEPTEMBER 15 AS ORIGINALLY PLANNED; AS HE HAS OBLIGATION IN EUROPE ON SEPTEMBER 18 HE WILL BE UNABLE TO MAKE ROUND TRIP TO NEW YORK IF MEETING OPENS ON 16TH.

GAMMON

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DEPARTMENT OF STATE

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81

AIRGRAM

12

HANDLING PRIORITY CLASSIFICATION CONFIDENTIAL MESSAGE REFERENCE NO. A-5260

TO: AmEmbassies: LONDON, MOSCOW, PARIS, TOKYO

FROM: Department of State

DATE:

E.O. 11652:

GDS

TAGS:

PLOS

SUBJECT:

LOS: Proposed U.S. Amendments and Comments on the Single Negotiating Text on Marine Pollution

REF:

State 178934

*Post-General
Comm. III*

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NAVY	NSA 3	NSC	OPIC
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There are enclosed the texts of proposed U.S. amendments and comments on the Single Negotiating Text Articles on Marine Pollution. They have been prepared for consideration and coordination in the Group of 17, which is scheduled to meet August 21-22 in Geneva prior to the Evensen Group meetings on LOS Conference Committee III issues.

As noted in the RefTel, the UK, as Chairman of the Group of 17, will be responsible for formal circulation and distribution of marine pollution amendments among that group. However, in an effort to insure that amendments on marine pollution are available to the Group of Five as soon as possible, we intend to distribute our proposed amendments and comments not only to the UK, but to other Group of Five members.

The enclosed proposed U.S. amendments and comments on marine pollution, however, are still the subject of internal USG discussion (on Articles 4 and 14). Therefore you should not deliver the enclosure to host governments until you receive telegraphic instructions to do so from the Department (including any necessary changes). We are sending the amendments and comments now to prevent additional delay in their delivery once clearance is obtained.

KISSINGER

Enclosure:

As stated.

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DRAFTED BY: D/LOS:Rscully:lb DRAFTING DATE: 8/5/75 PHONE NO: 28232 CONTENTS AND CLASSIFICATION APPROVED BY: D/LOS:JNMOO

CLEARANCES: EUR/SOV - Mr. Herspring (subs) EUR/NE - Mr. Achilles (subs) EUR/WE - Mr. Barber (subs) EA/J - Mr. Smith (subs) L/OES - Mr. Leitze OES/OFA Cmdr. Busby (subs)

UNCLASSIFIED

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United States Proposed Amendments to the
Single Negotiating Text Articles on Protection of
the Marine Environment

- Article 1. Change "in" in the second line to "into" and change "resulting" to "which results or is likely to result".
- Article 3. Modify to read as follows: "States have the sovereign right to exploit their own natural resources pursuant to their environmental policies and programs for economic development and in accordance with their duty to protect and preserve the marine environment in accordance with this Convention."
- Article 4. Delete all after "regard" in the second line and insert "to the rights and duties of other states".
Para 4
- Article 15. Change "in paragraph 2 of Article 13" to "in Article 14".
- Article 17. Insert "of Part II" after "Chapter Four" in the fourth line.
- Article 19. Insert "the economic zone" in the blank space in paragraph 3.
Insert a new paragraph as follows:
"5. Dumping means:
(i) any deliberate disposal at sea of wastes or other matter from vessels, aircraft, platforms or other man-made structures at sea; and
(ii) any deliberate disposal at sea of vessels, aircraft, platforms or other man-made structures at sea.
(i) Dumping does not include:
the disposal at sea of wastes or other matter incidental to, or derived from the normal operations of vessels, aircraft, platforms or other man-made struc-

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- 2 -

tures at sea and their equipment, other than wastes or other matter transported by or to vessels, aircraft, platforms or other man-made structures at sea, operating for the purpose of disposal of such matter or derived from the treatment of such wastes or other matter on such vessels, aircraft, platforms or structures; and

- (ii) placement of matter for a purpose other than the mere disposal thereof, provided that such placement is not contrary to the aims of this convention".

Article 20. Amend second sentence to read: ". . .shall
Para 2 be no less stringent than the international rules. . ."

Article 20. Delete the second sentence.
Para 3

Article 20. Add the following sub-paragraph: "States,
Para 4 acting through the competent international organization, shall establish international regulations to prevent, reduce and control pollution from ships in any special area recognized as such under paragraph 2 above".

Article 20. Delete.
Para 5

Article 20. Delete.
Para 6

Article 21. Delete.

Article 22. Insert "duty" in place of "right" in the first line or delete the article.

Article 23. Redraft as follows: "States shall enforce laws and regulations adopted in accordance with the provisions of this Convention to prevent, reduce and control pollution of the marine environment arising from activities concerning exploration and exploitation of the seabed and installations under their jurisdiction pursuant to Chapter 4 of this Convention."

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- 3 -

Article 24. Delete.

Article 25. Delete subparagraph (a). Amend subparagraph (c) to read: "(c) by the coastal State on vessels and aircraft engaged in dumping within its territorial sea and economic zone."

Article 27. Delete "voluntarily" in the second line.
Para 1

Article 27. Delete.
Para 2

Article 27. Delete "in the area extending to _____ miles from the baseline from which the territorial sea is measured" and insert "irrespective of where the discharge occurs". Delete "voluntarily" in line 2.
Para 3

Article 28. Redraft as follows: "When a coastal State has reasonable grounds for believing that a vessel, irrespective of its flag or State of registration, during passage through its territorial sea, has violated the laws and regulations or international rules and standards referred to in Article 20, it may arrest the vessel and institute proceedings against it".
Para 1

Article 28. In the first line, delete "Article 27" and insert "paragraph 3 only". Delete everything after "measured" in line 5 and move the paragraph to Article 27.
Par 2

Article 28. Delete and insert: "Proceedings shall not be instituted by a coastal State other than the flag State in respect of a violation occurring beyond the territorial sea if another coastal State has previously commenced and not discontinued proceedings."
Paras 5,7
and 8

Article 29. Add "or Article 28" after "Article 27" in the second line. Add "upon completion of any necessary investigation" after "vessel" in line 2.

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- Article 31. Insert "50" in the blank space in line two of the introductory portion.
- Article 34. Insert "and before instituting proceedings" after "measures" in the first line.
- Article 35. Delete.
- Article 37. Redraft as follows: "State shall be liable for damage or loss arising from inspection or enforcement measures taken in pursuance of this Chapter when such measures were unlawful or exceeded those reasonably required in the light of available information, and shall provide for recourse in their courts for actions in respect of such damage or loss."
- Article 40. Delete.
- Article 41. In the first line, delete the phrase: "to areas under the jurisdiction of other States or".
Para 1 Delete all after the word "States" in the third line.
- Article 41. Add a new paragraph 4 as follows: "4. In the absence of other adequate remedies with respect to damage to the environment of other States caused by activities under the jurisdiction or control of a State, that State shall provide recourse for foreign States or nationals to a domestic forum empowered:
 (a) to require the abatement of a continuing source of pollution of the marine environment, and
 (b) to award compensation for damages."
- Article 42. Delete "of Chapters Six and Seven" in the first line and insert "of this Convention regarding pollution". Add "or aircraft" after "vessel" in line 2. Delete "with Chapters Six and Seven" in the last line and insert "with the present Convention."
- Article 43. Delete.

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- 5 -

New
Article

Insert the following new article: "Nothing in this Convention shall prejudice the rights of States regarding intervention in cases of grave pollution threats from maritime casualties in accordance with international law and treaties."

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Comments on United States Proposed Amendments
to the Single Negotiating Text Articles on
Protection of the Marine Environment

- Article 1. Drafting changes.
- Article 2. No changes required. The word "all" was not in the text agreed in Committee but the text is acceptable.
- Article 3. This language along with language in Articles 4(1) and 16 is intended to cover the double standard question. Although we think it is undesirable, the language of the text is marginally acceptable and we should not attempt to reopen it. However, if others reopen it, we will offer the amendment. We will not accept further broadening of the language.
- Article 4. This change will bring the language into line with
Para 4 Article 45 and 47 of the text on the economic zone. The changes are not critical in and of themselves but differences in the texts could be troublesome. This should be treated as a drafting change.
- Article 5. No amendments.
- Articles It should be noted that the language regarding
6-10. the double standard has been dropped from the Committee text and we should strongly resist its re-introduction.
- Article 11. The text is acceptable on the understanding that assistance under paragraph (b) would be on a cost-reimbursable basis and in accordance with needs.
- Articles No amendments.
12-13.
- Article 15. Drafting change.
- Article 16. The double standard language included in the text is marginally acceptable. However, if there is an attempt to create a wider opening, we should argue to remove all of the language.

CONFIDENTIAL

- 2 -

- Article 17. While this text does not clearly cover pollution from crossing pipelines, it probably does so and the text in Articles 65 and 68 of the continental shelf section appear to cover such pipelines in any case. There may be an attack on the language in the third sub-paragraph of paragraph one. We should preserve the text except for the drafting change or attempt to make the language more stringent.
- Article 18. The article is not necessary but is acceptable.
- Article 19. It is essential to stop coastal State jurisdiction over ocean dumping at 200 miles and not to agree to its extension to the outer edge of the continental margin. Secondly, the definition of dumping from the 1972 Convention must be included to avoid inadvertently giving the coastal State broad jurisdiction regarding vessel pollution activities which could be construed as dumping if there were no definitions.
- Article 20. No amendments.
Para 1
- Article 20. The present text is very weak in establishing a flag State obligation. The amended version would establish an effective obligation while avoiding the problem of legally binding States to observe treaties to which they are not party.
Para 2
- Article 20. The last sentence of paragraph 3 is an important limitation on coastal State rights and should be sufficient to prevent abuses. In addition, there must be an amendment to the Committee II text to delete Article 18(2) and a cross-reference added to Article 18(i)(f).
Para 3
- Article 20. The addition of this paragraph is necessary to clarify that regulations for special areas are to be established only through international procedures.
Para 4
- Article 20. Further discussions among concerned States are required before specific language on this issue can be considered.
Para 5

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- 3 -

- Article 20. This paragraph as drafted is not consistent with paragraph 4 and is not necessary if the amendment proposed for paragraph 4 is adopted.
Para 6
- Article 21. It is not necessary to deal with atmospheric pollution in the Law of the Sea Treaty.
- Article 22. It is not necessary to specify such a right regarding actions to be taken in a State's land territory. If the text is to be retained, it could be useful to specify an obligation to enforce one's laws and regulations.
- Article 23. This should be an obligation to enforce these laws and regulations and it should be stated in the specific jurisdictional terms of Article 17 which authorizes coastal States to establish the laws and regulations.
- Article 24. This issue should be left for the Committee I text and Article 18 is a sufficient cross-reference to accomplish that purpose.
- Article 25. Subparagraph (a) is unnecessary. Subparagraph (c) should be limited to the territorial sea and economic zone and should not extend to the margin beyond 200 miles. These amendments bring the article into conformity with the 1972 Convention except for "fixed or floating platforms" which are included in that Convention but are unnecessary because of the coastal State jurisdiction over installations in Article 48 of the Committee II text.
- Article 26. No amendment.
- Article 27. Vessels should be subject to arrest and proceedings regardless of whether they are voluntarily in port.
Para 1
- Article 27. Drafting change. This paragraph is unnecessary in light of the second and third sentence of Article 29 which correctly states the obligation and the authority of the coastal State.
Para 2

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- 4 -

- Article 27. This restriction would be a severe limitation on the enforcement right regarding discharge violations far from shore. There must be no area restriction on this right as a necessary part of an effective system of enforcement against vessel-source pollution.
- Para 3
- Article 28. The present draft is vague and confusing. The coastal State should simply have the right to take enforcement actions for violation of international regulations and its domestic regulations applicable under the regulation-setting article, Article 20.
- Para 1
- Article 28. Since Article 20 contains an obligation on flag States requiring compliance with generally accepted international rules and standards the relevant point is that the vessel is in violation and action should be taken. Whether the coastal State is a party to a pollution convention is not relevant to the objective of the paragraph which is effective enforcement.
- Para 2
- Article 28. No amendments.
- Paras 3, 4, 6 and 9
- Article 28. This is inconsistent with the basic objective of creating an effective enforcement system. However, a double jeopardy provision is necessary to prevent several prosecutions for a violation.
- Par 5
- Article 28. There may be many cases, for example violations in the territorial sea, in which the coastal State has a direct interest in carrying out its own proceedings.
- Paras. 7 & 8
- Article 29. Both changes are essentially technical. The bonding procedure should apply following any arrest but the enforcing State should be authorized to complete any investigation essential to its proceedings. We should consider conforming the language to the 1973 Convention on vessel-source pollution.
- Article 31. Fifty miles would provide a reasonable and adequate area for carrying out these actions.

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- Article 31. It is an area of serious concern to the coastal State and is the area of discharge prohibition under the international regulations regarding discharge.
Cont'd
- Articles 32 and 33. No amendment.
- Article 34. This amendment would simply specify the normal procedure under present law.
- Article 35. This is an unnecessary restriction and not appropriate for a convention since it deals only with internal domestic procedures.
- Article 36. No amendments.
- Article 37. This article should clearly provide for State liability in cases of damage resulting from State actions.
- Articles 38 and 39. No amendment.
- Article 40. The Law of the Sea Treaty cannot deal adequately with atmospheric pollution.
- Article 41. The Law of the Sea Treaty cannot deal adequately with the complex question of State liability and thus should not attempt to establish the principle until the entire problem can be considered in all of its aspects. The requirement for access to courts, however, should be accepted as a separate method of attempting to ensure a remedy for the injured party.
- Article 42. The sovereign immunity clause should apply to all pollution provisions since there are a number of articles in addition to those to Chapters Six and Seven which apply to vessels and aircraft. The addition of "aircraft" to the text is necessary largely due to the inclusion of aircraft in the ocean dumping articles.
- Article 43. These complex relationships are adequately dealt with under general international law principles.

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Article 44. No amendment.

New Article. The intervention concept should be protected in its present status under international law and treaties.

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AIRGRAM

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2 FILE DESIGNATION

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A-25

HANDLING INDICATOR

TO : Department of State

AUG 1 2 46 PM 1975

INFO : OTTAWA

FROM : Amconsul ST. JOHN'S, NEWFOUNDLAND

E.O. 11652 N/A

DATE: July 30, 1975

FROM: PGOV, PLOS, EFIS, CA

SUBJECT : Joey and the Fish

4/2

Post Geneva
Canada
Comm. II

REF :

The fish are mostly gone from the waters off Newfoundland but The Honorable Joseph R. (Joey) Smallwood is still here and is making political capital from their disappearance. At 75, the former Newfoundland Premier (1949-72) is trying for a political comeback and has seized upon what is arguably Newfoundland's hottest issue since the Province became a part of Canada in 1949.

Newfoundlanders are impatient with Ottawa. The closure by Ottawa of Canadian east coast ports to Soviet trawlers until they cease overfishing is seen here as only a slap on the wrist. What Newfoundlanders want is nothing more nor less than a unilateral Canadian declaration of a 200-mile fishing zone with foreign trawlers either banned altogether from the zone until fish stocks recover from overfishing or foreigners permitted to do only limited fishing inside the zone under the watchful eyes of government patrol vessels.

Politicians of all parties in Newfoundland have gauged the temper of their constituents on this issue and seem to have decided to let Ottawa do the worrying about possible adverse effects of a unilateral 200-mile fishing zone declaration on Canada's position in the Law of the Sea negotiations. No one knows when or whether those negotiations will ever result in a multilateral convention that will ease the pressures on the east coast fisheries. With the disastrous decline in the fish catch in the first half of 1975, there is a "damn the torpedoes" feeling here that saving the fisheries cannot wait on diplomatic niceties.

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Drafted by: JH Moore : cm

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Drafting Date: 7/30/75

Phone No.:

Contents/Classification Approved by:

John H. Moore, Consul General

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1975 AUG 5 PM 12 01

St. John's A-25

UNCLASSIFIED

2

Claiming that his mission is nonpartisan, Joey Smallwood hit the campaign trail this week on a coast-to-coast speaking trip to drum up support for the 200-mile fishing zone. The old maestro must know perfectly well that, regardless of where he goes, he is singing a tune that is sweet to Newfoundlanders' ears and certain to be front-paged in the provincial press. What the effect of this will be on his personal political fortunes and on those of his newly-founded Liberal Reform Party (St. John's A-23) cannot at this time be calculated. What is certain, though, is that Joey Smallwood is making the biggest splash at present with the biggest of the local issues and that Premier Frank Moores (PC) and Opposition Leader Ed Roberts (L) will have to be watchful to see that Joey does not stake his personal claim on the issue and end up making them look like "me too" politicians.

MOORE



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TO : DEPARTMENT OF STATE

NSF
2*

INFO : USMISSION USEC

Post Geneva
Belgium

AGS
2*

FROM : AMEMBASSY BRUSSELS

DATE: July 18, 1975

NSF
2*

SUBJECT : Belgian Government Report on EC Political
Directors Meeting in Dublin, June 25-26, 1975
Concerning the Law of the Sea.

AGH
5+10*

REF

E.O. 11652: GDS
TAGS: PLOS, EEC, BE

41

LAB
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ARMY
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NAVY
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OSD
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A copy of the Confidential Report to the Belgian Government prepared by Belgium's LOS expert, Professor Alfred van der Essen, following the subject meeting has been passed to us and is attached. The Report contains an evaluation of the Geneva LOS session, an evaluation of the "single texts", the position of the European Communities in regard to unilateral action which might be taken before a new LOS convention is concluded, the future work plan for European Community experts and comments on the calendar for future meetings proposed by the Secretariat.

Reference should not be made to the fact that we have received a copy of the report, however, there is no objection to discussing its substance.

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R 241300Z JUL 75
 FM AMEMBASSY NEW DELHI
 TO SECSTATE WASHDC 160
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 C O N F I D E N T I A L NEW DELHI 9983
 EO 11652: GDS
 TAGS: PLOS
 SUBJ: LOS: EVENSEN GROUP MEETING
 REF: STATE 172436

*Post-General
 India
 Re: Evensen
 MTS*

40

1. AN EMBASSY OFFICER CALLED ON DR JAGOTA AT MID-AFTERNOON JULY 24, THE NORWEGIAN AMBASSADOR IN DELHI HAD AN HOUR EARLIER DELIVERED TO HIM A COMMUNICATION FROM EVENSEN INVITING THE GOI TO TAKE PART IN THE GENEVA MEETING. DR JAGOTA SAID HE HAD NOT KNOWN OF THE MEETING UNTIL RECEIPT OF THE LETTER, WHICH WAS DATED JULY 12.

2. DR JAGOTA RESPONDED TO THE POINTS IN THE REFTEL BY SAYING THAT HE SHARED OUR BELIEF THAT THE EVENSEN GROUP MEETINGS WOULD BE IMPORTANT, AS COUNTRIES WITH HIGHLY-DEVELOPED MARITIME TECHNOLOGY, THE UNITED STATES AND THE SOVIET UNION HAD VIEWS ON SCIENTIFIC RESEARCH WHICH DIFFERED FROM THOSE OF THE DEVELOPING COUNTRIES, ALTHOUGH INDIA WAS NOT SO "NATIONALISTIC" AS SOME OF THESE COUNTRIES. DR JAGOTA SAID THAT HE WAS AS YET UNABLE TO SAY WHETHER HE COULD ATTEND THE GENEVA MEETINGS. THE QUESTION WOULD HAVE TO BE PUT TO THE FOREIGN SECRETARY, AND HE HOPED TO HAVE AN ANSWER IN ABOUT TEN DAYS.

3. WITH RESPECT TO THE US SIDE'S INTEREST IN MEETING PRIVATELY, HE WOULD BE PLEASED TO DO SO IF HE ATTENDS. IF NOT, HE WILL BRIEF THE GOI REPRESENTATIVE AND SUCH A MEETING COULD STILL TAKE PLACE. HE THOUGHT THAT THE INDIAN SIDE WOULD PROBABLY NOT ARRIVE UNTIL THE EVENSON GROUP ITSELF BEGAN MEETING.

4. COMMENT: DR JAGOTA SEEMED PLEASED WITH THE DEPARTMENT'S INTEREST. WE WILL CONTACT HIS OFFICE IN TEN DAYS OR SO IF HE HAS NOT PREVIOUSLY ADVISED US.
 SAXBE

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PAGE 01

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 FM AMEMBASSY SAN JOSE
 TO RUEHC/SECSTATE WASHDC IMMEDIATE 904
 INFO ALL OAS CAPITALS 004
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Post Geneva

39

C O N F I D E N T I A L
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 FOR: L/OES, THE GEOGRAPHER, USOAS AND ARA
 E.O. 11652; N/A
 TAGS: OCON, OAS

SUBJECT: SAN JOSE CONFERENCE - RIO TREATY, AREA OF COVERAGE
 REF: STATE 172120; STATE 171364

1. SUMMARY. WORKING GROUP MEETING MORNING JULY 23 APPROVED ARTICLE 4 BASED ON MAP 1 WITH CHANGES SUGGESTED BY USDEL ALONG SE US COAST AND SOUTH ATLANTIC. GROUP ALSO AGREED THAT (UNOFFICIAL) MAP WILL INCLUDE NO COUNTRY DESIGNATIONS, SHADED AREAS FOR 200 MILE LIMIT, OR NATIONAL BOUNDARIES. AFTER BRIEF DEBATE GENERAL COMMITTEE ACCEPTED WORKING GROUP RECOMMENDATIONS DESPITE SOME OBJECTIONS. USDEL BELIEVES STATEMENT FOR INCLUSION IN FINAL ACT OF CONFERENCE TO PROTECT OUR LEGAL POSITION ADVISABLE AND REQUESTS DEPARTMENT GUIDANCE. END SUMMARY.

2. WORKING GROUP OF BRAZIL (CHAIRMAN), ARGENTINA, USA, TRINIDAD AND DOMINICAN REPUBLIC MET TO PROVIDE GENERAL COMMITTEE WITH SPECIFIC RECOMMENDATION REGARDING ARTICLE 4 (AREA OF COVERAGE). BY MUTUAL AGREEMENT MEETING WAS PRIVATE; INFORMAL AND NO MINUTES WERE KEPT. ARGENTINA PROPOSED ITS "BOX" TO EXTEND COVERAGE TO AREA AROUND SANDWICH ISLANDS. USDEL THEN MADE A PROPOSAL SUGGESTING THAT LINE NEAR SE US BE MOVED OUTWARD TO INCLUDE NEW YORK - RECIFE SHIPPING LANES; WE SUGGESTED ALSO THAT WHILE WE HAD NO OBJECTION TO SOMEWHAT GREATER AREA OF COVERAGE OFF EAST COAST OF SOUTH AMERICA, WE BELIEVED IT DESIRABLE TO AVOID SHARP TURNS IN LINES RESULTING IN AREA OF COVERAGE THAT MIGHT MAKE IT DIFFICULT FOR A COUNTRY TO DETERMINE PROMPTLY LIETHER AN ATTACK HAD TAKEN PLACE INSIDE OR OUTSIDE THE AREA. ARGENTINA AGREED, AND THE US PROPOSAL (PARAGRAPH 3 BELOW) WAS ACCEPTED. GROUP ALSO ACCEPTED INCLUSION OF CANADIAN TERRITORY AND PROPOSAL OF TRINIDAD THAT MAP USED TO ILLUSTRATE AREA OF COVERAGE CONTAIN

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ONLY CONTINENTAL OUTLINE, WITHOUT ANY COUNTRY BOUNDARIES OR LABELS AND WITHOUT ANY SHADED AREAS INDICATING 200 MILE MARGINS.

3. US PROPOSAL CALLS FOR DELETION OF THE SENTENCE IN THE DESCRIPTION OF MAP 1 FOLLOWING "A POINT 47 DEGREES N LATITUDE, 43 DEGREES W LONGITUDE", SUBSTITUTING "...THENCE BY A RHUMB LINE TO A POINT 36 DEGREES N LATITUDE, 65 DEGREES W LONGITUDE; THENCE BY A RHUMB LINE TO A POINT AT THE EQUATOR AND 20 DEGREES W LONGITUDE; THENCE DUE SOUTH TO THE POLE."

5. AFTER WORKING GROUP RECOMMENDATIONS PRESENTED TO GENERAL COMMITTEE, MEXICO OBJECTED STRONGLY TO INCLUSION OF CANADA ON GROUNDS THAT AS CANADA WAS PARTY TO NATO THIS ESTABLISHED AN IMPROPER LINK WITH THAT SYSTEM. MEXICO ALSO ASKED THAT MAP CONTAIN INDICATION OF 200 MILE ZONE, NOT FOR LAW OF SEA REASONS BUT SIMPLY FOR PURPOSES OF ILLUSTRATION. PERU AND ECUADOR ALSO INDICATED OPPOSITION TO INCLUSION OF ALL OF CANADA. NO ONE OBJECTED TO NEW AREAS OF COVERAGE NEAR SE US AND IN SOUTH ATLANTIC.

6. CANADIAN OBSERVER MADE BRIEF STATEMENT (TEXT WILL BE SENT SEPTEL WHEN AVAILABLE) NOTING THAT CANADIAN SILENCE ON ISSUE OF CANADIAN COVERAGE SHOULD NOT BE INTERPRETED AS CANADIAN SUPPORT OF INCLUSION, AND THAT CANADA WOULD NOT CONSIDER DBAREA OF COVERAGE AS AFFECTING ANY CANADIAN TERRITORIAL OR OTHERKR AIMS.

7. ARGENTINE DELEGATE OBSERVED BRIEFLY THAT IT HAD ORIGINALLY PROPOSED A BROKEN LINE TO PERMIT INCLUSION OF "200 MILES OF ARGENTINE TERRITORY" IN THE VICINITY OF THE S. SANDWICH ISLANDS, BUT NOTED THAT IT WAS SATISFIED WITH STRAIGHT LINE THAT HAD BEEN PROPOSED BY THE WORKING GROUP AS AN ALTERNATIVE.

8. AFTER A RELATIVELY BRIEF DEBATE ARTICLE 4 WAS APPROVED, 16-2-3 (MEXICO AND PERU VOTED AGAINST; ECUADOR, PANAMA AND GRE OTHER ABSTAINED). (WE CONSIDER VOTE AN ACCEPTANCE AS WELL OF WORKING GROUP RECOMMENDATION ON NATURE OF ILLUSTRATIVE MAP.) US DELEGATE CONSIDERED POSSIBILITY OF STATEMENT, BUT DECIDED AGAINST IT IN INTEREST OF AVOIDING PROLONGED DEBATE ON LAW OF THE SEA ISSUES. WE BELIEVE, HOWEVER, THAT USDEL STATEMENT TO BE MADE AT TIME OF SIGNING AND RECORDED IN FINAL ACT OF CONFERENCE SHOULD INCLUDE PARAGRAPH TO THE EFFECT THAT THE UNITED STATES, IN SUPPORTING

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ARTICLE 4, DOES SO IN THE UNDERSTANDING THAT THE AREA OF COVERAGE DELINEATED THEREIN HAS NO EFFECT WHATSOEVER ON THE SOVEREIGNTY OR NATIONAL OR INTERNATIONAL STATUS OF ANY OF THE TERRITORIES OR TERRITORIAL CLAIMS AFFECTING AREAS WITHIN THE REGION, PLEASE PROVIDE COMMENTS/CLEARANCE/ALTERNATIVE TEXT BY FRIDAY MORNING, 9, FOR THE GEOGRAPHER, PLEASE CHECK TEXTUAL DESCRIPTION OF LINE AS MODIFIED FOR ACCURACY AND ADVISE, TODMAN

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R 232222Z JUL 75
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 RUFNPS/AMEMBASSY PARIS 8234
 RUEHMD/AMEMBASSY MOSCOW 6536
 RUEHKO/AMEMBASSY TOKYO 3347
 INFO RUEHDT/USMISSION USUN NEW YORK 3571
 RUFHGV/USMISSION GENEVA 2402

Part - Geneva Meetings

*Comm. III
Group of 5*

38

BT
C O N F I D E N T I A L STATE 173922

E.O. 11652: GDS

TAGS: PLOS

SUBJECT: LOSI SCHEDULE OF MEETINGS

REFS: (A) STATE 169906, (B) MOSCOW 10148, (C) TOKYO 9801

1. FOR EMB MOSCOW: IN REGARD TO POINT RAISED BY KOVALEV (REF B), U.K. HAD CONSIDERED POSSIBILITY OF SCHEDULING GROUP OF FIVE MEETING AUGUST 23-24. HOWEVER, AS WE INDI-

GATED IN REF A, WE BELIEVE THIS WILL BE TOO LATE TO PERMIT EFFECTIVE COORDINATION FOR GROUP OF 17 MEETING AND HAVE SO INDICATED TO U.K. EMB HERE. THEREFORE, U.S. PROPOSAL REMAINS TO SCHEDULE GROUP OF FIVE CONSULTATIONS AUGUST 19-20 AND U.K. HAS AGREED TO THIS PROVIDED OTHER MEMBERS OF GROUP OF FIVE ACCEPT.

2. FOR EMB TOKYO: IN REGARD TO QUERY REPORTED REF C, WE CONSIDER JAPANESE SUGGESTION OF SENDING PROPOSED AMENDMENTS TO US FOR CIRCULATION TO OTHER MEMBERS OF GROUP OF FIVE HAS MERIT. FYI WE WOULD IN FACT PREFER TO COORDINATE CIRCULATION OF AMENDMENTS. END FYI EMB SHOULD INFORM GOJ THAT WE WILL TAKE RESPONSIBILITY FOR DISTRIBUTION OF THEIR COMMENTS AND AMENDMENTS. EMBASSY SHOULD FORWARD JAPANESE AMENDMENTS TO D/LOS DEPARTMENT OF STATE. WE HOPE TO HAVE U.S. AMENDMENTS ON MARINE POLLUTION AND SCIENTIFIC RESEARCH PREPARED BEFORE END OF JULY FOR DISTRIBUTION IMMEDIATELY TO ALL MEMBERS OF GROUP.

3. FOR LONDON, PARIS, MOSCOW: YOU SHOULD INDICATE U.S. IS PREPARED TO COORDINATE AND DISTRIBUTE AMENDMENTS TO COMMITTEE III ARTICLES BY ALL MEMBERS OF GROUP OF FIVE.

