

# Ronald Reagan Presidential Library Digital Library Collections

---

This is a PDF of a folder from our textual collections.

---

**Collection:** Matlock, Jack F.: Files  
**Folder Title:** Fisheries – USSR (1)  
**Box:** 25

---

To see more digitized collections visit:

<https://reaganlibrary.gov/archives/digital-library>

To see all Ronald Reagan Presidential Library inventories visit:

<https://reaganlibrary.gov/document-collection>

Contact a reference archivist at: [reagan.library@nara.gov](mailto:reagan.library@nara.gov)

Citation Guidelines: <https://reaganlibrary.gov/citing>

National Archives Catalogue: <https://catalog.archives.gov/>

# WITHDRAWAL SHEET

## Ronald Reagan Library

**Collection Name** MATLOCK, JACK: FILES

**Withdrawer**

JET 5/9/2005

**File Folder** USSR-FISHERIES 1/2

**FOIA**

F06-114/7

**Box Number** 25

YARHI-MILO

2517

ID	Doc Type	Document Description	No of Pages	Doc Date	Restrictions
9820	PAPER	SOVIET FISHING: THE NEW GEOGRAPHY <i>R 7/7/2008 NLRRF06-114/7</i>	14	1/5/1983	B1
9821	PAPER	TABLE 1. SOVIET MARINE FISHING AREAS RANKED BY CATCH 1976 AND 1980 <i>R 11/24/2009 F06-114/7</i>	3	ND	B1
9822	PAPER	REVIEW OF U.S.-SOVIET FISHERIES RELATIONS <i>R 7/7/2008 NLRRF06-114/7</i>	5	ND	B1

Freedom of Information Act - [5 U.S.C. 552(b)]

B-1 National security classified information [(b)(1) of the FOIA]

B-2 Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]

B-3 Release would violate a Federal statute [(b)(3) of the FOIA]

B-4 Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]

B-6 Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]

B-7 Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]

B-8 Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]

B-9 Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

~~CONFIDENTIAL~~

DECLASSIFIED

NLRR F06-714/7 #9820

BY CU NARA DATE 7/7/08~~(U)~~ SOVIET FISHING: THE NEW GEOGRAPHYSummary

~~(U)~~ The Soviet Union has traditionally depended on distant water fisheries for more than half its annual catch. Thus its fishing industry has faced a severe economic challenge as Soviet access to fisheries off the coasts of other countries has been progressively constrained or denied by recent claims to extended fisheries jurisdiction. The annual Soviet catch from marine waters<sup>1/</sup> in the period 1976-79 decreased by more than 1 million metric tons (MT), or 10 percent. It recovered only slightly in 1980.<sup>2/</sup>

~~(U)~~ The declining fish catch has exacerbated the effects on the Soviet economy of recent shortfalls in feedgrain and livestock production. Fish protein is an important component of the Soviet diet, while fishmeal is used for livestock and aquaculture feeds.

~~(U)~~ The Soviet policy response to the fisheries problem, as cited in various Soviet sources, can be summarized as follows:

Development of domestic resources

--Maximum development of domestic marine fisheries in the Soviet 200-nautical-mile (n.m.) zone and coastal waters, along with restriction of foreign fishing activities there.

1/ ~~(U)~~ Marine waters are defined by the UN Food and Agriculture Organization (FAO) as "the waters of the Atlantic, Indian and Pacific Oceans and the 'southern oceans' with their adjacent seas."

2/ ~~(U)~~ The latest year for which FAO data are available.

~~CONFIDENTIAL~~

Declassify: OADR (Alexander, L.)

Report 528-AR  
January 5, 1983BUREAU OF  
INTELLIGENCE  
AND RESEARCHASSESSMENTS  
AND  
RESEARCH



1A

~~CONFIDENTIAL~~

- ii -

- Increased efficiency in fleet support and improvements to the fish handling and distribution infrastructure.
- Improvement of inland fisheries production and aquaculture technology.

Reestablishment of access to world fisheries resources

- Expansion of the joint ventures program and fisheries aid agreements with developing countries.
- Negotiation of bilateral agreements for access to foreign fishing zones.
- Exploration and development of new or previously under-exploited fisheries beyond coastal state jurisdiction.

(U) Implementation of these policies has resulted in significant shifts in the spatial distribution and concentration of Soviet fishing activity since 1976, as shown on the map overleaf and table 1 appended. Generally, in those areas where coastal states have implemented and effectively enforced their fisheries jurisdiction, Soviet catch levels have dropped. (In some areas, however, the Soviet decrease in catch can be explained by stock depletion or collapse, often caused by Soviet-bloc overfishing.) Consistent with the goals outlined in various Soviet fisheries policy statements, Soviet catch levels have increased in waters adjacent to the Soviet Union, in unclaimed waters beyond coastal state jurisdiction, and in areas where the Soviets have concluded favorable bilateral fisheries agreements.

(U) Soviet fleet activity has increased dramatically in the Southern Hemisphere, which in 1979 and 1980 supplied almost a quarter of the Soviets' total marine catch compared with roughly one-tenth in 1976. Target areas were the waters off the west coasts of Africa and South America and in the southern ocean.

(C) Implications for US foreign policy include domestic, bilateral, and multilateral issues:

- US policy on food commodity exports to the Soviet Union and Soviet access to US or other fisheries should take into account that fish production is an important component of the total Soviet food plan. The Soviets regard fish products as a perfectly acceptable substitute for meat products.
- Conflict with US or other high-seas tuna fisheries may occur as the Soviet Union continues to implement large-scale expansion of its high-seas tuna fleet.

~~CONFIDENTIAL~~



1

~~CONFIDENTIAL~~

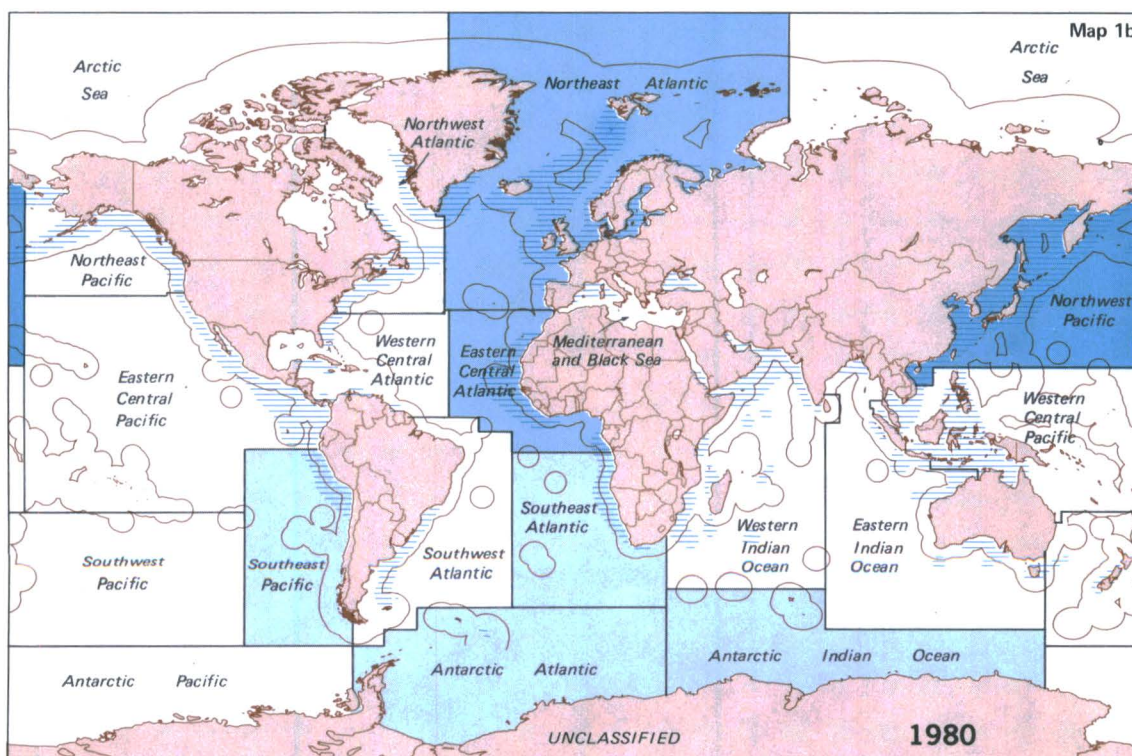
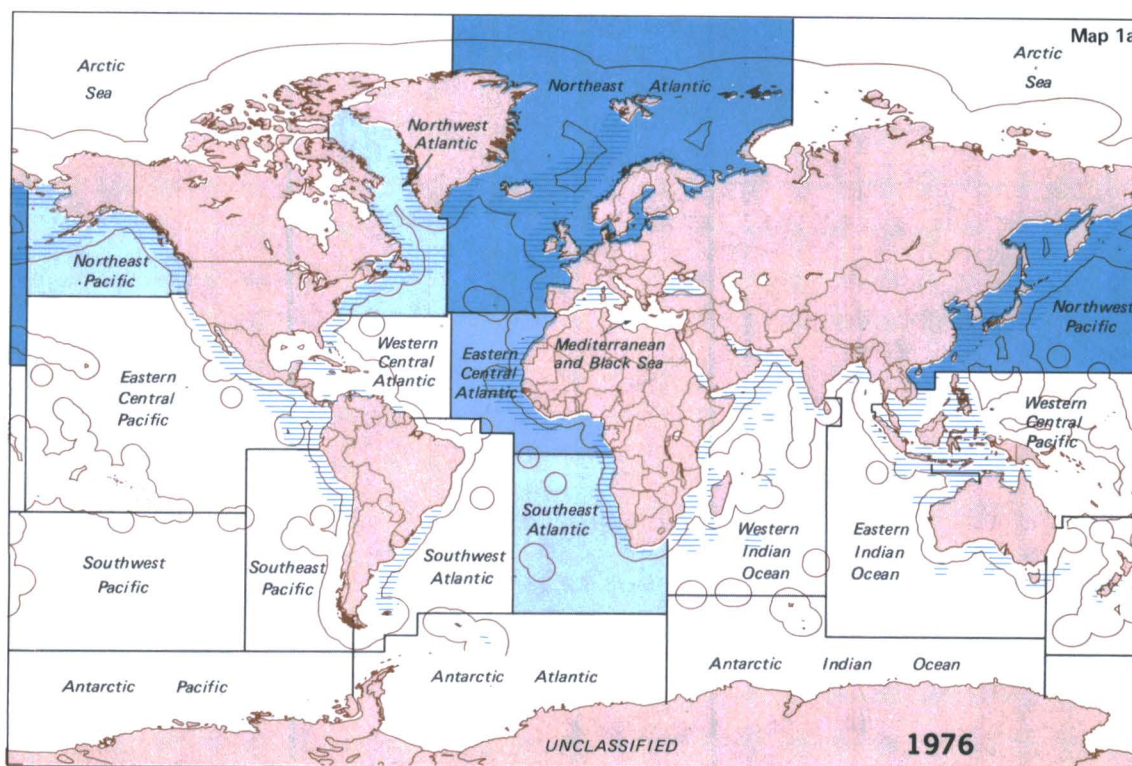
- iii -

- The "historic rights" to large fishery allocations in the Antarctic now being established by the Soviet Union will likely be an issue in negotiation of any future quotas.
- Living resources of the southern ocean may be adversely affected by the rapidly expanding krill fishery now being developed by the Soviet Union.
- The Soviet Union has long sought shore facilities in the Southern Hemisphere to support its fishing and other operations, including its Antarctic fleet; the newly emerging nations of the Southern Hemisphere may be particularly vulnerable to Soviet pressures for shore access and support bases.
- An imaginative and coherent policy for US ocean-resources development assistance would facilitate US access to valuable coastal and marine resources (not necessarily limited to fish) and would further US political and strategic objectives. At the same time, it would deny the Soviets similar gains in developing coastal states.

