

NND 969044
By: BT/NSW Date: 1/23/84

Department of State

TELEGRAM



~~CONFIDENTIAL~~ 789

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ACTION: AF-18

INFO: OCT-01 SCS-04 CIAE-00 COM-08 DODE-00 DOT-12 E-15

INR-07 JUS-02 L-04 NSAE-00 RSC-01 SCA-01 PM-05 H-02

NSC-10 P-03 PRS-01 SS-20 USIA-12 INT-06 RSR-01 /133 W
084300

R: 040920Z AUG 70
FM AMEMBASSY MOGADISCIO
TO SECSTATE WASHDC 7948
INFO CINCSTRIKE
COMIDEASTFOR

Mogadiscio 1856
84-70

~~CONFIDENTIAL~~ MOGADISCIO 1856

REF: EMBTEL 1850

SUBJ: MIDNIGHT SUN

1. AFTER DISPATCH REFTEL MOFA NOTE DATED AUGUST 4 CONCERNING RELEASE MIDNIGHT SUN RECEIVED IN EMBASSY. TEXT FOLLOWS.

2. (COMPLIMENTARY OPENING)
"AND WITH REFERENCE TO THE QUESTION OF THE UNITED STATES VESSEL "MIDNIGHT SUN", HAS THE HONOUR TO RE-STATE THE FOLLOWING:-

"1. THAT THE VESSEL HAS BLATANTLY VIOLATED THE INTERNAL AND TERRITORIAL WATERS OF THE SOMALI DEMOCRATIC REPUBLIC.

"2. THAT THE VESSEL WAS NOT FLYING THE FLAG OF A STATE CONTRARY TO INTERNATIONAL LAW AND THEREFORE THE RIGHT OF "INNOCENT PASSAGE" DID NOT APPLY IN THIS CASE.

"3. THAT THE VESSEL ATTEMPTED TO ESCAPE WHEN THE SOMALI COAST GUARDS SIGNALLED HER TO IDENTIFY ITS NATIONALITY AND PURPOSE.

(1)

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REPRODUCED AT THE NATIONAL ARCHIVE

NND 969044
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REPRODUCED AT THE NATIONAL ARCHIVE

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"THIS MINISTRY, HOWEVER, WISHES TO INFORM THE EMBASSY THAT, AS AN INDICATION OF GOODWILL AND IN THE LIGHT OF THE EVIDENT DESIRE FOR MUTUAL CO-OPERATION BETWEEN THE TWO COUNTRIES, THE SOMALI GOVERNMENT HAS DECIDED TO RELEASE THE VESSEL ON THE UNDERSTANDING THAT THE UNITED STATES GOVERNMENT WILL, IN FUTURE, ENSURE THAT SUCH VIOLATIONS WILL NOT OCCUR UNDER ANY CIRCUMSTANCE.

"FURTHERMORE, THE EMBASSY IS INFORMED THAT THE MATTER CONCERNING THIS VESSEL IS CLOSED AND THAT NO CLAIMS FROM ITS OWNERS OR FROM ANY OTHER QUARTERS WILL BE ACCEPTED BY THE SOMALI GOVERNMENT."

(COMPLIMENTARY CLOSING).

3. WE ASSUME DEPARTMENT WILL INFORM GUZZETA AND THAT DEPARTMENT IN TOUCH WITH AMBASSADOR ADDOU. RE PUBLICITY WE SUGGEST DEPT ADOPT PASSIVE POLICY UNTIL SHIP RELEASED. IF HOWEVER STATEMENT CONSIDERED NECESSARY WOULD APPRECIATE BEING INFORMED.

4. EMBASSY COMMENTS ON NOTE WILL FOLLOW IN SEPARATE MESSAGE.
HADSELI

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