

MEMORANDUM

NATIONAL SECURITY COUNCIL

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INFORMATION

February 5, 1975

MEMORANDUM FOR:

GENERAL SCOWCROFT

FROM:

STEPHEN LOW^{SL}

SUBJECT:

The Ecuadorean Tuna Boat
Seizures

Congressman Wilson and the tuna industry are not without reason in being upset at the possible confiscation by the Ecuadoreans of the substantial catch of the fishing boats which have been seized. A new Ecuadorean law permits the GOE to confiscate the entire catch of a seized vessel even though some or all of the fish may have been taken outside of Ecuador's claimed 200-mile limit. The Ecuadoreans offered to sell back the confiscated catch to the tuna industry, which refused. The industry, and Congressman Wilson, are concerned that someone else in the U.S. might see a good deal in prospect and buy these seized catches at reduced prices for sale in the U.S. It's not clear how this could be prevented. Section 8 of the Fishermen's Protective Act permits the USG to embargo fisheries' products from countries which are signatories of international conservation agreements but do not abide by their regulations. Ecuador, however, is not a member of the Inter-American Tropical Tuna Commission.

The following are suggested talking points in response to Congressman Wilson:

- The catch has not yet been confiscated. The owners have appealed the matter in Ecuadorean courts and we are awaiting a final verdict.
- We have formally protested the seizures, and the Under Secretary of State specifically asked the Ecuadorean Ambassador last week to carefully

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consider the matter of confiscation of the catch caught outside of Ecuadorean claimed waters.

- In the meantime we are actively examining the possibilities available to us under the law with regard to entry into this country of whatever catch may be confiscated.

Of course, the Magnuson bill, which called on the USG to declare a 200-mile territorial waters zone, did not strengthen our position vis-a-vis the Ecuadorean seizures.