

MEMORANDUM

TO: Council, AP and SSC Members

FROM: Clarence G. Pautzke
Executive Director



DATE: January 8, 1991

SUBJECT: International Fisheries

ACTION REQUIRED

- (a) Review activities in the Donut area and consider developing incentives or regulations to discourage U.S. vessels from operating there.
- (b) Status report on PICES.

BACKGROUND

Donut Area

In December the Council requested that the Coast Guard and NMFS routinely report on foreign and domestic operations in the Donut area. The Council also wanted to schedule for January a discussion of ways to discourage domestic fisheries outside 200 miles. One approach that was surfaced in December, is to set aside pollock within the EEZ primarily for vessels that do not fish in the Donut. Other approaches may be suitable also. The Council's policy, adopted in September, prohibits all fishing activity in the Donut and requests the Secretary of Commerce to take all actions necessary to support the policy (item C-4(a)).

I've asked the agencies to report on fisheries activities in the Donut area and for NMFS and NOAA GC-AK to explore our limitations on controlling domestic fisheries there.

PICES

Delegates from Canada, China, Japan, the U.S. and the Soviet Union met in Ottawa in December and approved a draft convention establishing the "North Pacific Marine Science Organization." Item C-4(b) is a news release on the event. I think it is important that the Council remain informed of further developments with that organization. It may prove to be a fertile source of research on fisheries in the North Pacific.

NORTH PACIFIC FISHERY MANAGEMENT COUNCIL

Policy on Fisheries in the Central Bering Sea outside the U.S. EEZ*

The Magnuson Act charges the North Pacific Fishery Management Council with conservation and management of fisheries resources off Alaska. Of particular importance is the groundfish complex of the Bering Sea and Aleutian Islands. Pollock is a major component of that resource, contributing almost two thirds of the annual harvest. The species ranges widely in the Bering Sea, well beyond the U.S. 200-mile Exclusive Economic Zone.

A major policy goal of the Council and the Magnuson Act during the 1980s was to develop U.S. fisheries and displace foreign fisheries from the U.S. EEZ. Foreign fisheries ended in the Gulf of Alaska in 1987 and in the Bering Sea and Aleutians in 1988. Unfortunately, foreign fleets of five countries displaced from the U.S. zone moved to the Central Bering Sea to fish pollock.

The Council has grave concerns with the potential consequences that unregulated foreign fisheries in the Central Bering Sea may have on pollock stocks within the U.S. EEZ. No pollock stock is unique to the Central Bering Sea international waters. Pollock found there originate from adjacent continental shelves. Reported catches of 1.4 million metric tons exceed the U.S. catch within 200 miles and do not include discards. These uncontrolled foreign harvests may threaten long-term conservation of the pollock resource.

The Council has urged the U.S. State Department to negotiate a ban on fishing outside 200 miles. The Council supports the efforts of the U.S.-USSR Intergovernmental Consultative Committee on Fisheries and the U.S. -Soviet Bering Sea Fisheries Advisory Body in developing fishery conservation and management options for pollock in the Central Bering Sea.

There have been recent reports of U.S. fishing operations on pollock and increasing interest in such activity in the Central Bering Sea. Though the Council encourages optimal utilization of available resources, the unknown impacts of such activity on U.S. stocks and the sensitive international situation regarding the uncontrolled foreign fisheries dictate conservative management for U.S. fisheries attempting to develop outside 200 miles. Therefore, the Council has adopted the following policy:

The North Pacific Fishery Management Council's policy is to strictly prohibit all fishing activity in the Central Bering Sea outside the U.S. EEZ, including by U.S. vessels. Such a prohibition supports the efforts of the Council and the United States in seeking a ban on unregulated foreign fisheries that may be adversely affecting pollock stocks within the U.S. EEZ. The Council requests that the Secretary of Commerce take all actions necessary to support this policy. All vessels operating in the international waters of the Central Bering Sea should be required to carry observers and adhere to appropriate reporting requirements.

*Adopted September 29, 1990.

NEW MARINE SCIENCE ORGANIZATION FOR NORTH PACIFIC

A new international organization, the "North Pacific Marine Science Organization (PICES)" will be established to promote and coordinate marine scientific research in the northern North Pacific Ocean and the Bering Sea. This was decided in Ottawa on December 12, 1990, when a draft Convention was approved by representatives of Canada, China, Japan, the United States, and the Soviet Union.

PICES will focus on research on the ocean environment and its interactions with land and atmosphere, its role and response to global weather and climate change, its flora, fauna and ecosystems, its uses and resources, and impacts upon it from human activities. Such studies relate not only to the effects of fishing and environmental change on fish stocks but also to such issues as the impacts of oil spills other forms of pollution and the eventual consequences of climate change for uses of the ocean and its resources.

Upon ratification by three of the five signatory countries, the Convention will enter into force and other interested nations will be invited to accede. The PICES Secretariat will be located at the Institute of Ocean Sciences in Sidney, British Columbia. The first Chairman will be Professor Warren S. Wooster of the College of Ocean and Fishery Sciences, University of Washington.

FOR FURTHER INFORMATION: Dr. Warren S. Wooster
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21 December 1990

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For further information: W.S.Wooster, 206-685-2497.

MEETING ON A CONVENTION FOR
A NORTH PACIFIC MARINE SCIENCE ORGANIZATION (PICES)

FINAL REPORT

Representatives from Canada, the People's Republic of China, Japan, the Union of Soviet Socialist Republics and the United States of America accepted the invitation of the Government of Canada to participate in a Meeting on a Convention for a North Pacific Marine Science Organization (PICES), (hereinafter referred to as the "Organization"). The Representatives met in Ottawa from December 10 - 12, 1990 under the Chairmanship of Dr. B.S. Muir of Canada. The basis for the discussions was a draft text of the Convention prepared at a drafting session of the Representatives in Seattle on December 11 - 12, 1989.

As a result of the deliberations, the Meeting approved ad referendum a draft "Convention for a North Pacific Marine Science Organization (PICES)", the text of which is annexed to this Final Report. The Representatives agreed to recommend this draft to their Governments for signature and ratification, acceptance or approval.

The Meeting decided to convene an informal working group under the chairmanship of Canada to discuss draft Rules of Procedure and draft Financial Regulations with a view to submitting them to the Governing Council of the Organization for consideration. The Meeting agreed that the working group should continue to exchange views by correspondence after the Meeting and reconvene just prior to the first meeting of the Governing Council.

The Meeting agreed that Sidney, British Columbia, Canada, shall be the location of the Secretariat of the Organization.

The Representatives at the Meeting agreed to recommend to their Governments that, when ratifying, accepting or approving the Convention, a letter of undertaking be signed, in the form attached to this Final Report, concerning contributions to the annual budget of the Organization made pursuant to Article IX(2) of the Convention.

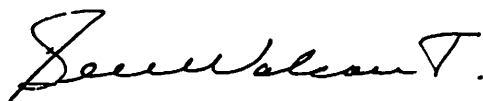
The Meeting accepted an offer from the Government of Canada to convene as early as possible a Meeting of the Governing Council once the Convention is in force. The Meeting also agreed to accept the invitation of the Government of the United States of America to host the first scientific meeting at an appropriate date to be determined later.

The Meeting invited Governments not represented at the Meeting but which are interested in marine scientific research in the North Pacific Ocean to indicate an interest in acceding to the Convention at the earliest opportunity in accordance with its provisions. Seeking to emphasize the necessity of broad scientific involvement in the Organization's work, the Meeting also invited scientists from every discipline who are interested in research in the North Pacific Ocean to fully participate in the activities of the Organization once established.

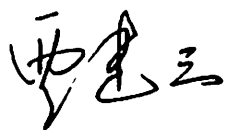
Finally, the Meeting accepted the offer of the Government of Canada to serve as Depository for the Convention and to send a certified copy of this Final Report together with its attachments to each of the Representatives participating in the Meeting.

IN WITNESS WHEREOF the Representatives have signed this Final Report.