KISSINGER

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R 231837Z JUL 75
 FM AMEMBASSY LONDON
 TO RUEHC/SECSTATE WASHDC 3119
 INFO RUFNPS/AMEMBASSY PARIS 4477
 RUEHMO/AMEMBASSY MOSCOW 3322
 RUEHKO/AMEMBASSY TOKYO 2720
 RUFHGV/USMISSION GENEVA 3784
 RUEHDT/USMISSION USUN NEW YORK 3908
 BT

C O N F I D E N T I A L LONDON 11286

E.O. 11652: GDS

TAGS: PLOS

SUBJ: LOS: SCHEDULE OF MEETINGS

REF: STATE 169906

1. WE SPOKE TO DUDGEON, DEPUTY LEADER OF UK DELEGATION TO LOS CONFERENCE ABOUT SCHEDULE OF LOS MEETINGS TO BE HELD IN GENEVA IN AUGUST AND IT WOULD APPEAR THERE ARE SOME MISUNDERSTANDINGS CONCERNING THAT SCHEDULE. DUDGEON SAID UK HAD QUERIED OTHER MEMBERS OF GROUP OF FIVE AS TO WHAT HAD BEEN DECIDED AT TOKYO RE AUGUST SCHEDULE OF MEETINGS AND FOUND NO AGREEMENT. HE SAID FRENCH HOLD SAME VIEW AS UK THAT GROUP OF FIVE MEETING BEFORE GROUP OF 17 AND EVENSEN GROUP MEETINGS UNNECESSARY AND WOULD PREFER TO AVOID SUCH A MEETING. SOVIETS SHARE US VIEW THAT TOKYO MEETING ACCEPTED, IN PRINCIPLE AT LEAST, THAT GROUP OF FIVE SHOULD MEET BEFORE OTHER GROUPS MEET IN GENEVA. DESPITE THIS AGREEMENT, HOWEVER, DUDGEON SAID SOVIETS HAVE TOLD BRITISH THEY WOULD LIKE TO AVOID AUGUST GROUP OF FIVE MEETING. JAPANESE REPORTEDLY HAVE TOLD BRITISH THEY WILL GO ALONG WITH WHATEVER OTHERS DECIDE UPON.

2. DUDGEON SAID IT IS IMPOSSIBLE FOR BRITISH TO FIELD AN ADEQUATE TEAM FOR GROUP OF FIVE MEETING AUGUST 19 AND 20 AS WE HAVE PROPOSED. EARLIEST UK TEAM COULD BE AVAILABLE GENEVA WOULD BE MORNING OF AUGUST 21 AND THIS WOULD MEAN COMMENCEMENT OF GROUP OF 17 MEETING WOULD HAVE TO SLIP TO AFTERNOON OF AUGUST 21. BRITISH DO NOT BELIEVE THIS ARRANGEMENT WOULD BE DESIRABLE, HOWEVER, BECAUSE COMPRESSED SCHEDULE WOULD REDUCE EFFECTIVENESS OF BOTH GROUP OF 17 AND GROUP OF FIVE.

Post Geneva Meetings

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3. DUDGEON SAID IF US PERSISTS IN VIEW THAT GROUP OF FIVE SHOULD MEET BEFORE EVENSEN GROUP AND IF RESULTS OF GROUP OF 17 WOULD TEND TO BEAR THIS OUT, SUCH A MEETING MIGHT BE HELD OVER WEEKEND OF AUGUST 23/24. BRITISH APPARENTLY MENTIONED THIS AS A POSSIBILITY TO SOVIETS AND DUDGEON THINKS THIS SUGGESTION MAY HAVE BEEN MISUNDERSTOOD BY SOVIETS AS BRITISH PROPOSAL TO MEET THOSE DATES (PARA 2 MOSCOW 10148).

4. DUDGEON CONFIRMED BRITISH WOULD BE PLEASED TO CONSULT WITH LEITZELL IN LONDON ABOUT GROUP OF 17 MEETING. HE ALSO SAID HE IS SENDING OUT A CABLE TO CAPITALS OF GROUP OF 17 PROVIDING DETAILS FOR MEETING AUGUST 21/22.

5. COMMENT. WE FOUND DUDGEON SURPRISINGLY EMPHATIC ABOUT UK INABILITY TO PROVIDE ADEQUATE TEAM FOR GROUP OF FIVE MEETING AND DOUBT VERY MUCH THAT BRITISH CAN BE PERSUADED TO RECONSIDER. PLEASE ADVISE WHETHER EITHER OF ALTERNATIVE DATES FOR GROUP OF FIVE MEETING, I.E. AUGUST 21 OR AUGUST 23/24, IS ACCEPTABLE TO U.S. RICHARDSO

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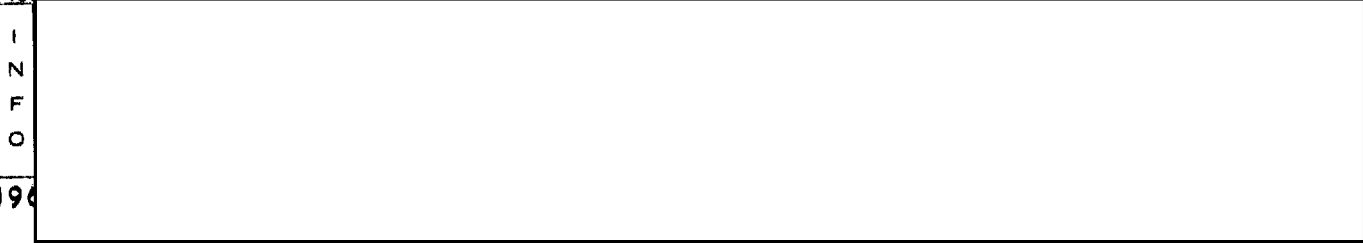
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*Post Clonetta
Meetings*

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36

BT

C O N F I D E N T I A L MOSCOW 10148

E.O. 11652: GDS

TAGS: PLOS

SUBJECT: PLOS

SUBJECT: LOS: SCHEDULE OF MEETINGS

REF: STATE 169906

1, EMBOFF CALLED FELIKS KOVALEV OF THE SOVIET MFA'S TREATY AND LEGAL DIVISION TODAY TO CONVEY INVITATIONS FOR BILATERAL AND GROUP OF FIVE CONSULTATIONS IN GENEVA AUGUST 18-20.

2, KOVALEV SAID THAT UK EMBASSY HAD CALLED LAST WEEK TO NOTIFY SOVIETS THAT GROUP OF FIVE WOULD MEET AUGUST 23 AND 24, I.E., DURING THE WEEKEND BETWEEN THE GROUP OF 17 MEETING AND THE EVERSEN GROUP MEETING. EMBOFF SAID THAT HE WAS NOT AWARE OF THIS PROPOSED TIMING BUT WOULD INQUIRE WHICH OF THE DATES HAD BEEN AGREED FOR THE PROPOSED MEETING.

3, EMBASSY WOULD, THEREFORE, APPRECIATE CONFIRMATION OF THE DATES PROPOSED REFTEL, BOTH FOR THE GROUP OF FIVE MEETING AND FOR THE SOVIET-U.S. BILATERALS. STOESEL

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PAGE 01

NC 21190

TOR:211929Z JUL 75

R 182214Z JUL 75
FM AMEMBASSY BOGOTA
RUEHC/SECSTATE WASHDC 9777
INFO RUESBG/AMCONSUL CALI 979
RUESBG/AMCONSUL MEDELLIN 970

BT

C O N F I D E N T I A L BOGOTA 6770
E O 11652 GDS

TAGS PLOS, CO

SUBJ: LOPEZ STATEMENT ON TERRITORIAL WATERS
REF STATE 168257

1. UNDERSECY FOR INTERNATIONAL ORGS AND CONFERENCES
JOAQUIN FONSECA ON JULY 18 AGAIN STATED TO EMBOFF
THAT COLOMBIA DOES NOT INTEND TO MAKE ANY UNILATERAL MOVES

0
TERRITORIAL WATERS.

2. HE DID HOWEVER, INDICAGE THAT THERE WAS A PROPOSAL UNDER
STUDY IN THE FONOFF REGARDING A POSSIBLE EXTENS ON OF JURIS-
DICTION FOR THE CONSERVATION OF RESOURCES. FONSECA SAID THE
PURPOSE OF THE PROPOSAL, WHICH MIGHT BE INTRODUCED AS
A BILL IN THE FORTHCOMING SESSION OF CONGRESS, WAS TO PROTECT
COLOMBIA'S INTERESTS IN THE FACE OF 200 MILE TERRITORIAL
SEA LIMITS CLAIMED BY COLOMBIA'S NEIGHBORS PANAMA AND ECUADOR.
FONSECA EXPLAINED THAT THE MEASURE WOULD BE "STRICTLY
TEMPORARY" UNTIL THE PASSAGE OF A LOS CONVENTION, IN THE
MEANTIME, HE SAID, SINCE NO ONE KNOWS WHEN A
CONVENTION MIGHT BE AGREED UPON, COLOMBIA NEEDED A LEGAL
BASIS WITH WHICH TO DEFEND ITS INTERESTS AGAINST
THE CLAIMS OF ITS NEIGHBORS. FONSECA SAAID THE PROPOSAL
WAS NOT BROUGHT UP DURING AMB CLINGAN'S VISIT
SINCE "THE VISIT WAS PRIMARILY IN CONNECTION WITH FISHING
RIGHTS."

3. FONSECA STRESSED THAT THE PROPOSAL IS STILL IN THE
STUDY STAGE AND ASKED THAT THE CONFIDENTIALITY OF HIS
REMARKS BE PRESERVED.

4. THE EMB WILL CONTINUE TO REPORT ON DECRLOPMENTS
ARISING FROM THIS PROPOSAL OR ANY FUTURE BILL ON THE SUBJ.
VAKY

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TOR:232012Z JUN 75

P R 231845Z JUN 75
FM AMEMBASSY PORT OF SPAIN
TO RUEHC/SECSTATE WASHDC PRIORITY 7951
INFO RUEHCR/AMEMBASSY BRIDGETOWN 1446
RUESRS/AMEMBASSY CARA S 1110
RUESON/AMEMBASSY GEORGETOWN 1290
RUESKN/AMEMBASSY KINGSTON 1092
RUEHDT/USMISSION USUN 265

Port-Jenava
Caribbean

34

BT
C O N F I D E N T I A L
LIMITED OFFICIAL USE PORT OF SPAIN 1524
E.O. 11652: N/A
TAGS: PFOR, PLOS, TD, CU, ECLA
SUBJ: PRIME MINISTER WILLIAMS' OFFICIAL VISIT TO CUBA
REF: POS 1467

1. DURING HIS VISIT TO CUBA LAST WEEK, PRIME MINISTER ERIC WILLIAMS OBTAINED SOME SUPPORT FROM PRIME MINISTER FIDEL CASTRO FOR HIS PROPOSALS FOR A SPECIAL LAW OF THE SEA REGIME FOR THE CARIBBEAN, ACCORDING TO ACCOUNTS WHICH HAVE APPEARED IN THE LOCAL PRESS. THE CUBAN SUPPORT, HOWEVER, WAS CAREFULLY HEDGED AND STOPPED FAR SHORT OF AN ENDORSEMENT OF DR. WILLIAMS' PROPOSALS. ACCORDING TO THE JOINT COMMUNIQUE ISSUED AT THE END OF THE VISIT, THE TWO PRIME MINISTERS AGREED THAT, ON THE QUESTION OF A SPECIAL REGIME FOR THE CARIBBEAN, "ARRANGEMENTS FOR THE USE AND MANAGEMENT OF THE MARINE RESOURCES SHOULD BE EXAMINED."
2. THE TWO LEADERS ALSO PROPOSED THAT THE CARIBBEAN COMMITTEE OF ECLA SHOULD HOLD ITS INITIAL MEETING IN HAVANA SEPTEMBER 1-4 TO DISCUSS EDUCATION, PUBLIC HEALTH, AND ORGANIZATIONAL ARRANGEMENTS FOR CONTINUING THE WORK OF THE COMMITTEE BETWEEN MEETINGS. AS PROPOSED IN THE COMMUNIQUE, THE MEETING WOULD CONSIST OF TWO DAYS OF MEETINGS AT THE TECHNICAL LEVEL AND TWO DAYS AT THE MINISTERIAL LEVEL. THE COMMUNIQUE ALSO EXPRESSED SUPPORT FOR CONSULTATIONS LEADING TO A MEETING OF THE COMMITTEE ON ECONOMIC INTEGRATION.
3. COMMENT: ALTHOUGH THE FULL TEXT OF THE COMMUNIQUE HAS NOT YET BEEN PUBLISHED HERE, IT APPEARS THAT NOT ONLY DID DR. WILLIAMS FAIL TO GET CASTRO TO ENDORSE HIS LOS PROPOSALS, BUT ALSO FAILED TO HAVE DISCUSSION OF THE SUBJECT SPECIFICALLY LISTED IN THE PROPOSED AGENDA FOR THE FIRST MEETING OF THE

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TOR:232012Z JUN 75

CARIBBEAN COMMITTEE OF ECLA. WHILE SOME CAUTION ON THE PART OF THE CUBANS WAS TO BE EXPECTED, GIVEN THE COMPLEXITY OF THE QUESTION AND THE SHORT TIME AVAILABLE TO CONSIDER DR. WILLIAMS' PROPOSALS, THEIR APPARENTLY LUKEWARM RESPONSE TO THE ISSUE WHICH DR. WILLIAMS' HAS MADE THE CHIEF PURPOSE OF HIS PRESENT MULTI-NATION TOUR WAS NOT A PARTICULARLY AUSPICIOUS BEGINNING FOR THE TRIP. RICH

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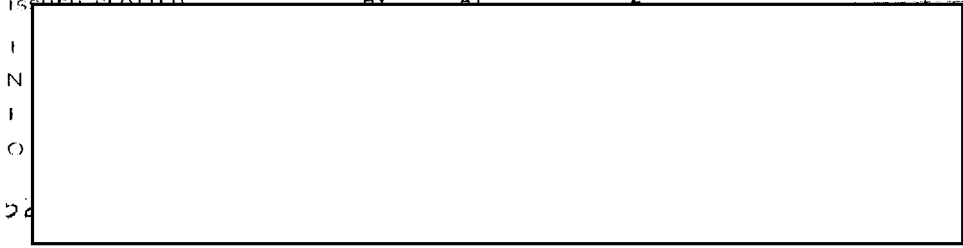
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FM AMEMBASSY BOGOTA
TO RUEHC/SECSTATE WASHDC 9476
INFO RUESMO/AMEMBASSY MEXICO 1939
RUESZP/AMEMBASSY PANAMA 2898
RUESQI/AMEMBASSY QUITO 1704
RUESLM/AMEMBASSY LIMA 1835
RUESJG/AMEMBASSY SAN JOSE 631
RUESMG/AMEMBASSY MANAGUA 400
RUESRS/AMEMBASSY CARACAS 3361

*Columbia's
Post Geneva
Comm. II*

33

BT
C O N F I D E N T I A L BOGOTA 6145
E O 11652: GDS
TAGS PLUS, EFIS

SUBJ: LOS TUNA INITIATIVE
FOR DEP SEC INGERSOLL AND UNDER SECY MAN

1. US TEAM OF CLINGAN, BUSBY, HULL AND EMBOFFS MET 30 JUNE WITH COLOMBIAN DEL WHICH INCLUDED AMB JOAQUIN FONSECA, AMB JOSE JOAQUIN GORI, GABRIEL DE J ACEVEDO (DIRGEN OF FISHERIES), AND OTHERS. TALKS FOCUSED ON US PROPOSAL FOR SEP MEETING OF REG AND FISHING STATES TO ATTEMPT TO FIND SOLUTION TO LOS AND REG TUNA PROBLEM.
2. FOL PRESENTATION OF US PROPOSAL, COL DEL STATED GOC WAS NOT PRESENTLY A MEMBER OF IATTC SINCE THEY WANTED TO ULTIMATELY EXPAND THEIR FISHING FLEET TO INCLUDE TUNA VESSELS AND FELT THAT IATTC MEMBERSHIP WOULD HAMPER THESE EFFORTS. GOC IS NOW PLANNING TO ENTER THE TUNA FISHERY AND COL DEL WAS IN AGREEMENT WITH APPROACH OUTLINED BY US. THEY STATED THAT FROM GOC POINT OF VIEW THIS WAS "EXACT MOMENT" FOR THEM TO PARTICIPATE IN SUCH AN EFFORT. THEY ASKED FOR A FORMAL INVITATION TO THE SEP MEETING THROUGH DIP CHANNELS AND STATED THEY WOULD ATTEND AND WOULD COOPERATE IN EFFORTS TO SOLVE THE TUNA PROBLEM.
3. IN RESPONSE TO INQUIRIES US SIDE BRIEFLY OUTLINED TENTATIVE PRINCIPLES THAT MIGHT BE EMBODIED IN REGIONAL APPROACH, INCLUDING MANAGEMENT BY REGIONAL ORG WITHIN AND BEYOND THE ECONOMIC ZONE, CREATION OF AN INDEPENDENT SCIENTIFIC STAFF, A LIMITED COASTAL STATE PREFERENCE WITHIN THE ZONE, AN ALLOCATION SYSTEM WHICH WOULD INCLUDE COUNTRY QUOTAS, FULL UTILIZATION OF THE STOCK AS A WHOLE, A UNIFORM LICENSING SYSTEM, SELECTIVE MEMBERSHIP, AND A FLEXIBLE VOTING SYSTEM WHICH WOULD PROTECT THE INTERESTS OF THE COASTAL STATES. US SIDE MADE CLEAR THAT LOS ARTICLE ITSELF

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TUR:031622Z JUL 75

SHOULD BE VERY GENERAL AND THAT THESE PRINCIPLES PERTAINED TO REG NEGOTIATION. COLOMBIAN SIDE ASKED FOR PAPER CONTAINING PRINCIPLES AND US SIDE AGREED TO DEVELOP AND FORWARD.

4. US SIDE RAISED QUESTION OF CHAIRMANSHIP OF SEP MEETING WITHOUT MENTIONING NAMES. COL DEL NON-COMMITTAL BUT PROMISED TO CONSIDER QUESTION AND PERHAPS FORWARD SUGGESTIN LATER. COL DEL RAISED NO OBJECTION TO INCLUSION OF CANADA, FRANCE AND JAPAN IN SEP MEETING AND SEEMED TO AGREE WITH POINT THAT TO BE EFFECTIVE, ANY REG ORG MUST INCLUDE ALL STATES FISHING THE RESOURCE.

5. ON GENERAL LOS ISSUES, GOC APPEARS NOT TO HAVE FOCUSED ITS ATTENTION ON SINGLE TEXT AS YET, AND ALTHOUGH GIVEN OPPORTUNITY, DID NOT RAISE OTHER ISSUES EXCEPT TO INQUIRE AS TO US VIEWS ON ANADROMOUS ARTILE.

6. IN PRIVATE CONVERSATION, GORI INDICATED THAT HE HAD BEEN APPROACHED BY AUSTRALIA (LAUTERPACHT) TO BE INTERMEDIARY WITH HARDLINE LATINS WITH RESPECT TO DISPUTE SETTLEMENT ISSUE. GORI HAS AGREED, BUT HE HAS NOT YET DONE ANYTHING IN THIS REGARD.

7. COMMENT, TALKS EXTREMELY USEFUL AND TEAM GAINED IMPRESSION THAT COLOMBIA ANXIOUS TO PARTICIPATE IN A REG ORG WHICH ACCOMODATES THEIR INTERESTS. FOR INSTANCE, GOC DEL STATED AT ONE POINT THAT IF WE CANNOT SOLVE PROBLEMS LIKE THIS ONE, THERE MAY NOT BE AN LOS TREATY. AS A COUNTRY WITH A STRONG LOS INVOLVEMENT BUT NO VESTED TUNA INTEREST AS YET, THEY COULD PLAY CONSTRUCTIVE ROLE IN SETTING UP A REG ORG. VAKY

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PAGE 02

NC 13099

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C. MARITIME POWERS, PARTICULARLY US, DESPATCHED SERIES OF MISSIONS AT INCEPTION OF CONFERENCE IN ATTEMPT CONVINCE THIRD WORLD OF NEED TO AVOID "POLITIZING THE MATTER," I.E. TO ADOPT STRATEGY AND TACTICS WHICH WOULD CONFIRM THE ADVANTAGES ACQUIRED BY THE MARITIME POWERS AND DC'S GENERALLY.

D. AFRICA WENT TO CONFERENCE ON PLATFORM DEFINED BY OAU CM AND CONFIRMED BY AF'S CHIEFS OF STATE AND GOVERNMENT, REGRETTABLY, AGREED AFRICAN POSITION WAS WEAKENED BY "SOME AFRICAN DELEGATIONS" WHO CHOSE TO JOIN THEIR INTEREST TO THOSE OF THE SO-CALLED LAND-LOCKED EUROPEAN COUNTRIES, MOREOVER, PLATFORM APPROVED BY AFRICAN HEADS OF STATE AND GOVERNMENT WAS CONSIDERED TOO REVOLUTIONARY BY SEVERAL ASIAN AND LATIN AMERICAN COUNTRIES WHICH FELT IT EMBODIED NOTIONS THEY THEMSELVES WERE NOT PREPARED TO ACCEPT.

E. THE "GENTLEMEN'S AGREEMENT" ACHIEVED IN CARACAS -- PARTICULARLY CONCERNING THE 200 NAUTICAL MILE ECONOMIC ZONE -- WAS NOT RESPECTED AT GENEVA BY THE GREAT POWERS, ESPECIALLY THE US. THESE POWERS ATTEMPTED EMPLOY PRESSURE AND BLACKMAIL TO ACHIEVE THEIR OBJECTIVES. "MULTINATIONALS" WERE HEAVILY REPRESENTED WITHIN THE NORTH AMERICAN DELEGATION, THE GREAT POWERS ARRANGED FOR THE GROUP OF LANDLOCKED AND DISADVANTAGED COUNTRIES TO INTERVENE. "THEIR TACTICS CONSISTED IN ELIMINATING ANY RESOLUTION OR REFERENCE PERTAINING TO PRIORITY TO BE GIVEN TO DEVELOPING COUNTRIES, AND PARTICULARLY DEVELOPING COUNTRIES LACKING A COAST, WHILE INSTITUTING INSTEAD A REFERENCE TO LANDLOCKED AND DISADVANTAGED COUNTRIES." IN OTHER WORDS, IT WOULD BE EASY FOR BIG MULTINATIONAL GROUPS LIKE THOSE IN THE US TO BENEFIT BY A PRIVILEGED REGIME SIMPLY BY MAKING USE OF THE FLAGS OF SWITZERLAND AND AUSTRIA. MOREOVER, THE US DELEGATION DECLARED THAT THE CONGRESS HAD AGREED TO THE ESTABLISHMENT OF A (US) BODY FOR THE EXPLOITATION OF THE SEABED IN THE INTERNATIONAL ZONE. THE US DELEGATION ALSO DECLARED THAT IT WAS DEMANDING AGREEMENT ON AND SIGNATURE OF A CONVENTION ON THE LOS BEFORE JANUARY 1, 1976 FAILING WHICH US COMPANIES WOULD UNILATERALLY BEGIN EXPLOITATION OF THE RESOURCES OF THE SUBSOIL IN THE OCEAN FLOOR COMMENCING JUNE 1, 1976. THE CONFERENCE ENDED IN DEADLOCK AS THE INTERESTS OF THE GREAT POWERS, THOSE OF THE DC'S AND THOSE OF THE LDC'S COULD NOT BE RECONCILED. IT WAS THEREUPON AGREED TO HOLD A THIRD SESSION. AFRICA HOPES THAT THIS SESSION WILL BE HELD IN AFRICA OR LATIN AMERICA.

F. AT PRESENT A DANGEROUS SITUATION HAS ONCE AGAIN DEVELOPED

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NC 13099

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WITHIN THE AFRICAN GROUP WHICH MIGHT SPLIT, THE KAMPALA 10 JULY MEETING OF AFRICAN LOS EXPERTS IS TO ATTEMPT TO FIND A SOLUTION TO THE DIFFERENCES THAT HAVE APPEARED BETWEEN AFRICAN COASTAL AND LANDLOCKED COUNTRIES,

2, A DOCUMENT PROPOSED BY BOTSWANA (CM/670 (XXV) ANNEX 1) IS APPENDED TO THE REPORT. WE SHALL POUCH BOTH DOCUMENTS TODAY (JULY 11) TO AF/RA,

3, COMMENT: WE ASSUME THAT THIS REPORT WAS DRAFTED BY OAU/SEC GEN NGUREDDINE DJOUDI (ALGERIAN), IT IS POLEMIC IN TONE AND VERY SHORT ON SUBSTANCE, WE WOULD SPECULATE THAT ITS TRANSPARENT ATTEMPT TO MAKE THE US/DC THE VILLAINS OF THE PIECE WILL NOT STAND UP. THE WEAKNESS OF THE OAU POSITIONS ON LOS PREVIOUSLY ADOPTED IS SIMPLY THAT THEY DID NOT ADEQUATELY SERVE THE WIDELY DIVERGENT INTERESTS OF AFRICAN COASTAL AND LANDLOCKED STATES. WE ESTIMATE THAT UN LOS CONFERENCE POSITIONS WHICH TAKE REASONABLE ACCOUNT OF THESE DIVERGENT INTERESTS WILL ULTIMATELY OBTAIN THE SUPPORT OF AFRICAN STATES,

4, DEPT REPEAT AS DESIRED, HUMMEL

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TO RUEHC/SECSTATE WASHDC 5324
INFO RUEHDT/USMISSION USUN NEW YORK 1696
RUFHGV/USMISSION GENEVA 0667
RUQMDI/AMEMBASSY MOGADISCIO 3805
RUDTC/AMEMBASSY LONDON 1634
RUFHOL/AMEMBASSY BONN 0329

*Post-Geneva
OAU Meeting*

31

BT
C O N F I D E N T I A L
LIMITED OFFICIAL USE ADDIS ABABA 8265
E.O. 11652: N/A
TAGS: OAU PLOS

SUBJECT: KAMPALA OAU LOS EXPERTS MEETING
1. PRESS, JULY 11, REPORTS JULY 10 DEPARTURE FOR KAMPALA OAU LOS EXPERTS MEETING OF OAU A/SEC GEN FOR EDUC, SCIENTIFIC CULTURAL AND HEALTH AFFAIRS NOUREDDINE DJOUDI. MEETING TO CONVENE FROM JULY 10 TO 17 VIZ., WEEK PRECEDING XXVTH OAU CM.
2. ACCORDING ARTICLE, KAMPALA LOS MEETING IS OUTGROWTH OF DIFFERENCES WHICH AROSE AMONG OAU MEMBER STATES AT MARCH-MAY GENEVA LOS CONFERENCE. THESE RESULTED IN "DEPARTURES FROM OFFICIAL OAU STANDPOINT ON CERTAIN ISSUES," E.G., EXTENT OF RIGHTS OF LANDLOCKED STATES TO FISHERIES AND LIVING RESOURCES IN ECONOMIC ZONE. ALSO OAU EXPERTS TO GO OVER SINGLE NEGOTIATING TREATY DRAFT WHICH CAME OUT OF GENEVA LOS MEETING.
3. KAMPALA OAU LOS CONFERENCE IS THUS TO EXAMINE THESE MATTERS AND TO FORMULATE RECOMMENDATIONS TO OAU XXVTH CM. LATTER WILL IN TURN MAKE RECOMMENDATIONS TO OAU'S XIITH SUMMIT TO FOLLOW NEXT CM. RESULT, IT IS HOPED, WILL BE "COMMON APPROACH" BY OAU MEMBER STATES AT NY UN LOS CONFERENCE NEXT MARCH.
4. COMMENT: IF DEPARTMENT WISHES INFLUENCE OAU'S DELIBERATIONS OR TO CONVEY LAST MINUTE USG VIEWS ON LOS, EFFORT SHOULD NOW BE MADE IN CAPITALS AT MINISTERIAL LEVEL. CM WILL HAVE TO DEAL WITH EXPERTS' RECOMMENDATIONS AND CAN AMEND THEM BEFORE SUBMITTING THEM TO OAU CHIEFS OF STATE AND GOVERNMENT AT SUMMIT. ADDIS EMBOFF WILL ALSO HOPEFULLY BE PRESENT IN KAMPALA DURING CM AND SUMMIT TO REPORT AND LIKELY CAN DO SOME LOBBYING ALTHOUGH CONDITIONS UNDER WHICH HE WILL HAVE TO FUNCTION (ACCESS, OFFICE SUPPORT, ETC.) WILL LIMIT HIS CAPABILITIES. HUMMEL

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 INFO RUEHDT/USMISSION USUN 493
 RUTAIJ/AMEMBASSY ABIDJAN 2048
 BT
 C O N F I D E N T I A L YAOUNDE 2315
 ABIDJAN FOR MS, JANET HALL DIGGS
 E.O. 11652: GDS
 TAGS: PLOS
 SUBJ: LOS: MTG ON DEEP SEABED REGIME
 REF: STATE 155121

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1. DURING SHORT VISIT TO YAOUNDE LAST WEEK, MS. DIGGS HAD OPPORTUNITY RAISE QUESTION OF INTERSESSIONAL MTG WITH PAUL ENGO.
 2. ACCORDING MS. DIGGS, ENGO STATED HE HAD PREPARED REPORT FOR FONMIN EFON ON LOS GENEVA CONFERENCE AND HAD RAISED QUESTION OF INTERSESSIONAL MTG IN YAOUNDE, RECENT CABINET RESHUFFLE, HOWEVER, HAS RESULTED IN A NEW FONMIN, AND ENGO FORESEES DELAYS IN GURC DECISION AS NEW INCUMBENT WILL FIRST HAVE TO BE EDUCATED ON LOS ISSUES BEFORE HE IS LIKELY TO FORWARD HIS RECOMMENDATIONS TO PRESIDENCY.

3. ENGO TOLD MS. DIGGS THAT HE DOUBTED IT WOULD BE PRACTICAL TO HOLD INTERSESSIONAL MTG BEFORE JANUARY AND THAT, IF YAOUNDE NOT PRACTICABLE AS A SITE AT THAT TIME, SAN FRANCISCO WOULD BE HIS CHOICE. HE DID NOT RULE OUT NY, WHICH HE AGREED WOULD BE IDEAL FROM STANDPOINT OF FACILITIES. HE QUESTIONED, HOWEVER, WHETHER LOS ISSUES IN A NY MTG WOULD GET NEEDED ATTENTION, PARTICULARLY DURING SPECIAL OR REGULAR UNGA SESSIONS, ANOTHER FACTOR BEARING ON TIMING OF MTG IS NEED FOR OAU COUNTRIES FIRST TO DISCUSS LOS ISSUES AMONG THEMSELVES. HE EXPECTS INITIAL DISCUSSIONS TO TAKE PLACE DURING KAMPALA OAU MTG IN LATE W LY.