\* \* \* \* \*

~~CONFIDENTIAL~~

## CHANGE IN SOVIET FISHERIES ACTIVITY: 1976 - 1980



## PERCENT OF TOTAL SOVIET MARINE CATCH



Source: Food and Agriculture Organization of the United Nations  
Yearbook of Fisheries Statistics, Vol. 42 and Vol. 50.

4727 11 82 STATE (GE)



3

~~CONFIDENTIAL~~

(U) Background

Prior to the proliferation in the late 1970s of coastal state claims to extended fisheries jurisdiction, roughly 60 percent of the Soviet annual catch was taken within 200 n.m. of foreign coasts. (The Soviet historical catch is shown in table 2 appended.) In 1975 less than 11 percent of the world ocean area within the potential 200-n.m. zone had been claimed by coastal states.

1976: Unilateral legislation pending in 1976 clearly would have placed about half the potential 200-n.m. zone under coastal state jurisdiction by the end of 1977. In anticipation of this development, the Soviet fleet launched a maximum fishing effort in 1976, concentrating on the most productive areas. The resulting catch, more than 10.1 million MT, was the largest in the world and the greatest in the fleet's history. A comparison of the Soviet performance in 1976 with that of other top fishing nations can be found in table 3, appended.

1977: By year end, coastal state claims had encompassed almost half the world's potential 200-n.m. zone; the Soviet catch fell to 9.35 million MT, well below 1975 levels. Former Fisheries Minister A. A. Ishkov acknowledged in a 1978 journal article that Soviet fishing would never be the same:

"The year 1977 turned out to be exceptionally difficult for our fish industry. More than 70 countries declared the institution of extended fishing (economic) zones off their coasts in which the ships of other countries were permitted to fish commercially only on the basis of appropriate bilateral agreements. Within these zones were the traditional catch regions of the Soviet fishing fleet which, as is known, provides the country with upwards of 90 percent of its total catch and nearly 85 percent of the fish products produced by the branch. Our fishing boats now operate under new conditions. Fishing regulation is governed by the regulations of the coastal states and is effected under their very strict supervision. The smallest violations of these regulations are cut short by unconditional administrative and financial sanctions."

1978: The Soviet catch fell again, to 8.92 million MT, the lowest level since 1973. Coastal state claims now encompassed about 60 percent of the potential 200-n.m. zone.

~~CONFIDENTIAL~~



1979: The Soviet catch recovered slightly, to 9.11 million MT--still not up to the 1974 level, and still 1 million MT below 1976. The Soviet fleet had harvested 15 percent of the world marine catch in the record year 1976; in 1979, it took only 13 percent.

1980: By 1980 almost one-third of the world's ocean area had been claimed by coastal states, encompassing more than three-quarters of the potential 200-n.m. zone. Only about one-third of the Soviet catch of 9.41 million MT was taken within 200 n.m. of foreign coasts, down from 60 percent in 1975. Again, the Soviet Union harvested 13 percent of the world marine catch. (Distribution of the 1980 world catch is shown in figure 1 and table 3, appended.)

The USSR retains approximately 95 percent of its fish catch for domestic consumption and exports the remainder, less than half for hard currency. The value of Soviet fish exports rose steadily prior to 1976, when a temporary downturn occurred from the 1975 peak of \$207 million.<sup>3/</sup> By 1977, export value had fallen to \$191 million. Although the value rose in 1979 to a record level of \$305 million, the quantity remained roughly at the 1975-76 levels. It is unclear from available data whether this trend resulted from commodity price inflation or a shift to export of higher value products.

Any attempt to increase export volume would be at the expense of the Soviet diet.<sup>4/</sup> Soviets eat more fish than do consumers in most European countries or in the United States. For example,

3/ (U) Values are based on official Soviet trade statistics.

4/ (U) Moscow's emphasis on fish protein as a substitute for meat is not a new policy option for the Soviet Union. Arable land is severely limited by climatic and other physical constraints, and priority is given to food crops; pasturage for beef cattle therefore is scarce, and fodder production low. Fish and fish products are a viable alternative source of animal protein. Soviet planner S. V. Milhailov as early as 1962 wrote that "to produce 100 kg. of live-weight beef, it takes a capital investment of 2,000 rubles. But for a similar amount of fish only about 1,500-1,700 rubles are necessary." As to labor costs, "to produce one head of beef requires 20 man-days, but the production of a similar amount of protein from fishery products would take only about 5 man-days." Thus Soviet planners more than 20 years ago clearly believed that investment in the fishing industry would produce more animal protein at less cost than if scarce capital, land, and labor were invested in livestock production.



4

~~CONFIDENTIAL~~

- 3 -

in 1975 the Soviet annual consumption of fish per capita was 16.9 kg.; in the United States it was only 5.5 kg. The Tenth Five-Year Plan (1976-80) prescribed an even greater reliance on fish protein by calling for an increase of per capita consumption to 21 kg. by 1980. This goal was not met; by 1980 per capita consumption was only 16.7 kg., slightly less than in 1975.

The recent shortfall in Soviet fish production has coincided with meat production shortages associated with the string of poor grain harvests that began in 1979. Although the USSR on balance remains a net exporter of fish products, by 1980 Soviet fish imports had risen to an all-time high of 181.9 thousand MT compared with only 31.0 thousand MT in 1976.

Under the new regime of extended fisheries jurisdiction, Soviet processing ships have been forced to buy fish at sea from coastal state catcherboats in waters formerly open to foreign fleets; these purchases are counted as imports.

~~(U)~~ The Soviet Policy Response

The Soviet Union has developed a comprehensive and multi-faceted approach to the fishery problem through planning, legislation, and management. The stated goal is to maximize development of domestic fishery resources while reestablishing access to world fisheries both within and beyond 200-n.m. zones of other countries.

Development of Domestic Resources

Maximum Development of Domestic Marine Fisheries. The Soviet Union implemented its 200-n.m. fisheries zone<sup>5/</sup> in 1977. The action was taken:

"...to protect, on the one hand, our own resources from unrestrained harvesting by foreign fleets, and on the other, to increase the development of our own fishing operations in order, at least partly, to offset the harm done to our fishing industry by the establishment of rigid restrictive measures in the areas close to the shores of other countries, where Soviet fishermen formerly took nearly 6 million tons of fish."

<sup>5/</sup> (U) Proclaimed December 10, 1976, by an order of the Presidium of the Supreme Soviet of the USSR: "On Temporary Measures to Preserve the Live Resources and the Regulation of Fishing in the Marine Regions Adjacent to the Coast of the USSR."

~~CONFIDENTIAL~~



4A

~~CONFIDENTIAL~~

- 4 -

The Soviet Union's declaration of a 200-n.m. fishing zone by no means solved the problems of its fishing industry. As of 1980 the fishing fleet exceeded 2,700 vessels with a total gross registered tonnage (GRT) of more than 4.5 million. But high tonnage does not necessarily imply a large catch. Japan, the Soviet Union's closest competitor in terms of catch, landed 13.9 percent of the world catch in 1979 with a fleet that comprised only 8.8 percent of the world fishing and support vessel tonnage. In the same year the Soviet Union took 12.7 percent of the world catch, but its fleet comprised 51.7 percent of the world tonnage.

Although a portion of the Soviet distant-water fleet has been shifted to domestic waters, substantial spare capacity is available for participation in international joint ventures or for charter by foreign firms or countries.

Restriction of Foreign Fishing in the Soviet 200-n.m. Zone. Prior to the 1977 extension of Soviet fisheries jurisdiction, Japanese and South Korean distant-water fleets harvested more than 90 percent of the foreign catch in the Soviet zone. The USSR has since set quotas for Japan at less than half the former catch level and is expected to set them even lower in the future. The Soviets have, however, entered into reciprocal agreements which entitle them to fish in Japanese waters, so there is a limit to the degree to which they can cut back quotas without losing important concessions.

Increased Efficiency in Fleet Support and Fish Handling and Distribution Infrastructure. Soviet fish production is constrained by inefficient and inadequate support services. Because capital investments in the fleet have taken close to 75 percent of overall investment in the fishing industry, port facilities have not kept pace. In spite of considerable expansion, port facilities cannot handle the present volume of ship traffic, with the result that vessels spend idle time in port waiting for offloading and repairs. Delays also occur in the offloading of processing ships at sea. For example, the vessels of the Far Eastern fleet in 1979 spent 1,500 ship-days with full holds waiting for fish transport ships.

Chronic shortages of such items as cans, burlap sacks for fish meal, and spare parts for processing equipment cause slow-downs in production facilities both at sea and on shore. The Pacific fisheries in particular are plagued by the inadequate rail transshipment capacity linking Pacific ports with the Trans-Siberian Railway; as a consequence, fish slowly deteriorate in freezer-lockers on the Pacific coast far from intended consumers.

These problems are mostly a result of inefficiency and lack of coordination among the various ministries of the ponderous Soviet bureaucracy. Although the current Five-Year Plan calls for

~~CONFIDENTIAL~~



increased efficiency in the fish production sector, specifically for reducing the time ships spend in port, such massive infrastructure problems are not amenable to easy or prompt solutions.

Improvement of Inland Fisheries Production and Aquaculture Technology. Because they are free of foreign policy implications, Soviet inland fisheries are to receive greater development emphasis than marine fisheries under the Eleventh Five-Year Plan (1981-85). Despite strong expansion of inland fishing fleets in the late 1970s, inland catch dropped from 944,000 MT in 1975 to 747,000 MT in 1980. The CPSU Central Committee and the Council of Ministers USSR in 1978 adopted a resolution, "On Measures To Further Develop Fish Breeding and To Improve the Fish Catch in the Freshwater Ponds of the Country," outlining planning goals to 1985. The freshwater catch is to increase to twice the 1977 level, with a total yield of 924,000 MT. Yield in aquaculture ponds is to increase by 1.8 times, and in commercial lakes by 2 times. Capital investment for new construction of commercial fish breeding facilities will double.

To reach the 1981-85 targets, the industry is to emphasize increased labor productivity and quality control. The plan obliges a number of agencies and ministries outside the fisheries ministry to aid in automation and mechanization of inland fishing operations and to develop improved feeds for fish culture. Extensive areas of marginal land near populated areas are to be developed for combined agricultural and aquacultural purposes; proximity to consumers is expected to eliminate the need for many freezing, storage, and processing installations.

#### Reestablishment of Access to World Fisheries Resources

Joint Ventures and Fisheries Aid to Developing Countries. In adopting a joint-venture policy, the Soviet Union has departed significantly from its former autarchic approach to ocean use. By 1980 the USSR was party to some 30 international fisheries joint-venture agreements. Soviet participation operates through Sovrybflot, an agency established for the purpose under the Ministry of Fisheries USSR. In developing countries, equity typically is shared equally by Sovrybflot and its foreign partners. The joint-venture host country usually provides port and service facilities for the Soviet fishing fleet and markets a portion of the catch locally; the remainder is retained by the USSR for domestic consumption or for reexport. In developed countries the typical venture is limited to delivery of fish at sea by host-country catcherboats to Soviet processing ships.

The fisheries aid program has been useful in expanding the scope of Soviet fishing. In return for \$260 million of assistance to some 40 Third World nations, the USSR has gained significant fishing privileges.



Both joint ventures and fisheries aid agreements may include Soviet fleet access to support facilities onshore. In this respect they may have political and/or strategic significance--particularly in West Africa and the Indian Ocean coastal states. Onshore support bases located near important fishing grounds can also significantly lower operating costs by reducing the transit time and fuel costs of the fleet, as in the case of Soviet access to shore facilities in the Canary Islands and Singapore.

