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Fencing the Sea: Resource Zones in Oceania

An Intelligence Assessment

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Fencing the Sea: Resource Zones in Oceania

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An Intelligence Assessment

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Confidential**Fencing the Sea:
Resource Zones in Oceania**

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Summary

Some 30 island nations and territories in the Central Pacific are establishing 200-mile coastal zones in which they claim control over various marine resources. They began this process after growing weary of waiting for the Third UN Conference on the Law of the Sea, now beginning its sixth year of negotiations, to define their rights to offshore resources. When all the zones are in effect (about half of them are now), they will cover 9 percent of the world's ocean area.

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This redrawing of the map of "Paradise" is revealing some interesting geopolitical features:

- Individual island jurisdictions with small populations are taking control of resources in ocean areas up to 240,000 times the size of their land areas.
- None of the jurisdictions can police its coastal zone.
- Every zone will overlap at least one neighboring zone, several as many as six; many zones cannot be firmly determined until boundary negotiations have taken place.
- US claims to a number of islands in the region conflict with those of the United Kingdom, New Zealand, and the Cook Island Government. These, too, will have to be resolved before the zones are delimited.

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Establishment of the zones does not threaten traditional high-seas freedoms of navigation and overflight, but it will affect the fortunes of five Pacific Ocean powers and a growing number of so-called distant-water fishing nations:

- Australia, France, New Zealand, the United Kingdom, and the United States, through their dependencies in Oceania, will retain some control of resources in more than 70 percent of the region.
- Japan, Taiwan, and South Korea, the traditional distant-water fishing nations, as well as those like the United States and the Soviet Union that want to make up for curtailment of their catches elsewhere, must now secure the permission of the island jurisdictions to fish in their zones.
- The island governments are not likely to institute unacceptable rules for international navigation and overflight in their archipelagos and coastal resource zones because they understand the limitations of their remote physical setting, their lack of enforcement capabilities, and their dependence on international commerce for national survival.

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The island states, most with deficit trade balances, all with undeveloped industrial bases and growing populations, are eager to capitalize on the substantial stocks of tuna in their resource zones. Most of the islands are claiming total jurisdiction over all living species—including highly migratory species such as tuna—in their new zones. Lacking both fishery management expertise and the ability to enforce the new zones, they have formed an organization, the Forum Fisheries Agency, to coordinate licensing practices, surveillance and enforcement, and conservation and management.

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The United States opposes coastal state jurisdiction over migratory species and, for this reason, has been denied membership in the Forum Fisheries Agency. US tuna fishermen are reluctant to acknowledge the claims of the islands to jurisdiction over the tuna resource for fear of losing the benefits of the US Fishermen's Protective Act. They are watching helplessly as Japanese fishermen sign agreements with coastal states, despite their country's public policy of international control, and catch tuna.

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Fencing the Sea: Resource Zones in Oceania

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Redrawing the Map ¹

Changes in the political geography of the Central Pacific began in 1977 when France and the United States established 200-mile coastal resource zones around their Pacific island dependencies. The neighboring island states, weary of waiting for the ongoing Third UN Conference on the Law of the Sea (UNCLOS III) to produce a treaty that defines the nature of jurisdiction over marine resources, are following suit. These tiny nations and territories look to the fish resources, primarily tuna, newly encompassed by the zones as a short-term panacea for their economic woes. Once free to all nations for the taking, the tuna will now become available only for a price.

The new resource zones will affect the fortunes of some 30 island entities and their 4.7 million Melanesian, Micronesian, Polynesian, and other inhabitants. Seven of the island entities are independent, and two are self-governing "associated states"; a handful are territories and colonies; one is a UN Trust Territory; and one, the New Hebrides, is the world's sole remaining condominium. The interests of five Pacific Ocean powers are also at stake—for Australia, France, New Zealand, the United Kingdom, and the United States, through their Pacific dependencies, control the resources in over 70 percent of the ocean realm. And a growing number of so-called distant-water fishing nations are becoming involved.

Stretching westward from the longitude of Sacramento for nearly a third of the earth's circumference, the 9-million-square-mile surface of Oceania is mostly water. Less than 2 percent of the area is land—and more than half of that land belongs to one nation, Papua New Guinea. Establishment of broad resource zones around some of the tiny island nations of Oceania is bringing about huge water-to-land ratios. Establishment of a 200-mile zone around the Pitcairn Islands, for example, would lead to a ratio of more than 240,000:1—about 430 square miles of sea per citizen.

¹ See foldout map, appended.

Establishment of 200-mile zones around Tokelau and Tuvalu would lead to ratios of more than 30,000:1. At the other end of the scale, the resource zone of Papua New Guinea is "only" five times the size of its national land area. None of these island governments has the patrol boats, aircraft, and electronic equipment to effectively police its claims.

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Establishment of the new resource zones in Oceania introduces a factor in international relations seldom encountered before in these seas—overlapping national marine boundaries. None of the states and territories there can extend its boundaries to 200 miles without overlapping the resource zone of at least one neighbor, more commonly three or four. The zones of Fiji and Tonga, yet to be established, will each overlap the zones of six of their neighbors. Island ownership questions will further complicate the establishment of resource zones. For example, US claims conflict with those of the United Kingdom to the Phoenix Islands and to several islands in the Line group; with those of New Zealand to the Tokelau; and with those of the Cook Island Government to the Northern Cooks.