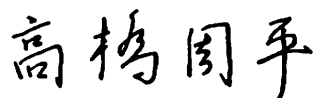
DONE at Ottawa, this twelfth day of December 1990, in a single copy in the English language.



FOR THE DELEGATION OF CANADA



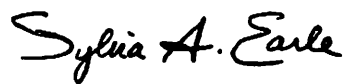
FOR THE DELEGATION OF THE PEOPLE'S REPUBLIC OF CHINA



FOR THE DELEGATION OF JAPAN



FOR THE DELEGATION OF THE UNION OF SOVIET SOCIALIST
REPUBLICS



FOR THE DELEGATION OF THE UNITED STATES OF AMERICA

CONVENTION FOR A
NORTH PACIFIC MARINE SCIENCE ORGANIZATION (PICES)

PREAMBLE

THE CONTRACTING PARTIES,

RECOGNIZING the need for improved scientific understanding of the North Pacific Ocean and its processes, living resources, and oceanographic features;

AWARE that due to the vast expanse of the North Pacific Ocean, scientific understanding of the area can be best achieved through a spirit of international scientific cooperation on a mutually beneficial basis;

DESIRING to establish an appropriate intergovernmental organization to promote and facilitate such scientific cooperation and avoid duplication of effort;

ACKNOWLEDGING that the activity of the organization must be based on the principles and rules of the international law of the sea applicable to marine scientific research;

HAVE AGREED as follows:

Article I

Establishment of the Organization

The Contracting Parties hereby establish an intergovernmental organization entitled the North Pacific Marine Science Organization (PICES), hereinafter referred to as the "Organization."

Article II

The Area Concerned

The area which the activities of the Organization concern shall be the temperate and sub-Arctic region of the North Pacific Ocean and its adjacent seas, especially northward from 30 degrees North Latitude, hereinafter referred to as the "area concerned". Activities of the Organization, for scientific reasons, may extend farther southward in the North Pacific Ocean.

Article III

Purpose of the Organization

The purpose of the Organization shall be:

- (a) to promote and coordinate marine scientific research in order to advance scientific knowledge of the area concerned and of its living resources, including but not necessarily limited to research with respect to the ocean environment and its interactions with land and atmosphere, its role in and response to global weather and climate change, its flora, fauna and ecosystems, its uses and resources, and impacts upon it from human activities; and
- (b) to promote the collection and exchange of information and data related to marine scientific research in the area concerned.

Article IV

Structure of the Organization

The Organization shall consist of:

- (a) a Governing Council (the "Council");
- (b) such permanent or ad hoc scientific groups and committees as the Council may establish from time to time; and
- (c) a Secretariat.

Article V

Functions of the Governing Council

1. The scientific functions of the Council shall be, inter alia:
 - (a) to identify research priorities and problems pertaining to the area concerned, as well as appropriate methods for their solution;
 - (b) to recommend coordinated research programmes and related activities pertaining to the area concerned, which shall be undertaken through the national efforts of the participating Contracting Parties;
 - (c) to promote and facilitate the exchange of scientific data, information, and ~~personnel~~;
 - (d) to consider requests to develop scientific advice pertaining to the area concerned;
 - (e) to organize scientific symposia and other scientific events; and
 - (f) to foster the discussion of problems of mutual scientific interest.

2. The administrative functions of the Council shall be, inter alia:
 - (a) to adopt and, if necessary, to amend the Rules of Procedure and financial regulations of the Organization;
 - (b) to consider and recommend amendments to the Convention;
 - (c) to adopt the annual report of the Organization;
 - (d) to examine and adopt the annual budget and final accounts of the Organization;
 - (e) to determine the location of the Secretariat;
 - (f) to appoint the Executive Secretary;
 - (g) to maintain contact with other relevant international organizations; and
 - (h) to manage the activities of the Organization.

3. The Council shall take such other decisions as may be necessary or desirable to enable the Organization to carry out its activities efficiently and effectively.

Article VI
Composition and Procedures of the Governing Council

1. Each Contracting Party shall be a member of the Council and shall appoint to the Council not more than two delegates, who may be accompanied as appropriate by alternates, experts and advisers.
2. The Council shall elect a Chairman and a Vice-Chairman, taking due account of the principle of rotation among Contracting Parties. The Chairman and Vice-Chairman shall be representatives of different Contracting Parties. During his term the Chairman shall cease to be part of his national delegation.
3. The Chairman of the Council shall convene a regular annual meeting of the Organization. The annual meetings shall ordinarily be held at the seat of the Organization, unless otherwise decided by the Council.
4. Any meeting of the Council, other than the annual meeting, shall be called by the Chairman at such time and place as the Chairman may determine, upon the request of the Council.
5. The Council may invite other states, organizations, and experts to attend scientific meetings of the Organization, or to participate in activities of the Organization on such terms as the Council may establish.

Article VII

Decision Making in the Governing Council

1. Each Contracting Party shall have one vote in the proceedings of the Council.
2. The Council shall make every effort to take decisions on the basis of consensus. For the purpose of this Convention, consensus means the absence of a formal objection.
3. If all efforts at consensus have been exhausted, and no agreement has been reached, decisions of the Council may be adopted by a three-quarters majority vote of the Contracting Parties present and voting.
4. Notwithstanding paragraph 3, consensus shall be required for the following:
 - (a) the establishment of permanent or ad hoc scientific groups and committees;
 - (b) the appointment of an Executive Secretary;
 - (c) the adoption of the annual budget of the Organization;
 - (d) recommendations for amendment of this Convention;
 - (e) the holding of any meeting of the Council other than the annual meeting; and
 - (f) other matters of substance that the Council may agree upon.

Article VIII

The Secretariat

The Council shall appoint an Executive Secretary on such terms and with such duties as it may determine. The staff of the Secretariat shall be appointed by the Executive Secretary in accordance with such rules, procedures, and requirements as may be determined by the Council.

Article IX

Financial Provisions

1. The Council shall adopt an annual budget for the Organization.
2. Each Contracting Party shall contribute to the annual budget. Contributions shall be paid in the currency of the state in which the Secretariat is located in accordance with the respective laws and regulations of each Contracting Party.
3. The Council shall consider at its annual meeting the failure of any Contracting Party to discharge its financial obligations under this Convention.

A Contracting Party that fails to pay its contributions for two consecutive years shall not, during the period of its default, have the right to participate in the taking of decisions in the Council unless the Council decides otherwise.

Article X

Working and Official Language

The working and official language of the Council shall be English.

Article XI

Privileges and Immunities

1. The Organization shall enjoy such legal personality and capacity as may be agreed between the Organization and the Contracting Party in whose territory the Secretariat is located.
2. The Organization, its officers and employees, together with delegates to the Council, shall enjoy such privileges and immunities, necessary for the fulfillment of their functions, as may be agreed between the Organization and the Contracting Party in whose territory the Secretariat is located.

Article XII

No Prejudice to Existing Rights

1. Nothing in this Convention, nor activities of the Organization taking place pursuant to it, shall prejudice or in any way affect:
 - (a) the sovereignty, sovereign rights and jurisdiction of a Contracting Party under international law over its territorial sea, 200 nautical mile zone, or continental shelf, including its jurisdiction over marine scientific research;
 - (b) the rights of a Contracting Party to manage its national research programs;
 - (c) other international agreements, bilateral or multilateral, to which Contracting Parties are party.
2. Nothing in this Convention shall be construed as authorizing the Organization to regulate the activities of the Contracting Parties.

Article XIII

Signature and Ratification, Acceptance or Approval

1. The Convention shall be open for signature at Ottawa, Canada, from March 1, 1991 until December 31, 1991 by Canada, the People's Republic of China, Japan, the Union of Soviet Socialist Republics and the United States of America.

2. The Convention shall be subject to ratification, acceptance or approval by the signatory states in accordance with their domestic laws and procedures. Instruments of ratification, acceptance or approval shall be deposited with the Government of Canada, which shall act as the Depository.

Article XIV

Entry into Force and Accession

1. The Convention shall enter into force sixty days after the date on which three of the signatory states have deposited instruments of ratification, acceptance or approval with the Depository.