Opportunities for joint ventures and assistance projects probably will diminish as many coastal states develop the capacity fully to utilize their own fishing stocks. On the other hand, some countries may find it more cost-efficient to make financial arrangements for such distant-water fishing nations as the Soviet Union to catch, process, or market the fish for them.

Not all cooperative fishing arrangements between the Soviet Union and developing countries have been financially or politically successful. Mauritius, for example, became impatient with Soviet failure to supply equipment and/or training for its fledgling fishing industry and terminated that bilateral agreement in 1977. The Soviet joint venture with Senegal was reorganized in 1974, but nevertheless went bankrupt in 1976. In other instances a change in the political climate of a host country has led to expulsion of the Soviet fleet. In Somalia, for example, Soviet personnel were asked to leave in 1977 after the Soviet Union began to support Somalia's antagonists in Ethiopia. In Equatorial Guinea, the new government in 1980 abruptly terminated its fisheries agreement with the Soviet Union for undisclosed reasons.

Negotiation of Bilateral Agreements for Access to Foreign Fishing Zones. As it became apparent in the UN Conference on the Law of the Sea negotiations that the concept of the Exclusive Economic Zone would prevail, the Soviet Union adopted the position that fish stocks rich in protein should not be allowed to go underutilized. If a coastal state could not take all of the allowable catch, then fishermen of other states should be licensed to fish the surplus. Although this principle became part of the draft Convention on the Law of the Sea, the Soviet Union has had mixed results in seeking agreements to fish such surplus stocks. As former Fisheries Minister Ishkov observed, political considerations sometimes prevail over fisheries issues:

"We are taking energetic steps to ensure that the population of our country does not experience the consequences of radical changes in the international fishing situation. We have developed good relations in the area of fishing with a number of countries. We have also begun talks on fishing questions with the Common Market Council. Unfortunately, these talks are in trouble.... European Economic (EEC)



representatives introduced additional proposals of a purely political nature, having nothing to do with fishing questions."

On the other hand, once a country's fishing industry becomes dependent on services provided by a joint-venture partner, it may become politically or economically infeasible to terminate the arrangement. In the United States, for example, Soviet access to the US Fishery Conservation Zone was denied after the Soviet intervention in Afghanistan. US fishermen, however, formed a strong lobby to ensure that they be allowed to continue to sell fish caught by US boats to Soviet processing ships at sea, despite foreign policy considerations. The fishermen had become economically dependent on the joint venture with the Soviet Union because of insufficient US shore-based processing capacity.

Development of New and Underexploited Fisheries Beyond Coastal State Jurisdiction. The USSR in both 1979 and 1980 obtained from the unclaimed waters of the Antarctic 5.3 percent of the Soviet marine catch--an increase of 704 percent over the 1976 level. In 1978 the southeast Pacific, where the Soviet fleet had not fished since 1973, supplied 0.6 percent of the Soviet marine catch, mostly from waters just beyond 200 n.m.; in 1979 and 1980 the area supplied about 6.5 percent. The large and productive fisheries zones off the western coast of Africa, including the unclaimed waters off Namibia, produced 18.3 percent of the Soviet marine catch in 1978; only because of the impact of sustained overfishing did the catch decline to 10.2 percent in 1979 and to 9.8 percent in 1980.

As for the future, the Eleventh Five-Year Plan (1981-85) states that:

"The scale of research and utilization on a rational basis of the biological resources of the open sector of the world's oceans is to be expanded. The fishery fleet is to be supplemented with new high capacity ships and its operation is to be improved through the technical re-equipment of vessels, the provision of high efficiency fish-location and navigation equipment, fishing gear, fishing ground and technological equipment, the speedy supply of fuel and packaging and other materials, and speedier ship repair and handling in ports." (Emphasis added.)

The Soviets currently are developing tuna fisheries as part of their "open ocean" fisheries policy. Moscow has placed an order worth \$100 million with Polish shipyards for construction of modern tuna vessels. Once they are delivered, the Soviet tuna catch in the mid-1980s could exceed 100,000 MT per year, compared with 12,000-15,000 MT per year in the 1970s. Although large tuna



VA

~~CONFIDENTIAL~~

- 8 -

species are close to maximum exploitation, Soviet scientists estimate that the smaller species could boost present catch levels by 550,000 MT annually.

Mesopelagic fish (oceanic deep-water fish) may be one of the most promising unexploited fisheries resources. They are found in all oceans from the Arctic to the Antarctic, but are most abundant in tropical and subtropical seas. Although data are sparse, scientists tentatively estimate the world biomass of mesopelagic fish at 948 million MT, with annual potential yield somewhere near half that amount. Although there are few examples of past utilization of mesopelagic fish, the Soviet fleet has now developed the necessary deep-water fish finding and trawling technology. Currently the Soviets are fishing for mesopelagic fish off West Africa.

Antarctic krill, a tiny, shrimp-like crustacean that swarms in immense schools (see map 2, p. 9), is the key organism in the Antarctic food web. Many higher species depend, directly or indirectly, on krill for food. It contains about 15 percent protein (by wet weight), roughly the same as beefsteak, lobster, or shrimp. Estimates of potential yield range from 15 million to 150 million tons annually. The latter figure represents roughly two times the current annual production of all fish from all the world's oceans. Soviet and other scientists have speculated that, if major breakthroughs in processing and marketing were made, krill catches might reach 50 million tons by the turn of the century. Some Soviet scientists have reduced their projections; they now estimate a sustainable catch of 15 million tons a year.

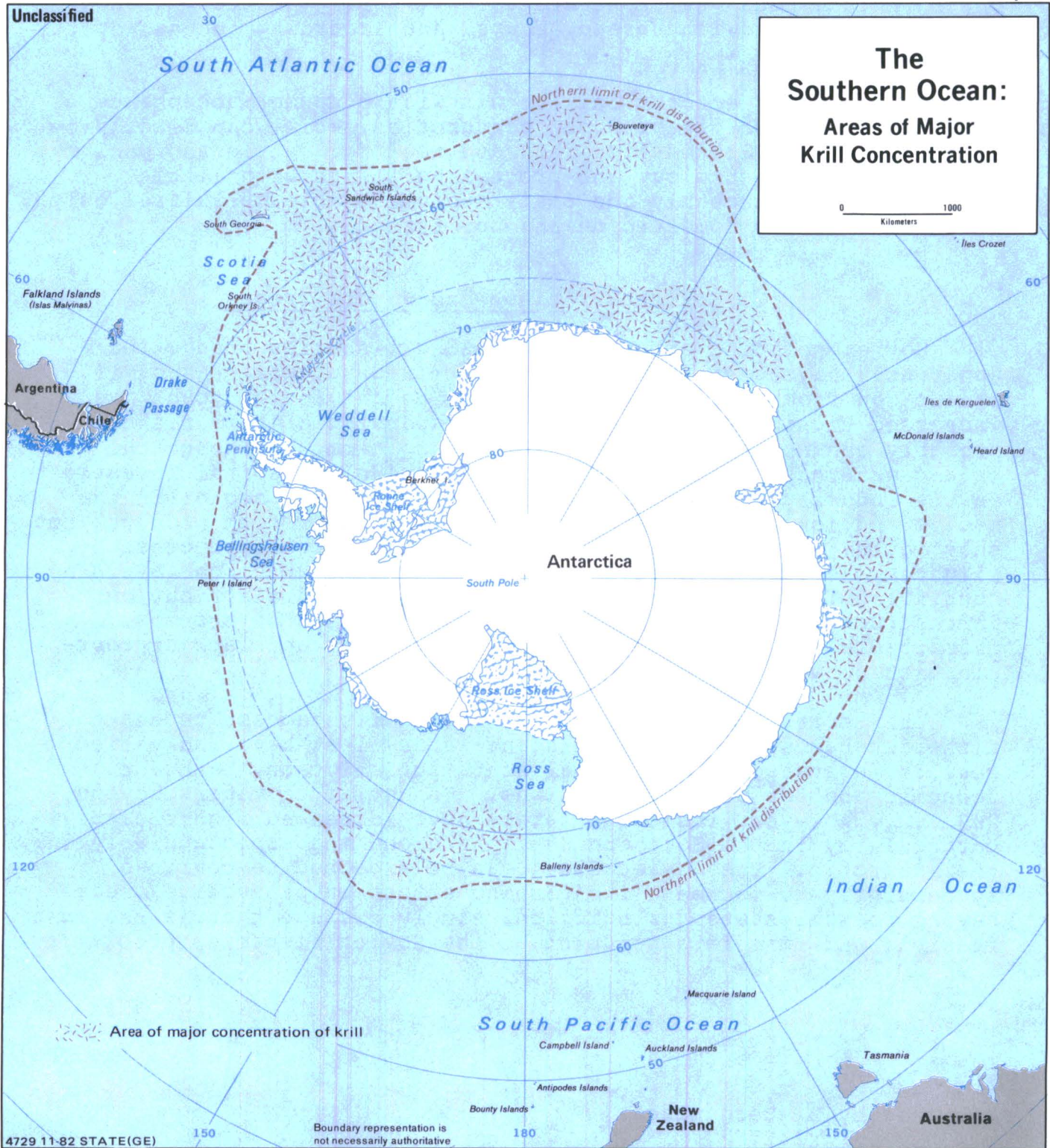
Among the 11 nations with large fishing vessels capable of operating in the Antarctic, the Soviet Union unquestionably is the leader. As of 1979 it had 181 such ships totaling 1,898,791 GRT, or 83 percent of the world total in this size class. Japan, with 13 vessels, and Poland, with 6, ranked second and third, respectively.

The Soviet Union, which clearly has taken the lead in Antarctic fishing, will continue to be the front runner in exploitation of krill. By 1980 the reported Soviet catch from the Antarctic had increased dramatically, up 704 percent from that of 1976. The region contributed 463,200 MT, or 5.3 percent of the 1980 Soviet marine catch. Nearly 90 percent, or 388,312 MT, was Antarctic krill.

The magnitude of the Soviets' 1980 krill catch indicates that the fishery is well past the experimental stage and into commercial production. Krill reportedly is marketed in the Soviet Union as whole frozen krill, whole tail-meats, tail meats frozen into blocks and then made into breaded and fried "krill fingers," krill mince, and krill paste. Manufactured products incorporating krill

~~CONFIDENTIAL~~







14

~~CONFIDENTIAL~~

- 10 -

paste include sausages, hors d'oeuvres, "shrimp" butter, cheese spread, pate, sandwich spread, soups, and according to one report, beer.

If marketing efforts fail to win wide consumer acceptance of krill products for direct human consumption, krill can readily be processed into cultured-fish feed and meal for cattle and poultry, using existing technology and processing plants with little modification. Currently the Soviet Union is able to fulfill only 30 percent of its domestic demand for fish meal.

(U) Current Problems and Future Trends

Soviet policies aimed at increasing fisheries production apparently have been implemented with mixed success. As of 1980, production from marine waters adjacent to the Soviet coast had increased significantly, but further expansion of this fishery probably can not be sustained in the long term. Although the inland-water catch decreased in 1980, scheduled capital investment in the industry should improve production in this sector in the medium and long term. Per capita consumption of fish products not only failed to reach 1980 stated goals, but actually decreased slightly, reflecting both the decrease in current catch levels and continuing inefficiency in the fish handling and distribution infrastructure. The latter problem may prove to be the most intractable one, owing to bureaucratic rivalry and lack of coordination between the responsible ministries.

The Soviet Union's efforts to reestablish access to world fisheries resources for its distant-water fleet have had varied results in areas within coastal state jurisdiction, both for economic and for political reasons. In unclaimed waters beyond 200 n.m., however, its catch levels have increased significantly, particularly in the Southern Hemisphere and most spectacularly in the Antarctic. The Soviet fleet can be expected to continue aggressively to increase its fishing effort in productive areas beyond coastal state jurisdiction, simply because that is the most feasible and immediate solution to the Soviet fisheries problem.