Nature of the Emerging Regime

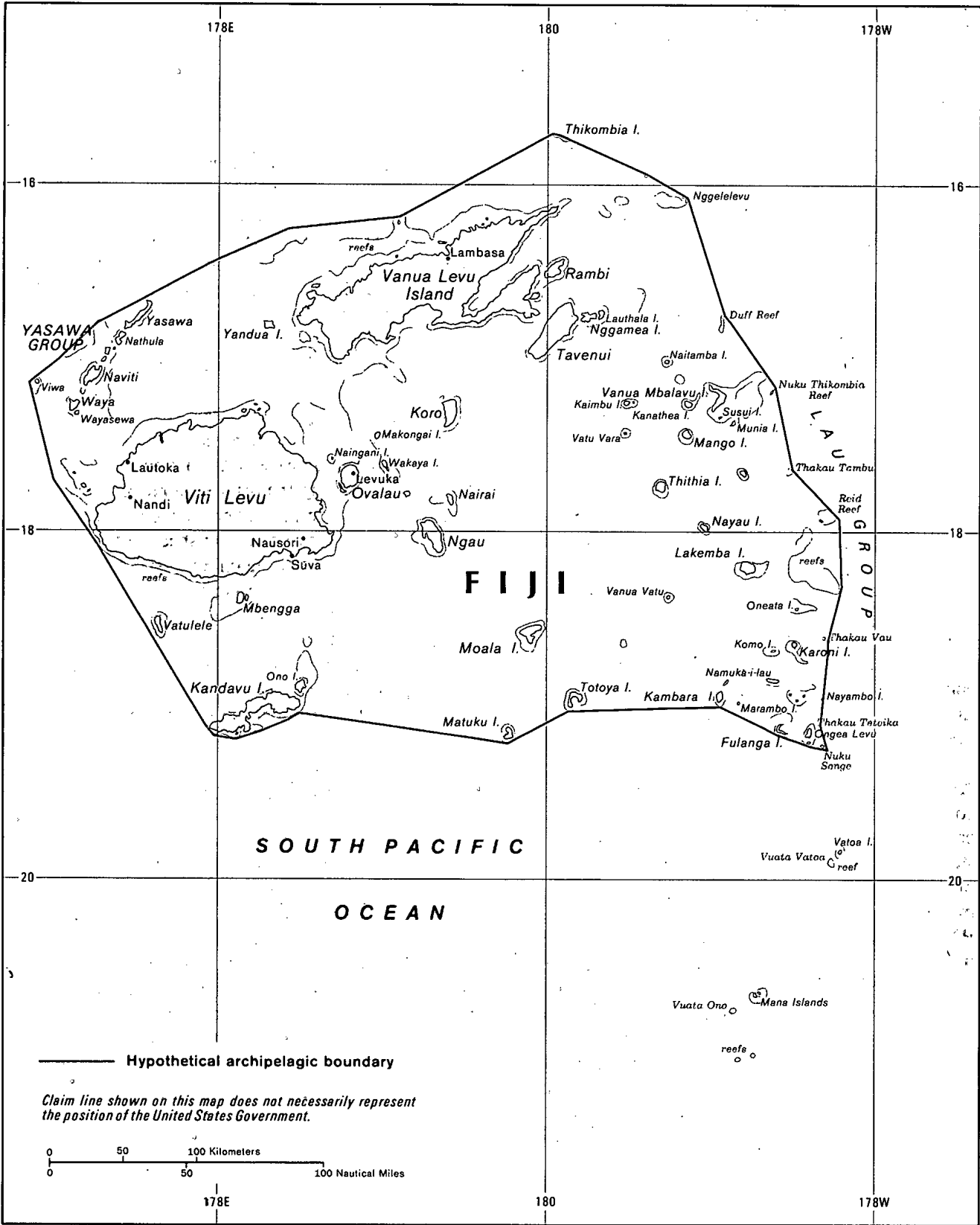
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The 22 extended coastal resource zones now in effect in Oceania are of two kinds, the *exclusive economic zone* and the *exclusive fishery zone*. The former, a new concept in international law, is a creature of UNCLOS III, now trying for the eighth time to produce a comprehensive, widely accepted LOS treaty.² The concept of the economic zone derives from the growing desire of coastal nations, mainly developing nations, to exert greater control over marine resources off their coasts. According to the current UNCLOS consensus,

² The Conference convened its eighth session on 19 March 1979 in Geneva.