4. COMMENT: GURC WOULD UNDOUBTEDLY WELCOME YAOUNDE AS SITE FOR INTERSESSIONAL MTG. IT WOULD ENHANCE YAOUNDE'S PRESTIGE AS AN INTERNATIONAL MTG PLACE AND HIGHLIGHT THE ROLE OF A CAMEROONIAN IN THESE DELICATE AND HIGHLY IMPORTANT INTERNATIONAL NEGOTIATIONS. HOWEVER, GURC TAKES ITS HOSTING RESPONSIBILITIES VERY SERIOUSLY, AND FINANCIAL BURDEN LIKELY TO BE AN IMPORTANT CONSIDERATION. IT WILL NEED HELP IN FORM OF INTERPRETERS AND WOULD CERTAINLY HOPE THAT US COULD SUPPLY MORE THAN ONE, SIMULTANEOUS INTERPRETING EQUIPMENT WOULD PROBABLY NOT BE NEEDED. ENGO MAY BE COUNTING ON

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TOR1090239Z JUL 75

MORE DIRECT FINANCIAL ASSISTANCE, BUT IN OUR FOLLOW-UP CONVERSATIONS WE WILL DO OUR BEST TO MODERATE HIS EXPECTATIONS. 5, INFO CONTAINED IN PARAS 2 AND 3 BASED ON MY SOMEWHAT GUARDED TELEPHONE CONVERSATION WITH MS. DIGGS IN DOUALA BEFORE HER DEPARTURE, HENCE, IT MAY CONTAIN SOME INACCURACIES OR LACK APPROPRIATE NUANCES, MOORE

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FM AMEMBASSY TOKYO
TO RUEHC/SECSTATE WASHDC IMMEDIATE 1352
INFO RUDTC/AMEMBASSY LONDON 2547
RUEHMO/AMEMBASSY MOSCOW 2146
RUFNPS/AMEMBASSY PARIS 3559
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C O N F I D E N T I A L TOKYO 8975

E.O. 116521 GDS

TAGS: PLOS

SUBJ: LOS--TOKYO GROUP OF 5 MEETING

SUMMARY: GROUP OF 5 HELD USEFUL DISCUSSIONS FOCUSING ON EXCHANGE OF GENERAL VIEWS ON SINGLE NEGOTIATING TEXT AND COORDINATION OF LOS STRATEGY, MEETING WAS PRELIMINARY EXCHANGE OF VIEWS LEADING TO COORDINATION ON PACKAGE OF AMENDMENTS TO SINGLE NEGOTIATING TEXT, IT WAS AGREED THAT THE GROUP OF 5 WOULD MEET PRIOR TO GROUP OF 17 AND EVENSEN GROUP MEETINGS IN GENEVA TO COORDINATE PACKAGE OF AMENDMENTS ON COMMITTEE III, IT WAS ALSO AGREED THAT GROUP WOULD MEET IN MID-SEPTEMBER TO COORDINATE PACKAGE OF AMENDMENTS TO SINGLE TEXT IN COMMITTEES I AND II AND DISPUTE SETTLEMENT, MEETINGS WOULD BE AT BOTH EXPERT AND HEADS OF DELEGATION LEVELS, END SUMMARY.
1, U.S. DELEGATION INCLUDING UNDER SECRETARY CARLYLE MAW, AMBASSADOR JOHN NORTON MOORE, BERNARD OXMAN, ADMIRAL MAX MORRIS (OJCS), HOWARD POLLOCK (NOAA) AND LEIGH RATINER (INTERIOR) MET WITH LOS REPS FROM JAPAN, USSR, UK AND FRANCE FOR FOUR DAYS OF GENERAL DISCUSSION ON SINGLE NEGOTIATING TEXT AND COORDINATION OF LOS TACTICS, GENERAL REACTION WAS THAT COMMITTEE I TEXT WAS UNSATISFACTORY AND WOULD REQUIRE MANY MORE AMENDMENTS THAN COMMITTEE II AND III TEXTS, DETAILED MEMCON FOLLOWS ON SPECIFIC POINTS RAISED IN DISCUSSIONS.

2, IT WAS AGREED THAT GROUP OF 5 WOULD SEEK TO COORDINATE PACKAGE OF AMENDMENTS TO SINGLE TEXT AT EARLIEST POSSIBLE TIME, FOR THIS PURPOSE MEMBERS OF GROUP WOULD EXCHANGE PROPOSED PACKAGE OF AMENDMENTS TO COMMITTEE III TEXT BY AUGUST 1 AND COMMITTEE I AND II TEXTS SEVERAL WEEKS PRIOR TO MID-SEPTEMBER MEETING, IT WAS ALSO AGREED THAT GROUP OF 5 WOULD MEET TO COORDINATE PACKAGE OF AMENDMENTS TO COMMITTEE

Post Geneva group 5

29

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PAGE 02-02

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III TEXT IN GENEVA IN WEEK PRIOR TO GROUP OF 17 AND EVENSEN
GROUP MEETINGS AND WOULD MEET TO COORDINATE COMMITTEE I AND
II AND DISPUTE SETTLEMENT PACKAGE OF AMENDMENTS IN A MEETING
IN U.S. IN MID-SEPTEMBER. MEETINGS WOULD BE AT BOTH HEADS OF
DELEGATION AND EXPERT LEVELS. HODGSON

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TOR1020508Z JUL 75

R 011822Z JUL 75
 FM SECSTATE WASHDC
 TO RUTADE/AMEMBASSY YAOUNDE 4740
 INFO RUEHDT/USMISSION USUN NEW YORK 3284
 BT

*Post Geneva
 Cameroon ✓
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 28*

C O N F I D E N T I A L STATE 155121
 E.O. 11652: GDS
 TAGS: PLOS
 SUBJECT: LOSI MEETING ON DEEP SEABED REGIME
 REFS: A) GENEVA 3410, B) STATE 115674 C) YAOUNDE 1613
 D) YAOUNDE 1768

- AS EMB, AWARE FROM REFTELS, PAUL ENGO, AS CHAIRMAN OF COMMITTEE I IN LOS CONFERENCE, HAS PLAYED IMPORTANT ROLE IN NEGOTIATIONS ON DEEP SEABED. DEEP SEABED ISSUE NOW APPEARS TO BE PRINCIPAL STUMBLING BLOCK TO SUCCESS OF LOS CONFERENCE. ENGO HAS INDICATED THAT HE WISHES TO HOLD INTERSESSIONAL MEETING OF APPROXIMATELY 20 COUNTRIES TO CARRY OUT NEGOTIATIONS ON SEABED QUESTIONS. HE APPARENTLY WOULD PREFER THAT SUCH MEETING TAKE PLACE IN YAOUNDE AND AT ONE TIME, AT LEAST, PLANNED ON SCHEDULING MEETING IN LATE AUGUST.
- WE WOULD PREFER TO HAVE ANY SUCH MEETING IN NEW YORK, RATHER THAN YAOUNDE, FOR BOTH LOGISTIC AND SUBSTANTIVE REASONS. WE DO NOT, HOWEVER, WISH TO APPEAR TO ENGO TO BE OPPOSING HIM OR TO BE CREATING OBSTACLE IN HIS EFFORTS TO HOLD HIS MEETING. U.S. REPS IN GENEVA TOLD ENGO THAT U.S. WOULD SUPPORT HAVING MEETING IN YAOUNDE. ENGO HAS INDICATED (MOST RECENTLY TO ASSISTANT SECRETARY DAVIS WHEN LATTER WAS IN YAOUNDE) HE HOPED USG WOULD HELP HIM IN HIS EFFORTS TO HOLD MEETING IN CAMEROON. WE CONSIDER THAT WE MUST APPEAR TO BE RESPONSIVE TO ENGO'S INQUIRY.
- EMBASSY SHOULD RAISE ISSUE WITH ENGO AT EARLIEST CONVENIENT TIME AND DETERMINE STATUS OF ENGO'S PLANS, IF ANY, FOR THIS MEETING INCLUDING LOCALE AND DATES, WHO HE INTENDS TO INVITE AND AGENDA.
- IF ENGO INDICATES THAT HE HAS NO PLANS OR THAT HE HOPES TO HAVE MEETINGS IN NEW YORK, EMBASSY SHOULD GENERALLY ENCOURAGE ENGO TO HOLD INTERSESSIONAL MEETINGS ON COMMITTEE I ISSUES IN NEW YORK. IF ENGO STATES THAT

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TOR:020508Z JUL 75

HE PLANS TO HOLD MEETING IN YAOUNDE, YOU SHOULD MAKE CLEAR THAT USG WOULD PARTICIPATE IN MEETING IF HELD IN YAOUNDE AND WOULD SUPPORT ENGO IN HIS EFFORTS TO DO SO. YOU SHOULD STATE, HOWEVER, THAT WE BELIEVE THAT MEETING IN NEW YORK DURING UNGA WOULD HAVE GREATER CHANCE OF SUCCESS THAN ONE HELD IN CAMEROON AS FULL UN SECRETARIAT FACILITIES COULD BE AVAILABLE, IT WOULD BE MORE LIKELY THAT KEY NEGOTIATORS WOULD BE ABLE TO PARTICIPATE AND THERE WOULD BE MORE TIME, IF MEETING HELD IN SEPTEMBER OR LATER, FOR GOVERNMENTS TO COMPLETE THEIR REVIEW OF SEABED ISSUE. IF ENGO ASKS WHETHER U.S. WOULD BE PREPARED TO ASSIST HIM IF MEETING TAKES PLACE IN YAOUNDE, YOU SHOULD SAY THAT WE WOULD HOPE TO BE ABLE TO PROVIDE SOME ASSISTANCE IF THIS SHOULD PROVE NECESSARY. WE COULD, FOR EXAMPLE, MAKE AVAILABLE FOR THE DURATION OF THE MEETING SIMULTANEOUS INTERPRETING EQUIPMENT. WE COULD ALSO INCLUDE ON THE U.S. DEL AT LEAST ONE COMPETENT FRENCH/ENGLISH INTERPRETER.

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TOR:301801Z JUN 75

P R 301440Z JUN 75
FM SECSTATE WASHDC
TO RUESQI/AMEMBASSY QUITO PRIORITY 9013
INFO RUESMO/AMEMBASSY MEXICO CITY 5855
RUESGY/AMCONSUL GUAYAQUIL 3300

*Port General
Frederick*

27

BT
C O N F I D E N T I A L STATE 153608
E.O. 11652: GDS

TAGS: PLOF, EFIS

SUBJECT: LOS; EASTERN PACIFIC TUNA NEGOTIATIONS
REF: A QUITO 4451; B, STATE 139420

1, DEPT. APPRECIATES REPORT OF MEETING WITH AYALA REFTEL A.

2, ONLY POINT WHICH IS UNCLEAR AND THEREFORE TROUBLING IS AYALA'S POSITION RE PARTICIPATION OF JAPAN AND FRANCE, WE EXPECTED RESTATEMENT OF GOE PREFERENCE FOR REGIONAL ORGANIZATION COMPOSED ONLY OF STATES OF REGION. THIS IS ISSUE SUBJECT TO NEGOTIATION IN LOS OR IMPLEMENTING AGREEMENTS. HOWEVER, REFERENCE TO HIS OBJECTION TO OUR CONSULTATIONS WITH THEM SUGGESTS POSSIBILITY GOE WOULD OBJECT TO THOSE STATES PARTICIPATING IN MEETING IN SEPTEMBER.

3, PLEASE FURNISH CLARIFICATION ON THIS POINT, YOU MAY DRAW ON FOLLOWING REASONING IN DISCUSSION WITH GOE: (A) WE BELIEVE HAVING THE VIEWS OF JAPAN AND FRANCE AT THE SEPTEMBER MEETING IS IMPORTANT TO APPRAISING THE POSSIBILITY FOR OBTAINING LOS ARTICLE AND WORKABLE REGIONAL AGREEMENT, (B) OUR OBJECTIVE IN WORKING TOWARD NEW REGIONAL ARRANGEMENT IS TO ACHIEVE SITUATION IN WHICH ALL STATES FISHING IN REGION (EVEN IF ONLY OUTSIDE 200-MILES) ARE PARTICIPATING IN REGIONAL CONSERVATION PROGRAM, (C) ATTENDANCE OF NON-REGIONAL STATES FISHING IN REGION AT SEPTEMBER MEETING SHOULD NOT BE TAKEN BY GOE AS PREJUDICIAL TO ITS POSITION ON EVENTUAL STRUCTURE OF ANY NEW ORGANIZATION.

4, FYI. OUR POSITION ON NECESSITY OF PARTICIPATION OF NON-REGIONAL STATES IS BASED, IN ADDITION TO ABOVE POINTS AND THOSE IN REF B, ON FOLLOWING ADDITIONAL CONSIDERATIONS: (A) STATES OF THE REGION COULD BE REDEFINED AT SOME FUTURE TIME TO EXCLUDE US, (B) RECOG-

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PAGE 02-02

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NITION OF PRINCIPLE OF TRADITIONAL PARTICIPATION IN A
FISHERY PROTECTS OTHER U.S. FISHERIES INTERESTS, E.G.
SHRIMPING OFF BRAZIL. (C) EXCLUSION OF NON-REGIONAL
STATES WOULD PREJUDICE FUTURE NEGOTIATIONS RE ACCESS FOR
U.S. TUNA VESSELS IN OTHER REGIONS SUCH AS AFRICAN WEST
COAST OR SOUTHWEST PACIFIC. END FYI. INGERSOLL

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 TO RUEHSP/AMEMBASSY PORT OF SPAIN PRIORITY 5847
 INFO RUESBG/AMEMBASSY BOGOTA PRIORITY 8867
 RUESRS/AMEMBASSY CARACAS 9609
 RUESON/AMEMBASSY GEORGETOWN 8158
 RUESGT/AMEMBASSY GUATEMALA 0292
 RUESKN/AMEMBASSY KINGSTON 3170
 RUDTC/AMEMBASSY LONDON 0340
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 RUDKGPQ/AMEMBASSY THE HAGUE 5180
 RUEHMO/AMEMBASSY MOSCOW 5728
 RUESMO/AMEMBASSY MEXICO 5851
 RUESTE/AMEMBASSY TEGUCIGALPA 4580

Post Geneva
Caribbean
 26

BT

CONFIDENTIAL
 LIMITED OFFICIAL USE STATE 153539
 E.O. 11652 IN/A

TAGSIPFOR PLOS, EFIS
 SUBJECT: TRINIDAD'S PROPOSED SPECIAL CARIBBEAN LOS REGIME
 1. ON JUNE 26 PM WILLIAMS OF TRINIDAD RAISED ISSUE OF U.S. SUPPORT FOR SPECIAL LOS REGIME FOR CARIBBEAN WITH SECTY KISSINGER. ADDRESSEES MAY BE ASKED BY HOST GOVTS TO EXPLAIN U.S. POSITION ON THIS PROPOSAL. FOLLOWING POINTS MAY BE USED IF ASKED.
 2. REGIONAL SHARING OF RESOURCES WHICH WOULD BE INCLUDED IN ECONOMIC ZONES AS RESULT OF NEGOTIATED LOS AGREEMENT IS, IN OUR VIEW, SENSIBLE IDEA.
 3. ARTICLE 58 OF SINGLE NEGOTIATING TEXT CIRCULATED AT END OF GENEVA LOS SESSION WOULD ALLOW FOR THIS TYPE OF AGREEMENT WHEN NEW OCEANS LAW ADOPTED.
 4. U.S. BELIEVES IT COULD SUPPORT SUCH AN AGREEMENT IF IT BASED ON OVERALL ACCEPTABLE LOS TREATY AND IS SUPPORTED BY OTHER STATES OF THE REGION.
 5. TERM QUOTE CARIBBEAN ARCHIPELAGO UNQUOTE WHICH HAS BEEN USED TO DESCRIBE THIS PROPOSAL IS INAPPROPRIATE INASMUCH AS

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PAGE 02-02

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TOR1291957Z JUN 75

THE TERM ARCHIPELAGO CARRIES NAVIGATIONAL AND OTHER LOS
IMPLICATIONS BEYOND WHAT IS INTENDED, I.E. REGIONAL SHARING
OF ECONOMIC ZONE RESOURCES. WILLIAMS HAS MADE CLEAR, HOW-
EVER, THAT HIS PROPOSAL DOES NOT AFFECT NAVIGATIONAL RIGHTS.
INGERSOLL

52

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PAGE 01-01

NC 02009

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R 271735Z JUN 75
 FM AMEMBASSY GUATEMALA
 TO SECSTATE WASHDC 7184
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 C O N F I D E N T I A L
 LIMITED OFFICIAL USE GUATEMALA 3313
 E.O. 11652: N/A
 TAGS: PLOS, GT
 SUBJECT: LOS: U.S. CONGRESSIONAL ACTION
 REF: STATE 146678

*Post Geneva
 Guatemala*

25

1, EMBOFF GAVE DIRECTOR INTERNATIONAL ORGANIZATIONS (SANTISO), FONOFF, COPIES OW SUMMARY OF UNCLASSIFIED REPORT OF USDEL TO GENEVA CONFERENCE, MAY 20 MOORE STATEMENT, JUNE 5 STEVENSON STATEMENT, AND SINGLE NEGOTIATING TEXT PRODUCED AT GENVEA. SANTISO EXPRESSED APPRECIATION AND IMMEDIATELY ASKED ABOUT PROSPECTS FOR U.S. CONGRESSIONAL ACTION. EMBOFF REPLIED ALONG LINES REFTLW, WHICHGSEEMED TO DEEPEN SANTISO'S CONCERN, BUT HE DID NOT GIVE ANY INDICQHION HOW GOG MIGHT REACT TO UNILATERAL U.S. ACTION. OUR OWN ASSESSMENT IS THAT GUAATEALA WOULD RELATIVELY SOON FOLLOW SUITO F U.S. ACTED,

2, ASKED FOR HIS ASSESSMENT OF GENEVA MEETING WHICH HE ATTENDED, SANTISO SAID HE HAD NOT RPT NOT GIVEN UP HOPE OF TREATY; HE HAD ALWAYS THOUGH IT WOULD TAJA AT LEAST FIVE YEARS OF NEGOTIATION BEFORE AGREEMENT REACHED. HE THOUGHT THERE WAS CLEAR CONSENSUS ON 12 MILES TERRITORIAL SEA AND 220 MGLE ECONOMIC ZONE, AND DISSENTERS WOULD HAVE TO ACCEPT THOSE LIMITS OR BE EVENTUALLY OUTVOTED WHEN CONFERENCE GOT AROUND TO VHLING. NEW YORK CONFERENCE IN 1976 WOULD, HE THOUGHT, PRODUCE TRUE SINGLE TEXT (WHICH DOES NOT YET EXIST) WHICH WOULD BE BASIS FOR FINAL NEGOTIATIONS PRIOR TO AT LEAST ONE MORE SESSION AFTER THAT.

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TOR:241933Z JUN 75

R 241806Z JUN 75
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TO RUEHC/SECSTATE WASHDC 2297
INFO RUEHMO/AMEMBASSY MOSCOW 3289
BT

C O N F I D E N T I A L SECTION ²³⁸⁴ 0110E 04 LONDON 09733
FOR DEPUTY SECRETARY INGERSOLL, UNDER SECRETARY MAW AND
COUNSELOR SONNENFELDT FROM MOORE
E.O. 11652: GDS

TAGS: PLOS

SUBJ: MOSCOW LOS DISCUSSIONS

1. SUMMARY: US AND SOVIET LOS TEAMS HELD TWO DAYS OF DISCUSSIONS ON GENERAL QUESTIONS CONCERNING PROBLEMS OF 200 MILE FISHING BILL, LOS STRATEGY, OVERALL REACTIONS TO SINGLE TEXT AND PROGRAM OF FUTURE COORDINATION, ALTHOUGH BOTH TEAMS EMPHASIZED THAT DISCUSSIONS WERE OF PRELIMINARY NATURE SINCE REVIEW OF SINGLE TEXT NOT YET COMPLETED, TALKS WERE HIGHLY PRODUCTIVE IN EXPLORING VIEWS ON AVOIDING UNILATERAL ACTION, IN DEVELOPING PROGRAM FOR FUTURE COORDINATION, AND IN EXCHANGING GENERAL INFORMATION ON MOST SERIOUS CONCERNS WITH SINGLE TEXT. DISCUSSIONS ALSO PROVIDED AN OPPORTUNITY FOR US TO STRESS IMPORTANCE OF FULL PROTECTION OF DEEP SEABED INTERESTS AND THAT PROTECTION OF INTERESTS IN THIS AREA, AS IN OTHER AREAS OF MUTUAL CONCERN, WAS ESSENTIAL TO ACCEPTANCE OF LOS TREATY.
END SUMMARY.

2. US TEAM HEADED BY AMBASSADOR JOHN NORTON MOORE AND INCLU, /ING MR. STUART FRENCH, DOD REP FOR LOS; ADMIRAL MAX MORRIS, SPECIAL REP OF CHAIRMAN OF JOINT CHIEFS FOR LOS; TERRY LEITZELL AND CMDR BUSBY (STATE) AND EMBASSY LOS OFFICER DARYL JOHNSON MET FOR TWO DAYS OF LOS DISCUSSIONS WITH SOVIET TEAM LED BY AMBASSADOR KOLOSOVSKY AND INCLUD- ING GENERAL BARABOLYA, FELIX KOVOLEV, DR. ROMONOV, AND SEVERAL OTHER LOS OFFICIALS. MOORE AND SMALLER TEAMS ALSO MET WITH DEPUTY MINISTER OF EXTERNAL AFFAIRS KOSYREV, DEPUTY MINISTER OF GEOLOGY IGREVSKY, AND THE DEPUTY MINISTER OF THE MARITIME FLEET. ADMIRAL MORRIS AND STUART FRENCH ALSO MET WITH ADMIRAL ALEKSEEV.

3. MOST IMPORTANT DEVELOPMENTS AND POINTS IN EACH AREA WERE AS FOLLOWS:

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Post Geneva

Moore's Visit

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PAGE 02

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TOR1241933Z JUN 75

(A) 200 MILE FISHING BILL AND AVOIDANCE OF UNILATERAL ACTION. SOVIET CONCERN OVER POSSIBLE PASSAGE OF 200 MILE FISHING BILL BY US WAS ISSUE OF GREATEST ATTENTION. SOVIETS MADE CLEAR THAT UNILATERAL US ACTION WOULD NOT BE RECOGNIZED BY USSR, AND THAT SUCH ACTION COULD SERIOUSLY DAMAGE OVERALL US AND USSR OCEANS INTERESTS. THIS ISSUE DOMINATED DISCUSSIONS WITH DEPUTY FOREIGN MINISTER KOSYREV, KOSYREV, HOWEVER, INDICATED SOVIETS WOULD BE WILLING TO CONSIDER A US PROPOSAL CONCERNING POSSIBLE DRAMATIC BREAKTHROUGH ON FISHERIES ISSUE IF THIS COULD LEAD TO AVOIDANCE OF UNILATERAL ACTION.

(B) INTER-SESSIONAL WORK AND FUTURE COORDINATION: KOLOSOVSKY, ROMANOV, AND INGREVSKY INDICATED THEY FAVORED INTER-SESSIONAL WORK IN COMMITTEE I SOMETIME LATE THIS YEAR OR EARLY NEXT YEAR IN NEW YORK. THEY DID NOT FAVOR IDEA OF INTER-SESSIONAL WORK IN YAOUNDE. AS TO CHAIRMEN, ALL FELT THAT PAUL ENGO MUST BE HEAVILY INVOLVED, WITH VIEWS SPLIT AS TO WHETHER ENGO ALONE OR ENGO AND EVENSEN JOINTLY SHOULD CHAIR INTER-SESSIONAL WORK. IMPORTANCE OF RAISING LEVEL OF COMMITTEE I TALKS AND OF ENLARGING DISCUSSIONS TO INCLUDE BROAD RANGE OF CONFERENCE MODERATES WAS REPEATEDLY STRESSED BY ALL SOVIET SPOKESMEN. THEY ALSO AGREED WITH IMPORTANCE OF SEEKING COORDINATED GROUP OF 5 POSITION BEFORE INTER-SESSIONAL TALKS AND OF WIDELY SELLING AGREED POSITIONS WITH ENGO AND CONFERENCE MODERATES BEFORE INTER-SESSIONAL MEETING WITH A VIEW TO ISOLATING EXTREMISTS IF NECESSARY. GROUP OF 5 POSITION, HOWEVER, SHOULD APPEAR TO BE POSITION OF CONFERENCE MODERATE AND NOT OBVIOUSLY OF DEVELOPED STATES. AS TO "MODERATES" WHICH SHOULD BE INCLUDED IN INTER-SESSIONAL WORK, SOVIETS SUGGESTED GHANA, THAILAND, INDONESIA, INDIA, SRI LANKA, LIBERIA AND JAMAICA FOR OUR CONSIDERATION. SOVIETS SAW AFRICANS AS POTENTIALLY LEADERS IN COMMITTEE I BREAKTHROUGH. THEY ALSO REPORTED, HOWEVER, THAT KENYA REP (NOT FRANK NJENGA) WORKED WITH ENGO ON HIS CHAIRMAN'S COMMITTEE I TEXT.

ON COMMITTEE II AND III ISSUES, SOVIETS ENDORSED IDEA OF EARLY AGREEMENT WITH GROUP OF 5 ON PACKAGE OF

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NC 980³⁸~~42~~

TOR:241935Z JUN 75

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 INFO RUEHMO/AMEMBASSY MOSCOW 3290
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C O N F I D E N T I A L SECTION 02 OF 04 LONDON 09733
 AMENDMENTS NECESSARY FOR ACCEPTANCE OF COMMITTEE II AND
 III TEXT (AND THEY SEEMED TO SUGGEST POSSIBILITY ALSO OF
 PACKAGE OF AMENDMENTS APPROACH TO COMMITTEE I AS WELL).
 SINCE THE REVIEW PROCESS WILL NOT YET BE COMPLETED BY
 TOKYO GROUP OF FIVE MEETING, THE SOVIETS FELT THAT WE
 WOULD NEED ONE OR TWO MEETINGS OF THE GROUP AROUND FIRST
 OR SECOND WEEK IN AUGUST (OR POSSIBLY LATER FOR COMMITTEE
 I ISSUES) AND THAT WE SHOULD SET A DATE FOR THIS DURING
 TOKYO MEETING, PURPOSE OF MEETING WOULD BE TO REACH
 AGREEMENT ON PACKAGE OF AMENDMENTS TO SINGLE TEXT IN
 EACH COMMITTEE (WITH COMMITTEE I UNDERSTOOD TO PRESENT
 SPECIAL PROBLEMS IN COORDINATION OF TACTICS AS WELL
 AS SUBSTANCE), WE WOULD THEN SEEK TO PUT TOGETHER LARGE
 GROUP OF STATES AROUND SUCH A PACKAGE UNDER SPONSORSHIP
 OF CONFERENCE MODERATES, THESE MEETINGS WOULD ALSO SERVE
 AS COORDINATING MEETINGS FOR ANY EVENSEN GROUP TALKS.

WITH RESPECT TO THE EVENSEN GROUP THE SOVIETS SAID
 THEY HAD AGREED WITH EVENSEN TO IDEA OF TALKS ON RESEARCH
 AND POLLUTION BUT THAT THEY HAD STRONGLY OBJECTED TO
 DISCUSSION OF STRAITS AND ARCHIPELAGO ISSUES BY EVENSEN
 GROUP, THEY ALSO SEEMED TO HAVE NO PROBLEM WITH EVENSEN
 GROUP CONSIDERING CONTINENTAL SHELF ISSUES OR DEEP SEA-
 BEDS PROVIDED PAUL ENGO WAS INVOLVED IN LATTER SUBJECT
 MEETINGS, THEY ASKED US TO INTERVENE AND TO HAVE UK ALSO
 INTERVENE WITH EVENSEN TO PREVENT CONSIDERATION OF STRAIT
 AND ARCHIPELAGO ISSUES BY THE EVENSEN GROUP.

(C) ISLANDS PROBLEMS - BECAUSE OF LETTER FROM MICRONESIAN
 TO USDEL, MOORE INQUIRED OF SOVIETS WHAT THEIR REACTION
 WAS TO ARTICLE 132 IN SINGLE TEXT, SOVIETS RESPONDED THAT
 THEY FELT THAT ISLETS OR ROCKS BELOW 1/10 OF A SQUARE
 KILOMETER OF LAND AREA SHOULD RECEIVE NO CONTINENTAL
 SHELF OR ECONOMIC ZONE, FYI: SOVIETS DEFINED SMALL ISLETS
 AS LESS THAN 1/10 OF A KILOMETER AND ROCKS AS LESS THAN
 1/100 OF A KILOMETER, MOORE INDICATED WE WERE UNDER A

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NC 98042 ³⁸

TOR:241935Z JUN 75

TRUSTEESHIP OBLIGATION TO MICRONESIA CONCERNING THEIR INTERESTS IN THIS AREA AND THAT WE WOULD BE BACK IN TOUCH WHEN WE HAD COMPLETED OUR REVIEW OF THE SINGLE TEXT.

(D) DISPUTE SETTLEMENT - MOORE MADE STRONG DEMARCHE ON NEED FOR STRONG DISPUTE SETTLEMENT PROVISIONS IN TREATY, POINTED OUT IMPORTANCE IN CONTROLLING CHARACTER OF ECONOMIC ZONE, IN PROTECTING SOVIET NAVIGATION AND FISHING INTERESTS AND IN GENERALLY PROTECTING MUTUAL US/USSR OCEANS INTERESTS; DEMARCHE ALSO MADE IN DISCUSSIONS WITH MINISTRY OF MARITIME FLEET ON NEED FOR STRONG DISPUTE SETTLEMENT PROVISIONS WITH PROVISION MADE FOR QUICK RELEASE OF VESSELS, SOVIETS LISTENED WITHOUT SPECIFIC COMMENTS BUT INDICATED THEY WOULD TAKE US COMMENTS UNDER ADVISEMENT. ALTHOUGH SOVIETS SEEM TO BE MOVING ON DISPUTE SETTLEMENT, THIS CONTINUES TO BE AN AREA OF SIGNIFICANT DIFFERENCE.

(E) - TIMING OF CONFERENCE WORK PROGRAM - SOVIETS AGREED THAT PROVISION SHOULD BE MADE FOR TWO CONFERENCE SESSION DURING 1976 BUT WERE RELUCTANT TO AGREE THAT SECOND SESSION SHOULD BE DEFINITELY SCHEDULED. THEY CONTINUE TO HAVE A SOMEWHAT MORE LEISURELY VIEW THAN THE US ON THE WORK SCHEDULE OF THE CONFERENCE ALTHOUGH THEY DID SEEM INTERESTED IN SINGAPORE PROPOSAL THAT SECOND SESSION SHOULD BE HELD DURING 1976 UNLESS FIRST SESSION AFFIRMATIVELY DECIDED SECOND SESSION WAS NOT NEEDED.