2. After the Convention has entered into force, it shall be open for accession by any non-signatory state. States desiring to accede to the Convention may so notify the Depository which shall notify the Contracting Parties. In the absence of a written objection by a Contracting Party within 90 days of receipt of such notification, a state may accede by deposit of an instrument of accession with the Depository and accession shall take effect sixty days following deposit.

Article XV

Amendments

Any Contracting Party or the Council may propose amendments to this Convention. The text of a proposed amendment shall be transmitted to all Contracting Parties by the Depository at least 90 days prior to the meeting at which the amendment is proposed to be considered. Amendments shall enter into force sixty days after the deposit of instruments of ratification, acceptance or approval by all of the Contracting Parties in accordance with their domestic laws and procedures.

Article XVI

Withdrawal

A Contracting Party may withdraw from this Convention at any time by giving written notice of withdrawal to the Depository. The withdrawal shall be effective six months after receipt of the notice of withdrawal by the Depository.

Article XVII

Termination

1. This Convention shall be terminated upon the withdrawal of three of the signatory states listed in Article XIII.

2. The effective date of termination shall be one year after the deposit with the Depository of the number of withdrawals required to terminate the Convention in accordance with paragraph 1 above.

Article XVIII

Authentic Texts and Certified Copies

The original of the present Convention in the English and French languages, each version being equally authentic, shall be deposited with the Depository, which shall transmit certified copies thereof to all of the signatory states.

IN WITNESS WHEREOF the undersigned, having been duly authorized to this effect by their respective Governments, have signed this Convention:

For Canada,

For People's Republic of China,

For Japan,

For the Union of Soviet Socialist Republics,

For the United States of America,

....., 1991

All Contracting Parties

Dear Sir:

FUNDING BY CONTRACTING PARTIES OF THE ANNUAL PICES BUDGET

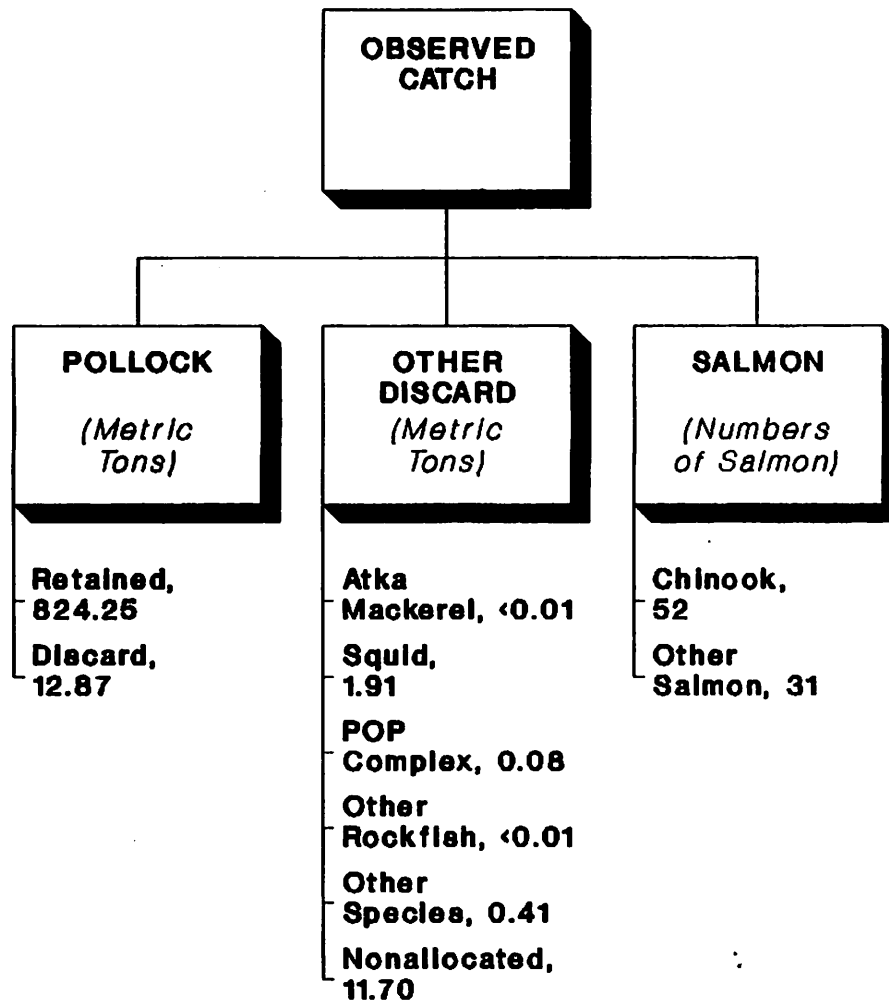
I have the honour to refer to the ratification/acceptance/approval on by my Government of the Convention for a North Pacific Marine Science Organization (the "Organization").

With respect to Article IX(2) of the Convention, the Government of ... hereby undertakes to contribute to the annual budget of the Organization in an amount not less than the annual contribution of each of the other Contracting Parties to the Convention, in accordance with the level of contribution set by the Governing Council.

Yours sincerely,

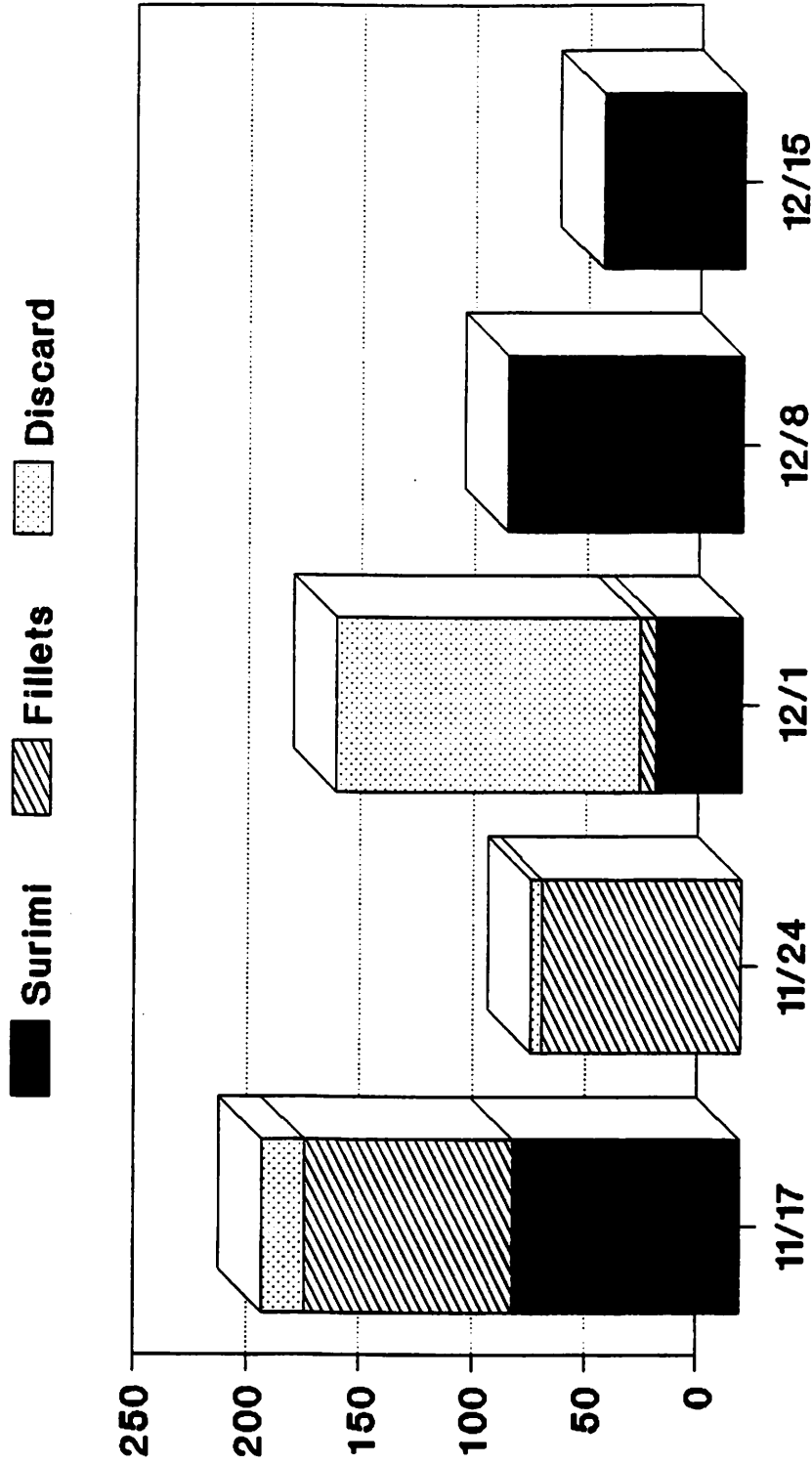
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OBSERVED CATCH, DONUT HOLE, 1990 GROUNDFISH AND PROHIBITED SPECIES