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Fiji's Archipelagic Boundary Claim



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the economic zone is a belt of sea and seabed that abuts the seaward boundary of the territorial sea of a coastal state and extends up to 200 miles from shore, in which the traditional high-seas freedoms of navigation and overflight remain unchanged, but the coastal state has among its several rights jurisdiction over all resources in the water column and seabed. The coastal state is obliged to share with other states only that portion of the living resources in its economic zone that it cannot take itself. []

Exclusive fishery zones, on the other hand, have existed for many years in varying breadths and have been honored by custom rather than law. Within its fishing zone a coastal state has had sovereignty only over living resources and, until the advent of the enlarged national coastal zones inspired by UNCLOS III, had felt no obligation to share the surplus fish. []

Five of the island entities in Oceania have established economic zones; 11 have established fishery zones. The reason for the dichotomy is that large maritime states such as Australia, the United Kingdom, and the United States do not intend to recognize the economic zone in international law until it is formalized in the treaty being negotiated at UNCLOS III. They now view any national claim to jurisdiction beyond a country's territorial sea which controls anything more than foreign fishing as an abridgement of the traditional freedoms of the high seas. []

Another creature of UNCLOS III is the archipelago concept.³ To date, among the island nations in the central Pacific only Fiji has declared its archipelagic status, but Papua New Guinea (PNG) is expected to publish its archipelagic claim shortly, and the Solomons and Tonga have expressed similar intentions. PNG already has a 200-mile resource zone in force, measured from the low-tide marks of the individual

³ An archipelago, as defined by the current draft of the UNCLOS III treaty, is a group of islands and interconnecting waters which are so closely interrelated that they form an intrinsic geographic, economic, and political entity. The Conference proposes that an archipelagic state, such as Fiji or Papua New Guinea, be allowed to measure its marine jurisdictional zones from baselines—archipelagic lines—connecting the outermost points of its outermost islands and reefs. Waters enclosed by the baselines, other than specific sea lanes for international navigation and overflight, would then be under the total sovereignty of the archipelagic state. []

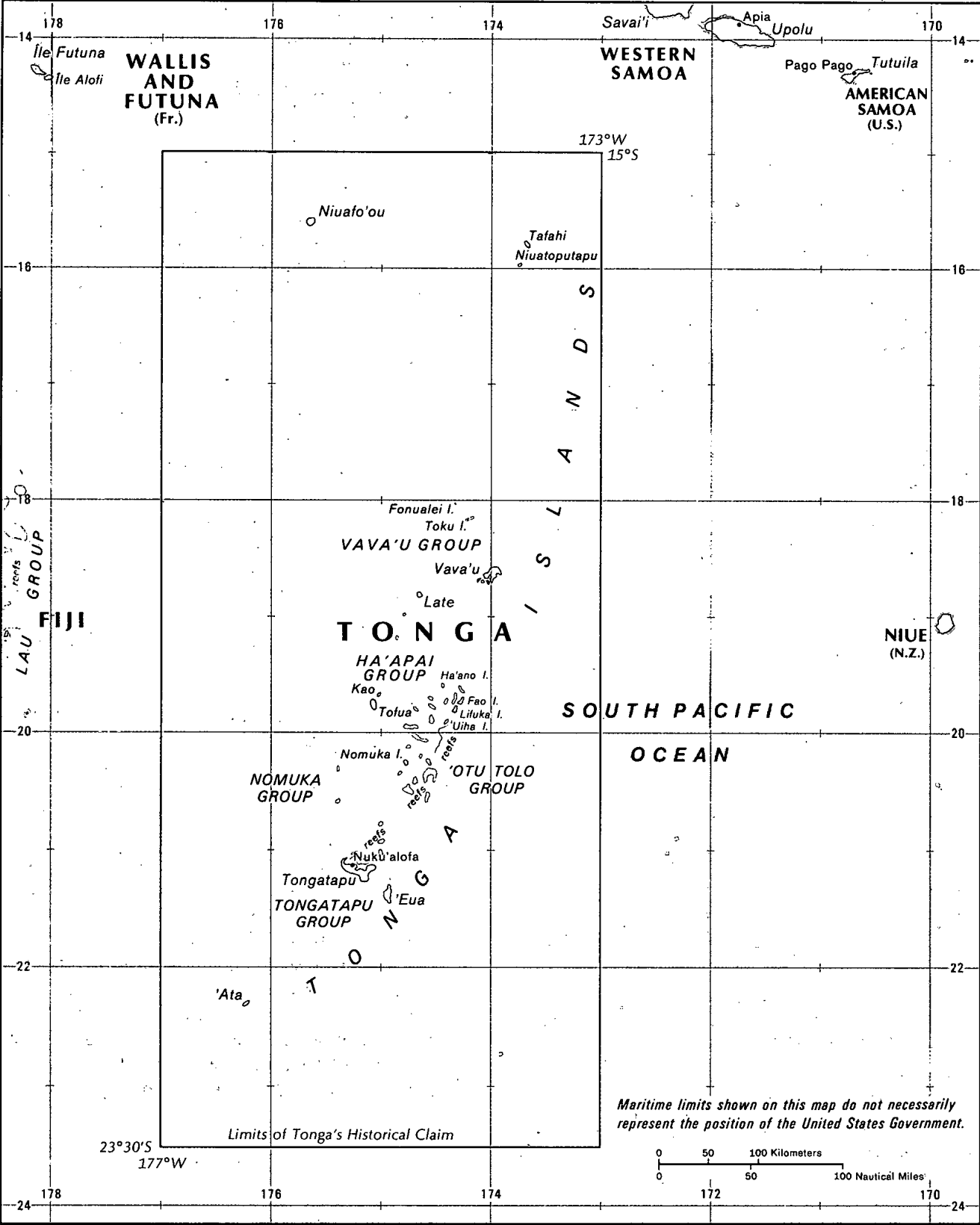
islands rather than from archipelagic lines, and the additional ocean space acquired under an archipelagic regime would be minimal. As an archipelago, however, PNG would exercise considerably greater jurisdiction over the waters within the archipelagic-line perimeter than it does at present. Now all ocean space outside the 12-mile territorial seas of the individual islands is considered high seas, and there is complete freedom of navigation and overflight. Further, PNG is obliged to consider requests by all foreigners who wish to fish there. Archipelagic status, according to the present draft of the UNCLOS III treaty, would enable PNG to restrict foreign navigation and overflight to designated sea lanes in the waters enclosed by its archipelagic lines. Further, PNG would no longer be obliged to share the surplus fish resources in its archipelago with foreign states—except for neighboring states that have traditionally fished there. (The United States, does not now recognize archipelagic status.) []

