

No. 9765

UNITED STATES OF AMERICA
and
JAPAN

**Exchange of notes constituting an agreement concerning
certain fisheries off the coast of the United States of
America (with attached note and agreed minutes).
Tokyo, 9 May 1967**

Authentic texts of notes : English and Japanese.

Authentic text of agreed minutes : English.

Registered by the United States of America on 6 August 1969.

ÉTATS-UNIS D'AMÉRIQUE
et
JAPON

**Échange de notes constituant un accord relatif à certaines
activités de pêche au large des côtes des États-Unis
d'Amérique (avec note jointe et procès-verbaux approu-
vés). Tokyo, 9 mai 1967**

Textes authentiques des notes : anglais et japonais.

Texte authentique des procès-verbaux approuvé : anglais.

Enregistré par les États-Unis d'Amérique le 6 août 1969.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹
BETWEEN THE UNITED STATES OF AMERICA AND
JAPAN CONCERNING CERTAIN FISHERIES OFF THE
COAST OF THE UNITED STATES OF AMERICA

るため、千九百六十八年十二月三十一日までには会合する。
本大臣は、さらに、この書簡及び前記の取極をアメリカ合衆
国政府に代わつて確認される閣下の返簡を、両国政府間の合意
を構成するものとみなすことを提案する光榮を有します。
本大臣は、以上を申し進めるに際し、ここに重ねて閣下に向
かつて敬意を表します。

千九百六十七年五月九日

日本国外務大臣

三木武夫

アメリカ合衆国特命全権大使
U・アレクシス・ジョンソン閣下

¹ Came into force on 9 May 1967 by the exchange of the said notes.

[TRANSLATION — TRADUCTION]

Excellency,

Tokyo, 9 May 1967

[See note II]

Accept, etc.

Takeo MIKI

Minister for Foreign Affairs

His Excellency U. Alexis Johnson
Ambassador Extraordinary and Plenipotentiary
of the United States of America

II

The American Ambassador to the Japanese Minister for Foreign Affairs

EMBASSY OF THE UNITED STATES OF AMERICA

No. 761

Tokyo, May 9, 1967

Excellency :

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

"I have the honour to refer to the recent discussions between representatives of the Government of Japan and the Government of the United States of America concerning fisheries (except the salmon fishery) off the coast of the United States of America and to confirm on behalf of the Government of Japan the following arrangements regarding those fisheries agreed as the result of the above discussions :

"1. The Government of Japan will take necessary measures to ensure that nationals and vessels of Japan will not engage in fishing except such fishing as listed below in the waters which are contiguous to the territorial sea of the United States of America and extend to a limit of twelve nautical miles from the baseline from which the United States territorial sea is measured.

- "(1) (i) Crab fishing in the waters off the Pribilof Islands.
Drednet and longline fishing in the waters :
- (ii) (A) off the Bering Sea coasts of the Aleutian Islands :
- (a) between 166°45' and 173° West Longitude; between 174° and 174°40' West Longitude; and west of 176° West Longitude;
 - (b) from March 1 to August 31 inclusive : between 173° and 174° West Longitude; and between 174°40' and 176° West Longitude;
 - (c) from December 1 to May 31 inclusive : between 165° and 166°45' West Longitude.

- (B) off the Pacific coast of the Aleutian Islands :
 - (a) between 169° and 173° West Longitude; and west of 178°30' West Longitude;
 - (b) from March 1 to August 31 inclusive : between 166° and 169° West Longitude; and between 173° and 178°30' West Longitude.
 - (C) off the Pribilof Islands.
 - (iii) Tuna fishing in all waters except off the mainland of the United States of America (including Alaska), Puerto Rico, Virgin Islands, Panama Canal Zone and Hawaii, Maui, Molokai, Oahu, Kauai, Lanai and Niihau of the Hawaiian Islands.
 - (iv) Whaling in all waters off the coast of the State of Alaska except off the Pacific coast between 150° and 163° West Longitude.
- “(2) Loading operations :
- (i) On the east side of Kayak Island in the State of Alaska between 59°52' and 59°56' North Latitude west of 143°53' West Longitude and on the west side of Kayak Island between 59°56' and 60° North Latitude.
 - (ii) On the west side of Sanak Island in the State of Alaska in the waters bounded on the north by 54°36' North Latitude, on the south by 54°26' North Latitude, on the west by 163°05' West Longitude and on the east by 162°40' West Longitude.