*13 Nov through 10 Dec 1990 (10 Vessels)

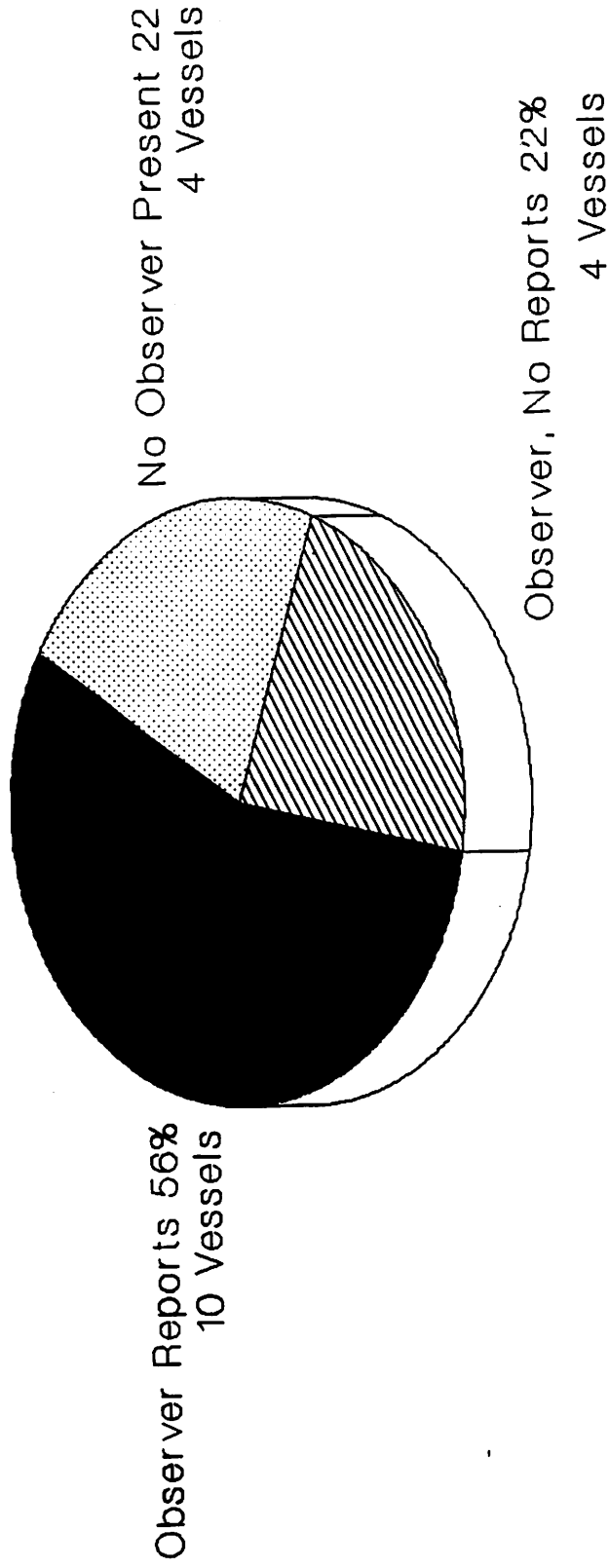
**REPORTED DOMESTIC TRAWL PRODUCTION, 1990
 POLLOCK (Round Weight, Metric Tons)
 DONUT HOLE (11/17 - 12/15/90)**



Source: Weekly Production Reports,
 5 Different Vessels Each Week

VESSELS KNOWN/REPORTED, DONUT HOLE

November 12 - December 17, 1990



60% of Vessels With Observer Reports Submitted Weekly Production Reports and Check-In/Check-out Reports

(B)

USCG AIRCRAFT AND CUTTER SIGHTINGS IN THE BERING SEA "DONUT HOLE"
01 JAN - 31 DEC 90 WITH THE EXCEPTION OF THE MONTH OF APRIL.
ALL VLS SIGHTED BY AIRSTA KODIAK UNLESS OTHERWISE INDICATED.
CALL SIGNS BEGINING WITH THE LETTER B ARE CHINESE, CALL SIGNS
BEGINING WITH THE LETTER SVA-SZZ ARE GREEK
CALL SIGNS BEGINING WITH THE NUMBERS 7AA-7IZ ARE INDONESIAN
CALL SIGNS BEGINING WITH THE NUMBERS/LETTERS JAA-JSZ, SJA-8NZ,
7JA-7NZ ARE JAPANESE
CALL SIGNS BEGINING WITH THE NUMBER/LETTERS 6KA-6NZ, DSA-DTZ,
HLA-HLZ ARE SOUTH KOREAN
CALL SIGNS BEGINING WITH THE LETTER SNA-SRZ ARE POLISH
CALL SIGNS BEGINING WITH THE LETTERS EKA-EKZ, EMA-EQZ, ERA-ESZ,
EUA-EZZ, LYA-LZZ AND U ARE RUSSIAN.
CALL SIGNS LISTED BY DATE SIGHTED:

1/08	JMCO	SQII	AKGO	SQGR
8JYK	7LLV	JJCJ	6MPK	SQBZ
	DTBC	SQGR	6MET	JNVH
1/05	7LJM	SQOW	6MGM	8KGD
6LZT	JDMJ	JNRW		SQGE
7LIZ	6NER	SQHY	1/11	.
6NQN	7KML	SQDT	BBEG	1\20
6NWZ	JGCR	JBCE	7KML	7LJM
DTOW	JNUH	SNVY	JBXW	JDOB
6MPK	JAWN	SQIG		7LAV
JLIJ	SQHB	SQGX	1\13	7LLV
7LSY	SQHX	JGBF	JFOU	JBOQ
JBDQ	6NVZ	JFYW		JFWO
7LVY	6MXD	SQGZ	1\14	JDOI
BDEB	JHGA	SQGK	6NAZ	JDXF
JFJO	6MPK	SQFG	6NAJ	JDSD
JBXQ	3EBB5	7JOP	6DOB	7LQC
6NEW	6MME	SQGD	7LFC	ZDIN
JHGA	BIEL	JDXE	7LNQ	7LSY
6KCO	6MGG	SQAJ		7LFL
SQGC	SQEK	6MMD	1\17	
6MAX	JDSD	SQIN	SQBC	1\21
SQSW	SQAJ	UDSD	JDSD	SQFG
6NAZ	6MMO	SQEX	JBGF	SQLP
6MKC	JXDF	6KOP	JGVD	SQAJ
6LRQ	SQGD	JCEC	JAWN	7LIZ
6MXO	JGVD	7KFO	SQEL	JCGA
SQHB	BIGV	6MED	JMSA	JBOX
JFUT	SQGZ	BAZT	SQFG	6MXT
JMSA	SQFG	BAJK	7LRR	JFUI
6NEJ	JBGR	JITW	BLRQ	JMRW
7JMH	SQGX	6MLK	JLDL	JQMO
JDMJ	JFGK	JBLS	SMLG	JFUO
7LJM	SQLP	JFJE	7LGH	JGCR
DTBK	JETD	JQMX	7LQC	SQEL
JBTT	SQDY		7KWC	6MXD
JBXX	JKEV	1/08	7LLV	JAOI
SQLV	6MLB	JETE	7LFC	JCEC
JAFU	6MLX	JKFA	SQIO	JGVD
JDIX	DIVI	JQMX	SQHB	JKJE