The governments of the Cook Islands, Nieu, Pitcairn, Tokelau, and Western Samoa have all passed legislation establishing broad coastal resource zones, but these are not expected to take effect until negotiations over conflicting claims and overlapping zones are concluded. The governments of Nauru and Tonga are considering similar legislation. []

Fiji has delayed establishment of a resource zone until it can negotiate equitable boundaries with its neighbors whose zones its own would overlap if extended the full 200 miles. The usually difficult, sometimes acrimonious nature of boundary negotiation is a major reason some other island governments in the region have not extended their maritime jurisdiction. Although in some cases—Tonga, for example—there are other reasons, too. In 1887 the King of Tonga issued a proclamation claiming a large rectangle of ocean; his descendant, the present king, must abrogate this claim before the more conventional resource zone can be declared. Conflict with the United States over the ownership of certain islands has delayed establishment of the Cook and Tokelau zones. The Anglo-French Condominium of the New Hebrides has a unique

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Tonga's Historical Claim



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problem—France and Great Britain must first agree on the nature of the zone to be established. The French prefer an exclusive economic zone; the British, an exclusive fishery zone. The United States readily gave up its claim to several islands in what is now Tuvalu when that country became independent; most other questions of ownership and overlapping boundaries in Oceania probably will also be worked out amicably.

[REDACTED]

Economic Options

The nations of Oceania are now largely dependent upon primary production—coconut products, fruit, sugar, copper, phosphates—and lack the economic stability and breadth of employment opportunities that manufacturing can provide. Forced by the paucity of arable land, proven mineral resources, and domestic industry to rely heavily on imports for food, fuel, and manufactured goods, most of these states have substantial trade deficits. Nauru's phosphates and PNG's copper keep their balance sheets in the black, but, like their neighbors, they must import many basic items. All are seeking new and immediate sources of revenue for their populations, which are growing on the average by about 2 percent annually. [REDACTED]

The establishment of manufacturing industries is not everywhere feasible, and even where feasible would take considerable time. PNG, with its abundant farmland, timber, and mineral resources, is the largest and best endowed of the island states and has the brightest future in this regard. The continental shelves of PNG and Fiji are currently sites of petroleum exploration, but development of a significant petroleum industry is not a near-term prospect. Nor is mining of the manganese nodules that are scattered in varying concentrations throughout Oceania, since seabed mining technology is still in its infancy, and such mining is not expected to begin before the mid-1980s. [REDACTED]

UNCLOS III proposes to establish an International Seabed Authority (ISA) ⁴ to control mining of the seabed in international waters. The new 200-mile

[REDACTED]

resource zones in Oceania, however, are bringing many potential seabed minesites under the control of island nations rather than the ISA. By offering the international seabed mining firms more favorable terms than the ISA, some enterprising island governments may try to make gathering nodules from their zones more attractive than gathering them from the high seas. Thus the world's first commercial seabed minesite could well be in the economic zone of one of the island nations. [REDACTED]

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Another possibility for economic development is tourism. Although on the upswing, its contribution to the local economies has not been as great as expected because of the lack of tourist accommodations and support infrastructures. The development of substantial tourist industries, like the development of manufacturing and extractive industries, will require time, expertise, and money. [REDACTED]

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Among the options available for development, only fishing is at all promising for the short term. Fish abound in the waters of Oceania; fishing license fees offer immediate income; freezing and processing plants can be set up in relatively short order; and there is a ready supply of local labor that would require only a minimum of training. [REDACTED]

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The Fishery Resource

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Of the many species of fish in Oceania, only the powerful, fast-swimming, predatory tunas have supported commercial fisheries.⁵ The Japanese developed the industry after World War I, when they acquired Germany's Pacific island holdings, and continue today to be the primary commercial fishermen in the region. Most of the others are from Taiwan and South Korea and charter their boats to local companies in the region. [REDACTED]

