

May 25, 1977
Price 13.Full Text of Japan-Soviet Provisional Fishery Agreement, Appendix and Agreed Minutes on Salmon and Salmon-Trout

(Moscow Branch Bureau, May 24) The full text of the Japan-Soviet Provisional Fishery Agreement is as follows:

Agreement between the Japanese Government and the Government of the Union of Soviet Socialist Republics Concerning Fisheries in the Offshore Waters of the USSR in the Northwestern Pacific, in 1977

The Japanese Government and the Soviet Government, taking into consideration the common interest for the conservation and the optimum utilization of fishery resources in the northwestern Pacific, taking into consideration the deliberations at the third session of the UN Law of the Sea Conference concerning various problems concerning the rights of the coastal nations in regard to fisheries in the offshore waters of the coastal nations, recognizing the sovereign rights of the Soviet Union toward living resources for the surveys, development and conservation thereof, which rights are prescribed in the decree of the Presidium of the Supreme Soviet, dated December 10, 1976, taking into consideration the fact that the Japanese people and fishing vessels have traditionally engaged in fishing operations in the offshore waters of the Soviet Union in the northwestern Pacific, desiring reciprocal and co-operative development of fisheries between Japan and the Soviet Union, and desiring to prescribe the procedures and conditions for the utilization of living resources, over which the two parties have mutual interest, and over which the Soviet Union exercises sovereign rights, agreed as follows:

Article 1. The purpose of this agreement lies in prescribing the procedures and conditions for the people of Japan and the fishing vessels of Japan to conduct fishing operations in the sea areas adjacent to the coasts of the Soviet Union in the northwestern Pacific, which will be determined in accordance with Article 6 of the decree of the Presidium of the Supreme Soviet, concerning provisional measures for the conservation of living resources and for the control of fisheries in the sea areas adjacent to the coasts of the Soviet Union, dated December 10, 1976, and in accordance with the decision of the Soviet Government.

Article 2. The right of the Japanese people and fishing vessels to conduct fishing, prescribed in the preceding Article, will be given, based on the principle of mutual interests, in the form of granting the rights to the Soviet people and fishing vessels to continue their traditional fishing operations in the offshore waters of Japan.

Article 3. In this agreement,

1. "Living resources" will mean all species of fish resources in the sea areas prescribed in Article 1, all species of anadromous fish, which spawn in the fresh waters of the Soviet Union and which migrate to the sea areas, and all living creatures, belonging to species which set down their roots on the continental shelf of the Soviet Union.

2. "Fish" means all fish which have fins, mollusks, crustaceans, and all other marine animals and plants (other than birds).

The Japanese Government and the Soviet Government, taking into consideration the common interest for the conservation and the optimum utilization of fishery resources in the northwestern Pacific, taking into consideration the deliberations at the third session of the UN Law of the Sea Conference concerning various problems concerning the rights of the coastal nations in regard to fisheries in the offshore waters of the coastal nations, recognizing the sovereign rights of the Soviet Union toward living resources for the surveys, development and conservation thereof, which rights are prescribed in the decree of the Presidium of the Supreme Soviet, dated December 10, 1976, taking into consideration the fact that the Japanese people and fishing vessels have traditionally engaged in fishing operations in the offshore waters of the Soviet Union in the northwestern Pacific, desiring reciprocal and cooperative development of fisheries between Japan and the Soviet Union, and desiring to prescribe the procedures and conditions for the utilization of living resources, over which the two parties have mutual interest, and over which the Soviet Union exercises sovereign rights, agreed as follows:

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2. "Fish" means all fish which have fins, mollusks, crustaceans, and all other marine animals and plants (other than birds).

3. "Fishing" means from (A) to (D), listed below:

(A) The catching of fish.

(B) Attempts to catch fish.

(C) Other activities, which can reasonably be expected to result in the catching of fish.

(D) Operations on the sea to assist directly or to prepare for the activities listed from (A) to (C).