Prepared by D. Bergamaschi  
x24273

Approved by L. Alexander  
x22021

~~CONFIDENTIAL~~



~~CONFIDENTIAL~~

- I -

(U) Table 1. Soviet Marine Fishing Areas Ranked by Catch, 1976 and 1980

<u>Marine Area</u>	<u>USSR Area Catch (thousand MT)</u>	<u>% of USSR Total Marine Catch</u>
	<u>1976</u>	
Northwest Pacific	2,751.7	29.4
Northeast Atlantic	2,543.7	27.2
East Central Atlantic	1,315.5	14.0
Northwest Atlantic	852.7	9.1
Southeast Atlantic	841.2	9.0
Northeast Pacific	496.7	5.3
Black and Azov Seas	369.3	3.9
Southwest Pacific	78.0	0.8
Antarctic (Atlantic and Indian Ocean)	57.6	0.6
West Central Atlantic	23.8	0.2
West Indian Ocean	22.0	0.2
Southwest Atlantic	9.7	0.1
Arctic Ocean	-	-
East Indian Ocean	-	-
West Central Pacific	-	-
East Central Pacific	-	-
Southeast Pacific	-	-
TOTAL MARINE CATCH, 1976	<u>9,361.9</u>	
	<u>1980</u>	
Northwest Pacific	3,195.7	36.9
Northeast Atlantic	1,983.2	22.9
East Central Atlantic	942.3	10.9
Southeast Atlantic	825.2	9.8
Southeast Pacific	552.3	6.4
Antarctic (Atlantic and Indian Ocean)	463.2	5.3
Black and Azov Seas	397.2	4.6
Northwest Atlantic	108.3	1.2
Southwest Pacific	69.6	0.8
Northeast Pacific	59.2	0.7
West Indian Ocean	36.8	0.4
Southwest Atlantic	27.7	0.4
West Central Pacific	3.6	0.04
East Indian Ocean	0.4	-
Arctic Ocean	-	-
West Central Atlantic	-	-
East Central Pacific	-	-
TOTAL MARINE CATCH, 1980	<u>8,664.7</u>	

Data Source: UN Food and Agriculture Organization, Yearbook of Fisheries Statistics, Vol. 42 and Vol. 50.

~~CONFIDENTIAL~~

**DECLASSIFIED**  
 NLRR FDG-114/7 #9821  
 BY RW NARA DATE 11/24/00



~~CONFIDENTIAL~~

- II -

(U) Table 2. Soviet Fisheries Catch, 1960-80  
(thousand MT)

Year	USSR Total Catch	Marine Catch (MC)		Inland Water Catch (IC)	
		Total MC	As % of Total Catch	Total IC	As % of Total Catch
1960	3,051.0				
1961	3,250.0				
1962	3,616.5				
1963	3,977.2				
1964	4,475.7	3,749.2	83.8	726.5	16.2
1965	5,099.9	4,273.5	83.8	826.4	16.2
1966	5,348.8	4,559.8	85.2	789.0	14.8
1967	5,777.2	4,961.2	85.9	816.0	14.1
1968	6,082.1	5,301.6	87.2	780.5	12.8
1969	6,498.4	5,751.9	88.5	746.5	11.5
1970	7,239.9	6,386.5	88.2	853.4	11.8
1971	7,332.0	6,396.6	87.2	935.4	12.8
1972	7,752.4	6,882.4	88.8	870.0	11.2
1973	8,614.1	7,764.5	90.2	849.5	9.8
1974	9,255.4	8,482.5	91.6	772.9	8.4
1975	9,970.0	9,026.0	90.5	944.0	9.5
1976	10,132.2	9,361.9	92.4	770.3	7.6
1977	9,347.4	8,576.5	91.7	770.9	8.3
1978	8,918.0	8,187.6	91.8	730.4	8.2
1979	9,114.0	8,308.4	91.2	805.6	8.8
1980	9,412.1	8,664.7	92.1	747.4	7.9

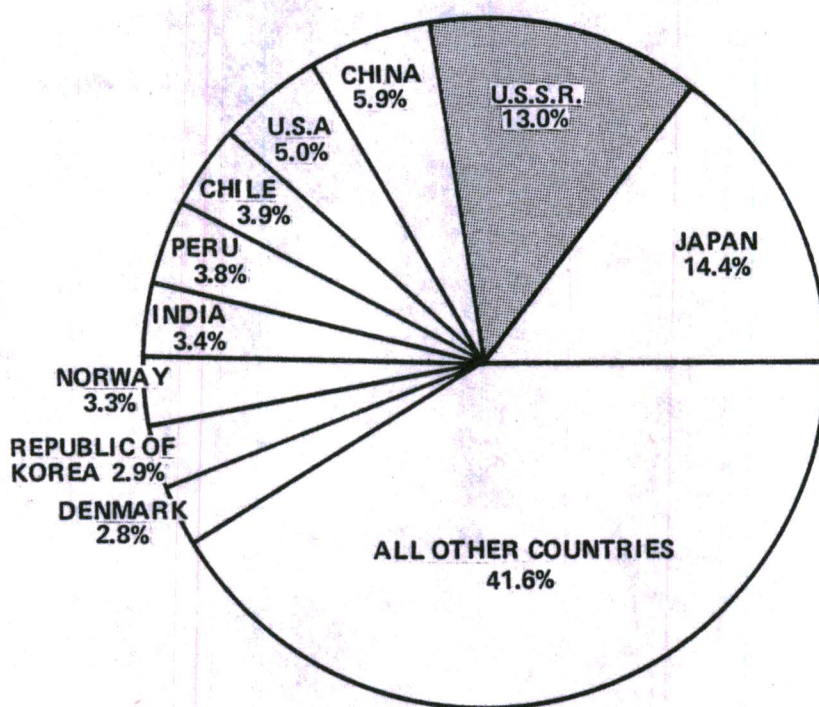
Data Sources: UN Food and Agriculture Organization, Yearbook of Fishery Statistics, Vol. 50 and previous volumes.

~~CONFIDENTIAL~~



Figure 1

SHARES OF THE WORLD FISHERY CATCH, 1980



Source: Food and Agriculture Organization of the United Nations, Yearbook of Fishery Statistics, 1980, Vol. 51.

(U) Table 3. World's Top Ten Fishing Countries Ranked by Catch Size: 1976 and 1980

1976				1980			
Rank	Country	Catch (MT)*	% of World Total	Country	Catch (MT)*	% of World Total	
1	USSR	10,132,210	14.5	Japan	10,410,442	14.4	
2	Japan	9,994,420	14.3	USSR	9,412,147	13.0	
3	Peru	4,344,285	6.2	China	4,240,000	5.9	
4	China	4,320,306	6.2	US	3,634,526	5.0	
5	Norway	3,361,056	4.8	Chile	2,816,706	3.9	
6	US	3,050,478	4.4	Peru	2,731,358	3.8	
7	India	2,173,926	3.1	India	2,423,482	3.4	
8	Rep. of Korea	2,117,808	3.0	Norway	2,398,171	3.3	
9	Denmark	1,911,637	2.7	Rep. of Korea	2,091,134	2.9	
10	Thailand	1,659,388	2.4	Denmark	2,026,836	2.8	
Top Ten Total		43,065,514	61.7	Top Ten Total	42,184,802	58.4	
Other Countries		26,687,486	38.3	Other Countries	30,005,998	41.6	
World Total		69,753,000	100.0	World Total	72,190,800	100.0	

\* Includes marine and inland catch, in metric tons.

Data Source: UN Food and Agriculture Organization, Yearbook of Fishery Statistics, Vol. 50.



FILE  
fisheries

SECRET

Review of U.S.-Soviet Fisheries Relations

Issue for Decision

To determine the Administration's position on the proposals made to the President by Congressman Breaux to restore or expand the fisheries relationship with the USSR.

Essential Factors

Congressman Breaux and other legislators have written to the President and other cabinet officers requesting a review of the fisheries sanction imposed on the Soviet Union after the invasion of Afghanistan. They support a normalization of our fisheries relationship, including a renegotiation of the fisheries bilateral, the Governing International Fisheries Agreement (GIFA), with the Soviet Union so as to bring it into conformity with the 1980 and 1982 amendments to our fisheries law. Other requested actions include: 1) negotiation of a fisheries agreement to allow access by U.S. fishermen to Soviet waters; 2) restoration of fishing allocations to the Soviets; and 3) approval of other fishing joint ventures with the Soviets in our zone.

SECRET

DECLASSIFIED  
NLRR 106-114/7 #9822  
BY AV NARA DATE 7/7/08



~~SECRET~~

- 2 -

Breaux stated in his letter to the President that he believes that, in exchange for an East Coast joint venture and a renegotiation of the GIFA, the Soviets would be willing to:

- (a) allow U.S. fishermen to fish for king crab, and possibly other species of fish, in Soviet waters;
- (b) reconsider their position on the moratorium of the International Whaling Commission (IWC) on commercial whaling; and
- (c) expand Soviet grain (rice) purchase from the U.S. for cash.

Breaux also suggested that, if other joint ventures are permitted, their viability and competitiveness would be helped by directed allocations of fish.

All allocations to the USSR to fish within our 200-mile zone were terminated as an Afghanistan sanction. However, Soviet processing at sea of U.S.-caught fish was allowed to continue. Consequently, we have exchanged notes with the USSR to extend our current fisheries agreement for one more year, until July 1, 1984, so that the joint venture was not interrupted.

~~SECRET~~



13  
~~SECRET~~

- 3 -

Normalizing our fishery relationship with the Soviets would benefit U.S. fishermen and lead to fuller utilization of our fisheries resources. The issue for decision is whether this is the proper time to relax the sanctions.

Rationale for Options

1. Maintain the status quo.

This is not an appropriate time to expand our fisheries relationship with the Soviets, and feed speculation we are returning to "business as usual."

(a) In light of the negotiation of the Long-Term Grain Agreement, it is important to keep other economic sanctions in place for now to demonstrate our policy opposing Soviet aggressive international behavior is unchanged;

(b) We have imposed similar sanctions on Poland and should not lift those imposed on the Soviets before taking initial steps with Poland;

(c) The Soviets have shown no policy-level interest in expanding our fisheries relationship, nor in making the concessions Mr. Breaux thinks they will propose; the Soviets should take the first step;

~~SECRET~~



14

~~SECRET~~

- 4 -

(d) Expanding Soviet fishery cooperation could pose security risks and lead to expanded Soviet commercial presence in the U.S.; and

(e) Fish allocations to the USSR means less fish to our Allies.

2. Ease the fishery sanctions and expand the U.S.-USSR fishery relationship.

We should proceed to normalize our fishery relationship with the Soviets to allow more growth in the U.S. fishing industry.

(a) In light of the negotiation of the Long-Term Grain Agreement, there is little political symbolism in continuing to deny the allocation of fish to the USSR.

(b) U.S. fishing industry and members of Congress support the expansion of U.S.-Soviet fisheries cooperation. Current cooperation results in \$30 million in sales annually;

(c) Failure to return to routine cooperation may cause the Soviets to pull out of joint venture cooperation, which they now claim is not that profitable;

(d) Allocations to our Allies would be reduced if the Soviets were to receive a directed fishery allocation,

~~SECRET~~



13

~~SECRET~~

- 5 -

but they realize that the increases they have received for the past 3 years were due to Polish and Soviet cuts; (e) Sanctions against the Soviets increase the pressure to amend the Magnuson Act to exclude foreign policy considerations completely from the allocation process; and

(f) Normalization should be approached gradually, as specified in the Option 2 below.

None of the steps suggested below are to be done until after we take a step on fishing with Poland. We would also insist on a Soviet quid pro quo for each step.

