

No. 15108

**UNITED STATES OF AMERICA
and
UNION OF SOVIET SOCIALIST REPUBLICS**

**Agreement relating to fishing for king and tanner crab (with
appendix, related letter and text of an oral statement).
Signed at Washington on 18 July 1975**

Authentic texts of the Agreement and appendix: English and Russian.

Authentic text of the related letter and oral statement: English.

Registered by the United States of America on 10 November 1976.

**ÉTATS-UNIS D'AMÉRIQUE
et
UNION DES RÉPUBLIQUES SOCIALISTES
SOVIÉTIQUES**

**Accord relatif à la pêche du crabe d'Alaska et du crabe
tanner (avec appendice, lettre connexe et texte d'une
déclaration verbale). Signé à Washington le 18 juillet
1975**

Textes authentiques de l'Accord et de l'appendice: anglais et russe.

Texte authentique de la lettre connexe et de la déclaration verbale: anglais.

Enregistré par les États-Unis d'Amérique de 10 novembre 1976.

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE UNION OF SOVIET SOCIALIST REPUBLICS RELATING TO FISHING FOR KING AND TANNER CRAB

The Government of the United States of America and the Government of the Union of Soviet Socialist Republics,

Having considered in a spirit of mutual understanding their problems relating to the king and tanner crab fisheries on the continental shelf in light of their ratifications of the Convention on the Continental Shelf adopted at Geneva, 1958,²

Taking into account the existing fishery of the Soviet Union for king and tanner crab in the eastern Bering Sea, and

Desiring to adopt the necessary measures for conserving the stocks of king crab and tanner crab in the fisheries areas provided for by the Agreement,

Have agreed as follows:

1. The king crab and tanner crab are natural resources of the continental shelf over which the coastal state exercises sovereign rights for the purposes of exploration and exploitation in accordance with the provisions of Article 2 of the Convention on the Continental Shelf.

2. Nationals and vessels of the Soviet Union may continue to carry out fishing for king and tanner crab on the continental shelf of the United States during 1975 and 1976 in that area of the eastern Bering Sea described in the Appendix to this Agreement, provided that the annual commercial catch of king crab and tanner crab by Soviet nationals and vessels in such area shall not exceed 112,000 king crabs and 4.05 million tanner crabs each in 1975 and 1976.

3. Each Government will apply the measures specified in paragraphs 3 and 4 of the Appendix to this Agreement to its nationals and vessels engaged in the king and tanner crab fisheries in the eastern Bering Sea. Either Government shall, if requested by the other Government, provide opportunity for observation of the conduct of enforcement of the provisions of this Agreement and for that purpose shall permit duly authorized officers of the other Government to board its vessels engaged in the king and tanner crab fisheries in the eastern Bering Sea. These officers will make a report on the results of their observations; the report will be forwarded to the Government of the flag State for appropriate action, if such action should be necessary.

4. The two Governments will continue and intensify their study of the king and tanner crab resources in the eastern Bering Sea and will exchange annually by November 30 the data resulting from such study including also, to the extent possible, an estimate of the maximum sustainable yield of the resources. The data to be furnished by each Government may be prepared in accordance with its own methodology and shall include, but not be limited to, the categories of data described in the Appendix to this Agreement. The two Governments will also

¹ Came into force on 1 August 1975, with effect from 10 August 1975, in accordance with the provisions of the related letter of 18 July 1975.

² United Nations, *Treaty Series*, vol. 499, p. 311.

provide for the exchange of scientific personnel engaged in the study of the king crab and tanner crab resources.

5. This Agreement shall replace the Agreement of February 21, 1973¹ between the two Governments relating to fishing for king and tanner crab, as extended by exchanges of notes.² It shall enter into force on August 1, 1975 and shall remain in force through December 31, 1976. At the request of either Government, representatives of the two Governments will meet at a mutually convenient time within sixty days of receipt of such request 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 the operation of the Agreement and to decide on future arrangements. Notwithstanding the above, at any time during the period of force of the Agreement, either Government may communicate to the other Government its intention to denounce this Agreement, in which case this Agreement shall terminate one month from the date of receipt of the communication. As soon as possible after receipt of such communication, representatives of the two Governments will meet to discuss possible future arrangements.

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

DONE at Washington, July 18, 1975, in duplicate, in the English and Russian languages, both texts being equally authentic.

For the Government
of the United States of America:

[Signed—Signé]³

For the Government
of the Union of Soviet Socialist
Republics:

[Signed—Signé]⁴

APPENDIX

1. The area referred to in paragraph 2 of the Agreement is that portion of the southeastern Bering Sea lying seaward of twelve nautical miles from the baseline from which the United States territorial sea is measured west of 164° West Longitude and north of 55°30' North Latitude.

2. The annual commercial catch of king crab and tanner crab by Soviet nationals and vessels referred to in paragraph 2 of the Agreement shall not exceed:

- a. 750,000 tanner crabs (750 metric tons) in the area bounded by straight lines connecting the following coordinates in the order listed:

North Latitude	West Longitude
58°09'	164°00'
57°00'	168°00'
57°40'	169°50'
57°40'	170°50'
57°00'	170°50'
56°20'	169°55'
56°20'	168°00'
55°30'	168°00'
55°30'	164°00'
58°09'	164°00'

¹ United Nations, *Treaty Series*, vol. 912, p. 85.