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⁵ The word "tuna" is applied loosely to many of the species in a large family of marine fishes that includes, besides true tuna, mackerels and bonitos. True tuna, however, include 13 species, five of which (albacore, bigeye, bluefin, skipjack, and yellowfin), account for 90 percent of the world commercial tuna catch. All five species migrate through Oceania, and all but skipjack—smallest of the five (65 centimeters long, 6 kilograms in weight)—are estimated to be dangerously near overexploitation in the area. Although there are no firm estimates on the size of the skipjack stock, experts believe it may be able to support a considerably larger fishery. [REDACTED]

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The Islands of Oceania

	Status	Resource Zone Claim
American Samoa	US territory	200-mile fishing
Baker Island	US territory	200-mile fishing
Canton & Enderbury Islands	Under common US-UK administration	
Cook Islands ^{1 2}	Self-governing in free association with New Zealand	12-mile fishing
Fiji ¹	Independent	12-mile fishing
French Polynesia	French overseas territory	200-mile economic
Gilbert Islands ¹ Gilbert Islands Ocean Island Phoenix Islands ³ Line Island District ⁴	British colony	200-mile fishing
Guam	US territory	200-mile fishing
Howland Island	US territory	200-mile fishing
Jarvis Island	US territory	200-mile fishing
Johnston Atoll	US territory	200-mile fishing
Kingman Reef	US territory	200-mile fishing
Nauru ¹	Independent	12-mile fishing
New Caledonia	French overseas territory	200-mile economic
New Hebrides	British-French condominium	12-mile fishing
Niue ¹	Self-governing in free association with New Zealand	12-mile fishing
Norfolk Island	Australian territory	12-mile fishing
Palmyra Atoll	US territory	200-mile fishing
Papua New Guinea ¹	Independent	200-mile economic
Pitcairn Island	British colony	12-mile fishing
Solomon Islands ¹	Independent	200-mile fishing
Tokelau ³	New Zealand Territory	12-mile fishing
Tonga ¹	Independent	Historical/Polygonal
Trust Territory of the Pacific Islands Northern Mariana Islands Palau District Yap District ⁵ Truk District ⁵ Ponape District ⁵ Kosrae District ⁵ Marshall Islands District	UN trusteeship administered by the United States	200-mile fishing 200-mile fishing 200-mile fishing 200-mile fishing 200-mile fishing 200-mile fishing 12-mile fishing
Tuvalu ¹	Independent	200-mile economic
Wallis & Futuna	French overseas territory	200-mile economic
Wake Island	US territory	200-mile fishing
Western Samoa ¹	Independent	12-mile fishing

¹ South Pacific Forum member. Australia and New Zealand are also members.

² The United States claims the Northern Cooks.

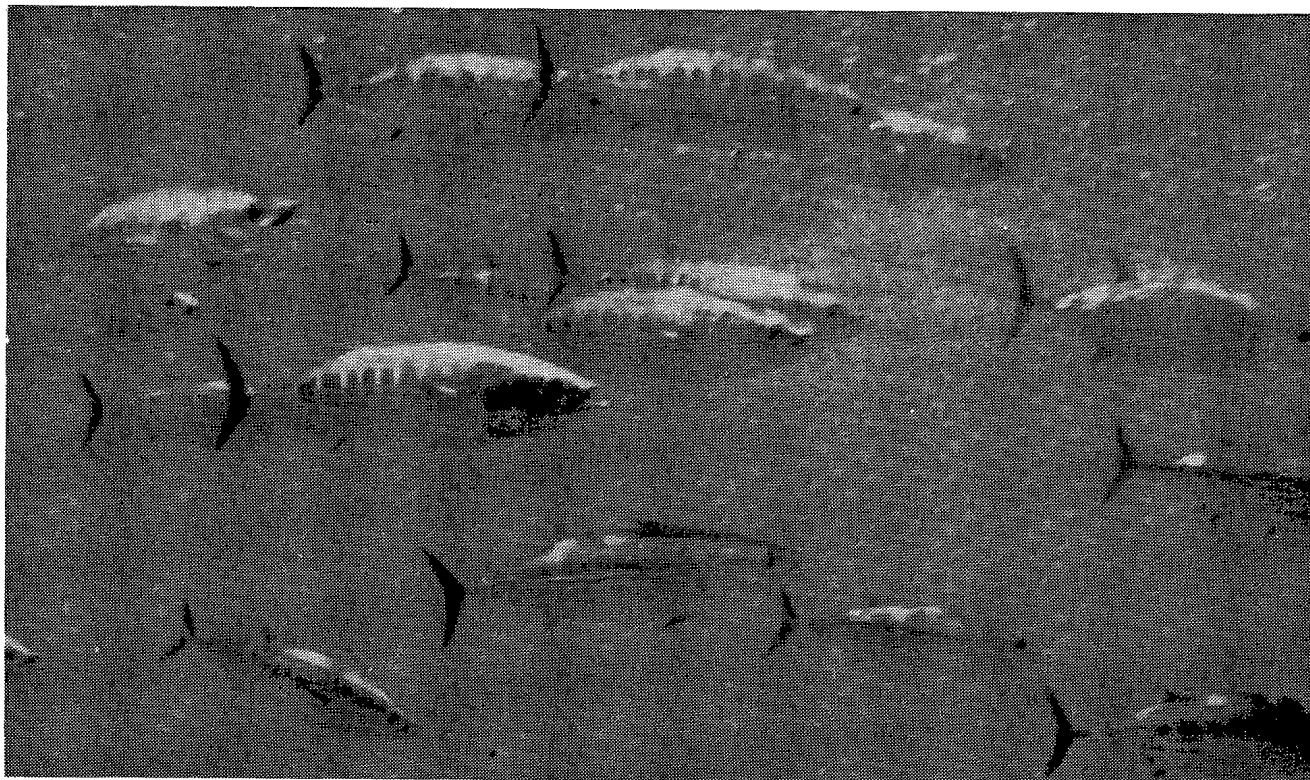
³ Claimed by the United States.