#### Options

1. Maintain the status quo.
2. Ease the sanctions.

Possible steps: (in ascending order)

- (a) Issue a small directed fish allocation of 10-30,000 metric tons;
- (b) Allow expanded joint venture operations, unless there are security problems; and
- (c) Renegotiate our Governing International Fishery Agreement with the Soviets, including reciprocal U.S. access to Soviet waters.

~~SECRET~~



P830033-0499

EDMUND B. WELCH  
CHIEF MINORITY COUNSEL  
GEORGE J. MANNING

WALTER B. JONES, N.C., CHAIRMAN

MARIO BIAGGI, N.Y.  
GLENN M. ANDERSON, CALIF.  
JOHN B. BREAUX, LA.  
GERRY E. STUDDS, MASS.  
CARROLL HUBBARD, JR., KY.  
DON BONKER, WASH.  
NORMAN E. D'AMOURS, N.H.  
JAMES L. OBERSTAR, MINN.  
WILLIAM J. HUGHES, N.J.  
BARBARA A. MIKULSKI, MD.  
EARL HUTTO, FLA.  
BRIAN DONNELLY, MASS.  
W. J. (BILLY) TAUZIN, LA.  
THOMAS M. FOGLIETTA, PA.  
JOE I. F. SUNIA, AM. SAMOA  
DENNIS M. HERTEL, MICH.  
ROY DYSON, MD.  
WILLIAM D. LIPINSKI, ILL.  
ROBERT A. BORSKI, PA.  
THOMAS R. CARPER, DEL.  
DOUGLAS H. BOSCO, CALIF.  
ROBIN TALLON, S.C.  
ROBERT LINDSAY THOMAS, GA.  
BARBARA BOXER, CALIF.  
SOLOMON P. ORTIZ, TEX.

EDWIN B. FORSYTHE, N.J.  
GENE SNYDER, KY.  
JOEL PRITCHARD, WASH.  
DON YOUNG, ALASKA  
NORMAN F. LENT, N.Y.  
ROBERT W. DAVIS, MICH.  
WILLIAM CARNEY, N.Y.  
NORMAN D. SHUMWAY, CALIF.  
JACK FIELDS, TEX.  
CLAUDINE SCHNEIDER, RL.  
HAROLD S. SAWYER, MICH.  
HERBERT H. BATEMAN, VA.  
JOHN R. MCKERNAN, JR., MAINE  
WEBB FRANKLIN, MISS.

# U.S. House of Representatives

## Committee on

### Merchant Marine and Fisheries

Room 1334, Longworth House Office Building  
Washington, D.C. 20515

8307258

SS

**ACTION**  
is assigned to

OKS

February 22, 1983

rec'd in S:  
3/11/83

Honorable George Shultz  
Secretary  
Department of State  
Washington, D. C. 20520

Dear Mr. Secretary:

As Members of Congress with a long-standing interest in promoting the effective utilization of U.S. fishery resources, we have devoted much of our effort in Congress to the development of sound policies to promote the U.S. fishing industry. As part of that effort, we have supported amendments to the Fishery Conservation and Management Act (FCMA) that link foreign access to the surplus fishery resources of the United States fishery conservation zone to measures undertaken by such foreign nations to foster the full development of our domestic fishing industry. One of these so-called "fish and chips" criteria of special significance is the willingness of foreign nations to engage in joint fishing ventures.

Recently, you were contacted regarding the issue of U.S.-Soviet fishery relations. In that letter, it was noted that the Soviet Union sponsored the first, and one of the most successful, joint fishing ventures undertaken pursuant to U.S. fish and chips policies.

Since the inception of this joint venture, approximately 50 United States harvesting vessels have been involved in over-the-side sales to the Soviet sponsored processing vessel. Over \$75 million dollars have been received by the owners of these vessels, sales that would have been foregone without the presence of the Soviet processing vessel.

It has also been noted that this joint venture would be even more successful, providing additional benefits to U.S.

From: Edwin B. Forsythe  
John B. Breaux  
Joel Pritchard

Gerry E. Studts  
Don Bonker

RECEIVED  
DEPARTMENT OF STATE

1983 MAR 24 PM 12:45  
DOCUMENT ANALYSIS



fishermen, if it were allowed a small directed fishing effort to sustain its operations during that period of time when U.S. fishermen are unable to produce a sufficient quantity of fish to maintain a full level of production. The generally favorable violation record of the Soviet Union, when its vessels were previously allowed such a directed harvest, speaks in favor of allowing a new directed fishing effort, where appropriate.

We believe that the benefits that can be derived by U.S. fishermen through the consistent and full application of fish and chips policies to all nations interested in participating in the harvest of excess U.S. fishery resources calls for:

1. The immediate re-negotiation of the U.S.-Soviet Governing International Fishery Agreement (GIFA) in a manner consistent with fish and chips and the negotiation of access by U.S. fishermen to surplus resources of the Soviet fishery zone; and

2. Positive consideration for an expansion of U.S.-Soviet joint fishing ventures. Consideration should also be given to a direct allocation of surplus fishing resources where such an allocation would ensure the long-term viability and competitiveness of such joint ventures. We believe that this action is fully consistent with the "cash for food" approach taken by the U.S. in lifting the Soviet grain embargo.

Again, we would like to add our support to the comments you have already received and urge you to take the necessary actions which will lead to the effective utilization of our bountiful fishery resources for the maximum benefit of our domestic fishermen and economy.

With kind regards,

Sincerely,

  
EDWIN B. FORSYTHE, M.C.

  
JOHN B. BREAU, M.C.

  
JOEL PRITCHARD, M.C.

  
GERRY E. STUDDS, M.C.

  
DON YOUNG, M.C.

  
DON BONKER, M.C.

*Douglas H. Bosco*

DOUGLAS H. BOSCO, M.C.

*Ted Stevens*

TED STEVENS, U.S.S.

*Slade Gorton*

SLADE GORTON, U.S.S.

---

---

---

---

---

---

---

---

---

---

*Walter B. Jones*

WALTER B. JONES, M.C.

*William Carney*

WILLIAM CARNEY, M.C.

*Bob Packwood*

BOB PACKWOOD, U.S.S.

---

---

---

---

---

---

---

---

---

---





DEPARTMENT OF STATE

Washington, D.C. 20520

Dear Congressman Breaux:

Thank you for your letter of February 22, to the Secretary recommending that we renegotiate the fisheries agreement with the Soviet Union, allocate a small directed allocation of surplus U.S. fish to the Soviets, and allow the expansion of U.S.-Soviet joint ventures.

In response to the Soviet invasion of Afghanistan, the United States announced several sanctions on January 4, 1980, including the prohibition of further fish allocations to the U.S.S.R. In view of continued Soviet international behavior, we see no reason to remove these sanctions. We are, however, considering what actions to take when the present one-year extension expires in July, and expect to reach a decision shortly.

We are aware that your request would benefit U.S. fishermen and will therefore continue to monitor the situation.

With cordial regards,

Sincerely,

Powell A. Moore  
Assistant Secretary  
for Congressional Relations

The Honorable  
John B. Breaux,  
House of Representatives.

ACTION: EUR

NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20506

DIST:

D

P

E

T

EB

L

OES

S/S

S/S-S

IA

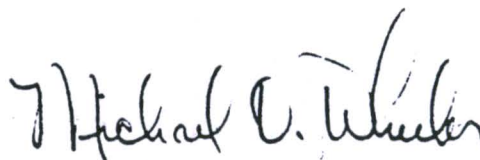
Rf:rw

March 21, 1983

MEMORANDUM FOR L. PAUL BREMER, III  
Executive Secretary

SUBJECT: Fisheries Negotiations with the Soviet Union

Congressman Breaux has written the President with certain proposals regarding fisheries negotiations with the Soviet Union (Tab A). The Department of State should review these proposals in coordination with the Department of Commerce, the NSC staff and other concerned agencies as appropriate. This review should be forwarded, along with a proposed response to Congressman Breaux, by April 15, 1983.

Michael O. Wheeler  
Staff Secretary

cc: The Office of the Vice President (Donald Gregg)  
The Department of Defense (Lt. Col. W. Richard Higgins)  
The Department of Commerce (Ms. Helen Robbins)  
Office of Management and Budget (Alton G. Keel)  
Central Intelligence Agency (Thomas B. Cormack)

Rec'd 3/21/83 9:45P  
-J2P



PART 2800 NY  
 DAVID M ANDERSON CALIF.  
 JAMES BREAR A  
 CHERIE STODDS MASS  
 CARROLL HUBBARD JR KY  
 DONALD KNER WASH  
 NORMAN CAMLOUS N.H.  
 JAMES OBERSTAR MINN.  
 WILLIAM RUGLES NY  
 JARLEFAA MUKUSKA MD.  
 EUGENE D TAYLOR  
 BRIAN CONNELLY MASS  
 J. BILLY TAUZIN LA  
 THOMAS M FOLETTA PA  
 FRED E SUNIA AM SAMOA  
 DENNIS M HERTZ MICH  
 ROY DYSON MD  
 WILLIAM O LIPINSKI ILL  
 ROBERT A BORSKI PA  
 THOMAS R CARPER DEL  
 DOUGLAS H BOSCO CALIF.  
 ROBIN TALON SC  
 ROBERT LINDSAY THOMAS GA  
 BARBARA BOXER CALIF  
 SOLOMON P ORTIZ TEX  
 EDWIN B FORSYTHE N.J.  
 GENESNYDER KY  
 JOEL PRITCHARD WASH  
 DON YOUNG ALASKA  
 NORMAN F LENT NY  
 ROBERT W DAVIS MICH  
 WILLIAM GARNER NY  
 NORMAN O SUMWAY CALIF.  
 JACK EEDS TEX  
 CLAUDE SCHNEIDER RI  
 HAROLD S SAWYER MICH  
 HERBERT W BATEMAN VA  
 JOHN R MCKEPMAN JR. MAINE  
 WEBB FRANKLIN MISS.

February 23, 1983

Dear Mr. President:

I met with Vice President Bush this morning for breakfast to outline to him a set of suggestions relating to U.S.-Soviet relations on fisheries. I meant to mention it to you on Saturday, but we were having too good a time to get bogged down with serious business. After listening to my proposals, the Vice President agreed that you should be made aware of them.

I recently returned from a ten day trip to the Soviet Union with Senator Bob Dole and several other Members of Congress. During that visit, I had an opportunity to visit with a number of senior Soviet officials including the Minister of Fisheries, Mr. Kamenstsev. It is clear to me that fisheries is an extremely important matter to the Soviet government and I believe that the United States has an opportunity to make a gesture to the Soviets which would benefit both nations, but, most especially, our country.

As you know, President Carter's 1981 action to deny Soviet access to our 200 mile fisheries zone is still in effect with respect to direct allocations of fish to the USSR. The Soviets have a demonstrated track record in a joint fisheries venture with West Coast-U.S. fishermen which is superb. They would very much like to expand this joint venture to the East Coast of the United States and to renegotiate a particular fisheries agreement with us which would otherwise expire in June of 1983.



Feb. 23, 1983

From my discussions with the Soviet officials who are in a position to deliver a final agreement, I believe that in exchange for an approval of the pending East Coast joint venture application and a renegotiation of the existing US/USSR fisheries agreement (GIFA), the Soviets would be willing to a three pronged "quid pro quo" to the United States:

1. allow the first access to Soviet waters by U.S. fishermen for such species as king crab (which is becoming depleted in Alaska waters presently thereby causing serious economic harm to U.S. fishermen);
2. reconsider their position with respect to abiding by the International Whaling Commission's moratorium on commercial whaling; and
3. expand Soviet grain purchases from U.S. farmers for cash.

I have discussed the specifics of the above areas with the Soviets and I believe that we stand a good chance of achieving these U.S. advantages.