(F) DEEP SEABEDS - MOORE MADE STRONG DEMARCHE IN BOTH KOLOSOVSKY AND IGREVSKY MEETINGS ON VITAL IMPORTANCE OF DEEP SEABEDS REGIME IF SATISFACTORY GENERAL TREATY WAS TO BE ACHIEVED. IN THIS CONNECTION, HE STRESSED GENERAL UNHAPPINESS OF US WITH SINGLE TEXT. SOVIETS AGREED WITH IMPORTANCE OF DEEP SEABED ISSUES ALTHOUGH FROM A TACTICAL STANDPOINT THEY MADE CLEAR THEY DID NOT WANT TO PUT COMMITTEE I TEXT IN SEPARATE CATEGORY FROM COMMITTEE II AND III TEXTS LEST IT LEAD TO REOPENING OF THOSE TEXTS CONSIDERED BY THE SOVIETS AS BASICALLY SATISFACTORY. IGREVSKY CLEARLY ACTING UNDER INSTRUCTIONS MADE LONG DEMARCHE AGAINST WHAT HE FELT WAS US LACK OF COORDINATION WITH GROUP OF 5 ON DEEP SEABED INITIATIVES MADE AT GENEVA. HE SAID THAT AS A RESULT OF US SEPARATE INITIATIVES MEMBERS OF THE GROUP OF 77 APPROACHED THE

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NC 98042 ^{3P}

TOR1241935Z JUN 75

SOVIET DELEGATION TO SEE IN HIS WORDS "WHAT THE SOVIETS MIGHT GIVE", THIS ISSUE WAS ONE OF SERIOUS CONCERN TO SOVIETS AND MOORE EMPHASIZED OUR CONTINUING COMMITMENT TO CLOSE COORDINATION WHENEVER POSSIBLE.
AS TO SUBSTANCE OF COMMITTEE I ISSUES, IGREVSKY

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PAGE ⁶ 4

NC 98047 ³⁸

TOR1241938Z JUN 75

R 241806Z JUN 75
 FM AMEMBASSY LONDON
 TO RUEHC/SECSTATE WASHDC 2299
 INFO RUEHMJ/AMEMBASSY MOSCOW 3291
 BT

C O N F I D E N T I A L SECTION 03 OF 04 LONDON 09733
 SAID SECOND PINTO TEXT A GOOD BASIS FOR WORK AND MUCH
 BETTER THAN THE ENGO TEXT. MOORE AGREED THAT THE SECOND
 PINTO TEXT WAS BETTER BUT ALSO INDICATED THAT IT TOO, OF
 COURSE, WAS UNSATISFACTORY AS A BASIS FOR AGREEMENT.
 SOVIETS SEEM TO FEEL THAT AGREEMENT IN COMMITTEE I SHOULD
 BE BASED ON DUAL SYSTEM ALONG LINES OF SOVIET GENEVA PRO-
 POSAL; THAT IS, A SYSTEM OF EXPLOITATION BY STATES (AND
 PRIVATE ENTITIES UNDER THEIR SPONSORSHIP) IN
 NO LESS THAN 1/2 OF THE AREA UNDER AGREED GENERAL CONDI-
 TIONS AND WITHOUT BEING SUBJECT TO FURTHER AUTHORITY
 DISCRETION EXCEPT IN ENVIRONMENTAL REGULATIONS, THE OTHER
 1/2 OF THE AREA WOULD BE OPEN TO EXPLOITATION BY THE
 AUTHORITY EITHER DIRECTLY OR UNDER JOINT VENTURES, CON-
 SISTENT WITH THIS VIEW, IGREVSKY FELT THAT ARTICLE 22 OF
 THE SINGLE TEXT WAS UNACCEPTABLE.

EMPHASIZING THAT THE COMMITTEE I REVIEW WAS NOT YET
 COMPLETED, MOORE STRESSED THE IMPORTANCE OF GENUINELY
 BALANCED DECISION-MAKING PROCEDURES WITHIN THE AUTHORITY,
 LIMITING THE DEEP SEABED REGIME TO SEABED MINERAL RESOURCE
 ISSUES, OBTAINING A REGIME FOR MINING WHICH WOULD
 UNAMBIGUOUSLY GUARANTEE ACCESS TO THE MINERAL RESOURCES
 OF THE DEEP SEABED, AND AVOIDING PRICE OR PRODUCTION
 CONTROLS OR DISCRETION CAPABLE OF PRODUCING ANY OF THESE
 EFFECTS. IT WAS ALSO MADE CLEAR THAT SATISFACTORY RESOLU-
 TION OF THESE AND OTHER ISSUES WAS NECESSARY FOR A COM-
 PREHENSIVE TREATY.

G) THE TERRITORIAL SEA, STRAITS, AND ARCHIPELAGOES -
 THERE WERE NO SIGNIFICANT DIFFERENCES ON THE STRAITS,
 ARCHIPELAGO AND INNOCENT PASSAGE IN THE TERRITORIAL SEA
 ISSUES. THE SOVIETS, HOWEVER, WERE CONCERNED ABOUT THE
 ISLAND EXCEPTION IN THE SINGLE TEXT ON STRAITS AND WE
 WILL NEED TO WORK WITH THEM IN THE INTERIM PERIOD TO
 SOLVE THE PROBLEM, TO MAKE CERTAIN WE UNDERSTOOD THE PRO-
 BLEM WE ASKED FOR AND RECEIVED A LIST OF STRAITS WHICH

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PAGE ⁷ 02

NC 98047 ³⁸

TOR12419382 JUN 75

THE SOVIETS FELT WOULD BE EXCEPTED BY THE ISLAND PROVISION WE PROMISED TO STUDY THE LIST AND TO HOLD FURTHER DISCUSSIONS WITH THEM ON THIS ISSUE DURING THE UPCOMING TOKYO MEETING.

(H) MARINE POLLUTION - MOORE MADE A STRONG DEMARCHE ON THE IMPORTANCE OF A GOOD PORT STATE ENFORCEMENT SYSTEM AND ON PROTECTION OF COASTAL STATE JURISDICTION IN THE TERRITORIAL SEA OUTSIDE OF STRAITS. THE SOVIETS REPLIED STRONGLY NEGATIVELY ON THE PORT STATE ISSUE BUT SEEMED TO AGREE THAT THE PORTS AND WATERWAYS SAFETY ACT PROBLEM COULD BE ACCOMMODATED. THE SOVIETS ALSO AGREED TO A COMMO POSITION EXPANDING COVERAGE AND ADDING AIRCRAFT TO THE SOVEREIGN IMMUNITY CLAUSE, ADDING THE DEFINITION OF DUMPING FROM THE LONDON OCEAN DUMPING CONVENTION AND CUTTING OFF COASTAL STATE DUMPING JURISDICTION AT 200 MILES. SOVIETS ALSO INDICATED THEY FAVORED DELETION OF PARAGRAPH 6 IN SPECIAL AREA PROVISION AND MOORE TOOK OCCASION TO INDICATE OUR CONCERN WITH SPECIAL AREA PROVISION AND THAT UNLESS ISSUE COULD BE SATISFACTORILY WORKED OUT WE FAVORED DELETION OF POORLY DRAFTED SPECIAL AREA PROVISION THESE ISSUES WERE REPORTED IN GREATER DETAIL BY SEPARATE CABLE.

(I) MARINE SCIENTIFIC RESEARCH - MOORE POINTED OUT IN STRONG TERMS IMPORTANCE ATTACHED BY US TO PROTECTION OF MARINE SCIENTIFIC RESEARCH. HE ALSO POINTED OUT WE WERE NOT DISCUSSING DRILLING ON SHELF WHICH WOULD BE UNDER CONSENT OF COASTAL STATE. BOTH US AND USSR REPS AGREED THAT THE DEEP SEABED REGIME SHOULD NOT EXTEND TO MARINE SCIENTIFIC RESEARCH. SOVIETS ALSO INDICATED THEY WERE RE-THINKING VIABILITY OF FUNDAMENTAL VS. NON-FUNDAMENTAL RESEARCH DISTINCTION. BOTH SIDES INDICATED WE WOULD SHARE FURTHER THOUGHTS ON THIS ISSUE WHEN WE HAD COMPLETED REVIEW OF SINGLE TEXT. THESE ISSUES WERE REPORTED IN GREATER DETAIL BY SEPARATE CABLE.

(J) ECONOMIC ZONE AND CONTINENTAL SHELF - SOVIETS AGREED THAT ARTICLE 45 OF SINGLE TEXT WOULD NEED TO BE RE-WRITTEN NOT TO PREJUDICE COMMITTEE III ISSUES. THEY ALSO MADE STRONG DEMARCHE ON IMPORTANCE OF ECONOMIC ZONE HAVING CHARACTER OF HIGH SEAS AND NOT BEING REGARDED AS AN "EXCLUSIVE" ECONOMIC ZONE, CONSISTENT WITH THIS POSITION

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PAGE ~~83-83~~ **8**

NC 98047 **3P**

TUR1241938Z JUN 75

ON ARTICLE 45 THEY ALSO AGREED TO THE DELETION OF ARTICLES 49 AND 71 ON MARINE SCIENTIFIC RESEARCH.

ON FISHING, THE SOVIETS INDICATED THEY WERE UNHAPPY WITH SALMON ARTICLE. IN RESPONSE MOORE MADE STRONG DEMARCHE AGAINST REOPENING THIS ARTICLE POINTING OUT RISKS ASSOCIATED WITH A REOPENING. SOVIETS ALSO PRESENTED A LIST

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NC 9805^{3P}

TOR:241941Z JUN 75

R 241806Z JUN 75
 FM AMEMBASSY LONDON
 TO RUEHC/SECSTATE WASHDC 2300
 INFO RUEHMO/AMEMBASSY MOSCOW 3292
 BT

C O N F I D E N T I A L SECTION 04 OF 04 LONDON 09733
 OF LARGELY MINOR (SOME MAJOR) CHANGES IN ARTICLE 51 ON
 COASTAL SPECIES AND MADE A DEMARCHE AGAINST ARTICLE 53
 SUBPARAGRAPH 3 ON MARINE MAMMALS, IN RESPONSE TO LATTER
 POINT, MOORE INDICATED WE WERE STRONGLY COMMITTED TO PRO-
 TECTION OF MARINE MAMMALS AND ASKED THAT SOVIETS BOW TO
 THE INEVITABLE ON THIS POINT.

ON THE CONTINENTAL SHELF, THE DISCUSSIONS INDICATE
 THAT THE SOVIETS MAY BE SOFTENING ON REVENUE SHARING IF IT
 BEGINS AT 200 MILES AND IF IT IS AT REASONABLE RATES, THEY
 RESTATED THEIR POSITION ON THE OUTER BOUNDARY OF 200 MILES
 OR 500 METERS ALTHOUGH THEY SEEMED RESPONSIVE TO POINTS
 MADE AS TO WHY A BROADER BOUNDARY WAS NEEDED FOR SATIS-
 FACTORY OVERALL COMPROMISE.

4. TALKS WERE USEFUL AND CHARACTERIZED BY CORDIAL DISCUS-
 SIONS ON BOTH SIDES. IN CLOSING SOVIETS EMPHASIZED THEIR
 WILLINGNESS TO HOLD FURTHER APPROPRIATE TALKS IN MOSCOW,
 LONDON, WASHINGTON OR WHEREEVER AND WHENEVER IT SEEMED
 USEFUL.

5. AMBASSADOR MOORE AND LOS TEAM WOULD LIKE TO THANK
 AMBASSADOR STOESSSEL, EMBOFF DARYL JOHNSON AND OTHER EMBAS-
 SY PERSONNEL FOR THEIR GREAT ASSISTANCE DURING TALKS,
 RICHARDSON

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PAGE 01

NC 98284

TUR1250135Z JUN 75

R 241645Z JUN 75
 FM AMEMBASSY REYKJAVIK
 TO RUEHC/SECSTATE WASHDC 5433
 RUEBSAA/CINCLANT
 RUDISHH/COMICEDFOR
 RUFHOL/AMEMBASSY BONN 0760
 RUDKPNQ/AMEMBASSY COPENHAGEN 1133
 RUDKHLQ/AMEMBASSY HELSINKI 0585
 RUDTC/AMEMBASSY LONDON 0862
 RUDKSNQ/AMEMBASSY OSLO 1127
 RUDKFMQ/AMEMBASSY STOCKHOLM 0829
 RUFHNA/USNATO 1138

Iceland ✓

Post Geneva

Comm. II ✓

(23)

BT
 C O N F I D E N T I A L
 LIMITED OFFICIAL USE REYKJAVIK 0703
 E.O. 11652: N/A
 TAGS: EFIS, IC, UK

SUBJECT: HALLGRIMSSON-WILSON MEETING ON FISHERIES
 1. LOCAL PRESS ANNOUNCED TODAY THAT MEETING HAD TAKEN PLACE IN LONDON BETWEEN PRIME MINISTER HALLGRIMSSON AND WILSON. MEETING WAS DESCRIBED AS "COURTESY CALL" BY HALLGRIMSSON EN ROUTE HOME FROM MEETING OF NORDIC COORDINATION MINISTERS IN STOCKHOLM. HALLGRIMSSON TOLD PRESS ON RETURN THAT IN COURSE OF GENERAL DISCUSSION OF MATTERS OF INTEREST TO BOTH COUNTRIES, HE HAD OUTLINED TO BRITISH ICELANDIC PLANS FOR EXTENSION OF FISHERIES LIMITS TO 200 MILES AND REASONS THEREFOR. BRITISH, IN TURN, HAD NOTED THAT PRESENT AGREEMENT EXPIRES NOVEMBER 13 AND HAD REQUESTED NEGOTIATIONS FOR NEW UNDERSTANDING. MEETING WAS ATTENDED BY FOREIGN SECRETARY CALLAGHAN, ICELANDIC AMBASSADOR NIELS SIGURDSSON, AND EDWARD BISHOP, SENIOR OFFICIAL FROM MINISTRY OF AGRICULTURE CHARGED WITH FISHERIES AFFAIRS.
 2. BRITISH EMBASSY HAS NOT YET RECEIVED FULL REPORT BUT UNDERSTAND NO SUBSTANTIVE NEGOTIATIONS TOOK PLACE. MEETING WAS AT INITIATIVE OF HALLGRIMSSON WHO MADE IT CLEAR GOI WISHES AVOID CONFRONTATION BUT IS NOT YET READY FOR DISCUSSION OF SPECIFICS.
 3. BRITISH CLAIM TO HAVE INDICATION OF SEVERAL MOTIVATIONS OPERATING TO ENCOURAGE HALLGRIMSSON TO SEIZE

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PAGE 02-02

NC 98284

TUR:250135Z JUN 75

INITIATIVE IN THIS MATTER. THERE IS PRECEDENT STEMMING FROM PRESENT AGREEMENT WHICH WAS FORCED THROUGH PREVIOUS LEFTIST CABINET BY FORMER PM OLAFUR JOHANNESON AND WHO NOW (AS PARTNER IN PRESENT COALITION) PROBABLY APPROVED HALLGRIMSSON VISIT. BRITISH BELIEVE HALLGRIMSSON ALSO MAY HAVE COME TO CONCLUSION THAT TO LEAVE MATTERS IN HANDS OF FONMIN EINAR AGUSTSSON MIGHT WELL MEAN DRIFT TOWARDS ANOTHER CONFRONTATION. THEY BELIEVE FISHERIES MINISTER MATTHIAS BJARNASON IS STRONG-MINDED MAN WHO HAS ALSO DECIDED SENSIBLE AGREEMENT CAN BE MADE AND HAS ENCOURAGED HALLGRIMSSON. THEY SUSPECT ICELANDERS SEE NO IMMEDIATE PROSPECT OF IMPROVEMENT IN TERMS OF TRADE FOR ICELANDIC FISH PRODUCTS IN UNITED STATES AND ARE THEREFORE SERIOUSLY CONCERNED ABOUT CONTINUING LACK OF TARIFF REDUCTIONS IN EC COUNTRIES (STEMMING FROM FAILURE TO SETTLE FISHERIES ISSUE WITH BOTH UK AND FRG). FINALLY, THEY BELIEVE HALLGRIMSSON IS CONCERNED THAT DRIFT TOWARD ANOTHER CONFRONTATION WITH UK COULD CAUSE SERIOUS DEVISIVE PRESSURES ON COALITION. AT SAME TIME, THEY GIVE HIM CREDIT FOR BEING HONESTLY CONCERNED WITH NATO SOLIDARITY AND WITH DANGERS WHICH ANOTHER COD WAR COULD UNLEASH. WHILE BRITISH WILL HOLD FEW TRUPLMS IN NEGOTIATIONS, THEY BELIEVE ICELANDERS WANT TO KEEP FISHING RIGHTS IN NORTH SEA AND OFF SCOTTISH COAST EVEN THOUGH HERRING STOCKS ARE DECLINING. ALSO, ICELANDERS ARE MAKING IT FAIRLY CLEAR THEY HOPE TO ISOLATE FRG AND BRING ALLIED PRESSURES TO BEAR ON THEM FOR SETTLEMENT. IRVING

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NC 96254

TUR1211851Z JUN 75

R 211520Z JUN 75
 FM SECSTATE WASHDC
 TO ALL DIPLOMATIC POSTS
 ZEN/AMCONSUL LOURENCO MARQUES BY POUCH
 ZEN/AMEMBASSY SUVA BY POUCH
 ZEN/AMEMBASSY BUCHAREST BY POUCH
 ZEN/AMEMBASSY NDJAMENA BY POUCH
 XMT USINT BAGHDAD
 AMEMBASSY DAMASCUS
 AMCONSUL LOURENCO MARQUES
 AMEMBASSY SUVA
 AMEMBASSY BUCHAREST
 AMEMBASSY NDJAMENA

BT

C O N F I D E N T I A L

LIMITED OFFICIAL USE STATE 146678
 BEIRUT ALSO POUCH BAGHDAD AND DAMASCUS
 E.O. 11652: N/A
 TAGS: PLOS

SUBJECT: LOS; CONGRESSIONAL ACTION AFFECTING LOS
 1. THERE ARE CURRENTLY PENDING IN CONGRESS A NUMBER OF BILLS WHICH COULD, IF PASSED, AFFECT LOS NEGOTIATIONS. PASSAGE WOULD ALSO AFFECT CERTAIN U.S. BILATERAL INTERESTS. THE FOLLOWING SUMMARIZES MOST IMPORTANT PENDING LEGISLATION FOR YOUR INFORMATION.

2. 200-MILE FISHERIES LEGISLATION. THERE ARE OVER 20 BILLS NOW IN CONGRESS WHICH HAVE AS THEIR OBJECTIVE THE UNILATERAL ESTABLISHMENT OF A 200-MILE FISHING ZONE. MOST IMPORTANT ARE S. 961 (MAGNUSON BILL) IN SENATE AND H.R. 200 (STUDDS BILL) IN HOUSE. THERE IS STRONG PRESSURE IN BOTH HOUSES FOR PASSAGE OF 200-MILE LEGISLATION. PASSAGE IN SOME FORM IS LIKELY BEFORE END OF 1975. SENTIMENT IN CONGRESS FAVORING UNILATERAL FISHERIES LEGISLATION IS LARGELY BASED ON SERIOUS DEPLETION OF CERTAIN STOCKS OFF OUR COAST. PRESSURE FOR UNILATERAL ACTION ON FISHERIES AND, PERHAPS, DEEP SEABED, AND MARINE POLLUTION REFLECTS CONGRESSIONAL IMPATIENCE WITH RATE OF PROGRESS OF LOS NEGOTIATION. JOHN NORTON MOORE, CHAIRMAN, NSC INTERAGENCY TASK FORCE ON LOS AND DEPUTY SPECIAL REPRESENTATIVE OF PRESIDENT LOS CONFERENCE, TESTIFYING BEFORE CONGRESSIONAL

Post Geneva
Chreno ✓
US Domestic
Bills
Comm. I & II ✓
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TOR1211851Z JUN 75

COMMITTEES ON BEHALF OF THE EXECUTIVE BRANCH, HAS STATED THAT THE ADMINISTRATION IS IN PROCESS OF STUDYING RESULTS OF GENEVA LOS CONFERENCE, SPECIFICALLY SINGLE, INFORMAL NEGOTIATING TEXT (SENT TO POSTS UNDER A-4025), BEFORE COMMENTING ON 200-MILE BILLS. HE PROMISED DETAIL EVALUATION BY EARLY SEPTEMBER. MOORE ALSO STATED THAT U.S. WOULD CONSULT WITH OUR NEIGHBORS. TEXT OF MOORE'S STATEMENT BEING POUCHED.

3. DEEP SEABED LEGISLATION. BILLS IN BOTH SENATE AND HOUSE WOULD UNILATERALLY CONFER EXCLUSIVE RIGHTS ON U.S. CITIZENS TO MINE DEEP SEABEDS. THERE IS FAR LESS SUPPORT FOR THIS LEGISLATION THAN FOR 200-MILE FISHERIES BILLS BUT SUPPORT APPEARS TO BE GROWING. ADMINISTRATION IS REVIEWING RESULTS OF GENEVA LOS SESSION BEFORE TAKING POSITION ON INTERIM ACTION.

4. MARINE POLLUTION. SENATOR MUSKIE HAS PROPOSED LEGISLATION WHICH WOULD UNILATERALLY ESTABLISH A 200-MILE MARINE POLLUTION ZONE. AT PRESENT, THIS BILL HAS NOT ATTRACTED MUCH CONGRESSIONAL SUPPORT AND WE DO NOT ANTICIPATE THAT IT WILL BE PASSED THIS YEAR.

5. POSTS SHOULD NOT RAISE QUESTION OF U.S. DOMESTIC UNILATERAL LEGISLATION WITH HOST GOVERNMENTS BUT MAY DRAW ON ABOVE IF ASKED. A NUMBER OF COUNTRIES ARE CONCERNED WITH STATUS OF DOMESTIC U.S. LEGISLATION AND EXECUTIVE BRANCH ATTITUDES TOWARD SUCH LEGISLATION. IN RECENT DAYS THERE HAVE BEEN INQUIRIES FROM SOVIETS AND CANADIANS IN WASHINGTON. POSTS MAY PROVIDE COPIES OF MOORE STATEMENT IF ASKED ABOUT U.S. POSITION. PLEASE REPORT ANY EXPRESSION OF INTEREST AS WELL AS ANY INDICATION THAT HOST GOVERNMENT WOULD FOLLOW SUITE IF U.S. WERE TO PASS UNILATERAL LEGISLATION. IF EMBASSY CONSIDERS THAT HOST GOVERNMENT WOULD HAVE A STRONG ADVERSE REACTION TO ANY UNILATERAL U.S. ACTION WE WOULD APPRECIATE RECEIVING EMBASSY'S ANALYSIS OF NATURE OF GOVERNMENTS RESPONSE. WE ARE PREPARED TO CONSULT WITH ANY CONCERNED GOVERNMENT ON THESE MATTERS.

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TOR1210650Z JUN 75

R 202104Z JUN 75
FM AMEMBASSY OTTAWA
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INFO RUFHGV/USMISSION GENEVA 744
RUEHDT/USMISSION USUN NEW YORK 801

Post Geneva

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Claims

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BT

C O N F I D E N T I A L

LIMITED OFFICIAL USE OTTAWA 2328

E.O. 11652: N/A

TAGS: PLOS,CA

SUBJECT: LOS; EXTENSION OF CANADAIN JURISDICTION

REF: OTTAWA 1891

1. IN HOUSE OF COMMONS FOREIGN POLICY DEBATE JUNE 19, LED BY PROGRESSIVE CONSERVATIVE MP WALTER CARTER, A MOTION TO "ASSERT CANADAIN AUTHORITY" OVER CONTINENTAL SHELF AND BEYOND WAS DISCUSSED. DEBATE WAS VERY LENGTHY BUT PRIOR TO ITS START GOC HAD ALREADY DECIDED THAT IT WOULD NOT APPROVE OPPOSITION MOTION, WOULD NOT APPROVE ANY AMENDMENTS TO THAT MOTION, AND WOULD STICK WITH ITS PRESENT POSITION NOT TO EXTEND AUTHORITY UNILATERALLY.

2. COMMENT: GOC LOS OFFICIAL DESCRIBED DEBATE AS "A LOT OF PEOPLE WHO KNOW NOTHING ABOUT THE SUBJCT DISCUSSING IT AT GREAT LENGTH," HOWEVER, UNDER HOUSE OF COMMONS RULES, GOC COULD NOT PREVENT THE DEBATE FROM OCCURRING AND THE FACT THAT IT TOOK PLACE REFLECTS PRESSURES WHICH ARE BEING PUT UPON GOC TO TAKE UNILATERAL ACTION IN THIS SENSITIVE LOS MATTER. ALSO, IT DECISION TO IGNORE OPPOSITION MOTION DOES NOT MEAN IT MAY NOT CHANGE ITS VIEWS LATER ON, DEPENDING ON HOW OTHER NATIONS ACT AND HOW MULTILATERAL DISCUSSIONS PROCEED PRIOR TO NEXT LOS CONFERENCE. ONE CANADAIN LOS OFFICIAL HAS EXPRESSED HIS PERSONAL THOUGHT THAT IT WOULD BE DOMESTICALLY POLITICALLY UNFORTUNATE FOR CANADA IF THE US WERE TO TAKE UNILATERAL ACTION BEFORE CANADA. SO PRESUMABLY GOC IS ANALYZING VERY CAREFULLY ANY EFFORTS IN US TO EXTEND JURISDICTION, SHOULD THIS ANALYSIS CONVICT CANADAINS THAT US WILL TAKE ACTION, IT WOULD NOT BE SURPRISING IF CANADA QUICKLY ACTED FIRST, EARLIER (REFTEL - PAUL LAPOINTE), SAME OFFICIAL HAD INDICATED CANADA WOULD FOLLOW US LEAD IN THIS MATTER AND LATEST COMMENT SHOULD BE SEEN AS NOT INCONSISTENT WITH THAT STATEMENT. CANADA

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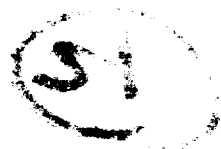
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PAGE 02-02

NC 95918

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WILL STLLL PROBABLY FOLLOW US LEAD BUT MAY ACT CHRONO-
LOGIACALLY BEFORE US IF IT THINKS IT PRUDENT TACTICALLY TO
DO SO, PORTER



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20

SUBJECT: LOS CONFERENCE - BURMESE VIEWS ON CONFERENCE AND POSSIBLE UNILATERAL ACTION

REF: GENEVA 3400 (STATE 110126)

1. EMBOFF CALLED JUNE 20 ON DAW THAN HAN, RESEARCH DIVISION, FOREIGN MINISTRY, BURMESE DELEGATE TO 1975 LOS CONFERENCE AND PRINCIPAL GUB SPECIALIST ON THIS SUBJECT, TO DISCUSS CONFERENCE AND TO OUTLINE U.S. ASSESSMENT ALONG LINES REFTEL. (UNCLASSIFIED REPORT OF USDEL HAD PREVIOUSLY BEEN SENT HER.)

2. DAW THAN HAN TOOK MILDLY OPTIMISTIC LINE CONCERNING PROSPECTS FOR REACHING AGREEMENT IN 1976. SHE BASED THIS ON A PREDICTION, RESULTING FROM BURMESE CONTACTS WITH LANDLOCKED AND GEOGRAPHICALLY DISADVANTAGED COUNTRIES (E.G., SINGAPORE), THAT THIS GROUP WOULD MODERATE ITS DEMANDS AT NEXT SESSION OF CONFERENCE; AND ON THE DEGREE OF PROGRESS MADE SO FAR ON ISSUES OF ECONOMIC ZONE, STRAITS, AND ARCHIPELAGOES.

3. SHE INQUIRED ABOUT LIKELIHOOD OF UNILATERAL ACTION BY U.S. TO CLAIM 200-MILE ECONOMIC ZONE, AND SAID HE AND OTHER FOREIGN MINISTRY OFFICIALS HAVE SO FAR BEEN SUCCESSFUL IN PREVENTING UNILATERAL ACTION BY GUB. HOWEVER, SHE SAID, UNILATERAL CLAIM TO 200-MILE ZONE BY GUB AND OTHER COUNTRIES WOULD UNDOUBTEDLY FOLLOW SUCH ACTION BY USG, AND SHE URGED CONTINUED RESTRAINT BY USG PENDING OUTCOME OF 1976 SESSION. EMBOFF SAID UNILATERAL ACTION ENJOYED STRONG POLITICAL SUPPORT IN U.S., AND OUTCOME OF CONGRESSIONAL CONSIDERATION NOT POSSIBLE TO FORECAST. PROMPT PROGRESS, AND THE APPEARANCE OF PROGRESS, BY 1976 SESSION MIGHT BECOME IMPORTANT FACTORS IN AVERTING UNILATERAL USG ACTION. HOWEVER, UNILATERAL ACTION WOULD BE STRONGLY OPPOSED AND THERE WOULD BE GOOD CHANCE OF AVERTING IT. DAW THAN HAN REITERATED THAT UNILATERAL USG ACTION WOULD LEAD TO SIMILAR ACTION BY GUB AND MANY OTHER GOVERNMENTS, WITH HARMFUL EFFECTS ON PROSPECTS FOR 1976 SESSION.

4. IN LOS NEGOTIATIONS, TOPIC OF MAJOR INTEREST FOR GUB CONTINUES

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TO BE ACCESS TO BAY OF BENGAL/ANDAMAN SEA, AND HENCE THE LEGAL REGIME OF "NON-STATE" ARCHIPELAGOES SUCH AS ANDAMAN ISLANDS. DAW THAN HAN SAID GUB HAD GENERALLY SUPPORTED DRAFT CN ARCHIPELAGOES INTRODUCED INTO WORKING GROUP OF COMMITTEE II ON TERRITORIAL SEA, AND HAD OPPOSED CERTAIN INDIAN AMENDMENTS DESIGNED TO ENLARGE TERRITORIAL WATERS OF "NON-STATE" ARCHIPELAGOES. SHE SAID PRIVATE DISCUSSIONS OVER DEFINITION OF TERRITORIAL WATERS AND 200-MILE ZONE IN ANDAMAN SEA HAD TAKEN QUOTE AT GENEVA WITH INDIAN AND WITH THAI DELEGATIONS, AND THAT FURTHER NEGOTIATIONS OVER ANDAMANINEA WOULD BE CONJUNCTED BEFORE 1976 SESSION OF LOS CONFERENCE.