⁴ The United States claims Caroline, Christmas, Flint, Malden, Starbuck, and Vostok Islands.

⁵ Kosrae, Ponape, Truk, and Yap Districts will become the Federated States of Micronesia when the UN trusteeship ends in 1981.



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Skipjack Tuna

At present, Japan, Taiwan, and South Korea take about 90 percent of the 500,000 tons of fish, mainly tuna, caught annually in the region. Other nations, however, are interested in entering the Central Pacific fishery, as growing numbers of exclusive 200-mile resource zones elsewhere in the world threaten their total fish catch. The vanguard of the US tuna fleet has already begun surveys in Micronesia and off Papua New Guinea, and the Soviets, who have traditionally concentrated on temperate and polar region coastal species, have also expressed interest in gaining access to the new fishing zones. The island nations, eager to exploit what for most of them is their major natural resource, will welcome the foreigners—for a price. ☐

The importance of the tuna fisheries in the local economies varies. The Starkist and Van Camp canneries at Pago Pago constitute the major segment of the American Samoan economy. They produce nearly all of the territory's export earnings and employ 1,500 Samoans at high rates of pay; furthermore, the crews of the 300 chartered fishing vessels from Taiwan and

South Korea and those who maintain and service their vessels add substantially to the local cash flow. American Samoa, however, is divorced economically from the rest of the region; the total production of the canneries goes duty free to the United States. ☐

Japanese fishing operations in the South Pacific have ^{25X1}traditionally contributed little to the local economies. The bulk of the catch has been carried directly to Japan in motherships, and until recently Japan's small freezing and packing plants in the area employed minimal labor and included no local investment. Moreover, even their frozen product was taken to Japan for final processing and often found its way back ^{25X1}to the islands for sale at high prices. ☐ ^{25X1}

During the past few years, however, as the islands have become independent they have demanded greater returns from the fishery. The Fijian Government is the majority shareholder in the Pacific Fish Company

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(PAFCO), which has turned the formerly Japanese-owned freezing plant at Levuku into a full-fledged cannery that employs 300 people, mostly Fijian. PAFCO leases boats from Taiwan and South Korea and also buys the catches of local fishermen. The plant processes 30 tons of albacore and skipjack daily into fish for human consumption, cat food, fish meal, and oil. It earned nearly \$18 million in 1978, 3 percent of the country's GDP; a 50-percent increase in production is planned for 1979. The Prime Minister looks to fishing as the country's most promising means of providing employment opportunities suitable to Fiji's traditions, quality of life, and physical setting. To this end, PAFCO gives priority to creating jobs over reducing costs through the introduction of advanced technology. []

Solomon Taiyo, Ltd., the joint venture between Japan and the Solomon Islands, employs 500 locals in its freezing, canning, and smoking facilities and generates 30 percent of the Solomon Islands' export receipts. Further, the government gets \$450,000 in licensing fees plus payments for excess catches. During its five-year existence it has been the most successful industry in the country. []

The waters north of Papua New Guinea contain some of the richest fish stocks in the region, both tuna and the baitfish that fishermen use to catch tuna. Until PNG independence, virtually the only benefit the country realized from the fishery was the \$600-per-boat license fee. The small freezing and vessel servicing facilities at Rabaul, Kavieng, and Madang were of meager local importance. In November 1975, two months after PNG independence, Japan agreed to give PNG \$2.2 million to be used to establish a fisheries training center at Kavieng in return for access to PNG's then 12-mile fishing zone. Two years later the Japanese paid a lump sum of \$1.2 million in addition to license fees for more than 400 tuna boats. PNG is also negotiating with US tuna companies, which are anxious to enter the area now that the yellowfin stocks in the eastern Pacific are being overfished. Starkist has signed a letter of intent to establish a cannery on Manus Island (daily capacity of 60 to 80 tons), of which PNG would eventually own 60 percent; Van Camp and Sun Harbor are considering making offers to establish other canneries. []

Japan has recently concluded agreements to fish in the zones of the Gilbert Islands, French Polynesia, New Caledonia, and Wallis and Futuna, and is currently negotiating with various Micronesian marine resource authorities. The Gilbert agreement calls for an annual license fee of \$600,000 plus added payments for catches in excess of fixed amounts. French Polynesia and New Caledonia expect about \$400,000 in fishing fees during the first nine months of their one-year agreement with Japan. []

