FISHERIES

King Crab

Agreement Between the
United States of America
and Japan

Amending and Extending the
Agreement of November 25, 1964,
as Amended and Extended

Effected by Exchange of Notes
Signed at Washington December 23, 1968
JAPAN

Fisheries: King Crab

Agreement amending and extending the agreement of November 25, 1964, as amended and extended.
Effect by exchange of notes
Signed at Washington December 23, 1968;
Entered into force December 23, 1968.
The Ambassador of Japan to the Secretary of State

EMBASSY OF JAPAN
WASHINGTON
December 23, 1968

Excellency:

I have the honor to refer to the arrangements concerning the king crab fishery in the eastern Bering Sea as agreed upon in the notes exchanged on November 25, 1964 and as extended and modified in the notes exchanged on November 29, 1966, and have further the honor to confirm, on behalf of my Government, the understandings reached between the representatives of the Government of Japan and the Government of the United States of America to continue to apply the provisions of the arrangements with the following modifications:

1. The proviso in paragraph 3(1) shall be changed to read "provided that, in order to avoid possible overfishing of the king crab resource in the eastern Bering Sea, the Government of Japan ensures that the annual commercial catch of king crabs by nationals and vessels of Japan for the years 1969 and 1970 shall be equivalent to 85,000 cases respectively (one case being equivalent to 48 half-pound cans)."

2. Paragraph 3(3) shall be changed to read "The International Commission under the North Pacific Fishery Convention will be asked by the two Governments to continue and intensify the study of the king crab and tanner crab resources in the eastern Bering Sea and to transmit

1 TIAS 5688, 6155; 16 UST 2076; 17 UST 2191.
to the two Governments annually by November 30 the findings of such study, including also, to the extent possible, an estimate of the maximum sustainable yield of the resources. Pending the further progress of such study of the tanner crab resource, the Government of Japan will take measures necessary to ensure a prudent catch of tanner crabs in the eastern Bering Sea."

3. Paragraph 3(5) shall be changed to read "The two Governments shall meet before December 31, 1970 to review the operation of these arrangements and the conditions of the king crab and tanner crab fisheries of the eastern Bering Sea, and decide on future arrangements in the light of paragraphs 1 and 2, and the introductory part of this paragraph, and the United States President's assurance of May 20, 1964 that full consideration would be given to Japan's long established fishery for king crab."

4. Paragraph c) of the Appendix shall be changed to read "Unless otherwise agreed by the two Governments, only pots may be used to capture king crabs for commercial purposes in the area lying seaward of the United States territorial sea and within the following described boundaries: a line running from a point on the Bering Sea coast of the Alaska Peninsula due west along 55°54' North Latitude to its intersection with a line passing between 56°20' North Latitude, 163°00' West Longitude and 55°16' North Latitude, 156°10' West Longitude, thence southwesterly along the said line to its intersection with a line passing between Cape Navarin and Cape

TIAS 6601
sarichef at $55^\circ16'$ North Latitude and $166^\circ10'$ West Longitude, thence southeasterly along the Cape Navarin - Sarichef line to Cape Sarichef."

I have further the honor to propose that this note and Your Excellency's reply confirming the above understandings on behalf of your Government shall be regarded as constituting an agreement between the two Governments.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

Takeso Shimoda

His Excellency
Dean Rusk
Department of State
Excellency:

I have the honor to acknowledge receipt of Your Excellency's note of today's date, which reads as follows:

"Excellency:

"I have the honor to refer to the arrangements concerning the king crab fishery in the eastern Bering Sea as agreed upon in the notes exchanged on November 25, 1964 and as extended and modified in the notes exchanged on November 29, 1966, and have further the honor to confirm, on behalf of my Government, the understandings reached between the representatives of the Government of Japan and the Government of the United States of America to continue to apply the provisions of the arrangements with the following modifications:

"1. The proviso in paragraph 3(l) shall be changed to read 'provided that, in order to avoid possible overfishing of the king crab resource in the eastern Bering Sea, the Government
of Japan ensures that the annual commercial catch of king crabs by nationals and vessels of Japan for the years 1969 and 1970 shall be equivalent to 85,000 cases respectively (one case being equivalent to 48 half-pound cans).

"2. Paragraph 3(3) shall be changed to read 'The International Commission under the North Pacific Fishery Convention will be asked by the two Governments to continue and intensify the study of the king crab and tanner crab resources in the eastern Bering Sea and to transmit to the two Governments annually by November 30 the findings of such study, including also, to the extent possible, an estimate of the maximum sustainable yield of the resources. Pending the further progress of such study of the tanner crab resource, the Government of Japan will take measures necessary to ensure a prudent catch of tanner crabs in the eastern Bering Sea.'

"3. Paragraph 3(5) shall be changed to read 'The two Governments shall meet before December 31, 1970 to review the operation of these arrangements and the conditions of the king crab and tanner crab fisheries of the eastern Bering Sea, and decide on future arrangements in the light of paragraphs 1 and 2, and the
introductory part of this paragraph, and the
United States President's assurance of May 20,
1964 that full consideration would be given to
Japan's long established fishery for king crab.'

"4. Paragraph c) of the Appendix shall
be changed to read 'Unless otherwise agreed
by the two Governments, only pots may be used
to capture king crabs for commercial purposes
in the area lying seaward of the United States
territorial sea and within the following
described boundaries: a line running from a
point on the Bering Sea coast of the Alaska
Peninsula due west along 55°54' North Latitude
to its intersection with a line passing between
56°20' North Latitude, 163°00' West Longitude and
55°16' North Latitude, 166°10' West Longitude,
thence southwesterly along the said line to its
intersection with a line passing between Cape
Navarin and Cape Sarichef at 55°16' North
Latitude and 166°10' West Longitude, thence
southeasterly along the Cape Navarin - Sarichef
line to Cape Sarichef.'

"I have further the honor to propose that
this note and Your Excellency's reply confirming
the above understandings on behalf of your Government
shall be regarded as constituting an agreement
between the two Governments.
"I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration."

I have further the honor to confirm the above understandings on behalf of the Government of the United States of America and to agree that Your Excellency's note and this reply shall be regarded as constituting an agreement between the two Governments.

Accept, Excellency, the renewed assurances of my highest consideration.

DEAN RUSK

Secretary of State of the United States of America

His Excellency

Takeso Shimoda,
Ambassador of Japan.