The bottom line is that the agreements which I am proposing to begin negotiations with the Soviets on have been viewed as providing benefits to U.S. industry at the fishery policy level of our government. The problems preventing negotiations have been due to political opposition which I am asking your reconsideration of so that we may at least begin a productive dialogue. I would be available to be involved in this negotiation if you thought it would be helpful. I feel strongly that to do so is in our strong national interest.

The actions on our part from a fisheries standpoint would be extremely advantageous to our nation and would be seen by the Soviet Union as a very positive U.S. action. I believe that it is a natural for serious consideration by you and would appreciate your reaction. Naturally, I am available to discuss this further with you if you so desire. I am taking the liberty of enclosing my letter to the Vice President and to the Secretary of State so that your staff may know the contents of my entire proposal.



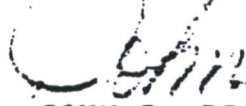
Honorable Ronald Reagan  
Page 3

Feb. 23, 1983

Again, thank you for thinking of me the other evening. I had a great time.

With best personal regards.

Sincerely,



JOHN B. BREAUX  
Chairman  
Subcommittee on Fisheries  
and Wildlife Conservation  
and the Environment

Enclosures

cc: Honorable George Bush  
Vice President of the United States

MEMORANDUM

2769

## THE WHITE HOUSE

WASHINGTON

~~UNCLASSIFIED~~  
~~CONFIDENTIAL ATTACHMENT~~

April 29, 1983

MEMORANDUM FOR THE PRESIDENT

FROM: WILLIAM P. CLARK *WPC*SUBJECT: Governing International Fishery Agreements  
with the Soviet Union and PolandIssue

Whether to send the notes extending these two agreements to Congress.

Facts

Earlier this month you approved one-year extensions for these agreements which govern Soviet and Polish access to our fisheries zone (Tab D). State has now forwarded the diplomatic exchange of notes to extend the agreements, recommending that you transmit the notes and agreements to Congress. The current agreements expire on July 1 and the new ones must remain before Congress for 60 days of continuous session before entering into force.

RECOMMENDATIONOK ☒ NO ☐

That you sign the letters to the House and Senate (Tab A) transmitting the exchanges of notes and agreements.

*WPC* SIGNED

MAY 0 3 1983

Attachments

Tab A Transmittals to Congress  
B Exchanges of notes and US-Soviet GIFA  
C Exchanges of notes and US-Poland GIFA  
D Clark memo dtd 3/31/83

*Sealed*  
~~UNCLASSIFIED~~  
~~CONFIDENTIAL ATTACHMENT~~

DECLASSIFIED  
WHITE HOUSE Guidelines, July 21, 1997  
By *VJ* NARA, Date *7/10/02*




## THE WHITE HOUSE

WASHINGTON

April 29, 1983

## MEMORANDUM FOR THE PRESIDENT

FROM: WILLIAM P. CLARK 

SUBJECT: Governing International Fishery Agreement  
with the German Democratic Republic (GDR)

Issue

Whether to send the subject agreement to Congress.

Facts

This agreement (Tab B) would replace our 1977 agreement and sets out principles that will govern fishing by GDR residents and vessels within our 200-mile Exclusive Economic Zone. It is one of a series of agreements that have been renegotiated consistent with the Magnuson Fishery Conservation and Management Act, and provides that the GDR may apply for fishing permits to harvest part of the allowable catch that will not be harvested by U.S. fishing vessels. State recommends that the agreement be submitted to Congress promptly since the existing agreement expires on July 1 and the new one must remain before Congress for 60 days of continuous session before it can be brought into force.

RECOMMENDATION

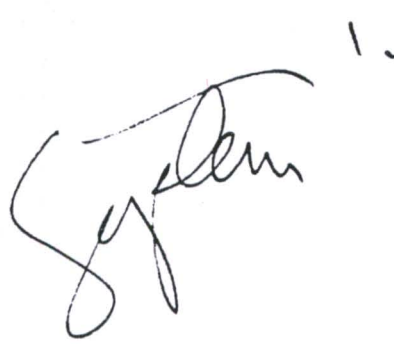
OK ☒ NO ☐  
**SIGNED**

That you sign the identical letters to the House and Senate (Tab A) transmitting the agreement.

MAY 0 2 1983

## Attachments

Tab A Letters to House and Senate  
B US-GDR GIFA



26

637

**National Security Council  
The White House**

Package # \_\_\_\_\_

'83 APR 25 PM 5:53

	SEQUENCE TO	HAS SEEN	ACTION
John Poindexter	_____	_____	_____
Bud McFarlane	2	_____	_____
Jacque Hill	3	_____	_____
Judge Clark	4	_____	A
John Poindexter	_____	_____	_____
Staff Secretary	_____	_____	_____
Sit Room	_____	_____	_____

\_\_\_\_\_

I-Information   A-Action   R-Retain   D-Dispatch   N-No further  
Action

**DISTRIBUTION**

cc:   VP   Meese   Baker   Deaver   Other \_\_\_\_\_

**COMMENTS**



MEMORANDUM

## NATIONAL SECURITY COUNCIL

April 25, 1983

ACTION

MEMORANDUM FOR WILLIAM P. CLARK

FROM: MICHAEL GUHIN *ee*SUBJECT: Governing International Fishery Agreement with  
the German Democratic Republic (GDR)

The memo for the President at Tab I notes the purpose of the subject agreement (Tab B) and supports State's recommendation that he transmit it to Congress. Dobriansky and Sommer concur.

RECOMMENDATION

That you sign the memo to the President (Tab I) recommending that he sign the transmittal to Congress (Tab A).

Approve ✓ Disapprove       

## Attachments

Tab I	Memo for the President
Tab A	Transmittal to Congress
B	US-GDR GIFA

National Security Council  
The White House

637

Package # \_\_\_\_\_

'83 APR 25 PM 5:53

	SEQUENCE TO	HAS SEEN	ACTION
John Poindexter	_____	<del>X</del>	_____
Bud McFarlane	2	AM	_____
Jacque Hill	3	✓	_____
Judge Clark	4	✓	A
John Poindexter	_____	_____	_____
Staff Secretary	_____	_____	_____
Sit Room	_____	_____	_____
_____	_____	_____	_____

I-Information   A-Action   R-Retain   D-Dispatch   N-No further  
Action

DISTRIBUTION

cc:   VP   Meese   Baker   Deaver   Other \_\_\_\_\_

COMMENTS



MEMORANDUM

## NATIONAL SECURITY COUNCIL

April 25, 1983

~~UNCLASSIFIED~~  
~~CONFIDENTIAL ATTACHMENT~~

ACTION

MEMORANDUM FOR WILLIAM P. CLARK

**SIGNED**

FROM: MICHAEL GUHIN *afk*  
SUBJECT: Extending the Governing International Fishery  
Agreements with the Soviet Union and Poland

The President recently approved one-year extensions for these agreements (Tab D). The memo for the President at Tab I forwards the diplomatic exchanges of notes which extend the agreements, as provided by State, and recommends that he transmit them to Congress.

RECOMMENDATION

That you sign the memo to the President (Tab I) recommending that he sign the transmittals to Congress (Tab A).

Approve 2 Disapprove \_\_\_\_\_

## Attachments

Tab I	Memo for the President
Tab A	Transmittals to Congress
B	Diplomatic Notes and US-Soviet GIFA
C	Diplomatic Notes and US-Poland GIFA
D	Clark memo dtd 3/31/83

~~UNCLASSIFIED~~  
~~CONFIDENTIAL ATTACHMENT~~

UNCLASSIFIED UPON REMOVAL  
OF CLASSIFIED ENCLOSURE(S)

AS 7/16/02

## THE WHITE HOUSE

WASHINGTON

UNCLASSIFIED  
CONFIDENTIAL ATTACHMENT

## MEMORANDUM FOR THE PRESIDENT

FROM: WILLIAM P. CLARK

SUBJECT: Governing International Fishery Agreements  
with the Soviet Union and Poland

Issue

Whether to send the notes extending these two agreements to Congress.

Facts

Earlier this month you approved one-year extensions for these agreements which govern Soviet and Polish access to our fisheries zone (Tab D). State has now forwarded the diplomatic exchange of notes to extend the agreements, recommending that you ~~promptly~~ transmit the notes and agreements to Congress. The current agreements expire on July 1 and the new ones must remain before Congress for 60 days of continuous session before entering into force.

RECOMMENDATION

OK \_\_\_\_ NO \_\_\_\_

That you sign the letters to the House and Senate (Tab A) transmitting the exchanges of notes and agreements.

## Attachments

Tab A Transmittals to Congress  
B Exchanges of notes and US-Soviet GIFA  
C Exchanges of notes and US-Poland GIFA  
D Clark memo dtd 3/31/83

UNCLASSIFIED  
CONFIDENTIAL ATTACHMENT

UNCLASSIFIED UPON REMOVAL  
OF CLASSIFIED ENCLOSURE(S)

CAS 7/10/02





## DEPARTMENT OF STATE

Washington, D.C. 20520

April 21, 1983

UNCLASSIFIEDMEMORANDUM FOR MR. WILLIAM P. CLARK  
THE WHITE HOUSE

SUBJECT: Transmission to the Congress of the Extensions of the Governing International Fishery Agreements with the Soviet Union and with Poland.

Attached for signature by the President are letters to the Senate and the House of Representatives, respectively, transmitting the separate exchanges of diplomatic notes which extend the Governing International Fishery Agreements between the United States and the Soviet Union and the United States and Poland for one year, until July 1, 1984. The present agreements, extended last year for one year, accompany the exchanges of notes. Together they constitute governing international fishery agreements within the requirements of Section 201 (c) of the Magnuson Fishery Conservation and Management Act (P.L. 94-265; 16 USC 1801). These exchanges of notes were completed on April 20, 1983.

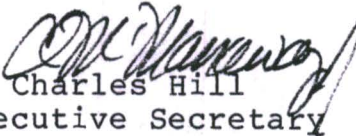
The President agreed to this course of action on April 4, 1983.

The extensions are not legally effective until Congress acts on the requirements of Section 203(a) of the Magnuson Fishery Conservation and Management Act. It provides as follows with respect to transmission to the Congress:

(a) IN GENERAL--No governing international fishery agreement shall become effective with respect to the United States before the close of the first 60 calendar days of continuous session of the Congress after the date on which the President transmits to the House of Representatives and to the Senate a document setting forth the text of such governing international fishery agreement. A copy of the document shall be delivered

to each House of Congress on the same day and shall be delivered to the Clerk of the House of Representatives, if the House is not in session, and to the Secretary of the Senate, if the Senate is not in session.

The present Agreements are scheduled to expire on July 1, 1983, and in order to allow the 60 days required by Section 203 (c), we request these extensions be transmitted as soon as possible.

  
Charles Hill  
Executive Secretary

Tab 1 - Letter to the House of Representatives.

Tab 2 - Letter to the Senate.



DRAFT

33

TO THE CONGRESS OF THE UNITED STATES:

In accordance with the Magnuson Fishery Conservation and Management Act of 1976 (Public Law 94-265; 16 USC 1801), I transmit herewith an exchange of Diplomatic Notes, together with the present agreement, extending the governing international fishery agreement between the United States and Poland, signed at Washington on August 2, 1976 until July 1, 1984. The exchange of notes together with the present agreement constitute a governing international fishery agreement within the requirements of Section 201 (c) of the Act.

Several U.S. fishing interests have urged prompt consideration of this agreement. In view of the July 1 expiration date of the current agreement, I therefore urge that the Congress give favorable consideration to this extension at an early date.

THE WHITE HOUSE,  
Washington,

34  
DRAFT

TO THE CONGRESS OF THE UNITED STATES:

In accordance with the Magnuson Fishery Conservation and Management Act of 1976 (Public Law 94-265; 16 USC 1801), I transmit herewith a governing international fishery agreement between the United States and the German Democratic Republic signed at Washington on April 13, 1983.