4. "Fishing vessels" mean ships and vessels which are being used, or are equipped to be used for (A) and (B), listed below.

(A) Fishing.

(B) Operations related to fishing (including such operations as preparations for fishing, supplying of ships, storing, transporting, processing, and the loading and unloading of fish). ✓

This definition does not include Japanese fishing vessels which conduct scientific surveys connected with fishing, based on special permits to be issued by the competent authorities concerned of the Soviet Union.

Article 4. 1. Concerning the scope of the sea areas, mentioned in Article 1, the fish catch amount and its composition by fish species, to be allotted to Japan in 1977, and the concrete areas and conditions for fishing by the Japanese people and fishing vessels, which will be decided by the competent authorities concerned of the Soviet Union, will be listed in the letters to be exchanged between the competent authorities concerned of Japan and the Soviet Union, on the day of the signing of this agreement.

2. The fish catch quota for 1977, mentioned in 1, will include the fish caught by Japan's fishing vessels during March, 1977, in the sea areas mentioned in Article 1.

Article 5. 1. A competent organ of the Soviet Union will issue permits concerning the conducting of fishing concerned, toward Japanese fishing vessels which desire to engage in fishing in the sea areas mentioned in Article 1. In the case of Japanese fishing vessels not having this permit, they cannot engage in fishing in the sea areas mentioned in the said Article.

2. The procedures for the application for and for the issuance of the permits, mentioned in 1, the procedures for the submitting of information concerning Japan's fishing, and the procedures for making entries in the operations diary of Japanese fishing vessels are prescribed in the Appendix, which forms an inseparable part of this agreement.

3. A competent organ of the Soviet Union can collect appropriate charges concerning the issuance of the permits, mentioned in 1.

Article 6. The Japanese Government will ensure that the Japanese people and fishing vessels will abide by the provisions of this agreement and by the regulations which are prescribed in the Soviet Union for the conservation of the living resources and for the controlling of fisheries in the sea areas, mentioned in Article 1. The Japanese people and fishing vessels which do not abide by these provisions and regulations will bear responsibility, in accordance with the laws of the Soviet Union.

Article 7. 1. The Japanese Government will ensure that opportunity is given to public officials, appointed by the competent organs of the Soviet Union, to board unmolested all Japanese fishing vessels, which have the permits mentioned in Article 5 -1, and which are engaging in fishing, in accordance with this agreement, and that the captain and the crew of the fishing vessels concerned will give co-operation to the said public

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2. The Japanese Government will ensure that the expenses related to the stay of the public officials of the Soviet Union, mentioned in 1, on board Japanese fishing vessels, will be repaid to the competent organ of the Soviet Union.

3. When a Japanese fishing vessel is seized by a competent organ of the Soviet Union, notification to that effect will be made to the Japanese Government, through diplomatic channels, without delay. The seized fishing vessel and its crew will be released without delay, after proper security or other guarantees are offered.

Article 8. No provision of this agreement can be construed as to prejudice the positions or views of either Government, either in regard to the various problems of the Law of the Sea which is being studied at the third session of the UN Law of the Sea Conference or in regard to various problems in mutual relations.

Article 9. 1. This agreement must be approved, in accordance with the procedures of the domestic laws of the respective nations.

2. This agreement will take effect on the day that official diplomatic documents, notifying its approval, are exchanged. It will remain valid up to December 31, 1977.

Appendix

The application for and the issuance of permits to enable Japanese fishing vessels to engage in the fishing for living resources, over which the Soviet Union exercises its sovereign rights, in 1977, the submission of information concerning the said fishing, and the making of entries in the operations diary, will be carried out in accordance with the following procedures and conditions.

1. A competent organ of Japan will apply to a competent organ of the Soviet Union for the issuance of permits to Japanese fishing vessels, which desire to engage in fishing, based on this agreement. This application must be made according to the format agreed upon between the competent organs of the two nations. Entries to be made in the application form and the procedures for submitting the application will be decided by a competent organ of the Soviet Union.