“2. Nothing in the present arrangements shall be deemed to prejudice the claims of either Government in regard to the jurisdiction of a coastal state over fisheries.

“3. The present arrangements shall be effective as of May 9, 1967 and shall continue in effect until December 31, 1968, provided that, in regard to the fishing as specified in paragraph 1. (1) (ii) (A) (c), the present arrangements shall continue in effect until May 31, 1969. The two Governments shall meet before December 31, 1968 to review the operation of the present arrangements and to decide on future arrangements.

“I have further the honour to propose that this note and Your Excellency's reply confirming the above arrangements on behalf of the Government of the United States of America shall be regarded as constituting an agreement between the two Governments.”

I have further the honor to confirm the above arrangements 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.

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

U. Alexis JOHNSON

His Excellency Takeo Miki
Minister for Foreign Affairs
Tokyo

[TRANSLATION¹ OF ATTACHED NOTE — TRADUCTION² DE LA NOTE JOINTE]

Tokyo, May 9, 1967

Mr. Ambassador :

I have the honour to refer to the arrangements set forth in the notes exchanged today between us concerning certain fisheries off the coast of the United States of America and to inform Your Excellency of the following :

The Government of Japan will take necessary measures to ensure that, with a view to preventing conflict of fishing gear during periods of high concentration of such gear, nationals and vessels of Japan will not, during the duration of the above-mentioned arrangements, engage in dragnet and longline fishing in the following waters during the following periods :

1. From September to February of the following year inclusive :

- (1) Off Kodiak Island seaward of a limit of twelve nautical miles from the baseline from which the United States territorial sea is measured in the six areas bounded respectively by straight lines connecting in each of the following groups the coordinates in the order listed :

(i) North Latitude	West Longitude
57°15'	154°51'
56°57'	154°34'
56°21'	155°40'
56°26'	155°55'
57°15'	154°51'

(ii) North Latitude	West Longitude
56°27'	154°06'
55°46'	155°27'
55°40'	155°17'
55°48'	155°00'
55°54'	154°55'
56°03'	154°36'
56°03'	153°45'
56°30'	153°45'
56°30'	153°49'
56°27'	154°06'

(iii) North Latitude	West Longitude
56°30'	153°49'
56°30'	153°00'
56°44'	153°00'
56°57'	153°15'
56°45'	153°45'
56°30'	153°49'

¹ Translation by the Government of the United States of America.

² Traduction du Gouvernement des États-Unis d'Amérique.

(iv) North Latitude	West Longitude
57°05'	152°52'
56°54'	152°52'
56°46'	152°37'
56°46'	152°20'
57°19'	152°20'
57°05'	152°52'

(v) North Latitude	West Longitude
57°35'	152°03'
57°11'	151°14'
57°19'	150°57'
57°48'	152°00'
57°35'	152°03'

(vi) North Latitude	West Longitude
58°00'	152°00'
58°00'	150°00'
58°12'	150°00'
58°19'	151°29'
58°00''	152°00'

- (2) Off Unimak Island seaward of a limit of twelve nautical miles from the baseline from which the United States territorial sea is measured in the area bounded by straight lines connecting the following coordinates in the order listed :

North Latitude	West Longitude
54°10'	163°04'
53°28'	166°00'
54°00'	166°00'
54°00'	165°00'
54°33'	164°00'
54°33'	163°04'
54°10'	163°04'