5. ACTION REQUESTED: IN VIEW OF IMPORTANCE OF ISSUE TO BURMESE, WE WOULD APPRECIATE ADDITIONAL BACKGROUND DATA ON QUESTION OF ARCHIPELAGOES AND PARTICULARLY ON USG POSITION WITH RESPECT TO "NON-STATE" ARCHIPELAGOES SUCH AS ANDAMANS (AND HAWAII). OSBORN



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19

UNCLAS USUN 3100
E.O. 11652: N/A

TAGS: PLOS, AORG, ECOSOC, UN

SUBJECT: LOS DATE AND VENUE OF 4TH SESSION; ECOSOC

REF: USUN 1929

1. SUMMARY: COMMITTEE ON CONFERENCES CONTINUED CONSIDERATION OF LOS CONFERENCE PROPOSAL TO CONVENE NEXT SESSION ON 29 MARCH, 1976. SECRETARIAT PROPOSED FEBRUARY STARTING DATE TO PROVIDE ADEQUATE SERVICES BUT IS OPPOSED BY AFRICIANS BECAUSE OF CONFLICT WITH OAU MINISTERIAL MEETING. POSSIBLE COMPROMISE APPEARS LIKELY WITH 2 OF 3 WEEKS EARLIER STARTING DATE (I.E., 8 OR 15 MARCH), TRANSFERRING OTHER COMMITTEES, AND DELAY IN VONCENING SPRING ECOSOC SESSION.
END SUMMARY.

2. SECRETARIAT DISTRIBUTED STUDY OF SCHEDULING CONFLICTS FOR PROPOSED 29 MARCH - 21 MAY 1976 SESSION OF THE LAW OF THE SEA CONFERENCE TO UN COMMITTEE ON CONFERENCES ON 18 JUNE (COPY POUCHED TO BAPS-SAULS AND D/LOS: ATTN: ESKIN). LEVEL OF SERVICING REQUIREMENTS FOR EIGHT WEEK SESSION ARE ESTIMATED AS SIX SIMULTANEOUS MEETINGS WITH FOUR HAVING FULL INTERPRETATION AND TWO WITH REDUCED INTERPRETATION FOR SUCH MEETINGS AS REGIONAL GROUPS, (I.E., TWELVE MEETINGS PER DAY). REQUIREMENT FOR SUMMARY RECORDS IS ESTIMATED AS FOUR PER DAY (DOWN FROM SIX AT LAST SESSION). COST ESTIMATES ARE AS FOLLOWS:

A. GENEVA, 19 JANUARY - 5 MARCH : ALL CONFERENCE STAFF TO BE RECRUITED: \$2,035,000 (7 WEEKS).

B. NEW YORK, 2 FEBURARY - 9 APRIL : WITH RESCHEDULING THREE NON-LOS MEETINGS: \$1,700,000 (8 WEEKS BUT DUE TO SPACE LIMITATIONS ONLY 10 EETINGS PER DAY).

C. NEW YORK, 29 MARCH - 21 MAY : RESCHEDULE TWO MEETINGS, (S AND TSC OF OUTER SPACE, AND COMMITTEE ON RACIAL DISCRIMINATION), AND TRANSFER SPRING SESSION OF ECOSOC TO GENEVA: \$1,700,000 HOWEVER SECRETARIAT CAUTIONS ECOSOC TRANSFER WOULD MEAN SIGNIFICANT ADDITIONAL EXPENSE AND GENEVA STAFF VERY

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POSSIBLY COULD NOT HANDLE THEIR REQUIREMENTS.

3. REPORT CONCLUDES WITH OBSERVATION THAT TO ENSURE BEST SERVICING WITH FEWEST DISRUPTIONS THE 19 JANUARY - 15 MARCH GENEVA SESSION OR 2 FEBRUARY - 9 APRIL, NEW YORK SESSION ARE MOST ADVANTAGEOUS.

4. KENYA DELOFF (NJENGA) INTERVENED TO STATE THAT AF GROUP HAS GREAT DIFFICULTIES WITH THOSE PROPOSED DATES BECAUSE OF SCHEDULED MEETING OF OAU COUNCIL OF MINISTERS IN FEBRUARY AND POSSIBLE GROUP OF 77 MEETING AFTERWARDS. NJENGA PROPOSED AS A "COMPROMISE" TO HAVE LOS CONFERENCE CONVENE ON 15 MARCH IN NEW YORK AND DELAY CONVENING ECOSOC FOR TWO WEEKS THEREBY REDUCING OVERLAP TO ONE WEEK (ECOSOC CURRENTLY SCHEDULED 13 APRIL - 14 MAY). U.S. (KELLER) EXPRESSED SUPPORT FOR FEBRUARY CONVENING DATE BUT ADDED APPRECIATION FOR KENYAN CONSTRUCTIVE PROPOSAL. UK REP. (BATTISCOMBE) ASKED SECRETARIAT TO STUDY POSSIBLE RESCHEDULING OF ECOSOC IN MARCH TO PROCEED LOS. SECRETARIAT (RUTLEDGE) POINTED OUT DIFFICULTY OF HOLDING SPRING ECOSOC AT SAME TIME AS FUNCTIONAL COMMISSIONS SCHEDULED TO MEET.

5. AT 19 JUNE SESSION SECRETARIAT OFFICER (RUTLEDGE) REVIEWED RE-SCHEDULING REQUIREMENTS IN ORDER TO ACCOMMODATE LOS CONFERENCE FROM 15 MARCH THRU 7 MAY. MAJOR MOVE WOULD INVOLVE POSTPONING ECOSOC TO 27 APRIL THRU 28 MAY. (ACCORDING TO RUTLEDGE THIS DELAY WOULD BE OF SOME HELP FROM VIEWPOINT CONFERENCE SERVICES). LOS CONFERENCE WOULD HAVE TO EXPECT REDUCED SERVICES FROM 26 APRIL - 7 MAY BECAUSE OF OVERLAP. FURTHER RESCHEDULING WOULD INVOLVE TRANSFER TO S AND TSC OF OUTER SPACE COMMITTEE FROM NEW YORK TO GENEVA, AND COMMITTEE ON ELIMINATION OF RACIAL DISCRIMINATION FROM NEW YORK TO GENEVA.

6. US (KELLER) REQUESTED SECRETARIAT TO STUDY POSSIBILITY OF CONVENING LOS CONFERENCE ON 8 MARCH TO CUT DOWN ON OVERLAP WITH ECOSOC AT END OF SESSION. COMMITTEE ON CONFERENCE WILL MEET AGAIN 25 JUNE ON THIS ISSUE. (COMMENT: THERE HAS BEEN NO SUGGESTION OF CONVENING THE LOS CONFERENCE ANY LATER THAN MARCH. END COMMENT).

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INFO RUDTC/AMEMBASSY LONDON 9903
RUEHMO/AMEMBASSY MOSCOW 5360
RUFNPS/AMEMBASSY PARIS 7153
RUEHDT/USMISSION USUN NEW YORK 3120
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C O N F I D E N T I A L STATE 144759

E.O. 11652: GDS

TAGS: PLOS

SUBJECT: LOS: GROUP OF FIVE MEETING IN TOKYO

1. DURING LOS GENEVA CONFERENCE THERE WAS AGREEMENT AMONG GROUP OF FIVE THERE SHOULD BE HEADS OF DELEGATION MEETING IN TOKYO, JAPANESE EMB HERE HAS INFORMED US THAT GOJ WOULD HOST MEETING IN TOKYO JULY 1-5 AT MINISTRY OF FOREIGN AFFAIRS INTERNATIONAL CONFERENCE ROOM.

2. JAPANESE HAVE PROPOSED FOLLOWING AGENDA:

1. OVERALL REVIEW OF INFORMAL SINGLE NEGOTIATING TEXT,

2. HOW TO CONDUCT FUTURE INFORMAL CONSULTATIONS UNTIL NEXT SESSION (INCLUDING HOW TO WORK ON ARCHIPELAGIC COUNTRIES).

3. OTHER

WE HAVE INDICATED THAT PROPOSED AGENDA IS SATISFACTORY.

3. FOLLOWING IS US DELEGATION TO MEETING: CARLYLE E. MAW, UNDER SECRETARY OF STATE FOR SECURITY ASSISTANCE;

JOHN NORTON MOORE, CHAIRMAN, NSC INTERAGENCY TASK FORCE ON LOS AND DEPUTY SPECIAL REP OF PRESIDENT FOR LOS CONFERENCE; BERNARD H. OXMAN, VICE CHAIRMAN, NSC INTERAGENCY TASK FORCE ON LOS AND ASSISTANT LEGAL ADVISER FOR OCEANS, ENVIRONMENTAL AND SCIENTIFIC AFFAIRS, DEPT OF STATE; HOWARD POLLOCK, DEPUTY ADMINISTRATOR, NOAA, DEPT OF COMMERCE; LEIGH RATINER, DIRECTOR, OCEAN MINING

ADMINISTRATION, DEPT OF INTERIOR; STUART FRENCH, DIRECTOR, LAW OF THE SEA TASK FORCE, DEPT OF DEFENSE; AND RADM MAX K. MORRIS, JOINT CHIEFS OF STAFF REP FOR LOS MATTERS. WE HAVE INFORMED JAPANESE EMB HERE OF COMPOSITION OF US DEL.

4. WE HAVE TOLD JAPANESE EMB HERE, AND YOU SHOULD MAKE

*Prep of Future
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POINT IN TOKYO AT APPROPRIATE OCCASION THAT US POLICY REVIEW HAS NOT BEEN CONCLUDED AND THAT OUR COMMENTS ON SINGLE NEGOTIATING TEXT WILL BE TENTATIVE.

5, FYI. WE ARE NOT SURE THAT FIVE FULL DAYS IS NECESSARY FOR THIS GROUP OF FIVE MEETING. FOUR OR EVEN THREE DAYS MIGHT BE SUFFICIENT. WE DO NOT WANT TO PROPOSE REDUCING LENGTH OF MEETING BUT IF OTHER MEMBERS OF GROUP OF FIVE WANT TO SHORTEN PERIOD WE WOULD GO ALONG END FYI.

6, YOU SHOULD INDICATE USG INTEREST IN HOLDING BILATERALS WITH GOJ ON LOS ISSUES AT APPROPRIATE EARLY DATE AND WE WOULD BE PREPARED TO HOLD SUCH TALKS ON MORNING OF TUESDAY, JULY 1 IF OPENING SESSION OF GROUP OF FIVE MEETING WERE POSTPONED UNTIL AFTERNOON OF JULY 1 OR LATER. US TEAM CANNOT LEAVE WASHINGTON PRIOR TO LATE AFTERNOON OF JUNE 29 (DUE TO HOLDING OF LOS ADVISORY COMMITTEE MEETING JUNE 27-28) AND CANNOT REACH TOKYO PRIOR TO JUNE 30. MR. MAW CANNOT ARRIVE IN TOKYO BEFORE AFTERNOON OF JULY 1. WE HAVE IN MIND DISCUSSION OF ISSUES WHICH INVOLVE SPECIAL BILATERAL CONCERNS. WE WOULD WELCOME SUGGESTION FROM JAPANESE SIDE FOR ITEMS FOR BILATERAL DISCUSSIONS. KISSINGER

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C O N F I D E N T I A L PARIS 15875
E.O. 11652: GDS
TAGS: PLOS FR
SUBJECT: FRENCH VIEWS ON LOS ISSUES
REFS: (A) GENEVA 3404; (B) STATE 140400; AND
(C) STATE 139420.

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17

1. FRENCH DEPUTY LOS NEGOTIATOR ROGER JEANNEL (LEGAL DIVISION, MFA) TOLD US JUNE 18 THAT FRENCH PROPOSAL FOR LIMITED MEMBERSHIP LOS TREATIES FLOATED BY DELACHARIERRE IN GENEVA (REF A) WAS NOT YET OFFICIAL GOF POLICY, BUT HE EXPECTED THAT IT WOULD SOON BECOME SUCH. HE SAID THAT GOF DOES NOT BELIEVE COMPREHENSIVE LOS CONVENTION POSSIBLE TO NEGOTIATE IN NEAR FUTURE (THOUGH IT POSSIBLE IN TIME) AND THAT GOF SEEKING MUTILATERAL FRAMEWORK TO PROTECT ITS INTERESTS AND THOSE OF OTHER DEVELOPED COUNTRIES IN SPECIFIC FIELDS, WHILE AT SAME TIME LEAVING DOOR OPEN TO BROADER SETTLEMENT WHEN AND IF POSSIBLE. DELACHARIERRE'S PROPOSAL HAS BEEN FORWARDED FOR GOF POLITICAL-LEVEL CLEARANCE, JEANNEL SAID, WHICH HE EXPECTED WILL BE GIVEN SOON AS THERE IS VIRTUALLY NO ADMINISTRATIVE OR POLITICAL PRESSURE TO THE CONTRARY. JEANNEL NOTED THAT MFA FEELS THIS APPROACH SHOULD COMPLEMENT LOS NEGOTIATIONS AND NOT REPLACE THEM. COMMENT: GOF'S ALREADY LOW ENTHUSIASM FOR COMPREHENSIVE LOS CONVENTION WILL UNDOUBTEDLY DIMINISH FURTHER OVER NEXT MONTHS IF THIS PROPOSED NEGOTIATING STRATEGY ADOPTED.

2. JEANNEL EXPRESSED INTEREST IN PROPOSED ARTICLE 53 TALKS ON EAST PACIFIC FISHERIES ARRANGEMENT (REF C) AND SAID GOF WOULD BE READY TO PARTICIPATE. NOTING THAT THIS APPROACH FIT IN WITH CURRENT FRENCH THINKING, HE SAID GOF BELIEVED SIMILAR DISCUSSIONS SHOULD BE LAUNCHED FOR BROAD RANGE OF NORTH ATLANTIC FISHERIES QUESTIONS.

3. JEANNEL AGREED TO CONTINUATION OF EVENSEN GROUP INTERSESSIONAL MEETINGS (REF B) AND WITH USG DESIRE TO

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AVOID DISCUSSION ON STRAITS AND ARCHIPELAGOS. HE SAID
HE WOULD PREFER TALKS TO BE HELD IN EUROPE, PROBABLY
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 RUESMO/AMEMBASSY MEXICO 137
 RUDKGPQ/AMEMBASSY THE HAGUE 031
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 RUESRS/AMEMBASSY CARACAS 1106
 RUESBG/AMEMBASSY BOGOTA 118
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 TAGS: PLOS, PFOR, OVIP (WILLIAMS, ERIC), TD, US, XL
 SUBJ: TRINIDAD PRIME MINISTER PROPOSES SPECIAL
 LAW OF SEA REGIME FOR CARIBBEAN FOR DISCUSSION
 WITH SECRETARY

16

REF: PORT OF SPAIN 1467
 BEGIN CONFIDENTIAL

1. FOLLOWING SUMMARY OF PRIME MINISTER DR. ERIC WILLIAMS' PROPOSALS ON A SPECIAL MULTI-GOVERNMENTAL LAW OF THE SEA REGIME FOR THE CARIBBEAN DEVELOPED FROM COMBINATION OF THIRTY-MINUTE PRIVATE CONVERSATION WHICH I HAD WITH DR. WILLIAMS ON EVENING OF JUNE 17, TWO FOLLOW-UP DISCUSSIONS TODAY WITH MINISTRY OF EXTERNAL AFFAIRS, AND CAREFUL READING OF WILLIAMS' MAY 15 SPEECH TO THE PEOPLES NATIONAL MOVEMENT WHICH HAS BEEN DISCUSSED IN SEVERAL OTHER TELEGRAMS. THIS TOPIC OF THE LAW OF THE SEA REGIME IN THE CARIBBEAN IS PRINCIPAL MATTER DR. WILLIAMS HOPES TO DISCUSS WITH SECRETARY KISSINGER ON CURRENT TRIP ABROAD LAUNCHED EARLY TODAY. (NOTE: NARRATIVE BELOW CAN BE EASILY ILLUSTRATED BY REFERENCE TO DEPARTMENT OF STATE GEOGRAPHER CHART NO. 562101 OF NOVEMBER 1973 ENTITLED COMPOSITE THEORETICAL DIVISION OF THE SEABED.)

2. DR. WILLIAMS POINTS OUT THAT IF THE CARIBBEAN IS DIVIDED UP INTO ECONOMIC ZONES ON THE BASIS OF THE PROPOSALS TAKING SHAPE AT THE UN LAW OF THE SEA CONFERENCE, IT WILL

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LEAVE MOST OF THE ISLAND STATES SEVERELY ZONE LOCKED AND, DUE TO VENEZUELAN AND COLUMBIAN SOVEREIGNTY OVER SOME INSIGNIFICANT CAYS AND REEFS FAR FROM THEIR SHORES, WILL GIVE THOSE TWO STATES AN INORDINATE SHARE OF THE CARIBBEAN ECONOMIC RESOURCE AREA. THE DETAILS OF THE STATISTICS AND DATA IN DR. WILLIAMS' DISCUSSION OF THESE ALLEGED ANOMALIES ARE DRAWN, WE UNDERSTAND, FROM A DUTCH STUDY ON ZONE-LOCKED STATES WHICH WAS RECENTLY GIVEN HIM BY THE NETHERLANDS CHARGE' HERE, UPON STUDY OF THE TOPIC HE REALIZED HOW ACUTE THE SITUATION OF ZONE LOCKED STATES WAS IN THE CARIBBEAN BASIN AND HOW SEEMINGLY LACKING IN OTHER THAN FORMAL LOGIC THE PROPOSED LOS SOLUTION WAS.

3. RATHER THAN RELEGATE MOST OF THE ISLAND STATES OF THE CARIBBEAN TO PERPETUALLY MINISCULE SEGMENTS OF THE SEA RESOURCE AREA, OR ENGAGE IN ENDLESS SQUABBLES OVER WHO SHOULD GET WHAT, DR. WILLIAMS ESSENTIALLY PROPOSES THAT ALL STATES OF THE CARIBBEAN BASIN (INCLUDING NON-REGIONAL STATES SUCH AS THE USG, UK, NETHERLANDS AND FRANCE WHO HAVE TERRITORIES IN THE CARIBBEAN) SHOULD JOIN IN A SPECIAL MULTI-GOVERNMENTAL ARCHIPELAGO REGIME FOR THE CARIBBEAN. DR. WILLIAMS DEPARTED TRINIDAD TODAY FOR HAVANA WHERE HE HAS SPECIAL HOPES TO ELICIT CASTRO'S SUPPORT FOR SUCH A CONCEPT IN PLACE OF THE MORE GENERAL 200-MILE ECONOMIC ZONE, SINCE DESPITE CUBA'S SIZE AND ECONOMIC IMPORTANCE IN THE CARIBBEAN SHE WOULD BE SEVERELY ZONE-LOCKED BY CURRENT PROPOSALS.

4. DR. WILLIAMS FEELS PROPOSAL FOR MULTI-GOVERNMENTAL SOLUTION SHOULD BE FLEXIBLE AND DEVELOPED ACCORDING TO WISHES OF ALL INVOLVED. ESSENTIALLY, HOWEVER, HE PROPOSES THAT ALL OF CARIBBEAN OUTSIDE 12-MILE TERRITORIAL SEAS SHOULD BE AREA COMMON TO ALL, WITH ECONOMIC EXPLOITATION AND BENEFITS TO BE SHARED BY ALL, FREEDOM OF NAVIGATION AND OVERDLIGHT WOULD BE GUARANTEED.

5. AT THIS STAGE, WILLIAMS HOPES TO CONSULT WITH AND ELICIT SUPPORT OF ISLAND STATES AND METROPOLITAN CAPITALS OF ISLAND TERRITORIES SINCE IT IS THE STATES IN THE CARIBBEAN SEA WHICH ARE MOST ADVERSELY AFFECTED BY CURRENT LOS PROSPECTS. ONLY IF SUFFICIENT ENTHUSIASM AND UNANIMITY OF OUTLOOK CAN BE GENERATED FROM THIS GROUP DOES HE INTEND TO TAKE DIALOGUE TO MAINLAND STATES (VENEZUELA,

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COLOMBIA, PANAMA, COSTA RICA, NICARAGUA, HONDURAS, AND MEXICO) WHO ALSO WOULD HAVE TO BE INVOLVED. HE WISHES TO DISCUSS PROPOSAL WITH SECRETARY KISSINGER BOTH BECAUSE OF RELEVANCE FOR PUERTO RICO AND VIRGIN ISLANDS AND BECAUSE HE CONSIDERS USG SUPPORT AND UNDERSTANDING ESSENTIAL TO ELICIT SUFFICIENT MOMENTUM BEHIND CONCEPT OF A SPECIAL COOPERATIVE SEA REGIME FOR THE CARIBBEAN AREA.

6. IN DISCUSSING ABSURDITY OF PROSPECTIVE DIVIDING UP OF CARIBBEAN SEA, DR. WILLIAMS INFORMED ME THAT HE HAD INFORMATION THAT VENEZUELAN AIR FORCE PLANES HAD STRAFED MARTINIQUEAN FISHERMEN JUNE 6 NEAR UNINHABITED ROCKS WEST OF GUADELOUPE KNOWN AS BIRD ISLAND AND ON BASIS OF SOVEREIGNTY OVER WHICH VENEZUELA WOULD BE ABLE TO CLAIM ON-FIFTH OF THE CARIBBEAN SEA IN ITS ECONOMIC ZONE. (N.B. FRENCH AMBASSADOR HERE INFORMS ME HE HAD NOT HEARD OF BRID ISLAND INCIDENT REFERRED TO BY WILLIAMS, BUT SECOND HAND PRESS REPORT APPEARED TODAY IN LOCAL PAPER TO THIS EFFECT).

7. COMMENT: WILLIAMS HAS LAUNCHED AN EFFORT TO DEAL WITH WHAT APPEARS TO BE VERY REAL INEQUITIES IN EMERGING FUTURE LAW OF THE SEA REGIME FOR CROWDED CARIBBEAN SEA. SUCCESS

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 INFO RUESKN/AMEMBASSY KINGSTON 1089
 RUEHCR/AMEMBASSY BRIDGETOWN 1443
 RUDTC/AMEMBASSY LONDON 451
 RUESMO/AMEMBASSY MEXICO 139
 RUDKGPQ/AMEMBASSY THE HAGUE 032
 RUESON/AMEMBASSY GEORGETOWN 1288
 RUESRS/AMEMBASSY CARACAS 1109
 RUESBG/AMEMBASSY BOGOTA 119
 RUEHDT/USMISSION USUN 264
 RUEHCR/AMCONSUL MARTINIQUE 136

BT

S E C R E T SECTION 2 OF 2 PORT OF SPAIN 1500
 OF HIS PROPOSAL, HOWEVER, ULTIMATELY DEPENDS ON ALMOST
 UNANIMOUS AGREEMENT BY ALL STATES DIRECTLY CONCERNED IN
 CARIBBEAN BASIN AND THEREFORE DIFFICULTIES ARE FORMIDABLE
 IN EVEN WINNING AGREEMENT IN PRINCIPLE, LET ALONE
 DETERMINING THE DETAILS OF ANY FORMULA AS TO HOW THE
 MULTI-GOVERNMENTAL REGIME WOULD PROCEED TO LICENSE
 ECONOMIC ACTIVITIES OF APPORTION INCOME.
 END CONFIDENTIAL

BEGIN SECRET AND XGDS-1

8, GOTT LAW OF THE SEA EXPURT LENNOX BALLAH HAS PRIVATELY
 EXPRESSED TO ME SOME CAVEATS WHICH ABRIDGE HI OWN
 ENTHUSIASM FOR THE PRIME MINISTER'S INITIATIVE, HE NOTED
 THAT DUTCH PAPER WHICH WAS RECENTLY GIVEN TO WILLIAMS AND
 WHICH SEEMS TO HAVE SPARKED CURRENT INITIATIVE HAS BEEN
 CIRCULATING SINCE CARACAS LOS MEETING AND HAS BEEN USED
 BY DUTCH TO TRY TO SOLIDIFY BLOCK OF "GEOGRAPHICALLY
 DISADVANTAGED" STATES IN LOS NEGOTIATIONS, POINTING OUT
 THAT THERE ARE A NUMBER OF OTHER REGIONS IN THE WORLD WHICH
 HAVE PROBLEMS SIMILAR TO CARIBBEAN (E.G. PERSIAN GULF,
 AEGEAN SEA, MEDITERRANEAN, NORTH SEA, SOTH CHINA SEA) HE
 FELT INITIATIVES TO DEVELOP SPECIAL CASE SOLUTIONS CAN BE
 THREATENING TO OVERALL LOS NEGOTIATIONS UNLESS VERY
 CAREFULLY HANDLED, PLEASE PROTECT THESE COMMENTS, FOR
 BALLAH WOULD BE IN DEEP TROUBLE IF ANY HINT OF HIS COMMENTS
 TO ME SHOULD EVER GET BACK TO PRIME MINISTER.

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ED SECRET

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9, IN VIEW OF COMPLEXITY OF THIS ISSUE AS WELL AS SIGNIFICANT LINKAGE IN PRIME MINISTER'S THINKING WITH HIS PERCEPTION OF VENEZUELA'S THREAT TO THE CARIBBEAN, EMBASSY IS SENDING TEXT OF LAW OF THE SEA PORTION OF WILLIAMS' JUNE 15 SPEECH BY SEPTEL AND WE HAVE MADE SPECIAL ARRANGEMENTS TO DELIVER ENTIRE TEXT OF SPEECH TO ARA/CAR FRIDAY MORNING (JUNE 20) HAND CARRIED BY EMBOFF PROCEEDING ON R&R LEAVE, ADDITIONAL COPY WILL BE POUCHED, RICH

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TOR:162028Z JUN 75

P R 161934Z JUN 75
FM AMEMBASSY PORT OF SPAIN
TO RUEHC/SECSTATE WASHDC PRIORITY 7919
INFO RUEHCR/AMEMBASSY BRIDGETOWN 1335
RUESRS/AMEMBASSY CARACAS 1100
RUESON/AMEMBASSY GEORGETOWN 1280
RUESKN/AMEMBASSY KINGSTON 1081
RUDKGPQ/AMEMBASSY THE HAGUE 028
RUDTC/AMEMBASSY LONDON 449
RUEHDT/USMISSION USUN NEW YORK 257

BT

C O N F I D E N T I A L

LIMITED OFFICIAL USE PORT OF SPAIN 1467

E.O. 11652: N/A

TAGS: PFOR PLOS TD XL UR US ECLA CU

SUBJECT: TRINIDAD PM TO DISCUSS LAW OF SEA DURING TRIP

REF: POS 1454

BEGIN UNCLASSIFIED

1. PRIME MINISTER ERIC WILLIAMS PLANS TO MAKE LAW OF THE SEA QUESTIONS A MAJOR TOPIC IN HIS FORTHCOMING MEETINGS WITH THE LEADERS OF OTHER GOVERNMENTS (REF A) INCLUDING ONE HE HAS ALLEGEDLY REQUESTED WITH SECRETARY KISSINGER. THE PRIME MINISTER ANNOUNCED HIS INTENTIONS JUNE 15 AT A SPECIAL CONVENTION OF THE PEOPLE'S NATIONAL MOVEMENT DEVOTED TO "THE THREAT TO THE CARIBBEAN COMMUNITY." ACCORDING TO PRESS ACCOUNTS, DR. WILLIAMS WILL RAISE THE QUESTION OF THE RIGHTS OF AN INDIVIDUAL STATE TO ITS TERRITORIAL WATERS AND CONTINENTAL SHELF AND WILL ASK THE SUPER POWERS TO CONSIDER MAKING THE CARIBBEAN A "SPECIAL CASE." HE WILL ALSO RAISE THE MATTER WITH PRIME MINISTER CASTRO AS PART OF ORGANIZING A COLLECTIVE REGIONAL APPROACH TO THE NON-ALIGNED MOVEMENT.

2. IN CONNECTION WITH THESE PROPOSALS ABOUT THE CARIBBENA, DR. WILLIAMS REVEALED THAT, AS CHAIRMAN OF ECLA, HE HAD WRITTEN TO THE EXECUTIVE SECRETARY OF ECLA, REQUESTING THAT THE NEW CARIBBEAN COMMITTEE MEET AS SOON AS POSSIBLE TO CONSIDER A COMMON CARIBBEAN POSITION "AIMED AT SECURING INTERNATIONAL RECOGNITION FOR A SPECIAL REGIME FOR THE CARIBBEAN MULTI-GOVERNMENTAL ARCHIPELAGO." SUCH A REGIME SHOULD, HE SAID, GIVE ALL CARIBBEAN STATES EQUAL RIGHTS

*Trinidad
Post General*
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AND ACCESS TO THE ENTIRE CARIBBEAN SEA. DURING HIS TRIP HE SAID HE WOULD ATTEMPT TO STIMULATE ACTIVE PARTICIPATION BY THE NON-REGIONAL MEMBERS OF ECLA IN THE COMMITTEE'S WORK BECAUSE AN ATTEMPT TO ACHIEVE AN AGREED POSITON MUST INCLUDE NON-INDEPENDENT ENTITIES SUCH AS PUERTO RICO, GUADELOUPE, ANGUILLA, AND THE NETHERLAND ANTILLES.