2. The competent organ of the Soviet Union will check this application, and it will decide on the issuance of permits to Japanese fishing vessels for engaging in fishing in the sea areas, mentioned in Article 1 of this agreement, in accordance with the conditions of this agreement. The procedures for the issuing of permits will be decided by a competent organ of the Soviet Union.

3. In the case of the competent organ of the Soviet Union refusing to issue permits, it will notify the competent organ of Japan to this effect. If necessary, the competent organs of the two nations can hold consultations concerning this. After these consultations, the competent organ of Japan can re-submit an application, once again.

4. The public officials of the competent organ of the Soviet Union can suspend the validity of the permit issued to a Japanese fishing vessel, in the case of this Japanese fishing vessel's having violated the conditions of this agreement. The competent organ of the Soviet Union can nullify the validity of the permit issued to a Japanese fishing vessel, in the case of its having violated the conditions of this agreement. ✓

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5. When engaging in fishing in the sea areas, mentioned in Article 1 of this agreement, all Japanese fishing vessels must always keep on board the ship the permits issued to the fishing vessels concerned.

6. In the case of a reshuffle of the captain or a change in the number of crew members, the competent organ of Japan must make a notification to this effect to the competent organ of the Soviet Union, which issued the permit, within ten days.

7. The Japanese side will send to the "Far East Fisheries General Bureau" (in Vladivostok in the Soviet Union) information concerning fishing in the sea areas, mentioned in Article 1 of this agreement for every ten days (according to the form agreed upon between the competent organs of the two countries), by wireless or by telegram. The Japanese side will also send by mail (in the form agreed upon by the competent organs of the two nations) data concerning fishing in the said sea areas, for each month, in the Japanese and Russian languages. This information for every ten days, and data for every month, will be submitted to the competent organ of the Soviet Union within five days from the last day of the ten-day period and within ten days of the last day of the month concerned.

8. Japanese fishing vessels, which have received the issuance of permits, must make entries in their operations diary (in the form agreed upon by the competent organs of the two nations), in the case of engaging in fishing in the sea areas mentioned in Article 1 of this agreement.

Agreed Minutes Concerning Salmon and Salmon-Trout

(Moscow Branch Bureau, May 24) The agreed minutes (protocol) of the Japan-Soviet Fishery Committee (salmon and salmon-trout negotiations), which were signed at 8:00 p.m. on the 24th (2:00 a.m. on the 25th, Japan time), are as follows:

Committee Decisions Concerning the Revisions of the Appendix to the Agreement

The Committee, based on Article 4 (A) of the agreement, will revise as follows 1 (C) of the Appendix to the agreement, which was revised at the 20th meeting of the Committee.

(C) The total salmon and salmon-trout catch amount for the year in the agreement area (excluding the sea areas adjacent to the coasts of the Soviet Union in the northwestern Pacific, prescribed in Article 6 of the decree of the Presidium of the Supreme Soviet, concerning provisional measures for the conservation of living resources and for fisheries control in the sea areas adjacent to the coasts of the Soviet Union, dated December 10, 1976, and determined in accordance with the decisions of the Soviet Government) will be fixed at 62,000 tons for 1977, which is an odd-number year, and of this amount, the amount will be 29,500 tons for Zone A and 32,500 tons for Zone B.

Contents of other decisions

(1) Areas where operations are banned:

Other than the limiting of the agreement areas this time, there are no areas where operations will be banned by the decisions of the Committee, in the past.

(2) Period of operations:

The same as in the past.

Up to August 10 for mother-ship-type fishing.

Up to August 10 for medium size drift nets.

of the Soviet Union within five days from the last day of the ten-day period and within ten days of the last day of the month concerned.

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Up to August 10 for mother-ship-type fishing.

Up to August 10 for medium-size drift-nets, after entering Zone A.

Up to ^{June}July 30 in Zone B (excluding the Sea of Japan)

(3) As regards the number of fishing boats, necessary reduction in the number of boats (from 10 mother-ship groups to 6 groups, and about a 20-percent reduction in the case of other boats) has already been carried out, in connection with the reduction in the fish catch amount.