7LLV	JDMF	SQIP	SQEK	6MLK
7LJM	JNVH	JKIF		
JALW	SQFG	JITW	2/16	3/19
JDSD	SQII	8KGD	EULH	SPHQ
6NAX	JCEC	JKJI	UMNW	6NBG
	7LIZ	6MKD	JGVD	7LNO
1\22		JGUX	SQEK	SNVY
SQGM		JDBQ	SQDI	SQGR
SQII	1/24	JGVD	SQEL	SQEL
	JNRS	BJXX	SQDY	SQDY
1\23	SQOB	JGMK	SQIP	SQRH
JNRS	8LSX	7LNO	SQGX	JCEN
8LVX	SQHX	7LDC	SQBZ	7LLV
UNAZ	SQDW	SQGK	SQUY	7LIR
JFTB	SQEL	7KLB	SQUY	JDSD
JBXX	SQDT		SQGP	JFTB
7LIR	SQHB	1/29	SQSE	
6MXT	6MME	SQGC	SQIG	3/25
SQIN	JDPH	JICF	SQDW	7LSY
SCBC	7LNO	JNGB		7LRR
SQHX	6MVD	SQGW	2/17	JBTT
JDMF	SQIJ	6NEJ	EURR	
SQGK	SQGK	SQGK		3/28
JGMX	SQFA	SMMD	2/28	JMSA
6MMD	SQFG	JNEW	SQII	
SQDW	SQII	SQGX	SQEL	3/29
JAOI	SQEK	6LSU	SQEK	SQEK
SQHY	SQIP	JDMF	SNVY	JALW
JGVD	6NEJ	SQEX	SQIP	SQRH
SQEL	SQAJ	7LNO	SQDV	7LFT
JMBA	JILS	SQGM		SQDY
JDPH	JGOX	JDPH	3/10	SPHQ
7LSY	SQNY	6MXT	(MIDGETT)	JCBI
7LGH	JBXX	SQIP	SQII	JDIN
7FRR	JFWO	SQDT	SQGY	JFUQ
SQAJ	JKEM	JGVD	SQAJ	
7KWC	JMSA	JDJN	SQLY	5/01
JDIN	SQBZ	JAOJ	SQGK	SQBZ
6MKD	JFUT	SQFA	SNVY	SPHQ
7BDQ	JFUK	JGOX	SQGS	SQEK
JFLQ	SQMD	6MKD		SQLY
7KLB	JNRW	SQIT	3/11	JGCR
JMSA	6MXT	JBCW	(MIDGETT)	JHGA
SQMD	JKJI		SPHQ	SQLP
SQBZ	6MMD	2/11		SQIP
JKIF	6NBG	SQDW	3/12	SQEL
JDSD	SQGM		(MIDGETT)	6NVZ
JKJI	6NEJ	2/12	SPHQ	SQHX
6MME	SQHY	6NEV		SQGR
6QDW	SQEL	JGUD	3/10	SQII
7JEI	SQEK	SQTP	JJCJ	SQGL
JLRR	SQHY	SQOI	SQRH	SQGM
JFTB	SQAJ	SQEL		SQGE
SQHX	SQDW	SQAJ	3/12	SQHB

SNVX	SQOI	JQPR	7LJM	SNVY
SQDI	SQSX	7LQC	7JMH	SQIG
SQGF	SNBX	SQBZ	JDMJ	JDPH
SQFG	JDOB	3F885	7LIR	SQBZ
SQDU	JDPH	JHSA	JDOB	6NER
SQGY	7LKM	JDSO	SQHQ	SQGS
SQIN	SQID	6NEW	JNGB	SQBC
SQIG	SNVX	SQHZ	LYFJ	SNVX
JAOI	JBLS	SQFA	JAWN	SQHY
7LHL	SQIG	SQFG	JNRS	6NAX
6NAZ	6MGG	SNVX	JMWJ	6MLX
6MLB	SQBZ	7LRR	7LVY	SQMO
JBGZ	JDXF	7LHL	JKLF	SQEL
6MXT	SQGN	SLQH	7JEI	6NEW
SQFA	6KBH	6NER	JBCW	6MLQ
7LIR	7LPR	SQDU	JFUQ	SQHX
SQBC	6MLK	6NEJ	JFYW	7LMD
SQHY	JKSJ	SQHX	8LWF	SQGC
SQHZ	JDSC	SQCC	JAFV	JDOB
6KUQ	JBXW	6NAX	JALN	SQEK
JEDQ	JNPS	SQMO	JCBI	3EBBS
JBXQ	JBXX	SQLP	JDPD	SQIO
JLIJ	7LRR	SQGS	JAJG	SQLY
JMSA	7LHL	SQDT	JBXW	SQFA
JFJO	JNBW	6MMD	JBXX	
JAWM	JJCN	6MME	JDIX	5/25
JBXX	JLIN	SQIQ		SQIG
JBCW	JAWN	SQGK	5/11	SQHX
JDIX	7LYY	6NAZ	LYFJ	SNVX
JBTT	6MKC	6KBH	JALW	SNVY
JFKJ	6NAX	6LSU	SQEL	SQMO
JDSC	6MXT	6MLQ	SQII	UUAG
JDPP	JDMJ	SQDT	JAFV	UQJK
7LRE	JMXD	6MMD	SQHY	
JDOB	JBGF	SQDI	3ETH7	5/18
7LQC	SQGR	SQLY	SQGC	(STORIS)
7LAV	SQEL	SQEC	SQDY	6NEF
JBLS	SQLY	JBXQ	SQFA	ETUQ
7LLV		6NER	SQIG	6TRP
	5/09	SQIN	SQIJ	
5/02	SQGM	JLNJ	SQMD	6/03
UTDV	SPHQ	JMBA	SQGE	UGPP
UJTD	SQDY	7LRR	7LLV	UWFA
	7LLV	3ETH7	JDOB	UQJK
5/06	7LIW	SQHZ	SQIZ	UBCS
SQFA	JDOB	SQIG	SQHX	EMZS
JHGA	JDMJ	SQHY	7LAV	UGTC
SQDT	7LJM	JKFJ	6NEW	UJTF
SQIF	SQEL	SQSX	JKIF	UUAG
SQFG	7JMH	3EBBS		EOLV
SQGC	JDPH	SNVY	5/12	LVFD
6MLB	SQBG	JBGF	SQHZ	UTQM
SQHB	SNVY	JNRW	SQDI	UKVL
SQGF	7LNQ	SQEL	SQDY	UTQM

