

# Polish Trawler Waits for Court

By Robert Barilett

The Polish fishing trawler Kalmar idled at San Francisco's Pier 9 yesterday, awaiting charges that she fished nearly two miles inside American territorial waters off of Monterey.

A handful of curious onlookers took snapshots and peered through binoculars at the 278-foot vessel, as many

of the Kalmar's 79 crewmen waved to them from the ship's deck.

Three civilian guards, supervised by a polite but uncommunicative Coast Guard lieutenant, firmly refused to allow anyone to board or leave the ship.

James L. Browning Jr., U.S. attorney for Northern California, said the government will file both a civil forfeiture petition and a misdemeanor criminal complaint against the trawler today.

The legal actions will charge that the Kalmar was harvesting hake from the Pacific 10.2 miles offshore at 12:11 a.m. Saturday.

According to a Coast Guard spokesman, the United States believes the trawler violated an international treaty, signed by the United States, which sets up a 12-mile "contiguous fishing zone" outside the shorelines of treaty signatories.

According to this treaty, he said, only American ships can fish within 12 miles of the U.S. coastline.

This is not similar to the recent Mayaguez incident in the Gulf of Thailand near Cambodia, he added, since the American merchant vessel was not fishing.

The United States, like most maritime nations, asserts the right of this country's navy and merchant marine to cruise within three miles of a foreign power's coast.

When captured by Cambodian armed forces, the spokesman concluded, the Mayaguez was observing this three-mile limit.

The actions the government will file today, U.S. Attorney Browning said, carry maximum penalties of \$100,000 and confiscation and sale of the Kalmar and its cargo.

"As a practical matter," Browning said, confiscation is unlikely and the incident probably will end with a fine.

For some years, American fishermen have complained bitterly that foreign vessels often violate the 12-mile treaty limit and harvest protected species of fish.

A U.S. magistrate in San Francisco will set bail for the ship's skipper, and a bond for the trawler. Once tehetse are posted, the Kalmar will be free to leave.