Japanese Side's Statement Concerning the Total Salmon and Salmon-Trout
Fish Catch Amount for the Year in 1977

May 23, 1977

The Japanese side states, in regard to the total annual catch amount of salmon and salmon-trout in the agreement areas in 1977, that it is clear that the total amount should be caught by Japanese fishing vessels, in view of the fact that the Soviet Union does not catch salmon and salmon-trout on the high seas, and also that the decision of the Committee concerning the revision of the Appendix to the agreement must not be construed as to prejudice the positions or views of either Government in regard to either the various problems of the Law of the Sea, which is being studied at the UN Law of the Sea Conference, or in regard to the various problems of mutual relations.

KH

SANKEI (Page 9) (Full)

May 20, 1977

EC Side Urges Japan to Act in Concert with EC-Proposed New Fund Plan for
Furnishing Special Aid to Poorest Nations

As to the periodic consultations which started between our country and the EC from the morning of the 19th at the Foreign Ministry in Kasumigaseki, Tokyo, the two delegates -- Foreign Minister HATOYAMA and EC Vice Chairman HAFERKAMP (for foreign relations) delivered key-note speeches at the outset. After this, they entered into substantial discussions.

At the discussion on this day, exchange of views on such matters as measures for the International Economic Co-operation Council's (CIEC) Ministerial Conference, which will be held in Paris from the 30th, measures for accelerating the Tokyo Round of GATT, and the international economic situation, have become the center. Both sides mutually confirmed the agreements which were reached among various countries at the previous 3rd Advanced Nations Summit Conference held in London.

At the discussions, the EC side especially referred to special aid (\$1 billion) to be furnished to the poorest countries designed to wind up the CIEC's Ministerial Conference smoothly and sought that our country act in concert with the EC-proposed new fund plan, instead of adopting various countries' own independent aid formulas, which was proposed by the US. At the same time, the EC side requested our country to increase the amount of our country's Governmental development assistance (ODA), which is notable for its poor performance among the advanced nations.

Also, referring to the Tokyo Round negotiations, the EC side clarified a policy for holding consultations on agricultural products with the US at an early date in order to step up negotiations. At the same time, both sides agreed in views that in conducting Tokyo Round negotiations, both sides will hold consultations closely.

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The problem of the imbalance in trade between Japan and the EC, which is a focal point at the periodic consultations this time, has been left to the final day (20th). However, in his opening speech, EC Vice Chairman HAFERKAMP made a hard-line statement, to the effect, "There is need to pay special attention to the expansion of the imbalance. If it is not improved, protective trade-type measures will be inevitable." So, future development of the discussions is to be noted with attention.

SO

Species permitted to fish in 7 Fishing Areas
within the Soviet 200 Mile Zone

<u>Area No.</u>	<u>Fishing Area</u>	<u>Species</u>
1	<u>Northern Okhotsk Sea</u> 57°30'N-58°30'N and 146°10'E - 154°0'E	Snail
2	<u>Kuriles, Pacific Side</u> West of 155°N including the four disputed Islands	Flounders, ocean perch, Wachna cod, Cod, Saury, Squid, pollock, CAAC etc.
3	<u>Kuriles, Okhotsk Side</u> South of 50°N and 40 miles off the coasts	Cod
4	<u>Nijo-Iwa, northern Hokkaido</u>	Sand lance and hair crab
5	<u>Okhotsk Sea</u> 54°N-56°N and 147°E-153°E	Brown king crab
6	<u>East Sakhalin</u> 45°40'N-50°0'N and a line connecting 146°N, Cape Aniwa and Cape Kita Shiretoko. 45°40'N-49°0'N and a line connecting 146°10'N-Cape Aniwa and Cape Kita Shiretoko	Tanner crab, blue king crab and snail Other fish
7	<u>Japan Sea, Primorskaya</u> South of a line connecting Cape Berkina and a point 12 miles south of Cape Notoro on West Sakhalin, and East of 135 E. West of 135 E, too.	Other fish Red tanner crab and squid

Please see the next page for the seven areas.

