

No. 12819

**UNITED STATES OF AMERICA
and
REPUBLIC OF KOREA**

Agreement concerning cooperation in fisheries (with agreed minutes). Signed at Washington on 24 November 1972

Authentic texts: English and Korean.

Registered by the United States of America on 21 November 1973.

**ÉTATS-UNIS D'AMÉRIQUE
et
RÉPUBLIQUE DE CORÉE**

Accord concernant la coopération dans le domaine de la pêche (avec procès-verbal approuvé). Signé à Washington le 24 novembre 1972

Textes authentiques : anglais et coréen.

Enregistré par les États-Unis d'Amérique le 21 novembre 1973.

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE REPUBLIC OF KOREA CONCERNING COOPERATION IN FISHERIES

The Government of the United States of America and the Government of the Republic of Korea,

Desiring to continue and to expand their cooperation in the conservation and rational exploitation of fishery resources and in the acquisition of scientific knowledge necessary thereto, and

Being mutually concerned to have the fisheries in the Northeastern Pacific Ocean and Bering Sea conducted with due regard to their respective interests,

Have agreed as follows:

Article I. The Government of the United States of America and the Government of the Republic of Korea consider it desirable to expand research concerning species of fish of mutual interest to both parties through both national and joint or coordinated programs. The specialized agencies of both Governments will exchange scientific and statistical data, published studies and other results of fishery research.

Article II. The Government of the United States of America will:

- a. continue to provide technical advice, as may be needed, regarding the propagation under sanitary conditions of shellfish in the Republic of Korea and, subject to its domestic laws and regulations, assist in other ways in the further development of the shellfish industry in Korea;
- b. continue to provide technical assistance toward the establishment and development of salmon resources in waters of the Republic of Korea, including the continued provision of salmon eggs as available.

Article III. Fishing vessels of the Republic of Korea may conduct loading operations in the following areas within the nine-mile zone contiguous to the territorial sea of the United States:

- a. On the north side of Unalaska Island, Alaska, between 167°30' and 167°35' west longitude.
- b. On the north side of St. Matthew Island, Alaska, between 172°29' and 172°46' west longitude and on the south side of St. Matthew Island between 172°17' and 172°35' west longitude and between 172°54' and 173°04' west longitude.
- c. Off St. George Island in the Pribilofs.

Article IV. Both Governments will encourage and assist by appropriate means the establishment and development of commercial fisheries ventures with

¹ Came into force on 12 December 1972, the date when the Government of the Republic of Korea gave written notification to the Government of the United States of America that the domestic legal requirements had been fulfilled, in accordance with article X.

the joint participation of nationals of the two countries, bearing in mind the conservation requirements of the stocks of fish to be harvested.

Article V. Both Governments will ensure that fishing operations by their nationals and vessels in the Northeastern Pacific Ocean and Bearing Sea are conducted with a view to the maintenance of the maximum sustainable yield of the living resources. In view of the cooperative programs for the development of fisheries of the Republic of Korea as set forth in preceding articles, the Government of the Republic of Korea will take the measures necessary to ensure that nationals and vessels of Korea will refrain from fishing for salmon and halibut in the Northeastern Pacific Ocean and Bering Sea east of 175° west longitude.

Article VI. With respect to areas of 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 of 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. In the event that gear conflicts should arise between the fisheries of the two countries, prompt consultations will be held between the two Governments as may be appropriate in each case.

Article VII. Both Governments will seek to ensure that their nationals and vessels engaged in the fisheries refrain from practices which would result in pollution of the seas and consequent deleterious effects on living marine resources.

Article VIII. Nothing in this Agreement shall be interpreted as prejudicing the views of either Government with regard to freedom of fishing on the high seas, nor will be construed as limiting the rights of either Government under international law.

Article IX. At the request of either Government, representatives of the two Governments will meet at a mutually convenient time with a view to modifying the present Agreement. In any event, representatives of the two Governments will meet at a mutually convenient time prior to the expiration of the period of validity of this Agreement to review its operation and to decide on future arrangements.

Article X. This Agreement shall enter into force when the Government of the Republic of Korea has given written notification to the Government of the United States of America that the domestic legal requirements for entry into force of the Agreement have been fulfilled. The Agreement shall remain in force for a period of five years.

IN WITNESS WHEREOF the undersigned, being duly authorized for this purpose, have signed this Agreement.

DONE at Washington, November 24, 1972, in duplicate, in the English and Korean languages, both texts being equally authentic.

For the Government
of the United States of America:

DONALD L. MCKERNAN

For the Government
of the Republic of Korea:

DONG JO KIM

AGREED MINUTES

The representatives of the Government of the United States of America and the Government of the Republic of Korea have agreed to record the following in connection with the Agreement signed today concerning cooperation in fisheries:

1. In connection with the provisions of article III of the Agreement, the United States representative stated that should the need arise for additions to or changes in the list of loading zones the United States would be prepared to consider sympathetically a Korean request to that effect.

2. It is agreed that if problems should arise concerning entry by Korean fishing vessels into United States ports in accordance with United States law and regulations, the two Governments will consult concerning alleviation of such problems.

3. With respect to article IV of the Agreement, the Korean representative stated that development of the live-bait fishery for skipjack in the western Pacific is of particular interest, and the United States representative stated that his Government would continue to provide technical advice on this fishery as may be practicable and would continue to encourage joint ventures in this area.

4. In connection with the provisions of article VI of the Agreement, it is recognized that the area of the southeastern Bering Sea commonly known as the "sanctuary area" offers the potential for serious gear conflicts. It is agreed that if Korean trawling operations in the Bering Sea should expand eastward to the vicinity of the "sanctuary area" consultations will be held with a view to special measures to avoid development of gear conflicts. The area in question is the area lying seaward of the nine-mile zone contiguous to the territorial sea of the United States 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 connecting the two points 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.