END UNCLASSIFIED

BEGIN LIMITED OFFICIAL USE

3. COMMENT: DR. WILLIAMS' PLAN TO STIMULATE THE "ACTIVE PARTICIPATION" OF NON-CARIBBEAN COUNTRIES IN THE WORK OF THE CARIBBEAN COMMITTEE STANDS IN EXTREME CONTRAST TO HIS POSITION DURING THE ECLA CONFERENCE LAST MONTH WHEN HE PROPOSED THE FORMATION OF THIS SAME COMMITTEE SPECIFICALLY TO EXCLUDE THESE SAME NON-CARIBBEAN STATES. WE ARE AT A LOSS TO EXPLAIN THE REASON FOR THIS COMPLETE REVERSAL. WE WILL ATTEMPT TO DEVELOP ADDITIONAL INFORMATION ON THE SUBSTANCE OF AND MOTIVATION BEHIND THE NEW TRINIDADIAN INITIATIVE ON THE LAW OF THE SEA. RICH



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TO AMEMBASSY MOSCOW 5184
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CONFIDENTIAL STATE 140266
E.O. 11652: GDS
TAGS: PLOS
SUBJECT: LOS: SOVIET CONCERNS ON U.S. UNILATERAL
LEGISLATION

1. SOVIET EMBUFF TREPYPKHALIN CALLED ON JOHN NORTON MOORE,
CHAIRMAN, NSC INTERAGENCY TASK FORCE ON LOS AND DEPUTY
SPECIAL REP OF PRESIDENT FOR LOS CONFERENCE TO ASK U.S.
VIEWS ON PENDING CONGRESSIONAL LEGISLATION ON 200-MILE
FISHING ZONE. HE ASKED WHETHER RECENT EXECUTIVE BRANCH
TESTIMONY INDICATED THAT U.S. POLICY OF OPPOSITION TO SUCH
UNILATERAL LEGISLATION HAD CHANGED. MOORE SAID THAT U.S.
WAS REVIEWING ENTIRE QUESTION OF UNILATERAL FISHERIES
LEGISLATION AND WE WERE CONSIDERING ALL POSSIBILITIES.
MOORE STRESSED, HOWEVER, THAT EXECUTIVE BRANCH HAD REACHED
NO DECISION ON THIS ISSUE AND THAT U.S. POLICY REMAINS
OPPOSED TO ANY SUCH LEGISLATION. HE EMPHASIZED THAT U.S.
REMAINS COMMITTED TO SUCCESSFUL LOS TREATY AND WOULD PREFER
MATTER SETTLED AS PART OF MULTILATERAL NEGOTIATION, MOORE
ASSURED TREPYPKHALIN THAT U.S. WOULD CONSULT CLOSELY WITH
USSR ON THIS ISSUE. WHEN ASKED WHAT SOVIET REACTION WOULD
BE TO SERIES OF UNILATERAL EXTENSIONS, TREPYPKHALIN STATED
THAT THIS WOULD CAUSE SERIOUS PROBLEMS AND MENTIONED PRECE-
DENT OF UK/ICELAND "COD WAR". HE SUGGESTED THAT USSR WAS
IN PROCESS OF MAKING ITS POSITION OF STRONG OPPOSITION TO
ANY UNILATERAL CLAIM CLEAR TO A NUMBER OF COUNTRIES.
TREPYPKHALIN INDICATED SOVIET OFFICIALS WOULD WISH TO
DISCUSS THIS QUESTION DURING FORTHCOMING US/USSR BILATERALS
IN MOSCOW, JUNE 19-20.

KISSINGER

USSR ✓
Post General
Comm. II ✓

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 RUESLM/AMEMBASSY LIMA 0000
 RUESMG/AMEMBASSY MANAGUA 0000
 RUEHOT/AMEMBASSY OTTAWA 0000
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Recorder ✓
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Comm. II ✓

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BT
C O N F I D E N T I A L STATE 139420

LIMDIS

E.O. 11652: GDS

TAGS: PFOL, PLOS, EC, US

SUBJECT: LOS: EASTERN PACIFIC FISHERIES NEGOTIATIONS

1. SUMMARY: IN THE CLOSING DAYS OF THE GENEVA LOS CONFERENCE, DISCUSSIONS WITH THE ECUADOREAN AND MEXICAN DELEGATIONS RE EASTERN PACIFIC TUNA FISHERIES PROBLEM LED TO TENTATIVE AGREEMENT TO CONTINUE TALKS ON THE SUBJECT AT THE UPCOMING UNGA IN NEW YORK. THESE TALKS WOULD DEAL WITH ARTICLE 53 OF THE SINGLE NEGOTIATING TEXT AS WELL AS THE SPECIFICS OF A REGIONAL ARRANGEMENT ON HIGHLY MIGRATORY SPECIES IN THE EASTERN PACIFIC AREA. IN ORDER TO DEVELOP THE BASIC PRINCIPLES WITHIN ARTICLE 53 AS WELL AS SPECIFICS FOR FISHING IN TE EASTERN PACIFIC, WE BELIEVE PRELIMINARY EXCHANGE ON PROCEDURAL AND SUBSTANTIVE ASPECTS OF NEW YORK MEETING IS HELPFUL. BECAUSE THE ECUADOREANS APPEAR RELUCTANT TO RECEIVE ANY MORE DELEGATIONS SUCH AS THE ONE WHICH VISITED QUITO IN FEBRUARY, A RELUCTANCE BASED ON DOMESTIC POLITICAL CONSIDERATIONS WHICH PRECLUDE THE APPEARANCE OF A BILATERAL ARRANGEMENT WITH THE US, WE DECIDED THAT PRINCIPAL DEPARTMENT OFFICERS DEALING WITH LOS SHOULD RECONFIRM OUR VIEW RE FALL MEETING WITH ECUADOREAN

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AMBASSADOR CARDENAS. THE FIRST DISCUSSION WITH CARDENAS WAS HELD ON JUNE 10. THE TALK WAS SATISFACTORY AND IT APPEARS CARDENAS IS WILLING TO ACT AS AN INTERMEDIARY ON THE ONGOING DISCUSSIONS. END SUMMARY

2. LOS NEGOTIATORS, AMBASSADORS JOHN NORTON MOORE AND THOMAS CLINGAN DESCRIBED TO CARDENAS THE TALKS WHICH THEY HAD HELD ON EASTERN PACIFIC FISHERIES MATTERS WITH ECUADOREAN AND OTHER LOS DELEGATES AT GENEVA. THEY NOTED THE INTEREST OF THE USG IN EXCHANGING THINKING WITH A NUMBER OF INTERESTED COUNTRIES PRIOR TO FURTHER NEGOTIATIONS AT THE UNGA, TALKS EXPECTED TO BEGIN IN MID-SEPTEMBER. THEY INDICATED THAT THE NEW YORK TALKS WOULD HAVE TWO GOALS:

(A) FURTHER REFINEMENT OF ARTICLE 53 IN THE SINGLE NEGOTIATING TEXT SUBMITTED TO ALL DELEGATIONS AT THE CONCLUSION OF THE LOS MEETINGS IN GENEVA AND
 (B) THE ELABORATION OF SPECIFIC REGIONAL ARRANGEMENTS FOR FISHING IN THE EASTERN PACIFIC FOLLOWING THE GENERAL PRINCIPLES ESTABLISHED IN ARTICLE 53. AMBASSADOR MOORE ASSURED AMBASSADOR CARDENAS THAT THESE TALKS WOULD BE MULTILATERAL, THAT THEY ARE THE CONTINUATION OF LOS DISCUSSIONS, AND THAT THE US DELEGATION CONTINUES TO OBSERVE THE CONDITIONS LAID DOWN BY THE GOE PRIOR TO FEBRUARY VISIT TO QUITO. THE ECUADOREAN AMBASSADOR WAS TOLD THAT INFORMAL DISCUSSIONS IN THE INTERIM PERIOD PRIOR TO THE UNGA ARE A NECESSITY IF THE FALL NEGOTIATIONS ARE TO BE PRODUCTIVE. HE WAS ALSO TOLD CONTACTS WOULD BE MADE WITH THE GOVERNMENTS OF MEXICO, NICARAGUA, COLOMBIA, COSTA RICA, PANAMA, PERU, FRANCE, JAPAN AND CANADA.

3. IN RESPONSE TO QUESTIONS FROM AMBASSADOR CARDENAS ABOUT THE ABSENCE OF GUATEMALA AND THE INCLUSION OF SUCH NON-REGIONAL STATES AS FRANCE AND JAPAN, HE WAS TOLD THAT GUATEMALA HAS SHOWN NO INTEREST IN THE MATTER. THE INCLUSION OF JAPAN AND FRANCE WAS DUE TO THE FACT THAT THEY ARE MEMBERS OF THE IATTC AND DIPLOMATIC COURTESY REQUIRES THAT THEY BE INCLUDED IN THESE NEGOTIATIONS BECAUSE THEY BELONG TO AN ORGANIZATION THAT THE USG CURRENTLY BELONGS TO AND WHICH IS CONCERNED WITH THE SAME PROBLEMS.

4. THE ECUADOREAN CONCERN ABOUT FUTURE PRESS TREATMENT

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IN THESE DISCUSSIONS WAS ALSO REVIEWED BY AMBASSADOR MOORE. HE INFORMED AMBASSADOR CARDENAS THAT HE COULD SEE NO REASON, IF ASKED, TO DENY THAT CONSULTATIONS ON LOS ISSUES CONTINUE WITH VARIOUS STATES OF THE REGION. AMBASSADOR CARDENAS AGREED THAT THIS APPEARED TO BE THE CORRECT APPROACH, AND THAT ANY QUESTIONS ADDRESSED TO HIM WOULD BE ANSWERED ALONG THAT LINE.

5. AMBASSADOR CARDENAS WAS ALSO ASSURED THAT THESE CONVERSATIONS WOULD ALSO BE ACCOMPANIED BY PARALLEL TALKS BETWEEN THE AMERICAN EMBASSY IN QUITO AND THE APPROPRIATE OFFICIALS IN THE FOREIGN MINISTRY. (CARDENAS INDICATED THAT DR. JOSE AYALA MIGHT REPLACE FORMER FOREIGN MINISTRY SUB-SECRETARY VALDEZ, A MOVE WHICH HE BELIEVES WOULD BODE WELL FOR FURTHER TALKS ON THIS SUBJECT IN QUITO.)

6. AMBASSADOR MOORE RAISED THE MATTER OF THE NEED FOR A CHAIRMAN FOR THE FALL UNGA TALKS. HE INDICATED THAT SUCH AN INDIVIDUAL SHOULD BE SOMEONE FROM THE REGION, TOUGH NOT DIRECTLY INTERESTED, WHO WOULD BE FAMILIAR WITH LOS ISSUES. AMBASSADOR CARDENAS ASKED IF WE HAD ANYONE IN MIND AND WAS TOLD THAT THE US WOULD LIKE TO HAVE SOME MORE TIME TO REFLECT ON THE QUESTION. IN REPLY TO A QUESTION BY AMBASSADOR CARDENAS, HE WAS ASSURED THAT BOTH AMBASSADORS MOORE AND CLINGAN WOULD PARTICIPATE IN HE UNGA TALKS. AMBASSADOR CLINGAN STATED THAT HE WOULD BE MAKING A TOUR OF THE REGION INCLUDING STOPS IN NICARAGUA, COSTA RICA, PANAMA AND COLOMBIA BEGINNING IN THE FIRST WEEK OF JULY. AMBASSADOR MOORE INDICATED THAT IT WOULD BE NECESSARY FOR THE U.S. LOS DELEGATION TO CONTINUE TO BE IN CONTACT WITH KEY MEMBERS OF CONGRESS AND THE FISHING INDUSTRY, BUT THAT SUCH TALKS WOULD BE HELD ON A RESTRICTED BASIS.

7. EXPLAINING THAT HE EXPECTED TO BE IN QUITO ON CONSULTATIONS BETWEEN JUNE 20 AND JULY 1, AMBASSADOR CARDENAS ASKED TAT SOMETHING MIGHT BE AVAILAØLE IN WRITING PROVIDING THE USG VIEWS ON THE SPECIFIC DETAILS OF THE EASTERN PACIFIC AGREEMENT. HE WAS TOLD THAT A JUNE 20 DEPARTURE MIGHT NOT PROVIDE ENOUGH TIME TO PREPARE AN APPROPRIATE DOCUMENT, BUT AMBASSADOR CLINGAN ASSURED HIM THAT EVERY EFFORT WOULD BE MADE TO SEE THAT SUCH A DOCUMENT WOULD BE AVAILABLE PRIOR TO HIS OWN DEPARTURE FROM

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WASHINGTON IN THE FIRST WEEK IN JULY.

8. WHEN ASKED ABOUT CONGRESSIONAL MOVES TO DECLARE A 200 MILE RESOURCE ZONE, AMBASSADOR MOORE SAID THAT THE ADMINISTRATION HAS BEEN WORKING CLOSELY WITH THE NINE SEPARATE CONGRESSIONAL COMMITTEES INTERESTED IN THE PROBLEM, AND WHILE IT APPEARS ENTIRELY LIKELY THAT SOME FORM OF LEGISLATION MAY BE PASSED THIS YEAR, IT IS STILL THE POSITION OF THE DEPARTMENT THAT THIS KIND OF QUESTION SHOULD BE RESOLVED ON A MULTILATERAL BASIS.

9. FOR QUITO -- EMBASSY SHOULD DRAW UPON ABOVE DESCRIPTION OF CONVERSATIONS TO PROVIDE A SUMMARY OF OUR PLANNING, WITH THE EXCEPTION OF CONGRESSIONAL MOVES ON THE 200 MILE LIMIT, WHICH SHOULD BE HANDLED ON AN IF-ASKED BASIS, TO APPROPRIATE OFFICES IN HOST GOVERNMENT.

10. FOR MANAGUA, SAN JOSE, PANAMA, BOGOTA, SEPTEL FOLLOWS INDICATING CLINGAN ITINERARY AND PROVIDING FURTHER GUIDANCE FOR ARRANGING APPOINTMENTS.

11. FOR OTHER ADDRESSEES: SEPERATE INSTRUCTIONS WILL BE PROVIDED FOR YOUR INFORMING HOST GOVERNMENT OF OUR PLANNING AND FOR SEEKING THEIR AGREEMENT TO PARTICIPATE IN FALL TALKS, KISSINGER

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C O N F I D E N T I A L
LIMITED OFFICIAL USE STATE 133629
E.O. 11652: N/A

TAGS: EFIS, PLOS, US, GE

SUBJECT: OUR DECISION NOT TO NEGOTIATE FISHERIES AGREEMENT
WITH GDR

1. AS EMBASSY IS AWARE DEPARTMENT HAD EARLIER INDICATED TO GDR THAT WE HAD FAVORABLE IMPRESSION OF ITS DRAFT FISHERIES' AGREEMENT, AND WERE PREPARED TO SCHEDULE NEGOTIATIONS. CHANGED CIRCUMSTANCES HOWEVER, HAVE NOW OBLIGED US TO RECONSIDER OUR DECISION, AND WE HAVE RELUCTANTLY CONCLUDED THAT IT WOULD NOW BE INAPPROPRIATE TO BEGIN TALKS ON THIS SUBJECT.

2. BEGIN FYI: THE LOS CONFERENCE HAS ENDED WITHOUT AGREEMENT ON MANY ISSUES, AND THE SCHEDULE FOR THE NEXT SESSION IS SUCH THAT AN LOS TREATY COULD NOT BE CONCLUDED BEFORE LATE 1976 AT THE EARLIEST. MEANWHILE, THE PRESSURE IN CONGRESS HAS INTENSIFIED FOR DECLARING A UNILATERAL 200 MILE JURISDICTION THROUGH LEGISLATION. WE HAVE INDICATED TO CONGRESS THAT WE ARE REEVALUATING OUR INTERIM POLICY WITH REGARD TO EXTENSION OF FISHERIES JURISDICTION.

3. DURING THIS PERIOD OF REEVALUATION, IT WOULD APPEAR UNWISE TO ENTER INTO NEW FISHERIES AGREEMENTS, AND WE WILL THEREFORE NOT START NEW NEGOTIATIONS. WE DO HAVE A FURTHER ROUND OF TALKS SCHEDULED WITH THE SOVIETS, BUT THIS IS IN CONTINUATION OF A NEGOTIATION WHICH WAS BEGUN SOME TIME AGO. END FYI.

4. WE PLAN TO INFORM GDR CHARGE ELM OF OUR DECISION EARLY NEXT WEEK. THE APPROPRIATE LANGUAGE FROM OUR NOTE WILL READ: BEGIN TEXT - THE UNITED NATIONS LAW OF THE SEA CONFERENCE RECENTLY HAS RECESSED WITHOUT REACHING AGREEMENT AND WITHOUT SETTING A LIMIT FOR THE CONCLUSION OF ITS WORK. IN LIGHT OF THIS SITUATION, THE UNITED STATES NOW IS CONDUCTING A THOROUGH RE-EVALUATION OF ITS INTERIM POLICY.

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IN THE CIRCUMSTANCES, THE UNITED STATES DEPARTMENT OF STATE

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IT DESIRABLE TO ENTER INTO NEW FISHERIES AGREEMENTS AT THIS TIME. NONETHELESS, THE AMERICAN FISHERIES AUTHORITIES WILL CONTINUE TO COOPERATE FULLY WITH THE FISHERIES AUTHORITIES OF THE GERMAN DEMOCRATIC REPUBLIC, WHOSE COOPERATION HAS BEEN NOTED WITH FAVOR IN RECENT YEARS. FURTHER, THE UNITED STATES WILL BE PREPARED TO CONSIDER APPROPRIATE FISHERIES ARRANGEMENTS WITH THE GERMAN DEMOCRATIC REPUBLIC ONCE OUR INTERIM POLICY HAS BEEN CLARIFIED AND THE FUTURE OF UNITED STATES JURISDICTION WITH RESPECT OF COASTAL FISHERIES RESOURCES OFF ITS COASTS HAS BEEN RESOLVED. END TEXT

5. WE WOULD INFORMALLY MENTION TO ELM THE CIRCUMSTANCE OF THE PENDING LEGISLATION IN CONGRESS FOR A TWO HUNDRED MILE LIMIT.

6. A RELATED MATTER HAS TO DO WITH A POSSIBLE INVITATION OF OUR FISHERIES EXPERTS TO VISIT THE GDR AND LOOK AT FISHERY INSTALLATIONS THERE. SUCH AN INVITATION HAS ALREADY BEEN ISSUED BY GDR EXPERTS WHO HAVE MET OUR OFFICERS AT INTERNATIONAL MEETINGS. IF THE INVITATION IS REPEATED AT THE UPCOMING INTERNATIONAL CONFERENCE ON NORTH ATLANTIC FISHING (ICNAF), OUR EXPERTS WILL BE FREE TO ACCEPT IT. KISSINGER

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PAGE 01

NC 82291

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C O N F I D E N T I A L
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E.O. 11652: N/A
TAGS: PLOS, UN, AORG

*LOS Conf.
Precedential
Port Geneva*

SUBJECT: LOS CONFERENCE SCHEDULE - UN ADMINISTRATION -
COMMITTEE ON CONFERENCES

1, SYG'S SPECIAL REP FOR LOS CONFERENCE (ZULETA) BRIEFED UN
COMITE ON CONFERENCES 4 JUNE ON DECISIONS OF DATE AND VENUE
TAKEN AT GENEVA SESSION 9 MAY. (EIGHT WEEK SESSION COMMENCING
29 MARCH IN NEW YORK AND RECOMMENDATION THAT UNGA GIVE LOS
CONFERENCE PRIORITY OVER ALL OTHER UN ACTIVITIES,) COMITE ON
CONFERENCES WAS ALSO INFORMED THAT SCHEDULED ECOSOC MEETING
(13 APRIL - 14 MAY) AND OTHER MEETINGS CONFLICT WITH LOS
CONFERENCE DECISION. AVAILABLE DATES WITHOUT RESCHEDULING ARE
2 FEBRUARY - 9 APRIL IN NEW YORK OR 19 JANUARY - 5 MARCH IN
GENEVA. IF A FURTHER SESSION IN 1976 IS DECIDED UPON, AVAILABLE
DATES ARE 29 JUNE - 30 AUGUST IN NEW YORK.

2, KENYA REP (NJENGA) OPPOSED HOLDING THE NEXT SESSION ANY EARLIER
THAN 29 MARCH REASONING THAT AN OAU MEETING WOULD BE CONSIDERING
LOS QUESTIONS IN FEBRUARY AND SUFFICIENT TIME WAS NEEDED FOR
CONSULTATIONS. THE UK INFORMED US PRIVATELY THAT THEIR IN-
STRUCTIONS CALL FOR HOLDING OUT FOR MARCH 29 STARTING DATE
SINCE ANY CHANGE OPENS POSSIBILITY OF A LATER RATHER THAN
EARLIER DATE.

3, COMMITTEE ON CONFERENCES WILL MEET AGAIN ON THIS ITEM NEXT
WEEK (PROBABLY JUNE 11) AND WILL HAVE ESTIMATED FINANCIAL
AND RESOURCE IMPLICATIONS BEFORE IT AT THAT TIME.

4, COMMENT: ZULETA WHO APPARENTLY FELT THAT HE HAD TO DEFEND
CONFERENCE DECISION TO CONVENE MARCH 29 WAS NOT HELPFUL IN
RESOLVING APPARENT DIFFICULTY IN SCHEDULING OF FOURTH SESSION.
WE HAVE IN MIND IN PARTICULAR HIS REMARK THAT SCHEDULING
OF FOURTH SESSION "AT VERY EARLY DATE" WOULD MAKE CONSULTATIONS
"PRACTICALLY IMPOSSIBLE." CHAIRMAN CONFIDED TO US THAT SECRE-
TARIAT IS SERIOUSLY WORRIED THAT IT WILL NOT BE ABLE TO
PROVIDE ADEQUATE SERVICING EITHER IN NEW YORK OR IN GENEVA
IF CONFERENCE IS HELD AS SCHEDULED. WE ASSUME THAT ASIANS

General
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AND LATIN AMERICAN GROUPS (BUT NOT AFRICANS) MIGHT GO ALONG WITH EARLIER DATES ALTHOUGH INDIAN REP (SETHI) CONFIDED THAT HIS GOVERNMENT WAS IN NO PARTICULAR RUSH TO CONTINUE WORK OF LOS CONFERENCE. COMMITTEE ON CONFERENCES WILL FACE SOME SERIOUS CONFLICTS IN SCHEDULING THIS CONFERENCE AND MAY BE REQUIRED TO RECOMMEND CANCELLATIONS OR SHIFTS OF OTHER UN BODIES E.G., SPRING ECOSOC, IF LOS FOURTH SESSION IS NOT ADVANCED. BENNETT

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E.O. 11652: N/A

TAGS: EFIS, PLUS, NO, UR,

SUBJ: LOS: EVENSEN CONSULTATION WITH SOVIETS

REF: (A) OSLO 2311 (B) OSLO 2281

1, ARNE TREHOLT, LOS MINISTER EVENSEN'S POLITICAL SECRETARY, ADVISED THAT EVENSEN DISCUSSED BOTH GENERAL LOS QUESTIONS WITH SOVIETS ALONG THE LINES OF OSLO 2311 AND THAT DISCUSSION OF NORWAY'S PLANS TO EXTEND ITS FISHING LIMITS WERE SUBSTANTIALLY AS REPORTED BY EVENSEN TO PARLIAMENT (SEE OSLO 2281). SOVIETS APPARENTLY NOTED THAT ONE-SEVENTH OF THEIR FISHERIES CATCH CAME FROM THE BARENTS SEA BUT INSTEAD OF STRESSING AS IN PAST THE COMMON INTERESTS OF NORWAY AND THE USSR IN THE BARENTS SEA, SOVIETS EMPHASIZED THEIR GLOBAL FISHING INTERESTS. SOVIETS ALSO EXPRESSED HOPE NORWAY WOULD TAKE NO UNILATERAL ACTION PRIOR TO THE NEXT SESSION OF THE LOS CONFERENCE NEXT SPRING.

2, TREHOLT CHARACTERIZED SOVIET ATTITUDE AS FRIENDLY, OPEN, AND WILLING TO LISTEN, BUT SAID THAT SOVIETS VOLUNTEERED VERY LITTLE IN RETURN EXCEPT TO COMMENT ON THE DIFFICULTIES THAT ANY UNILATERAL ACTION MIGHT CREATE. THE AGREEMENT ON TRAWL FREE ZONES NEGOTIATED LAST WINTER WAS SIGNED. THE NORWEGIAN-SOVIET OFF-SHORE BOUNDARY AND SVALBARD WERE NOT DISCUSSED OR RAISED, BYRNE

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TAGS: PLOS

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SUBJECT: LOS: CONSULTATIONS WITH USSR AND UK
1, DURING GENEVA SESSION OF LOS CONFERENCE US DEL PROPOSED US-SOVIET BILATERAL CONSULTATIONS ON LOS IN MOSCOW WHILE AMB. JOHN NORTON MOORE IS THERE FOR ASIL MEETING, SOVIET EMB MIN COUNSELOR VASEV HAS INFORMED AMB. MOORE THAT USSR AGREES WITH PROPOSED BILATERAL CONSULTATIONS FOR PURPOSE OF WORKING OUT, AS FAR AS POSSIBLE, A COMMON APPROACH TO UNOFFICIAL UNIFIED TEXT PREPARED AT GENEVA LOS CONFERENCE, IT WAS AGREED THAT MOORE, ACCOMPANIED BY SOME OTHER US LOS EXPERTS, WOULD HOLD CONSULTATIONS IN MOSCOW JUNE 18-20. MOORE EXPECTS TO PARTICIPATE IN ASIL MEETINGS JUNE 16-17. MOORE PROMISED TO GIVE SOVIETS NAMES OF US EXPERTS. AMB. STOESEL MAY WISH TO HAVE EMB LOS OFFICER DARYLL JOHNSON JOIN CONSULTATIONS.
2, FOR LONDON: AMB. MOORE WOULD LIKE TO HOLD BILATERAL CONSULTATIONS WITH HMG OFFICIALS IN NEAR FUTURE ON FULL RANGE OF LOS ISSUES. PLEASE INFORM HMG LOS OFFICIALS OF OUR INTEREST IN HOLDING LOS TALKS AND SUGGEST DATE OF JUNE 23-24 IN LONDON, WHICH DATES WOULD BE MOST CONVENIENT FOR US. IF THESE DATES NOT SUITABLE OR IF HMG WOULD PREFER TO HOLD US-UK TALKS PRIOR TO US-SOVIET TALKS WE COULD AGREE TO DATES OF JUNE 12-13. YOU SHOULD INFORM HMG OF PROPOSED US-SOVIET BILATERALS. MOORE WILL BE ACCOMPANIED BY SOME OTHER US LOS EXPERTS. NAMES TO BE PROVIDED ASAP.
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CONFIDENTIAL SECTION 1 OF 3 NASSAU 885
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TAGS: PLOS EFIS PFOR BF
SUBJ: MINISTER ADDERLEY ON LOS, LOBSTERS AND US BASES
1. SUMMARY: MINISTER OF EXTERNAL AFFAIRS ADDERLEY CALLED ME IN FOR A 90-MINUTE DISSERTATION WHICH COVERED, AMONG OTHER THINGS: (A) THE ADEQUACY OF NEWSPAPER REPORTING IN THE BAHAMAS AND IN THE CARIBBEAN IN GENERAL, (B) HIS VIEWS ON APPROPRIATE PUNISHMENT FOR MARIJUANA USERS, (C) THE PROBLEM OF SETTING BAIL IN THE BAHAMAS, (D) LAW OF THE SEA, (E) THE SPINY LOBSTER QUESTION, AND (F) US BASES IN THE BAHAMAS. ONLY THE LAST THREE ITEMS ARE PARTICULARLY RELEVANT FOR PURPOSES OF THIS MESSAGE, ON LOS HE WAS PLEASED WITH US COOPERATION AT GENEVA; ON LOBSTERS HE AGREED THAT WE SHOULD SOON BEGIN TALKS ON THE IMPLICATIONS OF THE GCOB CONTINENTAL SHELF LEGISLATION AND ON BASES HE PROMISED A RESUMPTION OF NEGOTIATIONS "IN A MATTER OF A FEW DAYS". END SUMMARY

2. LAW OF THE SEA. HAVING SPENT SOME TIME DISCUSSING OTHER MATTERS IN A COMPLETELY RELAXED AND AFFABLE MOOD, ADDERLEY TURNED TO LOS. HE DID NO BY WAY OF REMARKING THAT HE HAD ON AN EARLIER OCCASION MADE REFERENCE TO HIS DISSATISFACTION WITH TREATMENT HE RECEIVED FROM A MEMBER OF THE US LOS DELEGATION. HE STATED THAT "AS A MATTER OF FAIRNESS" HE WANTED THE RECORD TO INDICATE THAT AT THE RECENTLY CONCLUDED GENEVA CONFERENCE THE RELATIONSHIP AND COOPERATION WITH THE AMERICAN DELEGATION COULD NOT HAVE BEEN BETTER. HE FELT THAT THEY HAD WORKED TOGETHER EFFECTIVELY AND IN CLOSE HARMONY, I RESPONDED THAT I WAS DELIGHTED TO HEAR THAT AND THAT IT CONFIRMED PRECISELY WHAT WE HAD HAD REPORTED TO US. MOREOVER, I MENTIONED THAT OUR DELEGATION HAD BEEN UNSTINTING IN ITS PRAISE OF THE MINISTER'S PERSONAL CONTRIBUTION TO THE ARCHIPELAGO DISCUSSIONS, I ASKED ADDERLEY WHAT HIS PERSONAL APPRAISAL WAS OF THE PROGRESS AND PROSPECTS. THIS WAS PROBABLY A MISTAKE SINCE IT LAUNCHED HIM INTO ANOTHER LONG (ALTHOUGH NOT UNINTERESTING)

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DISSERTATION ON PERSONALITIES AS WELL AS PROBLEMS ENCOUNTERED DURING THE RECENT DISCUSSIONS, I THINK IT SAFE TO SUMMARIZE HIS GENERAL VIEW AS ONE OF PROGRESS HAVING BEEN MADE, BUT WITH AN OUTLOOK EXTREMELY UNCERTAIN. HE THINKS THERE IS NO CHANCE FOR AN AGREEMENT IN MARCH, BELIEVES THAT A GREAT DEAL MORE IN THE WAY OF BILATERAL DISCUSSIONS ON ISSUES OF MAJOR IMPORTANCE IS STILL REQUIRED AND EVEN THEN IS NOT NECESSARILY OPTIMISTIC THAT A FINAL SINGLE AGREED DRAFT CAN BE ACHIEVED GIVEN THE EMOTIONAL AND IDEOLOGICAL, NOT TO MENTION SUBSTANTIVE, DIFFERENCES WHICH SEPARATE THE PARTIES. HE DID MENTION IN PASSING, HOWEVER, HIS AGREEMENT WITH A RECENT LONDON TIMES ARTICLE WHICH CONCLUDED THAT A FAILURE TO REACH A LOS AGREEMENT WOULD BE FAR MORE HARMFUL TO THE INTERESTS OF THE LESSER DEVELOPED COUNTRIES THAN TO THE MAJOR POWERS.

3. SPINY LOBSTER, ADDERLEY CONFESSED THAT HE HAD NOT RECENTLY REVIEWED OUR LAST NOTE, NEVERTHELESS HE VOLUNTEERED THAT HE THOUGHT THE GCOB HAD NO MAJOR ISSUES WITH US, HE THEN SUGGESTED THAT I GIVE HIM MY PERSONAL VIEW AS TO HOW WE OUGHT TO PROCEED, HE CONTINUED BY SAYING THAT HE COULD SEE ALL SORTS OF VERY DIFFICULT QUESTIONS ARISING TO WHICH HE DID NOT HIMSELF CLEARLY SEE THE ANSWERS, HE CITED BY WAY OF EXAMPLE THE FACT THAT GCOB LEGISLATION REQUIRED THAT ANY CONCESSIONS MADE TO ANOTHER NATION WITH REGARD TO FISHING PRIVILEGES IN WATERS UNDER BAHAMIAN JURISDICTION REQUIRED SIMILAR AND RECIPROCAL CONCESSIONS, THUS, HE PONDERED ALOUD, IF THE US COULD NOT ENTER INTO SUCH A RECIPROCAL AGREEMENT THE LATITUDE FOR FURTHER DISCUSSION WAS IMMEDIATELY AND SEVERELY NARROWED. HE STATED THAT HE DID NOT SEEK A RESPONSE TO THAT SPECIFIC QUESTION, NOR, FOR THAT MATTER, TO OTHER SUBSTANTIVE ASPECTS OF THE LOBSTER PROBLEM AT THIS MEETING, BUT RATHER WAS SEEKING MY PERSONAL VIEWS AS TO HOW THE ENTIRE MATTER MIGHT BE APPROACHED.