11 JUN A.M.

Japanese Quotas in 7 Fishing Areas within the Soviet 200 Mile Zone

June - December 1977

(In Metric Tons)

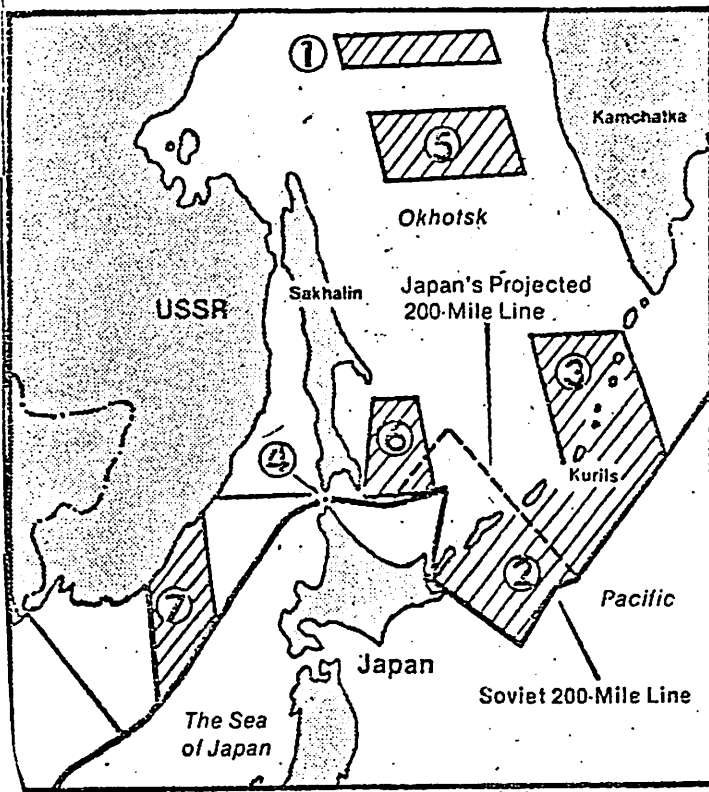
Species	1	2	3	4	5	6	7	June-Dec.	(B)	A/B
								1977 (A) Total	Japanese catch June-Dec. 1975	
Pollock		54,300	7,300			35,000	3,400	100,000	264,000	-62.1%
Squid		25,000	2,000			2,000	103,000	132,000	127,000	+ 3.9%
Sand lance				67,400			11,900	79,300	82,000	- 3.3%
Flounders		7,500	1,000				500	9,000	54,000	-83.3%
Ocean perch		6,800	100					6,900	6,000	+15.0%
Cod		17,800	900				300	19,000	22,000	-13.6%
Wachna cod		1,100				9,300		10,400	14,000	-25.7%
Atka mackerel		400	300				300	1,000	13,000	-92.3%
Shrimp							1,200	1,200	6,000	-80.0%
Saury		61,400	1,000			1,000		63,400	76,200	-16.8%
Octopus		400	700				800	1,900	0	
Other fish		13,800	900			3,400	1,700	19,800	27,000	-26.7%
Red tanner crab							2,300	2,300	2,800	-17.9%
Crabs		500		800	1,000	3,000		5,300	14,400	-63.2%
Snail meat	2,800					700		3,500	4,600	-23.9%
Total	2,800	189,000	14,200	68,200	1,000	54,400	125,400	455,000	713,000	-36.2%

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1/ Includes herring and salmon within the Soviet 200 mile zone.

Quota for the following species is zero for 1977: Salmon within the Soviet 200 mile zone, herring, blue king crab, tanner crab in the western Bering Sea (off Olyutol and Navarin) and kelp around Kaigara Jima Island (off Hokkaido).

Areas Open to Japanese Fishing



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