LVFD	JDXW	SZQH	JBXX	7KJI
ERCD	JKIF	SQIJ	7LNO	JHGA
UNWB		SQIG	8KHQ	7LSY
UJTD	6/28	SQHB	JKFT	JBXU
UJRM	SQOX	SQGM	JBTE	JKPA
UJGC	SQEP	SQRH	JHGA	JKEP
UGPA	KQGM	SQRG	JFTB	JDAC
EWBT	SQEL	SQDY	JKPA	JMSA
ERMA	SQGX	SQEK	JJLV	JDIN
EWZR		6MME	JNRW	7LLV
UNFI	7/04	SQGE	7LQC	JBLS
UJMH	6MLB	3CSE5	8KHQ	JDPH
	6MMD	6NEW	JBCE	7LQC
6/13	6MWJ	6KUQ		7LNO
UUAG		SQDT	11/01	7LAV
UNWB	7/07		6NVZ	JLLF
UGXQ	SQIG	9/04	6KCO	JDOB
UJLJ	SQGE	SQIN	SQII	8KHQ
UWWA	SQHY	JJCJ	SORG	
USZV	SQEL		SWAJ	11/19
EWBT	6NBG	10/29	SQGY	JLLF
EWZR	3EFZ6	JBGF	SQGX	JCBI
UVSS	3ECS5	JJCJ	6MME	
UNFI	6NEW	GKIO	JAWN	11/23
EMLU	6NAX	JFJL	6NAZ	JLLF
ERCD	6LZT	JKIF	6LZT	JLLV
UJJD	6LZU	JKIU	6MKC	7LJM
UGPC		7LAV	6NEJ	7KKL
EKWG	7/03	SQIU	SQGD	
UQJK	6MEB	6MXD	SQRT	11/26
7LOY		JRBU	SQIG	8KHQ
EUPM	7/11	DTDH	SQGO	SORG
	6NAZ	DTBP	JNRW	JMSA
6/18	DTBP	JAKR	DTDH	7LLR
SQSA	6KUQ	JCBI	6LRQ	JLIJ
SQHY		7LRR	SQK	JDPO
6NER	7/14	JQMX	SQFA	7LVY
BAZT	USZX	7LVY	3EBB5	JAJ5
SQIG	UQJK		6MLQ	JJCJ
6LWN	EWKB	10/25	7JMH	JDXF
6NEW	ERCD	JDPH	SQHY	SQAJ
6LSW	UIAR	JFRR	SQGX	
6KBH	EUPM	JMSA	6MXD	12/01
DTBC	UGPC	JBXQ	6MXL	JFFJ
DTBQ	UGPA	JLIJ	SQGR	JBLS
6KCO	EWZR	7JAJ	SQRH	BAZT
6NBG		7LSX	SQMD	JCBI
SQFG	8/08	8JIM	SQAJ	JKEP
6MME	7JNG	JNGB	JHSY	JAXR
JKIF	JEPT	JBGF		JNUH
	JCOL	JCTA	11/14	
6/20	JEGM	JDSO	JKEY	12/20
6MME		JDPH	JGCB	JBXW
JDXF	8/09	JBCE	JMOT	7LVY

JBRT
JNUH
7JEI
JKEY
JDEP
JBCW
JAKR

(C)

USCGC AIRCRAFT AND CUTTER PERMITTED FISHING VSL SIGHTINGS IN THE BERING SEA "DONUT HOLE" 01 JAN - 31 DEC 90 WITH THE EXCEPTION OF THE MONTH OF APRIL.

C/S	NAME	C/S	NAME
BAJK	GENG HAI	JNRW	KOYO MARU NO. 8
BAZT	YUN HAI	6KBH	DONG BANG HO
BBEG	YAN YUAN NO. 2	6KCO	ORYONG NO. 501
BDEB	YAN YUAN 1	6KUQ	DAE JIN NO. 21
BIEL	KAI CHUANG	6LRQ	NO. 1 HAN SUNG
7JMH	DAISHIN MARU NO. 28	6LSU	JOON SUNG HO
7KML	KOSHIN MARU NO. 21	6LZT	GAE YANG HO
7KWC	TOMI MARU NO. 83	6MMG	NO. 71 DONG BANG
7LGH	TOMI MARU NO. 58	6MGM	NO. 77 DONG BANG
7LNG	TOMI MARU NO. 87	6MKC	HAN JIN HO
7LQC	TOMI MARU NO. 86	6MLB	PUNG YANG HO
7LVY	KAIUN MARU NO. 65	6MLK	NO. 602 TAE WOONG
8JYK	HOKKAI MARU (B)	6MLQ	NO. 70 OYANG HO
8KGD	ORIENTAL CRANE	6MLX	HAN KIL HO
8LWF	SHINEI MARU NO. 63	6MMD	SALVIA
JAFV	DAIAN MARU NO. 188	6MPK	NO. 7 SANG WON
JALW	HANAZONO MARU	6MXD	OYANG HO
JAWM	AKEBONO MARU NO. 77	6MXT	NAM BUG HO
JBCE	TOMI MARU NO. 55	6NAX	SHIN AN HO
JBGF	YAMATO MARU	6NAZ	DAEJIN NO. 52
JBXQ	ZUIHOO MARU NO. 28	6NEJ	TAE BAEK HO
JOBI	KAIYO MARU NO. 28	6NER	DAE SUNG HO
JOEC	TENYO MARU	6NEW	CRYSTAL DAHLIA
JOEN	ATAGO MARU	DTBC	SHIN YANG HO
JDMJ	OHTORI MARU	SNVX	HOMAR
JDOI	TOMI MARU NO. 81	SNVY	LANGUSTA
JDPH	TOMI MARU NO. 51	SPHQ	ALTAIR
JDSO	RIKUZEN MARU	SQAJ	KALMAR
JDXF	KOYO MARU NO. 3	SQBC	MORS
JETD	TENYO MARU NO. 2	SQBZ	GRINWAL
JFCK	FUKUYOSHI MARU NO. 38	SQDI	WALEN
JFJE	YOKO MAR	SQDT	DENEbola
JFJO	TENYO MARU NO. 3	SQDU	VEGA
JFTB	TSUDA MARU	SQDY	DALMAR II
JFUK	DAIKICHI MARU NO. 51	SQEK	SIRIUS
JFUO	FUKUYOSHI MARU NO. 58	SQEL	GEMINI
JFUT	FUKUCHO MARU NO. 11	SQEX	ZULAWY
JGCR	KOSHIN MARU NO. 1	SQFA	REKIN
JGMK	KOSHIN MARU NO. 3	SQFG	DELFIN
JGUX	DAIKICHI MARU NO. 5	SQGC	TAZAR
JGVD	TENYO MARU NO. 5	SQGD	WLOCZNIK
JHGA	ANYO MARU NO. 1	SQGE	ORCYN
JITW	KOEI MARU NO. 51	SQGK	AWIOR
JJCJ	CHIKUZEN MARU	SQGL	POLLUX
JKFA	REEFER BEAVER	SQGM	KOLIAS
JKFJ	SHUNYOO MARU NO. 118	SQGP	MUSTEL
JKPH	SEISHIN MARU	SQGR	INDUS
JLIJ	DAIAN MARU NO. 158	SQGS	TUNEK
JMSA	ZUIHOO MARU NO. 88	SQGX	OTOL
JNGB	ORIENTAL EAGLE	SQGY	MARLIN

SQGZ ORLEN
SQHB SAGITTA
SQHX ARCTURUS
SQHY HAJDUK
SQHZ ADMERAL ARCISZEWSKI
SQIG BOGAR
SQII PARMA
SQIJ ANTARES
SQIN AMAREL
SQIP PROF. BOGUCKI
SQLP AQUILA
SQLY CASSIOPEIA
SQMO AQUARIUS
SQRH ATRIA

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21 December 1990

NEW MARINE SCIENCE ORGANIZATION FOR NORTH PACIFIC

A new international organization, the "North Pacific Marine Science Organization (PICES)" will be established to promote and coordinate marine scientific research in the northern North Pacific Ocean and the Bering Sea. This was decided in Ottawa on December 12, 1990 when a draft Convention was approved by representatives of Canada, China, Japan, the United States and the Soviet Union.

PICES will focus on research on the ocean environment and its interactions with land and atmosphere, its role and response to global weather and climate change, its flora, fauna and ecosystems, its uses and resources, and impacts upon it from human activities. Such studies relate not only to the effects of fishing and environmental change on fish stocks but also to such issues as the impacts of oil spills and other forms of pollution and the eventual consequences of climate change for uses of the ocean and its resources.

After ratification by three of the five countries, the convention will enter into force and other interested nations will be invited to accede. The PICES Secretariat will be located at the Institute of Ocean Sciences in Sidney, British Columbia. The first Chairman will be Professor Warren Wooster of the College of Ocean and Fishery Sciences, University of Washington. Upon invitation of the head of the U.S. delegation, Dr. Sylvia Earle, Chief Scientist of the National Oceanic and Atmospheric Administration, a scientific planning meeting will be held in Seattle sometime in the second half of 1991.

For further information: W.S.Wooster, 206-685-2497.