Wisely managed, the tuna of Oceania are a valuable resource that can go a long way toward relieving the region's economic woes. License fees alone, however, won't do it. The island nations need to build their own canneries and run or lease their own fishing fleets. Only in this way can they create jobs and increase exports. []

Managing the Resource

Although there is little question that coastal states should have jurisdiction over coastal fish species, there is considerable controversy over management of fish species that commonly undertake transoceanic migrations. In addition to the tunas, these highly migratory species include billfish, certain mackerels, pomfrets, sauries, oceanic sharks, and dolphinfish. The United States, Japan, and other nations with distant-water tuna fleets believe that the only realistic way of managing such cosmopolitan species is through cooperation between the fishing states and the states through whose waters the fish migrate. In fact, the US law establishing jurisdiction of the United States over living resources within 200 miles of its coast—which applies to some US dependencies in the Pacific—expressly excludes highly migratory species. Many of the island countries, on the other hand, want total jurisdiction over tuna in their coastal zones. To achieve this these countries agreed, at a meeting of the South Pacific Forum held in August 1977 at Port Moresby, to declare individual 200-mile coastal resource zones by April 1978 and to establish a regional fisheries organization. Each state would then have jurisdiction over the fish resources in its zone, and there would be a mechanism for coordinating licensing practices, surveillance and enforcement, and conservation and management. []

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The euphoria that developed early during the Port Moresby meeting soon evaporated, however. Some of the island nations were unable to establish their resource zones by the target date. Moreover, it became apparent that there were divergent views on the membership, powers, and functions of the proposed South Pacific Regional Fisheries Organization. Western Samoa, Australia, and New Zealand envisaged an organization to which all coastal states in the region would belong but which interested distant-water fishing nations could join as well. Papua New Guinea, the Solomons, and others wanted initial membership limited to Forum countries. Later, perhaps, when the Forum's internal problems had been worked out, distant-water fishing nations might be invited to join "provided they supported the sovereign rights of the coastal state to conserve and manage living resources, *including highly migratory species, in its 200-mile zone.*" [Emphasis added.] This group fears loss of control over the tuna through foreign—particularly US—domination of the fishery organization. Because the US does not recognize their claim to jurisdiction over tuna in their coastal waters, and because they fear that a large-scale US fishing effort would inhibit development of their domestic fishing industries, these countries mounted a concerted effort to exclude the United States from the fishery organization. As one Papua New Guinean put it, "You do not invite the fox to sit on a committee which decides how to protect the chickens." [redacted]

The membership question generated considerable heat at the Forum meeting at Nieu in September 1978. The Fijian Prime Minister—traditionally pro-US—threatened to pull his country out of the Forum altogether if the United States were admitted to the fishery organization. His proclamation surprised the United States because Fiji had until then shown some sympathy for the US position. The two countries had worked closely throughout UNCLOS III to fashion a new oceans treaty acceptable to the broad spectrum of national interests, particularly on archipelagos—Fiji's main interest—and on highly migratory species. It was Fiji's chief delegate to the Conference who was largely responsible for the draft article on highly migratory species in the current draft treaty, an article that calls

for their management by "the coastal state and other states whose nationals fish in the region . . . directly or through appropriate international organizations." The Fijians know that the tuna resource in their proposed zone, while significant, is insufficient to fuel the country's growing tuna industry, and that Fiji itself is becoming a distant-water fishing nation. Even now, its cannery's boats take the bulk of their catch beyond 200 miles from Fiji. [redacted]

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To preserve the Forum, its US supporters gave in. Australia submitted a compromise proposal to establish a Forum Fisheries Agency, with membership limited to South Pacific Forum countries. The proposal suggested the Forum members iron out their differences and report six months later on any changes recommended for the Agency's terms of reference, responsibilities, and powers. [redacted]

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The differences may be difficult to iron out. The same countries vehemently opposed to US membership are very reluctant to surrender regulatory powers in their coastal zones to a regional body; they prefer a body more advisory in nature. Some of the smaller nations such as the Gilberts and Tuvalu, however, realize the impossibility of controlling their 200-mile zones and want a regional body that would take over the fish

resources completely. This body would control licensing, surveillance, research, and catch quotas, and, at the end of every year, give members a proportionate share of the revenue. Some of these smaller states also would like the United States to become a member of the fisheries agency, because they feel this would ease future negotiations with US tuna companies. Moreover, they believe the US would help fund the agency and provide additional fisheries management expertise. []

Prospects

The only restriction that the new maritime regimes in Oceania are likely to impose on traditional high-seas freedoms of navigation and overflight is the establishment of archipelagic sea lanes. Mariners are not likely to be inconvenienced, however, for the archipelagic states almost certainly will designate sea lanes that coincide with the customary shipping routes. Although major routes transit Papua New Guinea, the Solomons, and Fiji, these states, like all others in the area, fully understand the limitations of their remote physical setting and their dependence on international commerce for national survival, and they are unlikely to impose excessive controls over navigation and overflight in their zones. Fiji has not even designated sea lanes within its claim, granting instead "transit sea and air passage in and over its archipelagic waters." []

Of greater concern than navigation for states outside the region is the management of tuna resource. At present, the skipjack is the only commercially important tuna thought capable of surviving increased fishery. The catch of skipjack in the central Pacific has increased annually since the mid-1960s, when it was first taken in earnest. By 1968 it formed the bulk of the tuna catch, and in 1976 it accounted for two-thirds.