This agreement is one of a series to be renegotiated in accordance with that legislation to replace existing bilateral fishery agreements. I urge that the Congress give favorable consideration to this agreement at an early date.

THE WHITE HOUSE,



DRAFT

**TO THE CONGRESS OF THE UNITED STATES:**

In accordance with the Magnuson Fishery Conservation and Management Act of 1976 (Public Law 94-265; 16 USC 1801), I transmit herewith a governing international fishery agreement between the United States and the German Democratic Republic signed at Washington on April 13, 1983.

This agreement is one of a series to be renegotiated in accordance with that legislation to replace existing bilateral fishery agreements. I urge that the Congress give favorable consideration to this agreement at an early date.

THE WHITE HOUSE,





37

AGREEMENT BETWEEN  
THE GOVERNMENT OF THE UNITED STATES OF AMERICA  
AND THE GOVERNMENT OF THE GERMAN DEMOCRATIC REPUBLIC  
CONCERNING FISHERIES OFF THE COASTS  
OF THE UNITED STATES

The Government of the United States of America and the Government of the German Democratic Republic

Considering their common concern for the rational management, conservation and achievement of optimum yield of fish stocks off the coasts of the United States;

Considering the past experience of fishing by vessels of the Government of the German Democratic Republic in waters off the coasts of the United States, the cooperation between the two Parties under the Agreement between the Government of the United States of America and the Government of the German Democratic Republic Concerning Fisheries Off the Coasts of the United States, signed October 5, 1976 and in anticipation of continued and improved cooperation in the field of fisheries;

Recognizing that the United States has established by Presidential Proclamation of March 10, 1983 an exclusive economic zone within 200 nautical miles of its coasts within which the United States has sovereign rights to explore, exploit, conserve and manage all fish and that the United States also has such rights over the living resources of the continental shelf appertaining to the United States and to anadromous species of fish of United States origin; and

Desirous of establishing reasonable terms and conditions pertaining to fisheries of mutual concern over which the United States has sovereign rights to explore, exploit, conserve and manage;

Have agreed as follows:

ARTICLE I

The purpose of this Agreement is to promote effective conservation, rational management and the achievement of optimum yield

in the fisheries of mutual interest off the coasts of the United States and to establish a common understanding of the principles and procedures under which fishing may be conducted by nationals and vessels of the German Democratic Republic for the living resources over which the United States has sovereign rights to explore, exploit, conserve and manage.

ARTICLE II

As used in this Agreement, the term

1. "living resources over which the United States has sovereign rights to explore, exploit, conserve and manage" means all fish within the exclusive economic zone of the United States (except highly migratory species), all anadromous species of fish that spawn in the fresh or estuarine waters of the United States and migrate to ocean waters while present in the United States exclusive economic zone and in areas beyond national fisheries jurisdictions recognized by the United States and all living resources of the continental shelf appertaining to the United States;
2. "fish" means all finfish, molluscs, crustaceans, and other forms of marine animal and plant life, other than marine mammals, birds and highly migratory species;
3. "fishery" means
  - a. one or more stocks of fish that can be treated as a unit for purposes of conservation and management and that are identified



on the basis of geographical, scientific, technical, recreational and economic characteristics; and

b. any fishing for such stocks;

4. "exclusive economic zone" means a zone contiguous to the territorial sea of the United States, the seaward boundary of which is a line drawn in such a manner that each point on it is 200 nautical miles from the baseline from which the breadth of the territorial sea of the United States is measured;

5. "fishing" means

- a. the catching, taking or harvesting of fish;
- b. the attempted catching, taking or harvesting of fish;
- c. any other activity that can reasonably be expected to result in the catching, taking or harvesting of fish; and
- d. any operations at sea, including processing, directly in support of, or in preparation for, any activity described in subparagraphs a. through c. above, provided that such term does not include other legitimate uses of the high seas, including any scientific research activity;

- 4 -

6. "fishing vessel" means any vessel, boat, ship, or other craft that is used for, equipped to be used for, or of a type that is normally used for

- a. fishing; or
- b. aiding or assisting one or more vessels at sea in the performance of any activity relating to fishing, including preparation, supply, storage, refrigeration, transportation or processing;

7. "highly migratory species" means species of tuna which, in the course of their life cycle, spawn and migrate over great distances in waters of the ocean; and

8. "marine mammal" means any mammal that is morphologically adapted to the marine environment, including sea otters and members of the orders Sirenia, Pinnipedia, and Cetacea, or primarily inhabits the marine environment such as polar bears.

#### ARTICLE III

1. The Government of the United States is willing to allow access for fishing vessels of the German Democratic Republic to harvest, in accordance with terms and conditions to be established in permits issued under Article VII, that portion of the total allowable catch for a specific fishery that will not be harvested by United States fishing vessels



and is determined to be available to fishing vessels of the German Democratic Republic in accordance with United States law.

2. The Government of the United States shall determine each year, subject to such adjustments as may be necessitated by unforeseen circumstances affecting the stocks, and in accordance with United States law,

- a. the total allowable catch for each fishery based on optimum yield, taking into account the best available scientific evidence, and social, economic and other relevant factors;
- b. the harvesting capacity of United States fishing vessels in respect of each fishery;
- c. the portion of the total allowable catch for a specific fishery to which access will be provided, on a periodic basis each year, to foreign fishing vessels; and
- d. the allocation of such portion that may be made available to qualifying fishing vessels of the Government of the German Democratic Republic.

3. In the implementation of paragraph 2.d. of this Article, the United States shall determine each year the measures necessary to prevent overfishing while achieving, on a continuing basis, the optimum yield from each fishery in accordance with United States law. Such measures may include, inter alia:

- a. designations of areas where, and periods when, fishing shall be permitted, limited, or conducted only by specified types of fishing vessels or with specified types and quantities of fishing gear;
- b. limitations on the catch of fish based on area, species, size, number, weight, sex, incidental catch, total biomass or other factors;
- c. limitations on the number and types of fishing vessels that may engage in fishing and/or on the number of days each vessel of the total fleet may engage in fishing in a designated area for a specified fishery;
- d. requirements as to the types of gear that may, or may not, be employed; and
- e. requirements designed to facilitate enforcement of such conditions and restrictions, including the maintenance of appropriate position-fixing and identification equipment.

4. The Government of the United States shall notify the Government of the German Democratic Republic of the determinations provided for by this Article on a timely basis.



- 7 -

ARTICLE IV

In determining the portion of the surplus that may be made available to vessels of each country, including the German Democratic Republic, the Government of the United States will decide on the basis of the factors identified in United States law including:

1. whether, and to what extent, such nations impose tariff barriers or nontariff barriers on the importation, or otherwise restrict the market access, of United States fish or fishery products;
2. whether, and to what extent such nations are cooperating with the United States in the advancement of existing and new opportunities for fisheries trade, particularly through the purchase of fish or fishery products from United States processors or from United States fishermen;
3. whether, and to what extent, such nations and the fishing fleets of such nations have cooperated with the United States in the enforcement of United States fishing regulations;
4. whether, and to what extent, such nations require the fish harvested from the exclusive economic zone for their domestic consumption;
5. whether, and to what extent, such nations otherwise contribute to, or foster the growth of, a sound and economic United States fishing industry, including minimizing gear

- 8 -

conflicts with fishing operations of United States fishermen, and transferring harvesting or processing technology which will benefit the United States fishing industry;

6. whether, and to what extent, the fishing vessels of such nations have traditionally engaged in fishing in such fishery;

7. whether, and to what extent, such nations are cooperating with the United States in, and making substantial contributions to, fishery research and the identification of fishery resources; and

8. such other matters as the United States deems appropriate.

#### ARTICLE V

The Government of the German Democratic Republic shall cooperate with and assist the United States in the development of the United States fishing industry and the increase of United States fishery exports by taking such measures as reducing or removing impediments to the importation and sale of United States fishery products, providing information concerning technical and administrative requirements for access of United States fishery products into the German Democratic Republic, providing economic data, sharing expertise, facilitating the transfer of harvesting or processing technology to the United States fishing industry, facilitating appropriate joint venture and other arrangements, informing its industry of trade and joint venture opportunities with the United States, and taking such other actions as may be appropriate.



ARTICLE VI

The Government of the German Democratic Republic shall take all necessary measures to ensure:

1. that nationals and vessels of the German Democratic Republic refrain from fishing for living resources over which the United States has sovereign rights to explore, exploit, conserve and manage except as authorized pursuant to this Agreement;
2. that all such vessels so authorized comply with the provisions of permits issued pursuant to this Agreement and applicable laws of the United States; and
3. that the total allocation referred to in Article III, paragraph 2.d. of this Agreement is not exceeded for any fishery.

ARTICLE VII

The Government of the German Democratic Republic may submit an application to the Government of the United States for a permit for each fishing vessel of the German Democratic Republic that wishes to engage in fishing in the exclusive economic zone pursuant to this Agreement. Such application shall be prepared and processed in accordance with Annex I, which constitutes an integral part of this Agreement. The Government of the United States may require the payment of fees for such permits and for fishing in the United States exclusive economic zone. The Government of the German Democratic Republic undertakes to keep the number of

applications to the minimum required, in order to aid in the efficient administration of the permit program.

#### ARTICLE VIII

The Government of the German Democratic Republic shall ensure that nationals and vessels of the German Democratic Republic refrain from harassing, hunting, capturing or killing, or attempting to harass, hunt, capture or kill, any marine mammal within the United States exclusive economic zone, except as may be otherwise provided by an international agreement respecting marine mammals to which the United States is a party, or in accordance with specific authorization for and controls on incidental taking of marine mammals established by the Government of the United States.

#### ARTICLE IX

The Government of the German Democratic Republic shall ensure that in the conduct of the fisheries under this Agreement:

1. the authorizing permit for each vessel of the German Democratic Republic is prominently displayed in the wheelhouse of such vessel;
2. appropriate position-fixing and identification equipment, as determined by the Government of the United States, is installed and maintained in working order on each vessel;
3. designated United States observers are permitted to board, upon request, any such fishing vessel, and shall be



accorded the courtesies and accommodations provided to ships' officers while aboard such vessel, and owners, operators and crews of such vessel shall cooperate with observers in the conduct of their official duties, and, further, the Government of the United States shall be reimbursed for the costs incurred in the utilization of observers;

4. agents are appointed and maintained within the United States possessing the authority to receive and respond to any legal process issued in the United States with respect to an owner or operator of a vessel of the German Democratic Republic for any cause arising out of the conduct of fishing activities for the living resources over which the United States has sovereign rights to explore, exploit, conserve and manage; and

5. all necessary measures are taken to minimize fishing gear conflicts and to ensure the prompt and adequate compensation of United States citizens for any loss of, or damage to, their fishing vessels, fishing gear or catch, and resultant economic loss, that is caused by any fishing vessel of the German Democratic Republic as determined by applicable United States procedures.

#### ARTICLE X

The Government of the German Democratic Republic shall take all appropriate measures to assist the United States in the enforcement of its laws pertaining to fishing in the exclusive economic zone and to ensure that each vessel of the German Democratic Republic that engages in fishing for living resources over which the United States has sovereign rights to explore, exploit, conserve and manage shall allow and assist the

boarding and inspection of such vessel by any duly authorized enforcement officer of the United States and shall cooperate in such enforcement action as may be undertaken pursuant to the laws of the United States.

ARTICLE XI

1. The Government of the United States will impose appropriate penalties, in accordance with the laws of the United States on vessels of the German Democratic Republic or their owners, operators, or crews that violate the requirements of this Agreement or of any permit issued hereunder.

2. Arrested vessels and their crews shall be promptly released, subject to such reasonable bond or other security as may be determined by the court.