MEETING ON A CONVENTION FOR
A NORTH PACIFIC MARINE SCIENCE ORGANIZATION (PICES)

FINAL REPORT

Representatives from Canada, the People's Republic of China, Japan, the Union of Soviet Socialist Republics and the United States of America accepted the invitation of the Government of Canada to participate in a Meeting on a Convention for a North Pacific Marine Science Organization (PICES), (hereinafter referred to as the "Organization"). The Representatives met in Ottawa from December 10 - 12, 1990 under the Chairmanship of Dr. B.S. Muir of Canada. The basis for the discussions was a draft text of the Convention prepared at a drafting session of the Representatives in Seattle on December 11 - 12, 1989.

As a result of the deliberations, the Meeting approved ad referendum a draft "Convention for a North Pacific Marine Science Organization (PICES)", the text of which is annexed to this Final Report. The Representatives agreed to recommend this draft to their Governments for signature and ratification, acceptance or approval.

The Meeting decided to convene an informal working group under the chairmanship of Canada to discuss draft Rules of Procedure and draft Financial Regulations with a view to submitting them to the Governing Council of the Organization for consideration. The Meeting agreed that the working group should continue to exchange views by correspondence after the Meeting and reconvene just prior to the first meeting of the Governing Council.

The Meeting agreed that Sidney, British Columbia, Canada, shall be the location of the Secretariat of the Organization.

The Representatives at the Meeting agreed to recommend to their Governments that, when ratifying, accepting or approving the Convention, a letter of undertaking be signed, in the form attached to this Final Report, concerning contributions to the annual budget of the Organization made pursuant to Article IX(2) of the Convention.

The Meeting accepted an offer from the Government of Canada to convene as early as possible a Meeting of the Governing Council once the Convention is in force. The Meeting also agreed to accept the invitation of the Government of the United States of America to host the first scientific meeting at an appropriate date to be determined later.

The Meeting invited Governments not represented at the Meeting but which are interested in marine scientific research in the North Pacific Ocean to indicate an interest in acceding to the Convention at the earliest opportunity in accordance with its provisions. Seeking to emphasize the necessity of broad scientific involvement in the Organization's work, the Meeting also invited scientists from every discipline who are interested in research in the North Pacific Ocean to fully participate in the activities of the Organization once established.

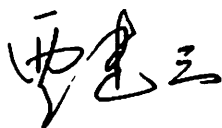
Finally, the Meeting accepted the offer of the Government of Canada to serve as Depository for the Convention and to send a certified copy of this Final Report together with its attachments to each of the Representatives participating in the Meeting.

IN WITNESS WHEREOF the Representatives have signed this Final Report.

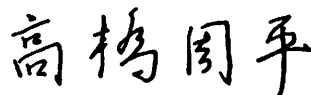
DONE at Ottawa, this twelfth day of December 1990, in a single copy in the English language.



FOR THE DELEGATION OF CANADA



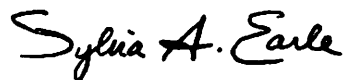
FOR THE DELEGATION OF THE PEOPLE'S REPUBLIC OF CHINA



FOR THE DELEGATION OF JAPAN



FOR THE DELEGATION OF THE UNION OF SOVIET SOCIALIST
REPUBLICS



FOR THE DELEGATION OF THE UNITED STATES OF AMERICA

CONVENTION FOR A
NORTH PACIFIC MARINE SCIENCE ORGANIZATION (PICES)

PREAMBLE

THE CONTRACTING PARTIES,

RECOGNIZING the need for improved scientific understanding of the North Pacific Ocean and its processes, living resources, and oceanographic features;

AWARE that due to the vast expanse of the North Pacific Ocean, scientific understanding of the area can be best achieved through a spirit of international scientific cooperation on a mutually beneficial basis;

DESIRING to establish an appropriate intergovernmental organization to promote and facilitate such scientific cooperation and avoid duplication of effort;

ACKNOWLEDGING that the activity of the organization must be based on the principles and rules of the international law of the sea applicable to marine scientific research;

HAVE AGREED as follows:

Article I

Establishment of the Organization

The Contracting Parties hereby establish an intergovernmental organization entitled the North Pacific Marine Science Organization (PICES), hereinafter referred to as the "Organization."

Article II

The Area Concerned

The area which the activities of the Organization concern shall be the temperate and sub-Arctic region of the North Pacific Ocean and its adjacent seas, especially northward from 30 degrees North Latitude, hereinafter referred to as the "area concerned". Activities of the Organization, for scientific reasons, may extend farther southward in the North Pacific Ocean.

Article III

Purpose of the Organization

The purpose of the Organization shall be:

- (a) to promote and coordinate marine scientific research in order to advance scientific knowledge of the area concerned and of its living resources, including but not necessarily limited to research with respect to the ocean environment and its interactions with land and atmosphere, its role in and response to global weather and climate change, its flora, fauna and ecosystems, its uses and resources, and impacts upon it from human activities; and
- (b) to promote the collection and exchange of information and data related to marine scientific research in the area concerned.

Article IV

Structure of the Organization

The Organization shall consist of:

- (a) a Governing Council (the "Council");
- (b) such permanent or ad hoc scientific groups and committees as the Council may establish from time to time; and
- (c) a Secretariat.

Article V

Functions of the Governing Council

1. The scientific functions of the Council shall be, inter alia:
 - (a) to identify research priorities and problems pertaining to the area concerned, as well as appropriate methods for their solution;
 - (b) to recommend coordinated research programmes and related activities pertaining to the area concerned, which shall be undertaken through the national efforts of the participating Contracting Parties;
 - (c) to promote and facilitate the exchange of scientific data, information, and personnel;
 - (d) to consider requests to develop scientific advice pertaining to the area concerned;
 - (e) to organize scientific symposia and other scientific events; and
 - (f) to foster the discussion of problems of mutual scientific interest.

2. The administrative functions of the Council shall be, inter alia:
 - (a) to adopt and, if necessary, to amend the Rules of Procedure and financial regulations of the Organization;
 - (b) to consider and recommend amendments to the Convention;
 - (c) to adopt the annual report of the Organization;
 - (d) to examine and adopt the annual budget and final accounts of the Organization;
 - (e) to determine the location of the Secretariat;
 - (f) to appoint the Executive Secretary;
 - (g) to maintain contact with other relevant international organizations; and
 - (h) to manage the activities of the Organization.

3. The Council shall take such other decisions as may be necessary or desirable to enable the Organization to carry out its activities efficiently and effectively.

Article VI
Composition and Procedures of the Governing Council

1. Each Contracting Party shall be a member of the Council and shall appoint to the Council not more than two delegates, who may be accompanied as appropriate by alternates, experts and advisers.
2. The Council shall elect a Chairman and a Vice-Chairman, taking due account of the principle of rotation among Contracting Parties. The Chairman and Vice-Chairman shall be representatives of different Contracting Parties. During his term the Chairman shall cease to be part of his national delegation.
3. The Chairman of the Council shall convene a regular annual meeting of the Organization. The annual meetings shall ordinarily be held at the seat of the Organization, unless otherwise decided by the Council.
4. Any meeting of the Council, other than the annual meeting, shall be called by the Chairman at such time and place as the Chairman may determine, upon the request of the Council.
5. The Council may invite other states, organizations, and experts to attend scientific meetings of the Organization, or to participate in activities of the Organization on such terms as the Council may establish.

Article VII

Decision Making in the Governing Council

1. Each Contracting Party shall have one vote in the proceedings of the Council.
2. The Council shall make every effort to take decisions on the basis of consensus. For the purpose of this Convention, consensus means the absence of a formal objection.
3. If all efforts at consensus have been exhausted, and no agreement has been reached, decisions of the Council may be adopted by a three-quarters majority vote of the Contracting Parties present and voting.
4. Notwithstanding paragraph 3, consensus shall be required for the following:
 - (a) the establishment of permanent or ad hoc scientific groups and committees;
 - (b) the appointment of an Executive Secretary;
 - (c) the adoption of the annual budget of the Organization;
 - (d) recommendations for amendment of this Convention;
 - (e) the holding of any meeting of the Council other than the annual meeting; and
 - (f) other matters of substance that the Council may agree upon.

Article VIII

The Secretariat

The Council shall appoint an Executive Secretary on such terms and with such duties as it may determine. The staff of the Secretariat shall be appointed by the Executive Secretary in accordance with such rules, procedures, and requirements as may be determined by the Council.