But how large a catch the skipjack stocks can support is not known, for research has yet to produce a clear picture of the population dynamics of this tuna species. There is a possibility that it will be overfished before the facts are established. []

For distant-water fishing nations, gaining access to the skipjack stocks in the Forum area means recognizing coastal state sovereignty over them and—at least at this point—signing agreements with individual island governments to fish in their new resource zones. In the future the islands may decide that one license issued under the auspices of the Forum Fisheries Agency would be valid for the entire region. US fishermen, fearful of losing the benefits of the Fishermen's Protective Act⁶ should they recognize coastal state jurisdiction over tuna, have not signed any agreements. Despite their country's public policy supporting international control of tuna, however, Japanese fishermen are signing such agreements—and catching tuna. []

⁶ The act provides for compensation of US fishermen who suffer losses resulting from acts of foreign states—seizure of a ship, for example—that the United States considers illegal under international law. []

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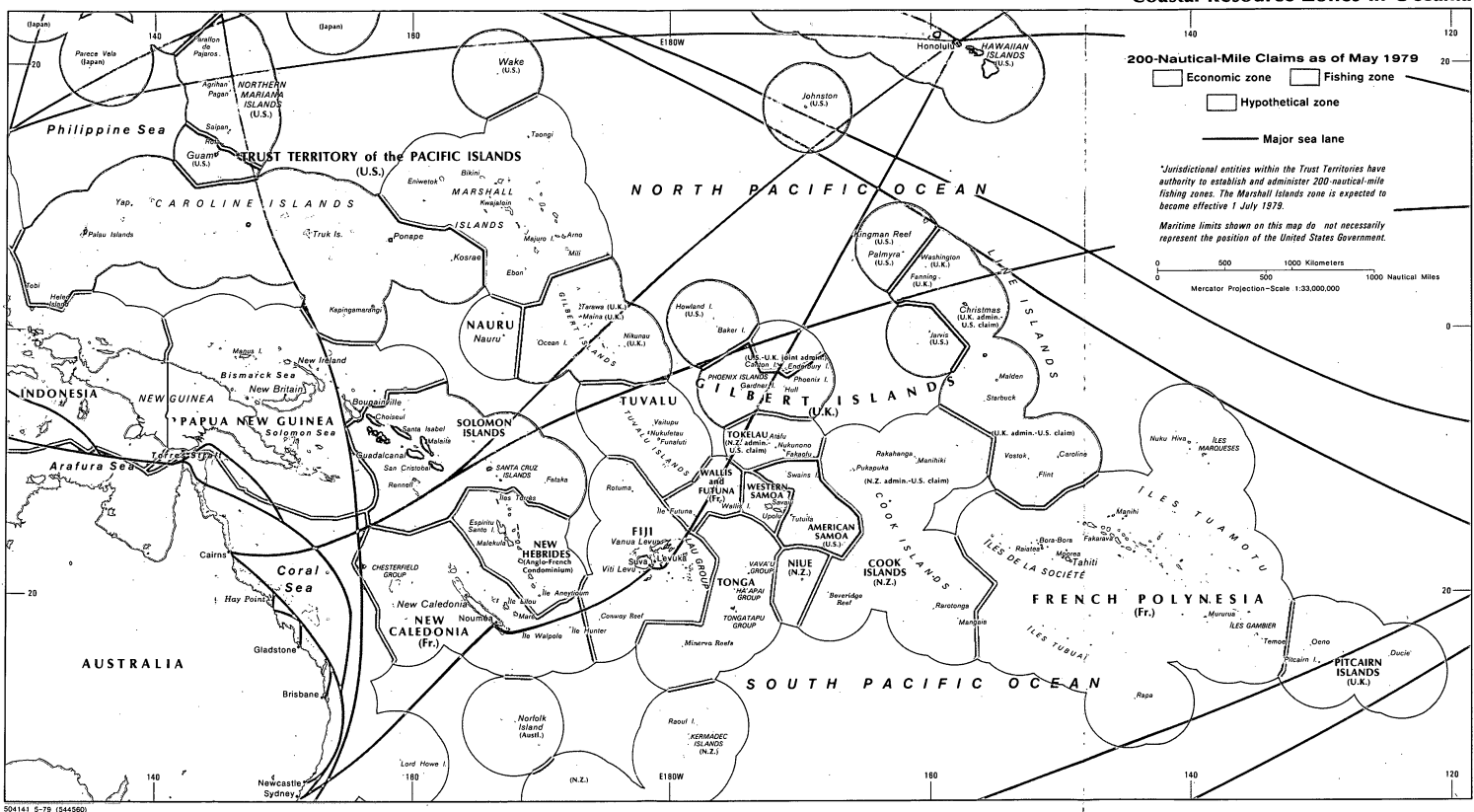
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