4. I RESPONDED BY SAYING THAT I WOULD TAKE HIM AT HIS WORD AND NOT ATTEMPT TO ENTER INTO A SUBSTANTIVE EXCHANGE, I WENT ON TO SAY THAT WHILE WE HAD DONE A GREAT DEAL OF HARD THINKING ABOUT THE VARIOUS ISSUES WHICH BORE ON THE SPINY LOBSTER ISSUE, BY NO MEANS DID I BELIEVE THAT WE HAD THE ANSWERS TO ALL THE QUESTIONS, INDEED, I SAID THAT COULD GO ONE STEP FURTHER; IT WAS NOT EVEN CLEAR THAT WE KNEW ALL OF THE QUESTIONS THEMSELVES ON WHICH BOTH SIDES REQUIRED CLARIFICATION

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PRIOR TO SEEKING AN AGREEMENT, THAT BEING THE CASE, IT SEEMED TO ME SENSIBLE THAT WE UNDERTAKE, AND WITHOUT DELAY, TO BEGIN A DIALOGUE. INDEED THIS IS WHAT WE HAD SUGGESTED EARLIER ON. I REMINDED ADDERLEY THAT WE HAD ADVANCED AN OUTLINE WHICH SUGGESTED EXAMINATION OF CERTAIN ISSUES WHICH HE AND I HAD PREVIOUSLY TOUCHED UPON. THE OUTLINE ITSELF WAS OPEN TO DISCUSSION AND ADJUSTMENT. INDEED, WE MIGHT USEFULLY BEGIN BY A JOINT EXAMINATION OF THE RANGE OF QUESTIONS WHICH IN FACT NEEDED TO BE ADDRESSED. I SAID THAT I WAS CONFIDENT, GIVEN THE COMMON DESIRE ON BOTH OUR PARTS TO SEEK A MUTUALLY AGREEABLE ARRANGEMENT IN THE FACE OF THEIR NEWLY ENACTED LEGISLATION THAT SUCH A DIALOGUE WOULD SUCCEED, THE IMPORTANT THING WAS TO BEGIN. WEISS

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C O N F I D E N T I A L SECTION 2 OF 3 NASSAU 885

5. ADDERLEY SAID HE APPRECIATED THE TENOR AND SUBSTANCE OF MY RESPONSE AND AGREED WITH IT, INDEED, HE SAID HE "FELT MUCH RELIEVED" SINCE HE WAS NOT IN A POSITION TO ENTER INTO DISCUSSIONS WITH US WITHOUT SEEKING CABINET APPROVAL, HE HAD BEEN CONCERNED THAT IF HE HAD TO APPROACH THE CABINET TO REQUEST APPROVAL FOR A HIGHLY FORMAL, RIGIDLY STRUCTURED NEGOTIATION, E.G. ONE SOLELY REPEAT SOLELY DEDICATED TO AGREEMENT ON A SPECIFIC LICENSING ARRANGEMENT, HE COULD NOT AT THIS TIME GAIN CABINET APPROVAL, HOWEVER, HE BELIEVED HE COULD GAIN APPROVAL FOR UNDERTAKING A NEGOTIATION DESIGNED TO EXAMINE THE PROBLEM BEFORE US LEAVING OPEN FOR ULTIMATE RESOLUTION THE NATURE OF GOVERNMENTAL DECISIONS ON BOTH SIDES WHICH MIGHT BE SUGGESTED.

6. IN RESPONSE, I REMINDED ADDERLEY THAT WHEN WE HAD DISCUSSED THE MATTER EARLIER WE BOTH HYPOTHESIZED VARIOUS KINDS OF ARRANGEMENTS WHICH COULD AT LEAST IN THEORY SATISFY BOTH BAHAMIAN AND USG LEGITIMATE INTERESTS. LICENSING WAS CERTAINLY ONE SUCH APPROACH WHICH, HE HIMSELF HAD EARLIER ADMITTED, WAS CERTAINLY NOT TO BE RULED OUT, BUT I SAID THAT WE NEED NOT, AND INDEED I THOUGHT IT ADVISABLE THAT WE NOT, PREJUDGE THE PRECISE ARRANGEMENTS WHICH THE TWO SIDES MIGHT WISH TO AGREE TO AS A RESULT OF THE DETAILED EXAMINATION OF THE ISSUE WHICH WE HAD PROPOSED, I SAID, HOWEVER, THAT THERE WERE TWO MATTERS THAT DID CONCERN ME AND THAT IT DID NOT WANT THE CONVERSATION TO FAIL TO RECORD THIS CONCERN. THE FIRST WAS THAT WE HAD PROPOSED THESE DISCUSSIONS SEVERAL MONTHS AGO AND THE FISHING SEASON WAS RAPIDLY APPROACHING. I FELT THAT IT WOULD BE BAD FOR US TO BE PLACED IN THE POSITION OF HAVING TO SAY THAT DESPITE OUR EARLY PROPOSALS THE GCOB HAD NOT RESPONDED AFFIRMATIVELY AND THAT NO EFFORT AT DISCUSSIONS WAS BEING MADE. I THOUGHT THIS WOULD BE PARTICULARLY HARMFUL IN TERMS OF OUR DEALING WITH AMERICAN FISHING INTERESTS WHO, AFTER ALL, HAD A GENUINE INTEREST IN HOW THE GCOB LEGISLATION

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WAS TO BE IMPLEMENTED; IT WAS ONE THING TO SAY TO THESE INTERESTS THAT WE WERE IN GOOD FAITH PURSUING THE PROBLEM ON A GOVERNMENT-TO-GOVERNMENT BASIS AND QUITE ANOTHER TO ASK THEM TO BE PATIENT IN THE ABSENCE OF ANY FORWARD PROGRESS TO WHICH WE COULD POINT, THE SECOND ISSUE WAS CLOSELY RELATED. WE HAD EMPHASIZED IN EACH OF OUR PREVIOUS DISCUSSIONS AND IN OUR WRITTEN COMMUNICATIONS OUR CONCERN OVER POTENTIAL PROBLEMS WHICH COULD ARISE OUT OF ENFORCEMENT BY THE GCOB OF ITS LEGISLATION, ONCE AGAIN IT WAS OUR HOPE THAT THE DISCUSSIONS WOULD PROCEED RAPIDLY ENOUGH SO THAT WE WOULD HAVE A BASIS FOR AGREEMENT PRIOR TO THE ONSET OF THE NEW FISHING SEASON. I NOTED THAT NEITHER GOVERNMENT ENTIRELY CONTROLLED THE INDIVIDUALS ON EITHER SIDE WHO MIGHT COME INTO CONFLICT IF THE GCOB ATTEMPTED TO ENFORCE ITS LEGISLATION PRIOR TO AGREEMENT AS TO THE GUIDELINES WHICH WOULD BE FOLLOWED BY NON-BAHAMIANS FISHING IN GCOB WATERS.

7. ADDERLEY AGREED WITH BOTH THESE POINTS AND ESPECIALLY UNDERLINED HIS OWN CONCERN OVER THE LACK OF COMPLETE CONTROL OVER INDIVIDUALS ON BOTH SIDES. IN THIS CONNECTION, HE IDENTIFIED ANOTHER QUESTION WHICH WOULD REQUIRE EXAMINATION, THAT BEING THAT ANY GCOB PROCEDURE SUCH AS LICENSING COULD ONLY HAVE APPLICABILITY TO US NATIONALS. HE DID NOT KNOW HOW THE CUBANS OPERATING OUT OF THE US COULD BE HANDLED UNDER THESE CIRCUMSANCES, BUT AGREED THAT WOULD BE AN ISSUE THAT WOULD HAVE TO BE LOOKED AT.

8. IN COMPLETING THIS PART OF THE DISCUSSION, ADDERLEY INDICATED THAT HE WOULD PUT THE ISSUE TO THE CABINET AND HOPED TO BE BACK TO ME WITH A POSITIVE RESPONSE TO OUR SUGGESTION TO BEGIN DISCUSSIONS OF THE PROBLEM, HOPEFULLY WITHIN THE NEXT TWO WEEKS.

9. COMMENT: SEVERAL POINTS OF INTEREST EMERGED FROM THIS EXCHANGE. ONE WAS TO CONFIRM THE EARLIER INSIGHT WHICH I DERIVED FROM MY LUNCHEON DISCUSSION WITH DEPUTY PRIME MINISTER HANNAH (NASSAU 724), NAMELY, THAT PART OF THE GCOB HANG-UP IS THAT THEY FEEL INADEQUATE IN TERMS OF DEFINING HOW TO GO ABOUT A SENSIBLE EXPLORATION OF THE ISSUE. ANOTHER INTERESTING ASPECT IS THAT ADDERLEY IS APPARENTLY QUITE LIMITED IN WHAT HE MAY DO UNDER HIS OWN INITIATIVE, EVEN INSOFAR AS ENTERING INTO AN EXPLORATORY DISCUSSION OF THE SORT CONTEMPLATED WITHOUT GETTING FORMAL CABINET APPROVAL. THIRD, IT

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SEEMS RATHER LIKELY THAT WE NOW WILL GET AGREEMENT FOR SUCH DISCUSSIONS. FOURTH, I WOULD GUESS THAT ONCE WE ENGAGE ON THE ISSUE, WE WILL FIND THAT MANY OF THE APPARENT PROBLEMS ARE BY NO MEANS IRRESOLVABLE, (FOR EXAMPLE, HIS CONCERN ABOUT "NON-US NATIONALS" FISHING IN GCOB WATERS WOULD PRESUMABLY BE COVERED IF THE BOAT IN QUESTION WAS OFFICIALLY LICENSED BY GCOB AS A REGISTERED US FLAG VESSEL.) FIFTH, AND FINALLY, HOWEVER, IT LOOKS TO ME AS IF AT BEST THIS IS GOING TO BE A VERY SLOW PROCESS. I FRANKLY CAN HARDLY IMAGINE IT REACHING A DEFINITIVE CONCLUSION BEFORE THE NEW FISHING SEASON STARTS. THIS MEANS THAT, AS WE GET CLOSER TO THE ONSET OF THE FISHING SEASON, WE WILL HAVE TO REINITIATE A SPECIFIC FOCUS ON THE ISSUES WHICH WOULD BE RAISED BY GCOB ATTEMPT AT ENFORCEMENT OF THE NEW LAW BEFORE AGREEMENT ON NEW GROUND RULES. WEISS

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C O N F I D E N T I A L SECTION 3 OF 3 NASSAU 885

10. BASE NEGOTIATIONS, ADDERLEY ENTERED INTO THIS DISCUSSION RATHER APOLOGETICALLY, REFERRING TO A DINNER CONVERSATION WHICH WE HAD HAD LAST WEEK, HE SAID THAT, AS HE HAD INDICATED, IT HAD BEEN HIS INTENTION TO RE-ENGAGE SUBSTANTIVELY ON THIS SUBJECT IN MID-MAY, HOWEVER, HE HAD BEEN SOINUNDATED THAT HE HAD BEEN UNABLE TO PERSONALLY SPEND SUFFICIENT TIME ON THE ISSUE TO PREPARE PROPERLY FOR SUCH A RE-ENGAGEMENT. HE PROMISED, HOWEVER, THAT THIS WOULD BE MATTER THAT WE WOULD GET TO SHORTLY AND, IN RESPONSE TO MY SPECIFIC QUESTON, SAID "I AM THINKING MORE IN TERMS OF DAYS THAN OF WEEKS."

11. ADDERLEY WENT ON TO REFER TO THE EARLIER HISTORY OF THE NEGOTIATIONS, HE SAID HE WAS CONVINCED IN RETROSPECT THAT IT HAD PROBABLY BEEN A MISTAKE TO COMMENCE THE NEGOTIATIONS IN 1973 SINCE IT WAS CLEAR THAT THE GCOB WAS SIMPLY ILL-PREPARED, THAT NOTWITHSTANDING, HOWEVER, HE RECALLED THOSE EARLY NEGOTIATIONS, AS WELL AS THE EXCHANGE WITH AMBASSADOR SPIERS WHICH HAD OCCURRED LAST SUMMER, HE SAID THAT HE BELIEVED THAT THE LATTER EXCHANGE SUGGESTED A BASIC AND FUNDAMENTAL DISAGREEMENT ON APPRDACH, IT WAS THE GCOB POSITION THEN AND REMAINS THERE POSITION NOW THAT THEY HAD ALWAYS SEEN THE QUID PRO QUO TO THE FACILITIES AGREEMENT AS BEING SOME SORT OF ECONOMIC ASSISTANCE FOR THE BAHAMAS, WHEREAS THE US CONTENTED THAT IT HAD CLEARLY REJECTED THAT NOTION, A MATTER WHICH BY IMPLICATION IT WAS ALLEGED THE BAHAMAS UNDERSTOOD AND ACCEPTED. HE SAID HE THOUGHT THE RECORD WOULD BEAR OUT HIS CON- ENTION THAT THE GCOB INSISTED ON A RELATIONSHIP BETWEEN THE BASES AND AN ECONOMIC AID QUID AND HAD NEVER ACCEPTED A DIF- FERENT APPROACH, THIS FUNDAMENTAL DISAGREEMENT TROUBLED HIM.

12. I SAID THAT HE, OF COURSE, HAD TO UNDERSTAND THAT THE BASIC US POSITION WITH REGARD TO AN ECONOMIC AID QUID PRO QUO REMAINED AS HE TYPIFIED IT, NAMELY, THAT WE DID NOT BELIEVE THAT SUCH AN ASSOCIATION BETWEEN THE BASES AND ECO- NOMIC AID WAS APPROPRIATE, I SAID, HOWEVER, THAT I DID NOT

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TOR:022155Z JUN 75

AGREE WITH A TYPIFICATION OF THIS DIVERGENCE IN APPROACH AS BEING FUNDAMENTAL OR BY IMPLICATION IRRECONCILABLE. IT SEEMED TO ME THAT MORE IMPORTANT THAN DEBATING WHAT EACH SIDE HAD INTENDED TO CONVEY TO THE OTHER OVER A PERIOD OF THE LAST TWO YEARS, WHAT WE SHOULD START WITH WAS THE BASIC ASSUMPTION THAT THE BAHAMAS AGREED WITH THE DESIRABILITY OF A US BASE PRESENCE MET IN TURN BY THE DESIRE ON THE PART OF THE US TO HAVE SUCH A PRESENCE, CLEARLY, NEITHER DESIRE WAS WITHOUT LIMIT, BUT THIS PROVIDED A FUNDAMENTAL AND IMPORTANT COMMONALITY IN APPROACH, SINCE THE US HAD AGREED TO THE PRINCIPLE OF A QUID PRO QUO BY WAY OF A BASE RENTAL, IT SEEMED TO ME THAT WHAT WAS IMPORTANT WAS TO GET ON WITH THE SPECIFICS OF DEFINING AN ARRANGEMENT. WE HAD MADE A PROPOSAL WHICH WAS APPARENTLY LESS THAN BAHAMIAN EXPECTATIONS, WE WERE NOW AWAITING SPECIFIC COUNTERPROPOSALS. IT WAS, OF COURSE, ALWAYS POSSIBLE THAT DESPITE THE COMMONALITY OF DESIRE ON BOTH SIDES TO CONTINUE THE US BASE PRESENCE WE COULD NOT AGREE ON THE SPECIFICS OF THE QUID, BUT IT SEEMED TO ME THAT WE NEED NOT AT THIS STAGE PREJUDGE THE ISSUE IN THIS FASHION. WHAT WE NEEDED TO DO WAS TO GET DOWN TO SPECIFICS AND THAT WAS WHAT WE WERE PREPARED TO DO AS SOON AS THE GCOB WAS READY TO RE-ENGAGE IN THE NEGOTIATION, ADDERLEY STATED HE ENTIRELY AGREED WITH THAT APPROACH, ALTHOUGH HE FELT IT IMPORTANT TO MENTION THE EARLIER HISTORY BECAUSE HE DID NOT FEEL THAT THE RECORD WOULD BEAR OUT THE US CONTENTION. ADDERLEY REPEATED THAT HE WOULD EXPECT THAT WE COULD GET AT THE BASE PROBLEM WITHIN A MATTER OF DAYS.

13. COMMENT: ADDERLEY GAVE NO INDICATION OF THE SUBSTANCE OF WHAT THE GCOB POSITION MIGHT BE AS TO REQUIRED MAGNITUDE OF QUID. WHAT IS CLEAR IS THAT THE ECONOMIC AID QUID IS NOT YET DEAD, RE-READING ADDERLEY'S COMMENT TO AMBASSADOR SPIERS LAST JULY TO THE EFFECT THAT EVEN IF THE US OFFERED GCOB \$100 MILLION IN CASH IT WOULD NOT KNOW HOW TO HANDLE IT BECAUSE IT HAD NO "PERMANENT ECONOMIC ESTABLISHMENT", SUGGESTS THE NATURE OF THE PROBLEM AS SEEN BY GCOB. IN SHORT, THE ISSUE MAY NOT BE SOLELY ONE OF MAGNITUDE OF US DOLLARS MADE AVAILABLE BUT THE MANNER IN WHICH THESE RESOURCES CAN BE EFFECTIVELY APPLIED TO GCOB ECONOMIC NEEDS, RECOGNIZING THAT AN ECONOMIC ASSISTANCE PROGRAM IS CLEARLY INFEASIBLE, WE SHALL HAVE TO GIVE FURTHER THOUGHT TO THE DILEMMA THUS PRESENTED TO SEE IF THERE ARE OTHER WASYS TO SKIN THIS CAT. WEISS

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 FM AMEMBASSY KUALA LUMPUR
 TO RUEHC/SECSTATE WSHDC 71
 INFO RUMTRK/AMEMBASSY BANGKOK 5776
 RUFGV/AUSMISSION GENEVA 205
 RUKOJ/AMEMBASSY JAKARTA 3724
 RUOTC/AMEMBASSY LONDON 1492
 RUMJBA/AMEMBASSY MANILA 4130
 RUEHDT/USUN NEW YORK 562
 RUKOSP/AMEMBASSY SINGAPORE 4573
 RUEHKO/AMEMBASSY TOKYO 1237
 RUHQHA/CINCPAC
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7

CONFIDENTIAL SECTION 1 OF 2 KUALA LUMPUR 3074

CINCPAC FOR POLAD

E.O. 11652: GDS
 TAGS: PLOS, MY
 SUBJ: MALAYSIAN VIEWS ON GENEVA LOS SESSION

REF: A. STATE 110126; B. STATE 110127

1. SUMMARY: MALAYSIAN FOREIGN MINISTRY OFFICIAL RESPONSIBLE FOR LOS AFFAIRS IS DISCOURAGED OVER LACK OF PROGRESS AT RECENT GENEVA SESSION AND PREDICTS THAT 1976 NEW YORK SESSION WILL PROBABLY BE ABLE TO REACH AGREEMENT ONLY ON EXPLOITATION OF DEAP SEABED. FURTHERMORE, HE PREDICTS STRONG TREND TOWARD UNILATERALISM IN DEALING WITH PROBLEMS OF COASTAL STATE JURISDICTION, INCLUDING ECONOMIC ZONE. MALAYSIA'S BASIC POSITION ON MALACCA STRAIT IS UNCHANGED, BUT TERMS FOR TRANSIT M FOREIGN WARSHIPS REMAIN TO BE WORKED OUT. GOM'S LOS DELEGATION CHIEF, ATTORNEY-GENERAL TAN SRI ABDUL KADIR YUSOF, AND MEDIA HAVE REFLECTED SIMILAR DISCOURAGEMENT ABOUT LOS AFFAIRS. END SUMMARY.

2. ON 04LPWU 0800Z MET WITH FOREIGN MINISTRY PRINCIPAL ASSISTANT SECRETARY IN CHARGE OF ADO AFFAIRS, YEOP ADLAN, FOR REVIEW OF GENEVA LOS SESSION. AT OUTSET, YEOP SAID HE AND HIS DELEGATION CHIEF, LAW MINISTER AND ATTORNEY-GENERAL TAN SRI ABDUL KADIR YUSOF, WENT TO GENEVA FOR A "VACATION" INASMUCH AS GOM POSITION ON STRAITS IS "CRYSTAL CLEAR" AND GOM HAD

LITTLE TO CONTRIBUTE TO OFFICIAL AND UNOFFICIAL DRAFTING GROUPS THAT DID MOST OF THE WORK OF THE CONFERENCE. RE CONFERENCE PROCEDURES, YEOP SAID TACTIC DNDHAVING COMMITTEE CHAIRMEN WORK OUT AGREED TEXTS, NOT SUBJECT TO AMENDMENT OR TO NEGOTIATION, WAS GOOD APPROACH BUT HE SAID PRESSURE FOR MANY MINOR TEXTUAL CHANGES WILL PROBABLY BE OVERWHELMING AT NEW YORK ROUND EARLY NEXT YEAR. HOWEVER, HE FELT THAT SINGLE TEXTS WILL PROBABLY SURVIVE IN THIS BATTLE AND SEVERAL FORMULATIONS, PARTICULARLY RELATING TO DEEP SEABEDS REGIME AND LIMITED COMPULSORY SETTLEMENT OF DISPUTES, MAY EMERGE AS ONLY CONCRETE RESULTS OF PROTRACTED LOS NEGOTIATIONS. FOLLOWING ARE ADDITIONAL SPECIFIC COMMENTS BY YEOP:

3. TREND TOWARD UNILATERALISM: CITING RENEWAL OF U.S. CONGRESSIONAL MOVES FOR UNILATERAL DECLARATION OF 200-MILE FISHERIES ZONE, YEOP SAID LACK OF PROGRESS AT GENEVA (INVOLVING VIRTUAL ABANDONMENT OF WORK DONE AT CARACAS) WILL IN GOM'S VIEW STIMULATE NATIONS TO TAKE UNILATERAL ACTIONS REGARDING COASTAL STATE JURISDICTION, INCLUDING CONTROL MANAGEMENT OF ECONOMIC ZONE, POLLUTION, SCIENTIFIC RESEARCH AND SIMILAR MATTER. YEN WNTJE YEOP PERSONALLY FELT THAT THIS TREND IS DANGEROUS. HE SAID ALL NATIONS WOULD HAVE TO ACCEPT UNILATERAL ACTIONS AS FACT OF LIFE AND HOPE OC SALVAGE SEMINAL AGREEMENTS ON MATTERS RELATING TO HIGH SEASWK ESPECIALLY DEEP SEABEDS EXPLOITATION. SEABEDS REGIME, HE CONTINUED, WILL PROBABLY INVOLVE MIX OF PRIVATE AND INTERNATIONAL ORGANIZATION EXPLOITATION BECAUSE, FOR THE FORESEEABLE FUTURE, ONLY PRIVATE INDUSTRY IN DEVELOPED NATIONS WILL HAVE TECHNOLOGICAL AND FINANCIAL CAPACITY TO UNDERTAKE UNDERSEA MINING AND SIMILAR VENTURES. HE ALSO SAID THAT HE PERCEIVED "SOFTENING" OF MILITANT LDC VIEWS ON THIS SCORE DURING GENEVA SESSION AND PREDICTED THAT LDC DIEHARDS WILL COME AROUND TO MORE EQUITABLE BALANCING OF PUBLIC AND PRIVATE INTERESTS BY TIME OF NEW YORK SESSION.

4. LDC SOLIDARITY: YEOP SAID U.S. AND OTHER DEVELOPED NATIONS ARE MISTAKEN IN PERCEIVING LDC'S AS A SOLID BLOC. HE OPINED THAT LDC SOLIDARITY ENDED AT CARACAS WHEN MINIMUM LDC AGREEMENT WAS ACHIEVED ON ECONOMIC ZONE; PRESENTLY, GROUP OF 77 MEMBERS HAVE DIVERGENT VIEWS ON ALMOST EVERY LOS QUESTION (E.G.,) LANDLOCKED LDC'S VERSUS COASTAL STATE LDC'S) AND THAT MALAYSIA' INTERESTS, FOR EXAMPLE, DO NOT ACCORD WITH RADICAL VIEWS OF ALGERIANS WHO DENY EVEN LEGITIMATE INTERESTS OF DEVELOPED NATIONS. FINALLY, HE DOES NOT SEE ANY THREAT FROM LDC'S ACTING FN BLOC TO DEFDPW COMPROMISE AGREEMENTS ALREADY ATTAINED.

5. STRAITS: YEOP AVERRED THAT GOM'S POSITION ON STRAITS IS "FIRM"; THEREFORE, MALAYSIA DID NOT TAKE HIGH PROFITW IN DEBATES ON STRAITS MAMFERSGY ALLOWING MILITANTS SUCH AS

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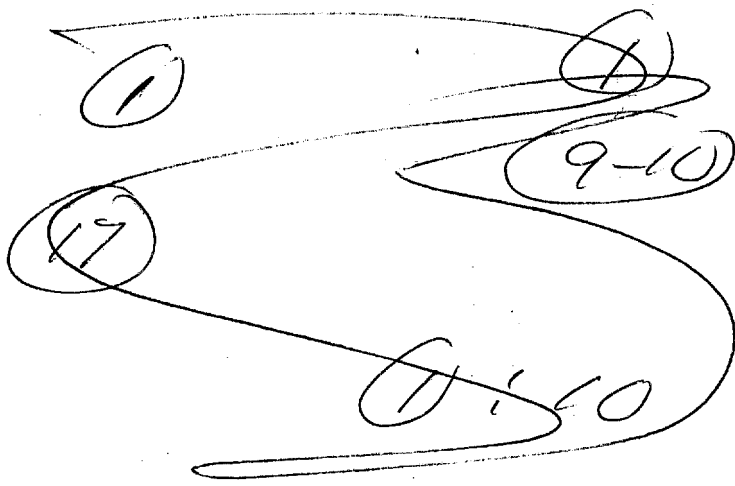
SPAIN TO TAKE THE LEAD. MALAYSIA, HE NOTED, HAS ALREADY CONCEDED TWO IMPORTANT POINTS; RIGHT OF UNIMPEDED TRANSIT FOR CIVILIAN VESSELS, AND AGREEMENT TO WORK WITH INDONESIA, SINGAPORE AND IN INTERNATIONAL FORA FOR SATISFACTORY TRAFFIC CONTROL SCHEME (SOME GOM OFFICIALS, HE ADDED, AVE ARGUED FOR UNILATERAL IMPOSITION OF TRAFFIC CONTROLS). MAIN OUT-
 STANDING PROBLEM, ACCORDING TO YEOP, IS DEFINITION OF TERMS OF PASSAGE FOR FOREIGN WARSHIPS; IN THIS RESPECT, GOM IS NOT INSISPRNG ON PRIOR AUTHORIZATION, ONLY NOTIFICATION, BUT QUESTION OF DETERMINING HOSTILE INTENT TO OTHER THAN RIPARIAN STATES STILL REMAINS. HE CONCEDED THAT GOM, BECAUSE OF ITS NON-ALIGNED STANCE, MAY ULTIMATELY BE PUT IN POSITION OF ALLOWING PASSAGE OF FOREIGN WARSHIPS WHOSE ULTIMATE DESTINA-
 TIONS AND OBJECTIVES ARE UNORJECTIONABLE IN LIGHT OF GOM'S FOREIGN POLICY. (YEOP DID NOT MENTION TRANSIT OF NUCLEAR POWERED WARSHIPS OR SHIPS RJEARING NUCLEAR WEAPONS, POINTS WHICH ARE ALSO TROUBLING GOM AND OTHER ASEAN NATIONS IN CONTEXT OF FORMULATING SOUTHEAST ASIAN ZONE OF PEACE FREEDOM AND NEUTRALITY.) NEVERTHELESS, YEOP FELT THAT GOM CAN AGREE TO PRIOR NOTIFICATION, WARSHIPS OF GREAT POWERS

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 FM AMEMBASSY KUALA LUMPUR
 TO RUEHC/SECSTATE WSHDC 72
 INFO RUMTBK/AMEMBASSY BANGKOK 5777
 RUFHGV/AUSMISSION GENEVA 206
 RUKUBT/AMEMBASSY JAKARTA 3725
 RUDTC/AMEMBASSY LONDON 1495
 RUMJMA/AMEMBASSY MANILA 4131
 RUEHDT/USUN NEW YORK 563
 RUKOSP/AMEMBASSY SINGAPORE 4574
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C O N F I D E N T I A L SECTION 2 OF 2 KUALA LUMPUR 3074

6. PASSAGE THROUGH ANAMBAS AND NATUNAS ISLANDS: YEOP SAID GOI CONTINUES TO GIVE ASSURANCES THAT UNIMPEDED PASSAGE OF MALAYSIAN SHIPS THROUGH ARCHIPELAGIC WATERS IN VICINITY OF ANAMBAS AND NATUNAS ISLANDS WILL BE GUARANTEED. GOM AND GOI STILL WANT THIS "SPECIAL ARRANGEMENT" TO BE INCLUDED IN LOS TREATY AS SEPARATE ARTICLE FOLLOWING DEFINITION OF ARCHIPELAGIC WATERS. THIS WOULD BE GENERAL ARTICLE REAFFIRMING TERMS OF GOM-GOI AGREEMENT.

