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# U.S., Micro Apart On Sea Law Limit

SAIPAN (COV) U.S. representation of Micronesia's claim to 200-mile off-shore resource rights may prevent a conflict of basic positions that may have an impact on future status talks there, according to some Micronesian legislators during a public hearing last week.

The hearing, jointly hosted by the Congress of Micronesia's Law of the Sea and committees on Resources and Development, brought out several conflicts of interest between the U.S. position on promoting the off-shore claims. The main conflict centers on the rights of coastal nations to control fishing of migratory tuna in the new sea boundaries.

The legislators met with State Department Legal Advisor Bernard Oxman, who told the members the United States was anxious to work out solutions so the U.S. can represent Micronesian interests at the United Nations Law of the Sea Conference scheduled later this year in South America.

The position of the congress' Joint Committee on Law of the Sea is that Micronesia, as an island nation should be permitted to assert extensive jurisdiction over all waters within 200 miles beyond straight baselines connecting her outer-most islands, a position that the United States is not in complete agreement with. The congress believes that because Micronesia is a small island nation and has been denied land-based resources, it deserves special rights to the resources of the sea.

Oxman said, however, although the United States has noted unofficial support for the 200-mile jurisdiction proposal as far as seabed resources are concerned, it would be opposed to any plan that would block off huge areas of water to air and sea transport as well as any plan which would not allow for international control of highly migratory species of fish, such as tuna, which travel great distances in the ocean, often through national territorial sea areas.

Concerning fisheries, considered the most complicated aspect of law of the sea, at least from the U.S. viewpoint, Oxman said that the large

fishing nations such as Japan and the Soviet Union are vigorously opposed to a 200 mile territorial limit, as proposed by Micronesia, and suggests a compromise might be required in this area.

"The United States proposes a 'species approach' that would essentially give coastal nations control over stocks of fish where they exist," (such as reef fish, shore fish) said Oxman, including subjecting the entire tuna fish resource to international controls as they are highly migratory. However, this point drew many questions and some criticism from many house and senate Resources and Development Committee members who realize that since Micronesia lacks fishing fleets, getting its fair share of the catch from an international commission might become a real problem.

Although Oxman said the United States is "absolutely committed" to full presentation of Micronesian views at the U.N. Law of the Sea Conference, many members of the Micronesian congress are not yet satisfied with their views, and those of the United States, can be reconciled. Marshalls Rep. Charles Donnich, for example, said during the hearing that the U.S. position on law of the sea concerning the tuna issue is a tool "to merely sanction tuna fishing as is," which he feels would result in unfair foreign exploitation of a valuable Micronesian resource.

Many congressmen also believe there are also other implications to be considered along with the Law of the Sea issue, most notably concerning future political status. Under the proposed Draft Compact of Free Association, Micronesia would place complete authority over foreign affairs in the hands of the United States.

Now, with the United States wishing to represent Micronesia at an international conference on an issue where conflicting views exist, many members of congress are privately wondering if similar conflicts of interest in other areas will happen in the future under such a compact. How the law of the sea issue thus is resolved, may have a major influence on further status negotiations.

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