Article IX

Financial Provisions

1. The Council shall adopt an annual budget for the Organization.
2. Each Contracting Party shall contribute to the annual budget. Contributions shall be paid in the currency of the state in which the Secretariat is located in accordance with the respective laws and regulations of each Contracting Party.
3. The Council shall consider at its annual meeting the failure of any Contracting Party to discharge its financial obligations under this Convention.

A Contracting Party that fails to pay its contributions for two consecutive years shall not, during the period of its default, have the right to participate in the taking of decisions in the Council unless the Council decides otherwise.

Article X

Working and Official Language

The working and official language of the Council shall be English.

Article XI

Privileges and Immunities

1. The Organization shall enjoy such legal personality and capacity as may be agreed between the Organization and the Contracting Party in whose territory the Secretariat is located.
2. The Organization, its officers and employees, together with delegates to the Council, shall enjoy such privileges and immunities, necessary for the fulfillment of their functions, as may be agreed between the Organization and the Contracting Party in whose territory the Secretariat is located.

Article XII

No Prejudice to Existing Rights

1. Nothing in this Convention, nor activities of the Organization taking place pursuant to it, shall prejudice or in any way affect:
 - (a) the sovereignty, sovereign rights and jurisdiction of a Contracting Party under international law over its territorial sea, 200 nautical mile zone, or continental shelf, including its jurisdiction over marine scientific research;
 - (b) the rights of a Contracting Party to manage its national research programs;
 - (c) other international agreements, bilateral or multilateral, to which Contracting Parties are party.
2. Nothing in this Convention shall be construed as authorizing the Organization to regulate the activities of the Contracting Parties.

Article XIII

Signature and Ratification, Acceptance or Approval

1. The Convention shall be open for signature at Ottawa, Canada, from March 1, 1991 until December 31, 1991 by Canada, the People's Republic of China, Japan, the Union of Soviet Socialist Republics and the United States of America.

2. The Convention shall be subject to ratification, acceptance or approval by the signatory states in accordance with their domestic laws and procedures. Instruments of ratification, acceptance or approval shall be deposited with the Government of Canada, which shall act as the Depository.

Article XIV

Entry into Force and Accession

1. The Convention shall enter into force sixty days after the date on which three of the signatory states have deposited instruments of ratification, acceptance or approval with the Depository.

2. After the Convention has entered into force, it shall be open for accession by any non-signatory state. States desiring to accede to the Convention may so notify the Depository which shall notify the Contracting Parties. In the absence of a written objection by a Contracting Party within 90 days of receipt of such notification, a state may accede by deposit of an instrument of accession with the Depository and accession shall take effect sixty days following deposit.

Article XV

Amendments

Any Contracting Party or the Council may propose amendments to this Convention. The text of a proposed amendment shall be transmitted to all Contracting Parties by the Depository at least 90 days prior to the meeting at which the amendment is proposed to be considered. Amendments shall enter into force sixty days after the deposit of instruments of ratification, acceptance or approval by all of the Contracting Parties in accordance with their domestic laws and procedures.

Article XVI

Withdrawal

A Contracting Party may withdraw from this Convention at any time by giving written notice of withdrawal to the Depository. The withdrawal shall be effective six months after receipt of the notice of withdrawal by the Depository.

Article XVII

Termination

1. This Convention shall be terminated upon the withdrawal of three of the signatory states listed in Article XIII.

2. The effective date of termination shall be one year after the deposit with the Depository of the number of withdrawals required to terminate the Convention in accordance with paragraph 1 above.

Article XVIII

Authentic Texts and Certified Copies

The original of the present Convention in the English and French languages, each version being equally authentic, shall be deposited with the Depository, which shall transmit certified copies thereof to all of the signatory states.

IN WITNESS WHEREOF the undersigned, having been duly authorized to this effect by their respective Governments, have signed this Convention:

For Canada,

For People's Republic of China,

For Japan,

For the Union of Soviet Socialist Republics,

For the United States of America,

....., 1991

All Contracting Parties

Dear Sir:

FUNDING BY CONTRACTING PARTIES OF THE ANNUAL PICES BUDGET

I have the honour to refer to the ratification/acceptance/approval on by my Government of the Convention for a North Pacific Marine Science Organization (the "Organization").

With respect to Article IX(2) of the Convention, the Government of ... hereby undertakes to contribute to the annual budget of the Organization in an amount not less than the annual contribution of each of the other Contracting Parties to the Convention, in accordance with the level of contribution set by the Governing Council.

Yours sincerely,

.....

HAROLD SPARCK

Alternate Program to Remove U.S. and Foreign Fishing Effort in the Doughnut

C-4

I am speaking to the Council as the maker of a motion that failed by a ten to ten vote in the Advisory Panel yesterday. That motion would have substituted U.S. conservation concern for its diminishing chinook salmon and Eastern Bering Sea herring stocks that are being taken as by catch in the foreign and U.S. fisheries of the Doughnut as the cause of action to eliminate these fisheries.

NMFS reported that 14 of 20 U.S. flag vessels took observers when they rejected a NPFMC request not to confuse U.S. policy to end foreign fishing in the Doughnut with new U.S. effort. Of the 1,000 mt tons of pollock taken in that fishery, 55 king salmon were taken as by catch. Another 31 "other" salmon were also taken.

The State of Alaska has closed the entire June fishery in the Nushagak River watershed in Bristol Bay to eliminate any take of king salmon as a conservation concern and sports fishing on the Kvichak River in 1990. This action follows on the heels of closure of the commercial chinook fishery in 1987, which was put in place after five consecutive years of failing to meet chinook salmon escapement even with reduced commercial effort beginning in 1982. The Kenai River in Cook Inlet also failed to meet escapement objectives for kings again this year. Reduced commercial take has not lead to improve stocks.

This Council is well aware that as much as 1.5Mmt of pollock is being reportedly taken in the Doughnut foreign fishery. If U.S. flag vessels took 55 kings as bycatch on 1,000mt, then a take of 1.5Mmt would lead to a extrapolated take of 82,500 kings in the full fishery. This figure rivals the 116,000 kings reportedly taken by principally Japanese flag trawlers in the Bering Sea in 1980 with 6% observer coverage. That take of juvenile kings preceeded the massive failure of mature kings in all of Western Alaska in 1982, and lead to the Council imposing limits on the take of fully utilized species on foreign vessels in 1983, enforced with time and area closures for violating Nations.

The legal precedent exists. Salmon alone among our various "straddling-stocks" have benefitted from extended jurisdiction claims and practice beyond 200nm. Maps published by the NMFS, supported by scale and taggin analyses, reveal that in the northeastern quadrant of the Doughnut, 92% of the kings taken are Alaskan in origin. In the northwestern quadrant, the apportionment continues from 67-92% Alaskan in origin. The salmon being taken by the 85 foreign vessels now fishing north of 59'30" N are U.S. in origin. To further support unilateral action of the U.S. to conserve its salmon resource, the Congress recently amended the Magnuson Act to include the principle of "rebuttable presumption", placing the burden of proof that salmon are not U.S. in origin rests with the fisher.

The remainder of my motion spoke to timeliness. Supported by nine other AP members, we asked that the Council seek an emergency rule granting the RD in-season authority to remove permits of U.S. flag vessels fishing the Doughnut in violation of U.S. conservation practices within the EEZ. We took this action to prohibit U.S. vessels re-entering the Doughnut in mid-February and March when king bycatch remains high, based on historic INPFC and Council data, and again in October, November, and December of this year.

Finally, Mr. Chairman, I wish to present a copy of letter from Dr. Lee Alverson, written in behalf of these very same Doughnut fishers to the Department of State. Dr. Alverson, ever the advocate, suggests that the U.S. must diminish its stated policy of high seas conservation on driftnets. His implication is that the U.S. position is "unattainable" and could "stagnate any effort to develop latent food resources beyond areas of national jurisdiction." I suggest that Dr. Alverson's concern for driftnets is a defense of U.S. nationals he is professionally linked with fishing the Doughnut.