7. OTHER COMMENT: UPON RETURN FROM GENEVA SESSION, ATTORNEY-GENERAL ABDUL KADIR YUSUF SAID GOM AND GOI CANNOT WAIT FOR END OF LOS NEGOTIATIONS BEFORE IMPLEMENTING LAWS AND REGULATIONS GOVERNING TRANSIT OF MALACCA STRAIT. REFERRING TO DANGERS POSED BY FREE TRANSIT OF OIL TANKERS, KADIR REITERATED NEED FOR "URGENT ACTION" TO STEM POLLUTION AND TO PROTECT MARINE LIFE. HE ALSO NOTED THAT THERE GREAT DANGER OF COUNTRIES TAKING UNILATERAL ACTION IF LOS AGREEMENTS NOT CONCLUDED BY END OF 1976. FAILURE OF GENEVA SESSION TO COME UP WITH CONCRETE PROPOSALS AND FINAL AGREED TEXTS WAS ALSO HIGHLIGHTED IN LOCAL PRESS. GOVT-INFLUENCED "NEW STRAITS TIMES" (NST) SAID ON MAY 10 THAT, WHILE LOS CONFERENCE NOT ENTIRELY WASTING ITS TIME, COUNTRIES SUCH AS MALAYSIA AND INDONESIA CANNOT WAIT TO CLEAN UP STRAIT WHICH WAS DESCRIBED AS "ONE OF THE WORLD'S DIRTIEST MARITIME BACKLANES." PENANG "STAR" MAY 21 CHARACTERIZED LOS AGREEMENTS AS "VERY ELUSIVE" AND HOPED FOR SUBSTANTIAL ACHIEVEMENTS AT NEW YORK SESSION. CHINESE-LANGUAGE "NANYANG

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SIANG PAU" MAY 13 ALLEGED THAT POSITIONS OF NAVAL POWERS AND INDUSTRIALIZED NATIONS AT GENEVA CONFERENCE WERE INIMICAL TO LDC'S; EDITORIAL ALSO EMPHASIZED NEED FOR PROMPT SETTLEMENT OF FISHING RIGHTS DISPUTES AND ACKNOWLEDGED "SOME HEADWAY" WAS MADE AT GENEVA IN SETTLING MAJOR ISSUES.

8. EMBASSY COMMENT: APART FROM GENERAL DISCOURAGEMENT VOICED BY YEOP ASLAN AND ATTORNEY-GENERAL, THERE HAS BEEN RELATIVELY LITTLE PUBLIC OR OTHER GOVERNMENTAL REACTION OF LOS DEVELOPMENTS SINCE "SHOWA MARU" INCIDENT IN JANUARY WHICH TRIGGERED TRIPARTITE IMS CONSULTATIONS ON STRAITS TRAFFIC CONTROL. SINKING OF SMALL FREIGHTER IN MALACCA STRAIT OFF PORT DICKSON IN MARCH AND TANKER ACCIDENT IN SINGAPORE IN LATE APRIL STIMULATED SOME SENTIMENT FOR TIGHTER STRAITS TRANSIT CONTROLS, BUT NOT TO DEGREE GENERATRED BY "SHOWA MARU" INCIDENT. IN ABSENCE OF PROGRESS AT GENEVA, GOVT OFFICIALS FEAR THAT ANOTHER INCIDENT OF "SHOWA MARU" PROPORTIONS WILL GENERATE IRRESISTABLE DOMESTIC PRESSURE ON GOM FOR STRINGENT UNILATERAL CONTROLS ON ALL TYPES OF TRAFFIC, INCLUDING FOREIGN WARSHIPS. UNDERHILL

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FM AMEMBASSY YAOUNDE
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C O N F I D E N T I A L YAOUNDE 1768

E.O. 11652: GDS

TAGS: PLOS

SUBJ: LOSI ENGO PARTICIPATION IN INTERSESSIONAL WORK

REFSI STATE 115674

B. YAOUNDE 1613

C. GENEVA 3410

1. AMBASSADOR MADE APPROACH TO PRESIDENT AHIDJO AT MAY 17 LUNCHEON ALONG LINES REFTEL A, STRESSED CENTRAL ROLE ENGO HAS PLAYED IN NEGOTIATIONS ON DEEP SEABED AND CRUCIAL IMPORTANCE OF INTERSESSIONAL WORK WHICH REQUIRES ENGO LEADERSHIP, NOT WISHING HURT ENGO AND REDUCE CHANCES SUCCESS BY GIVING IMPRESSION (FALSE, OF COURSE) THAT ENGO STOOGE OF U.S., MENTIONED ALSO THAT POSITIONS FAVORED BY ENGO OFTEN AT VARIANCE WITH OURS, AHIDJO LISTENED, SMILED, AND PROBABLY ABSORBED, BUT SAID NOTHING SUBSTANTIAL IN REPLY,

2. PRIOR TO RECEIVING REFTEL A, DCM HAD DISCUSSED SUBJECT OF INTERSESSIONAL WORK WITH ENGO AT SOCIAL EVENT MAY 16, ENGO SAID HE ENVISAGED INITIAL MEETING IN YAOUNDE WITH REPS OF ABOUT 20 SELECTED COUNTRIES ATTENDING, TO GET GURC ON BOARD, HE SAW NEED FOR SEVERAL COUNTRIES TO EXPRESS SUPPORT FOR IDEA OF MEETING, NAMED US, UK, FRANCE, PERHAPS EVEN USSR, HE FELT, HOWEVER, HE SHOULD FIRST SUBMIT OWN REPORT TO GURC ON GENEVA NEGOTIATIONS, WHICH WILL INCLUDE MENTION THAT NUMBER OF DELEGATIONS HAD SUGGESTED THAT HE CALL AND CONDUCT INTERSESSIONAL MEETINGS,

3. IN LIGHT THIS CONVERSATION WITH ENGO, WE CONSULTED HIM WHEN REFTEL A RECEIVED TO SEE WHETHER HE CONSIDERED AN APPROACH TO PRESIDENT AT THIS TIME WOULD BE PREMATURE AND HARMFUL, HE AGREED OCCASION WAS A GOOD ONE TO RAISE PRESIDENT'S CONSCIOUSNESS ON SUBJECT, PROVIDED APPROACH WAS IN BROAD TERMS OF EXPLAINING STATUS OF NEGOTIATIONS, AND DID NOT INVOLVE "HARD SELL" ON PROPOSAL WHICH WAS NOT YET BEFORE PRESIDENT THROUGH OWN CHANNELS, ENGO WAS VERY PLEASED WITH TONE OF OUR INTENDED APPROACH AND BELIEVED IT WOULD BE USEFUL,

4. COMMENT, AHIDJO'S ESSENTIALLY SILENT LISTENING IS TYPICAL OF HIS REACTION ON SUBJECT ON WHICH HE HAS NOT PREVIOUSLY FULLY RE-

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FLECTED. THIS INITIAL DISCUSSION PROVIDES BASIS FOR ANY FOLLOW-
THROUGH APPROACH WE MAY WISH TO MAKE WITH PRESIDENT OR HIS KEY
AIDES AT APPROPRIATE TIME, MEANWHILE EMBASSY WILL STAY IN TOUCH
WITH ENGO AND REPORT ANY DEVELOPMENTS, MOORE

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CONFIDENTIAL NASSAU 843
E, O, 11652; N/A
TAGS: PLOS BF
SUBJ: ADDERLEY POSITIVE ON LOS CONFERENCE
BEGIN UNCLASSIFIED

1, FOLLOWING HIS RETURN FROM GENEVA LOS SESSION, GCOB MINEXT-AFF ADDERLEY TOLD LOCAL PRESS HE WAS "SATISFIED" WITH DRAFT ARCHIPELAGO PRINCIPLES DISCUSSED THERE. HE SAID "THERE WAS NO OPPOSITION TO PRINCIPLE" OF SPECIAL TREATMENT FOR MID-OCEAN ARCHIPELAGOS AMONT NATIONS DISCUSSING ISSUE, "ALTHOUGH THERE REMAIN SOME DIFFERENCES AS TO HOW THE ISLANDS OF THE ARCHIPELAGO OUGHT TO BE ENCLOSED AND WHAT LAWS OUGHT TO APPLY TO SHIPS AND AIRCRAFT WHICH PASS THROUGH PASSAGES IN THE ARCHIPELAGO."

2, ADDERLEY SAID THAT IF DRAFT ARCHIPELAGO ARTICLES PRODUCED IN GENEVA BECOME PART OF LOS FINAL TREATY "IT WOULD BE POSSIBLE TO DRAW BASE LINES TO ENCLOSE THE BAHAMIAN ARCHIPELAGO, INCLUDING THE CAY SAL BANK, ALMOST EXACTLY THE WAY WE WOULD WISH TO DO." HE ALSO EXPLAINED THAT DRAFT ARTICLES "WOULD PROVIDE FOR FREEDOM OF PASSAGE FOR SHIPS AND AIRCRAFT THROUGH NORMAL PASSAGE ROUTES USED FOR INTERNATIONAL NAVIGATION AND OVERFLIGHT, SUCH AS THE NW AND NE PROVIDENCE CHANNELS", SUBJECT TO PROVISIONS OF DRAFT.

3, ADDERLEY ATTACKED CRITICS OF LOS CONFERENCE RESULTS THUS FAR, SAYING SUCH CRITICISMS DO NOT TAKE INTO "ACCOUNT THE NECESSITY FOR INTERNATIONAL CONFERENCES TO ARRIVE AT NOT JUST MAJORITY AGREEMENT BUT WIDE GENERAL AGREEMENT WITHOUT SIGNIFICANT OPPOSITION, WHICH," HE SAID, "IS THE OBJECTIVE OF DEVELOPED AND DEVELOPING NATIONS ALIKE." "THIS PROCESS TAKES TIME," HE SAID, "WHEN A CONFERENCE SEEKS TO RESOLVE THE LEGITIMATELY CONFLICTING INTERESTS OF OVER 100 SOVEREIGN STATES."
END UNCLASSIFIED, BEGIN CONFIDENTIAL

4, COMMENT: WHILE ADDERLEY'S RECENT REMARKS MUST BE REGARDED AS A WELCOME REFLECTION OF HIS POSITIVE AND REALISTIC MOOD, EMBASSY BELIEVES WE SHOULD ALSO KEEP IN MIND THAT HE IS LIKELY TO VIEW FUTURE DISCUSSIONS ON SUCH SUBJECTS AS BASES

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AND SPINY LOBSTER AGAINST BACKGROUND OF WHAT HE SEES AS USG SUPPORT FOR BAHAMIAN ARCHIPELAGO, WHILE HE NO DOUBT RECOGNIZES, INTELLECTUALLY, USG EXPLICIT INSISTENCE ON THE CONTINGENT NATURE OF THAT SUPPORT WITHIN CONTEXT BROADER LOS RESULTS, INSTINCTIVELY IF NOT TACTICALLY HE IS LIKELY TO REGARD ARCHIPELAGO ISSUE AS "SETTLED" BILATERALLY AND MAY WELL WISH "TO GO ON FROM THERE" TOO FAST AND TOO SOON, IN THAT EVENT, USG WILL HAVE TO PLAY A RESTRAINING ROLE IN DAMPENING HIS ENTHUSIASM FOR WHAT HE MAY SEE AS A FAIT ACCOMPLI.
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 FM AMEMBASSY BONN
 TO RUEHC/SECSTATE WASHDC 0504
 INFO RUFHGV/USMISSION GENEVA 4166
 RUFHBS/USMISSION EC BRUSSELS 2750
 RUDTC/AMEMBASSY LONDON 9747
 RUFNPS/AMEMBASSY PARIS 1867
 RUDKPNQ/AMEMBASSY COPENHAGEN 3687
 RUEHKO/AMEMBASSY TOKYO 1756
 RUEHMO/AMEMBASSY MOSCOW 1132
 RUFHJA/AMEMBASSY BERLIN 0670
 RUEHOT/AMEMBASSY OTTAWA 2029
 RUFHOL/AMCONSUL BREMEN 3955
 RUFHOL/AMCONSUL HAMBURG 5554

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C O N F I D E N T I A L SECTION 01 OF 03 BONN 08902

E.O. 11652: GDS

TAGS: PLOS

SUBJECT: LOS: FRG REACTION TO GENEVA SESSION

REF: STATE 102552

1. SUMMARY: FRG OFFICIALS WHO PARTICIPATED IN GENEVA SESSION ARE BY AND LARGE DISSATISFIED WITH THE PACE AND DIRECTION OF THE LOS NEGOTIATIONS, PARTICULARLY ON SEABEDS AND FISHERIES. AT GENEVA THEY WERE FRUSTRATED BY THE LACK OF IMPACT THEY WERE ABLE TO EXERT ON THE NEGOTIATIONS, AND BLAMED THIS LARGELY ON FACT THAT THEY WERE NOT ONLY EXCLUDED FROM GROUP OF 5 BUT WERE RARELY AND INADEQUATELY BRIEFED BY GROUP OF 5 PARTICIPANTS AS TO WHAT WAS GOING ON. THEY VIEW DEEP SEABEDS REGIME AS MOST IMPORTANT ISSUE IN TERMS OF FRG INTERESTS, THEY BELIEVE THAT CLOSE COOPERATION AMONG THE THREE INDUSTRIALIZED COUNTRIES HAVING MOST DIRECT INTEREST IN THE NATURE OF THE SEABEDS REGIME -- THE US, JAPAN, AND FRG -- WILL BE NECESSARY. FRG IS CONDUCTING INTER-MINISTERIAL REVIEW OF GENEVA SESSION OUTCOME.
 END SUMMARY.

2. THE FOLLOWING REVIEW OF FRG REACTIONS TO THE GENEVA SESSION IS BASED ON DISCUSSIONS WITH ZIMMERMAN IN FORNOFF, MUELLER AND MARTIN IN ECONMIN, AND BOOS

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PAGE 02

NC 79531

TOR1031830Z JUN 75

IN FISHERIES DIVISION OF AGRICULTURAL MIN. THESE OFFICIALS ALL EXPRESSED DISSATISFACTION AND FRUSTRATION WITH THE NEGOTIATIONS AT GENEVA AND PARTICULARLY WITH FRG EXCLUSION FROM MUCH OF THE KEY WORK. THEY IN PARTICULAR BEMOANED THEIR EXCLUSION FROM GROUP OF 5 AND LACK OF CONSULTATION THEY RECEIVED ON GROUP OF 5 ACTIVITIES. THEY PUT BLAME FOR THIS ON THEIR FRENCH AND BRITISH COLLEAGUES RATHER THAN ON US. ONE OFFICIAL REVEALED THAT FRG DEL OFTEN RECEIVED FULLEST INFORMATION ABOUT GROUP OF 5 WORK FROM GDR DEL, WHO PRESUMABLY HAD BETTER DEBRIEFINGS FROM RUSSIANS. !!!

3. COORDINATION ON SUBSTANTIVE ISSUES AMONG EC COUNTRIES WAS SPOTTY, BUT PERHAPS BETTER THAN FRG HAD ANTICIPATED. CONSIDERING DIVERGENCE OF INTERESTS, FOR INSTANCE ON MOST FISHERIES ISSUES THE 8 EXCLUDING UK WERE ABLE TO COOPERATE. HOWEVER, THE FRENCH WERE NOTABLY RETICENT ABOUT EXPRESSING VIEWS ON MAJOR ISSUES, ESPECIALLY IN COMMITTEE1. GIVING THE IMPRESSION THAT THEY MIGHT COME FORTH WITH PRO-GROUP OF 77 INITIATIVES OR UNDERTAKE OTHER POLICIES TO IMPROVE THEIR STANDING VIS-A-VIS THE LDCs. ON CONTINENTAL SHELF AND FISHERIES QUESTIONS IN PARTICULAR, UK POSITION REMAINED FUNDAMENTALLY OPPOSED TO THAT OF REST OF EC. GERMANS HOPE THERE WILL BE CHANCE FOR MODIFICATION OF UK VIEWS FOLLOWING THE REFERENDUM. EXPERTS FROM EC CAPITALS WILL MEET IN BRUSSELS BEFORE SUMMER HOLIDAYS -- PROBABLY IN JULY -- TO COMPARE THEIR ASSESSMENTS OF GENEVA SESSION AND TO TRY TO COORDINATE THEIR POSITIONS. WHILE FRG WELCOMES THIS EFFORT, THE OFFICIALS WE SAW PLACE EVEN GREATER STRESS ON THE NEED FOR FRG-US-JAPANESE COORDINATION ON SEABEDS.

4. IN ANALYZING THE SINGLE NEGOTIATING TEXTS, INITIAL FRG REACTION IS THAT THEY ARE HEAVILY BIASED IN FAVOR OF GROUP OF 77. FRG WOULD LIKE TO CONSULT CLOSELY WITH US IN COMING MONTHS, PARTICULARLY WITH REGARD TO DEEP SEABED REGIME, BOTH AS TO TYPE OF REGIME THAT COULD BE WORKABLE AND TO NEGOTIATING TACTICS. WHILE FRG WAS PLEASED BY UNDER SECRETARY

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PAGE 03-03

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MAW'S ASSURANCE (REFTEL) THAT US HAD NOT ABANDONED
DC POSITION, IT IS CONCERNED THAT US AND UK SOUNDINGS
OF LDC VIEWS ON POSSIBLE COMPROMISES MIGHT CONVEY
IMPRESSION THAT DC POSITION IS WEAKENING, AND THAT

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NC 7953¹

TORI031832Z JUN 75

R 031741Z JUN 75
FM AMEMBASSY BONN
TO RUEHC/SECSTATE WASHDC 0505
INFO RUFHGV/USMISSION GENEVA 4167
RUFHBS/USMISSION EC BRUSSELS 2751
RUDTC/AMEMBASSY LONDON 9740
RUFNPS/AMEMBASSY PARIS 1868
RUDKPNG/AMEMBASSY COPENHAGEN 3688
RUEHKO/AMEMBASSY TOKYO 1757
RUEHMO/AMEMBASSY MOSCOW 1133
RUFHJA/AMEMBASSY BERLIN 0671
RUEHOT/AMEMBASSY OTTAWA 2030
RUFHOL/AMCONSUL BREMEN 3956
RUFHOL/AMCONSUL HAMBURG 5555

BT

C O N F I D E N T I A L SECTION 02 OF 03 BONN 08902

THIS IN TURN WOULD HARDEN THE LDC LINE.
5. AMBASSADOR KNOKE, WHO HEADED FRG DEL AT GENEVA, WOULD LIKE TO CONSULT WITH UNDER SECRETARY MAW AND OTHER US OFFICIALS AT CONVENIENT TIME. SINCE FRG MINISTERIAL-LEVEL REVIEW OF GENEVA SESSION WILL NOT BE UNTIL JULY, BEST TIME FROM FRG VIEWPOINT MIGHT BE SEPTEMBER. KNOKE PLANS TO ATTEND EVENSEN GROUP MEETING IN NEW YORK, AND COULD COMBINE THAT TRIP WITH A VISIT TO WASHINGTON.

6. IN MEANTIME, FRG OFFICIALS WOULD APPRECIATE ANY INFORMATION ON US VIEWS CONCERNING THE SINGLE NEGOTIATING TEXTS, PARTICULARLY CONGRESSIONAL TESTIMONY BY RATINER OR OTHERS ON DEEPSEA MINING AND OTHER ASPECTS OF COMMITTEE I WORK. FRG WOULD ALSO LIKE FURTHER EXPLANATION OF THE US CONCEPT FOR A BANKING SYSTEM UNDER THE DEEP SEABED REGIME. SPECIFICALLY, WHAT LEGAL ARRANGEMENTS WOULD GOVERN THE FIELD ASSIGNED TO THE APPLICANT? WHILE THEY APPRECIATE THAT INDIVIDUAL CONTRACTS WITH THE SEABED AUTHORITY WOULD BE NEGOTIATED, THEY FEEL STRONGLY THAT SUCH CONTRACTS OUGHT TO BE NEGOTIATED ON THE BASIS OF FIXED RULES. FRG OFFICIALS ALSO ASKED FOR US VIEWS AS TO WHO MAY EXPLOIT THE AREA, REFERRING TO THIS AS THE ARTICLE 22 PROBLEM.

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7. FRG OFFICIALS INDICATED MEASURE OF CONCERN ABOUT LDC EFFORT IN UNGA AND ELSEWHERE TO IMPOSE MORATORIUM ON UNILATERAL ACTION IN DEEP SEABEDS. THEY BELIEVE THAT THIS PROBLEM REQUIRES A CONCERTED STANCE WITH US, UK, JAPANE, AND PROBABLY USSR. FRG WOULD CERTAINLY OPPOSE A MORATORIUM ON RESEARCH, BUT MORATORIUM ON EXPLOITATION ONLY MIGHT BE ACCEPTABLE, ALTHOUGH A GROUP OF MAJOR FRG MINING FIRMS FORMED A WORKING GROUP CALLED AMR (ARBEITSGEMEINSCHAFT MEERESTECHNISCH GEWINNBARER ROHSTOFFE) IN 1972 TO INVESTIGATE PROBLEMS OF EXPLOITING DEEP SEABEDS, OUR OFFICIAL SOURCES DOUBTED THAT THEY WOULD BE READY TO START DEEP-SEA MINING FOR AT LEAST SEVERAL YEARS. HOWEVER, THEY PLAN TO CONSULT WITH THESE FIRMS ABOUT THE PROBABLE TIMETABLE ENVISAGED FOR DEEP-SEA MINING AS PART OF THE PRESENT FRG REVIEW OF SEABEDS ISSUES.

8. FRG OFFICIALS ARE PLEASED THAT FRG IS NOW PARTICIPATING IN EVENSEN GROUP, HOWEVER, THEY BELIEVE THAT PRESENT EVENSEN DRAFT ON ECONOMIC ZONE GOES MUCH TOO FAR IN GIVING DISCRETIONARY CONTROL OVER ACTIVITIES IN THE ZONE TO COASTAL STATES. THE ONLY CONSTRAINTS ON COASTAL STATES ARE THOSE PROVISIONS DESIGNED TO SAFEGUARD THE INTERESTS OF ECONOMICALLY DISLOCATED STATES. THESE PROVISIONS WOULD PROBABLY NOT APPLY TO THE FRG SINCE FRG ECONOMY IS HARDLY DEPENDENT UPON FISHERIES. FRG FURTHER DOUBTS THAT DISPUTE SETTLEMENT SYSTEM WILL OFFER PROTECTION BECAUSE OF EXCEPTION CLAUSES AVAILABLE TO COASTAL STATES. BOOS (FISHERIES DIV.) THOUGHT THAT IT WOULD BE BETTER FOR FRG TO RISK DANGER THAT COASTAL STATES TAKE UNILATERAL ACTION THAN TO ACCEPT EVENSEN DRAFT. HE NOTED THAT FRG FISHERY INTERESTS ARE MOST NEARLY SIMILAR TO THOSE OF GDR AND POLAND, AND THAT THEY ARE ALSO SOMEWHAT COMPARABLE TO THOSE OF RUMANIA AND FRANCE. UNDER THE EVENSEN DRAFT, THE RIGHTS OF ALL THESE TRADITIONAL FISHERY STATES WOULD BE CURTAILED IN FAVOR OF OTHER DEVELOPED COUNTRIES WHICH HAPPEN TO BE COASTAL STATES.

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9. BOOS ALSO POINTED OUT THAT POLITICIANS IN PROVINCIAL GOVERNMENTS HAVING FISHING INTERESTS ARE NOW GETTING CONCERNED ABOUT THREAT THAT TRADITIONAL FISHERIES WILL BE FURTHER CURTAILED. HE THOUGHT THAT AS A RESULT, THERE WILL BE MORE DOMESTIC POLITICAL PRESSURE ON BONN TO PROTECT FRG FISHERY INTERESTS.

10. FRG OFFICIALS ALSO HAVE PROBLEMS WITH THE OUTER EDGE CONCEPT SET FORTH IN THE EVENSEN DRAFT. AS A GEOGRAPHICALLY DISADVANTAGED STATE, ONE OF FRG'S BASIC INTERESTS IS TO LIMIT THE GEOGRAPHICAL EXTENT OF THE ECONOMIC ZONE AS MUCH AS POSSIBLE. HOWEVER, FRG MUST ALSO BE CONCERNED ABOUT SECURITY

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NC 79535

TUR1031833Z JUN 75

R 031741Z JUN 75
 FM AMEMBASSY BONN
 TO RUEHC/SECSTATE WASHDC 0506
 INFO RUFHGV/USMISSION GENEVA 4168
 RUFHBS/USMISSION EC BRUSSELS 2752
 RUDTC/AMEMBASSY LONDON 9749
 RUFNPS/AMEMBASSY PARIS 1869
 RUDKPNQ/AMEMBASSY COPENHAGEN 3689
 RUEHKO/AMEMBASSY TOKYO 1758
 RUEHMO/AMEMBASSY MOSCOW 1134
 RUFHJA/AMEMBASSY BERLIN 0672
 RUEHOT/AMEMBASSY OTTAWA 2031
 RUFHOL/AMCONSUL BREMEN 3957
 RUFHOL/AMCONSUL HAMBURG 5556
 BT

~~C O N F I D E N T I A L SECTION 03 OF 03 BONN 00902~~
 OF ITS FUTURE OIL SUPPLIES. IF A GOOD CASE CAN BE
 MADE IN FAVOR OF EXTENDING ECONOMIC ZONE TO INCLUDE
 CONTINENTAL SHELF IN ORDER SAFEGUARD OIL SUPPLIES
 AVAILABLE TO INDUSTRIAL COUNTRIES, THIS MAY PERSUADE
 FRG TO CHANGE ITS POSITION ON OUTER EDGE. ECONOMICS
 MINISTRY OFFICIALS PLAN TO ASK INTERNATIONAL OIL
 COMPANIES FOR THEIR VIEWS BEFORE TAKING A DECISION.
 THEY ALSO ASKED US WHETHER USG HAS QUERIED OIL
 COMPANIES, AND WHETHER WE HAVE ANY DATA RELATED TO
 PROBLEM OF SECURING OIL RESERVES LOCATED ON
 CONTINENTAL SHELF.

11. RECOMMENDATION: DISCUSSIONS WITH AMBASSADOR
 KNOKE IN EARLY FALL SHOULD PROVIDE EXCELLENT
 OPPORTUNITY FOR FULL EXCHANGE OF VIEWS ON RESULTS
 OF GENEVA SESSION. EMBASSY THEREFORE RECOMMENDS
 THAT DEPARTMENT RESPOND FAVORABLY TO FRG PROPOSAL
 FOR CONSULTATIONS. IN VIEW OF FRG'S LIKELY FUTURE
 ROLE IN DEEP SEABED MINING AND ITS INTEREST IN
 COOPERATING CLOSELY WITH US, WE FURTHER RECOMMEND
 THAT FRG BE INFORMED VIA EMBASSY ON MORE REGULAR BASIS
 OF US VIEWS AS THEY DEVELOP.
 CASH

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NC 69281

TOR:220628Z MAY 75

R 212301Z MAY 75
FM USMISSION USUN NY
TO RUEHC/SECSTATE WASHDC 394
INFO RUQMNI/AMEMBASSY NAIROBI 475

Kenya
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Post Grenada
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BT
C O N F I D E N T I A L
LIMITED OFFICIAL USE USUN 1692
E, O, 11652: N/A
TAGS: PLOS NI

SUBJ: LOS KENYA VIEWS OF NEGOTIATING TEXT
1. DURING INFORMAL, BRIEF CONVERSATION, KENYA LOS DELEGATE NJENGA TOLD USUN MISOFF (MCKEW) THAT HE THOUGHT THE COMITE TWO LOS NEGOTIATING TEXT WAS QUITE GOOD AND HE BELIEVED HIS GOVERNMENT COULD AGREE WITH A GREAT DEAL OF IT. HE SAID HE WAS SURPRISED AT THE COMITE ONE TEXT SINCE IT WAS SUCH A "MAJOR STEP BACKWARDS." HE ADDED THAT HE BELIEVED THAT ONCE THE COMITE TWO ISSUES WERE GENERALLY AGREED UPON THE COMITE ONE SUBJECTS COULD BE NEGOTIATED OUT AND "FALL INTO PLACE."
2. NJENGA SHOWED GREAT INTEREST IN POSSIBLE US CONGRESSIONAL ACTION AND EXPRESSED HIS SERIOUS CONCERN THAT UNILATERAL ACTION WOULD WRECK THE CONFERENCE WHEN IT WAS SO CLOSE TO CONCLUSION. BENNETT

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PAGE 01

NC 67219

TUR1200607Z MAY 75

R 200515Z MAY 75
 FM AMEMBASSY JAKARTA
 TO RUEHC/SECSTATE WASHDC 8238
 INFO RUMTBK/AMEMBASSY BANGKOK 5105
 RUMJMA/AMEMBASSY MANILA 5020
 RUMJKL/AMEMBASSY KUALA LUMPUR 3428
 RUKOSP/AMEMBASSY SINGAPORE 3337
 RUEHDT/USMISSION USUN NEW YORK 906

Indonesia
Comm. II
Port Geneva



BT
 C O N F I D E N T I A L JAKARTA 6054
 FOR AMBASSADOR MOORE FROM AMBASSADOR NEWSOM
 E.O. 11652: GDS
 TAGS: PLOS, ID
 SUBJECT: US-INDONESIAN LOS CONSULTATIONS IN POST GENEVA PERIOD
 REF: STATE 110126
 1. APPRECIATE SUMMARY OF DELEGATION REPORT ON GENEVA
 LOS SESSION CONTAINED REFTEL, AND PARTICULARLY POSITIVE
 AND NEGATIVE SCENARIOS INVOLVING INDONESIA FOR COMMITTEE
 II AT NEXT SESSION.
 2. ONLY SUBSTANTIVE PUBLIC COMMENT FOLLOWING SESSION
 WAS MADE BY MOCHTAR AFTER MEETING WITH PRESIDENT
 MAY 19. MOCHTAR NOTED SESSION DID NOT PRODUCE NEW
 CONVENTION BUT THAT DRAFT UNIFIED TEXT IS A "POSITIVE
 RESULT". MOCHTAR SAID TWO DEVELOPMENTS OF BENEFIT TO
 INDONESIA WERE A) CONFERENCE DISCUSSED IN DETAIL
 INDONESIA'S ARCHIPELAGIC CONCEPT, WHILE INDONESIA, FIJI,
 PHILLIPINES AND MAURITIUS MAINTAINED COMMON ATTITUDE;
 AND B) ASEAN NATIONS MAINTAINED POLICY OF ONE ATTITUDE
 DURING CONFERENCE. MOCHTAR ADDED THAT MALAYSIA AND
 INDONESIA HAVE AGREED THAT COMMUNICATION BETWEEN EAST AND
 WEST MALAYSIA NOT AFFECTED BY ARCHIPELAGO CONCEPT.
 3. ACTION REQUESTED: AS TIME PERMITS WOULD APPRECIATE
 FULLER REPORT ON STATE OF PLAY OF US-INDONESIAN BILATERAL
 DISCUSSIONS AT GENEVA AND YOUR THOUGHTS AS TO HOW WE SHOULD
 SEEK TO MOVE TOWARD SUCCESSFUL CONCLUSION OF BILATERAL NEGOTIA-
 TIONS ON ARCHIPELAGO/TRANSIT QUESTIONS. WE HAVE REQUESTED
 MEETING WITH MOCHTAR FOR ASSISTANT SECRETARY HABIB DURING
 HIS MAY 25-28 VISIT AND SUBJECT MIGHT ARISE THEN. NEWSOM