2. From May 9 to May 23 inclusive or, in the event the Government of Japan is informed by the Government of the United States of America approximately two months in advance of a change in the halibut fishing season, the first 15 consecutive days of such season in the following areas :

- (1) The area bounded by straight lines connecting the following coordinates in the order listed :

North Latitude	West Longitude
58°00'	150°49'
58°00'	150°00'
58°43'	150°00'
59°07'	150°21'
59°07'	147°57'
58°12'	148°45'
57°32'	150°13'
58°00'	150°49'

- (2) The area seaward of a limit of twelve nautical miles from the baseline from which the United States territorial sea is measured bounded by straight lines connecting the following coordinates in the order listed :

North Latitude	West Longitude
56°30'	156°30'
56°30'	156°07'
56°22'	155°43'
55°50'	155°50'
55°35'	156°25'
55°35'	156°44'
56°30'	156°30'

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

Takeo MIKI

Minister for Foreign Affairs

His Excellency U. Alexis Johnson
Ambassador Extraordinary and Plenipotentiary
of the United States of America

AGREED MINUTES

The representatives of the Government of the United States of America and the Government of Japan have agreed to record the following in connection with the notes exchanged today between Foreign Minister Miki and Ambassador Johnson concerning certain fisheries off the coast of the United States of America, the notes exchanged today between Foreign Minister Miki and Ambassador Johnson concerning the salmon fishery and the note of Foreign Minister Miki of today's date concerning dragnet and longline fishing in certain waters :

1. It is agreed that for the purposes of the arrangements set forth in the above-mentioned notes the term "the United States of America" does not include the Trust Territory of the Pacific Islands.

2. The Japanese representative stated that fishing efforts by Japanese nationals and vessels in the waters which are contiguous to the territorial sea of the United States of America and extend to a limit of twelve nautical miles from the baseline from which the United States territorial sea is measured (hereinafter referred to as "the Waters") would not exceed the present

level and that, with respect to dragnet fishing in the Waters, there would be no marked change in the present method of operating the fishing gear.

3. It is recognized to be appropriate that, with respect to cases of gear conflict which may arise between the fisheries of the two countries, prompt consultation be held between the parties concerned as necessary in each case.

4. It is agreed that, with respect to areas of heavy concentration of fishing operations of both countries, each Government will take appropriate measures aimed at prevention of damage to fishing gear, including measures for improvement of the means for marking fixed gear, measures to ensure that fixed gear is set with due regard for the operation of mobile gear and measures to ensure that vessels operating with mobile gear will operate with due regard for fixed gear.

5. It is recognized that it might not be possible to fully prevent parts of longlines used in the tuna fishery from unintentionally and accidentally drifting into that part of the Waters where the Japanese Government agrees to ensure that Japanese nationals and vessels will not engage in the tuna fishery. Such cases as described above, when verified by the circumstances, will not be regarded as infringements of the above-mentioned arrangements.

6. The Japanese representative stated that when fishing for tuna in the Waters Japanese tuna fishermen would not attempt to seek out concentrations of billfishes.

7. The United States representative expressed concern over the possible effect in future of Japanese fishing off the coast of the States of Oregon and Washington upon conservation of the fishery resources in those waters and over possible conflict of gear therein between the fisheries of the two countries.

The Japanese representative stated that the Government of Japan would, at the request of the Government of the United States of America, hold consultations as early as practicable with the Government of the United States of America with regard to such problems as conservation of resources and conflict of gear.

8. It is agreed that the two Governments will agree on an additional area near Alaska where Japanese vessels will conduct loading operations, should the need for such area become apparent.

9. The Japanese representative stated that salmon fishing operations of nationals and vessels of Japan in the Waters would be conducted paying

due regard to the conditions of the runs of salmon of Bristol Bay origin. The two Governments will hold consultations, if necessary, on the problem of fishing for salmon of Bristol Bay origin.

Tokyo, May 9, 1967

For the United States Delegation :

Laurence C. VASS

For the Japanese Delegation :

Fumihiko TOGO
