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U. S. RESPONSIBILITIES FOR THE PONCE (SEALAND)

FYI The following Notice to Mariners was issued by the Defense Mapping Agency Hydrographic Center at 7:15 p. m. EDT, May 12:

"Special Warning: Shipping is advised until further notice to remain more than 35 nautical miles off the coast of Cambodia and more than 20 nautical miles off the coast of Vietnam including off lying islands. Recent incidents have been reported by firing on, stopping and detention of ships within waters claimed by Cambodia, particularly in the vicinity of Poulo Wai Island. This warning in no way should be construed as United States recognition of Cambodian or Vietnamese territorial sea claims or as derogation of the right of innocent passage for United States flag vessels, or derogation of the freedom of the high seas."

BACKGROUND: It is reported that the sister ship of the Mayaguez the Ponce, is on the same course to Sattahip that the Mayaguez was following when it was seized. The Mariners' warning is still in effect.

Sealand Corp. has told the (State) Office of Maritime Affairs that it plans to continue its regular commercial traffic from Hong Kong to Thailand, but will skirt the area mentioned in the Mariners' warning.

Q. Is the Ponce following the same course as the Mayaguez and if so, isn't that rather foolish? What is the U. S. responsibility for the safety of the Ponce?

A. The warning to Mariners issued Monday is a standard means of alerting ships to possible dangers in an area. The final course of the ship Ponce is set by Sealand Corporation in accordance with established rules of international maritime passage. We have been informed that Sealand has directed the Ponce to skirt the area mentioned in the warning, but that it does not intend to alter its plans to continue commercial shipping from Hong Kong to Thailand.

The United States recognizes the right of innocent passage and of the freedom of the high seas and will act in accordance with those principles.

Q. But what if the Ponce is fired upon?

A. We do not expect that to occur, and as I said, the Ponce will be skirting the area. We have, by our actions, made our position and our beliefs very clear.