² *Ibid.*, vol. 992, No. A-12996 and vol. 1021, p. 457.

³ Signed by Thomas A. Clingan, Jr.—Signé par Thomas A. Clingan Jr.

⁴ Signed by V. M. Kamentsev—Signé par V. M. Kamentsev.

b. 112,000 king crabs (356 metric tons) and 3.3 million tanner crabs (2,310 metric tons) in the waters north and west of and adjacent to the area designated in subparagraph *a* above.

3. *a.* Female king and tanner crabs, king crabs less than 15.8 cms. in maximum carapace width, and soft-shelled king and tanner crabs shall not be retained and used. Any such crabs taken incidentally, any king crabs taken in excess of the agreed quotas, and any tanner crabs taken in excess of the agreed quotas in each of the areas shall be returned immediately to the sea with a minimum of injury.

b. King crabs and tanner crabs shall not be taken by means of fishing gear other than pots.

4. Unless otherwise agreed by the two Governments, only pots may be used to capture king crabs and tanner crabs for commercial purposes and no trawling by Soviet fishing vessels may be conducted for other species in that area lying seaward of twelve nautical miles from the baseline from which the United States territorial sea is measured within the following 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 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, 166°10' West Longitude, thence southeasterly along the Cape Navarin-Sarichef line to Cape Sarichef.

5. The data referred to in paragraph 4 of the Agreement are:

a. Biological Data:

- (1) Tag returns: tag number and/or tag; date and location of capture (latitude and longitude); sex, length, width, and weight of crab; condition of shell.
- (2) Life history data: length, width, weight, and age of crab by sex; moult data; breeding habits, feeding habits, migration habits.
- (3) Publications dealing with king crabs and tanner crabs in the Bering Sea and North Pacific.

b. Catch Statistics:

Total annual and monthly catches by 1° of longitude.

c. Effort Statistics:

- (1) Description of pots; number of pot lifts per month by 1° of longitude.
- (2) Number of fleets operated by dates of operations; number of pot boats.

d. Production Statistics:

- (1) Canned crab: number of cases, number of crabs per case, quantity of meat per case.
- (2) Frozen crab: description of units and number of units; number of crabs.

RELATED LETTER

DEPARTMENT OF STATE
WASHINGTON, D. C.

July 18, 1975

Excellency:

This letter is with reference to our recent discussions concerning fisheries matters and the agreements entered into pursuant to these discussions; the Agreement Relating to Fishing for King and Tanner Crab,¹ and the Agreement Regarding Fisheries in the Northeastern Pacific Ocean Off the Coast of the United States of America.² These agreements replace previous agreements covering similar subjects entered into in February of 1973.³ By their terms these new agreements enter into force on August 1, 1975.

With regard to the entry into force of these agreements, we recognize that it will take some time for the appropriate authorities of the Soviet Union to notify Soviet fishermen of the changes in fishing activities required under the new agreements. Accordingly, in order to provide time for such notification, we will not begin enforcement of the provisions of these new agreements which are different from the requirements in the previous agreements, until August 10, 1975.

Sincerely,

[Signed]

THOMAS A. CLINGAN, JR.

His Excellency Vladimir M. Kamentsev
Chairman of the Delegation
of the Union of Soviet Socialist Republics

ORAL STATEMENT

of Thomas A. Clingan, Jr.

Head of the U.S. Delegation to the US/USSR Fisheries Consultations

With regard to the arrangements concluded today between our Governments relating to Fishing for King and Tanner Crab in the Eastern Bering Sea in 1975 and 1976, it is my understanding that, prior to the conduct of a crab fishery by Soviet vessels under this agreement, the appropriate authorities of the two Governments will consult concerning arrangements for placing United States observers aboard Soviet vessels fishing for crab in the area concerned. I understand that for this purpose, appropriate authorities of the Union of Soviet Socialist Republics will give 60 days advance notice of the intention to conduct such fishery in order to ensure that an observer program can be effectively implemented.

¹ See p. 358 of this volume.

² Registered by the Secretariat on 10 June 1977 under No. I-15726.

³ See "Agreement between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics relating to fishing operations in the northeastern Pacific Ocean, signed at Moscow on 21 February 1973" in United Nations, *Treaty Series*, vol. 912, p. 53; "Agreement between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics on certain fisheries problems in the northeastern part of the Pacific Ocean off the coast of the United States of America, signed at Moscow on 21 February 1973", *ibid.*, p. 63; "Agreement between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics relating to fishing for king and tanner crab, signed at Moscow on 21 February 1973", *ibid.*, p. 85, and "Agreement between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics relating to the consideration of claims resulting from damage to fishing vessels or gear and measures to prevent fishing conflicts signed at Moscow on 21 February 1973", *ibid.*, vol. 938, p. 38.