3. In any case arising out of fishing activities under this Agreement, the penalty for violation of fishery regulations shall not include imprisonment or any other form of corporal punishment except in the case of enforcement related offenses such as assault on an enforcement officer or refusal to permit boarding and inspection.

4. In cases of seizure and arrest of a vessel of the German Democratic Republic by the authorities of the Government of the United States, notification shall be given promptly through diplo-



channels informing the Government of the German Democratic Republic of the action taken and of any penalties subsequently imposed.

ARTICLE XII

1. The Governments of the United States and the German Democratic Republic shall cooperate in the conduct of scientific research required for the purpose of managing and conserving living resources over which the United States has sovereign rights to explore, exploit, conserve and manage, including the compilation of the best available scientific information for management and conservation of stocks of mutual interest.

2. The competent agencies of the two Governments shall cooperate in the development of periodic research plans on stocks of mutual concern through correspondence or meetings as appropriate, and may modify them from time to time by agreement. The agreed research plans may include, but are not limited to, the exchange of information and scientists, regularly scheduled meetings between scientists to prepare research plans and review progress, and jointly conducted research projects.

3. The conduct of agreed research during regular commercial fishing operations on board a fishing vessel of the German Democratic Republic in the United States exclusive economic zone shall not be deemed to change the character of the vessel's activities from fishing to scientific research. Therefore,

it will still be necessary to obtain a permit for the vessel in accordance with Article VII.

4. The Government of the German Democratic Republic shall cooperate with the Government of the United States in the implementation of procedures for collecting and reporting bio-statistical information and fisheries data, including catch and effort statistics, in accordance with procedures which will be stipulated by the United States.

#### ARTICLE XIII

The Government of the United States and the Government of the German Democratic Republic shall carry out periodic bilateral consultations regarding the implementation of this Agreement and the development of further cooperation in the field of fisheries of mutual concern, including the establishment of appropriate multilateral organizations for the collection and analysis of scientific data respecting such fisheries.

#### ARTICLE XIV

The Government of the United States undertakes to authorize fisheries research vessels and fishing vessels of the German Democratic Republic allowed to fish pursuant to this Agreement to enter designated ports in accordance with United States laws and regulations referred to in Annex II, which constitutes an integral part of this Agreement.



ARTICLE XV

Should the Government of the United States indicate to the Government of the German Democratic Republic that nationals and vessels of the United States wish to engage in fishing in the fishery conservation zone of the German Democratic Republic, or its equivalent, the Government of the German Democratic Republic will allow such fishing on the basis of reciprocity and on terms not more restrictive than those established in accordance with this Agreement.

ARTICLE XVI

Nothing contained in the present Agreement shall prejudice the views of either Government with respect to the existing territorial or other jurisdiction of the coastal State for all purposes other than the conservation and management of fisheries.

ARTICLE XVII

1. This Agreement shall enter into force on a date to be agreed upon by exchange of notes, following the completion of internal procedures of both Governments, and remain in force until July 1, 1988, unless extended by an exchange of notes between the Parties. Notwithstanding the foregoing, either Party may terminate this Agreement by giving written notice of such termination to the other Party twelve months in advance.

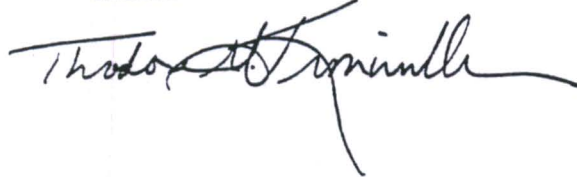
52  
- 16 -

2. This Agreement shall be subject to review by the two Governments two years after its entry into force at the request of either Government.

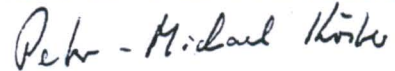
IN WITNESS WHEREOF, the undersigned, being duly authorized for this purpose, have signed this Agreement.

DONE at Washington, April 13, 1983, in the English and German languages, both texts being equally authentic.

FOR THE GOVERNMENT OF THE  
UNITED STATES OF AMERICA:



FOR THE GOVERNMENT OF THE  
GERMAN DEMOCRATIC REPUBLIC:





ANNEX I

Application and Permit Procedures

The following procedures shall govern the application for and issuance of annual permits authorizing vessels of the German Democratic Republic to engage in fishing for living resources over which the United States has sovereign rights to explore, exploit, conserve and manage:

1. The Government of the German Democratic Republic may submit an application to the competent authorities of the United States for each fishing vessel of the German Democratic Republic that wishes to engage in fishing pursuant to this Agreement. Such application shall be made on forms provided by the Government of the United States for that purpose.

2. Any such application shall specify:

- a. the name and official number or other identification of each fishing vessel for which a permit is sought, together with the name and address of the owner and operator thereof;
- b. the tonnage, capacity, speed, processing equipment, type and quantity of fishing gear, and such other information relating to the fishing characteristics of the vessel as may be requested;
- c. a specification of each fishery in which each vessel wishes to fish;

- d. the amount of fish or tonnage of catch by species contemplated for each vessel during the time such permit is in force;
- e. the ocean area in which, and the season or period during which, such fishing would be conducted; and
- f. such other relevant information as may be requested, including desired transshipping areas.

3. The Government of the United States shall review each application, shall determine what conditions and restrictions may be needed, and what fee will be required, and shall inform the Government of the German Democratic Republic of such determinations. The Government of the United States reserves the right not to approve applications.

4. The Government of the German Democratic Republic shall thereupon notify the Government of the United States of its acceptance or rejection of such conditions and restrictions and, in the case of a rejection, of its objections thereto.

5. Upon acceptance of the conditions and restrictions by the Government of the German Democratic Republic and the payment of any fees, the Government of the United States shall approve the application and issue a permit for each fishing vessel of the German Democratic Republic, which fishing vessel shall thereupon be authorized to fish in accordance with this Agreement and the terms



56

- 3 -

and conditions set forth in the permit. Such permits shall be issued for a specific vessel and shall not be transferred.

6. In the event the Government of the German Democratic Republic notifies the Government of the United States of its objections to specific conditions and restrictions, the two sides may consult with respect thereto and the Government of the German Democratic Republic may thereupon submit a revised application.

7. The procedures in this Annex may be amended by agreement through an exchange of notes between the two Governments.

57

ANNEX II

Procedures Relating to United States Port Calls

Article XIV of the Agreement provides for the entry of certain vessels of the German Democratic Republic into designated ports of the United States in accordance with United States law for certain purposes. Annex II designates the ports and purposes authorized and describes procedures which govern such port entries.

1. The following types of vessels may enter the ports specified following a notice received at least four working days in advance of the entry:

- a. Fisheries research vessels, fishing vessels participating in joint ventures involving over-the-side purchases of fish from U.S. fishing vessels, and other fishing vessels (including support vessels) of the German Democratic Republic which have been issued permits pursuant to the Agreement are authorized to enter the ports of Baltimore, Maryland; Philadelphia, Pennsylvania; New York, New York; and Boston, Massachusetts.
- b. Fisheries research vessels of the German Democratic Republic are authorized to enter the ports of Buzzards Bay and Woods Hole, Massachusetts.



2. Vessels referred to in paragraph 1 above may enter the ports referred to for a period not exceeding seven calendar days for the purposes of scientific planning and discussion, to exchange scientific data, equipment, and personnel, and to replenish ships' stores or fresh water, obtain bunkers, provide rest for or make changes in the vessels' personnel, obtain repairs, or obtain other services normally provided in such ports, and, as necessary, to receive permits; provided, however, that in exceptional cases involving force majeure vessels may remain in port for longer periods required to effect repairs necessary for seaworthiness and operational reliability without which the voyage could not be continued. All such entries into port shall be in accordance with applicable rules and regulations of the United States and of state and local authorities in the areas wherein they have jurisdiction.

3. The notice referred to in paragraph 1 shall be made by an agent for the vessel to the United States Coast Guard (GWPE) in accordance with standard procedures using telex (892427), teletype communication "TWX" (710-822-1959), or Western Union. With respect to vessels desiring to enter U.S. ports under this Agreement, the United States reserves the right to require such vessels to submit to inspection by authorized personnel of the United States Coast Guard or other appropriate Federal agencies.

4. The Government of the United States of America at the consular sections of its diplomatic missions will accept crew lists in application for visas valid for a period of 12 months for multiple entry into the specified United States ports. Such a crew list shall be submitted at least 14 days prior to the first entry of a vessel into a port of the United States. Submission of an amended (supplemental) crew list subsequent to departure of a vessel from a port of the German Democratic Republic will also be subject to the provisions of this paragraph, provided that visas thereunder shall be valid for 12 months from the date of issuance of the original crew list visa. Notification of entry shall specify if shore leave is requested under such multiple entry visa.

5. In cases where a seaman of the German Democratic Republic is evacuated from his vessel to the United States for the purpose of emergency medical treatment, authorities of the German Democratic Republic shall ensure that the seaman departs from the United States within 14 days after his release from the hospital. During the period that the seaman is in the United States, representatives of the German Democratic Republic will be responsible for him.

6. The exchange of crews of vessels of the German Democratic Republic in the specified ports shall be permitted subject to submission to the consular section of U.S. diplomatic missions of



applications for individual transit visas and crewman visas for replacement crewmen. Applications shall be submitted 14 days in advance of the date of the arrival of the crewmen in the United States and shall indicate the names, dates and places of birth, the purpose of the visit, the vessel to which assigned, and the modes and dates of arrival of all replacement crewmen. Individual passports or seamen's documents shall accompany each application. Subject to United States laws and regulations, the United States mission will affix transit and crewmen visas to each passport or seaman's document before it is returned. In addition to the requirements above, the name of the vessel and date of its expected arrival, a list of names, dates and places of birth for those crewmen who shall be admitted to the United States under the responsibility of the German Democratic Republic representatives for repatriation to the German Democratic Republic and the dates and manner of their departure from the United States shall be submitted to the Department of State 14 days in advance of arrival.

7. In addition, special provisions shall be made as necessary regarding the entry into other ports of the United States of fisheries research vessels of the German Democratic Republic which are engaged in a mutually agreed research program in accordance with the terms of Article XII of the Agreement. Requests for such entry of fisheries research vessels should

61  
- 5 -

be forwarded to the United States Department of State, Washington, D.C. through diplomatic channels.

8. The provisions of Annex II may be amended by agreement through an exchange of notes between the two Governments.



62

AGREED MINUTES

The representatives of the Government of the United States and the Government of the German Democratic Republic have agreed to record the following in connection with the Agreement between the Government of the United States of America and the Government of the German Democratic Republic Concerning Fisheries Off the Coasts of the United States signed today:

1. With respect to Article II, paragraph 1, the representatives of the Governments of the United States and the German Democratic Republic noted that both Governments recognize the right of coastal states to claim exclusive fishery jurisdiction over maritime areas within a maximum 200 nautical miles from baselines drawn in conformity with international law. Therefore, it is understood that "areas beyond national fisheries jurisdictions recognized by the United States" referred to in that paragraph means areas of the high seas not belonging to any fishing zone claimed by a coastal state in conformity with the right mentioned above.

2. With respect to Article IV, the representative of the Government of the United States affirmed that all criteria specified in that Article shall be considered in determining the portion of the surplus to be made available to the German Democratic Republic.

3. The representative of the Government of the German Democratic Republic emphasized the importance of the fishing industry of the German Democratic Republic to his country's

economy, and requested that the Government of the United States give due consideration to the need for continuation of fishing operations by vessels of the German Democratic Republic in the United States exclusive economic zone.

The representative of the Government of the United States emphasized the importance of rapid and full development of the United States fishing industry to the United States economy and pointed to the importance which his Government attached to the German Democratic Republic's cooperation in that regard.

The representative of the Government of the United States indicated that consideration to the need expressed by the representative of the Government of the German Democratic Republic for continuation of fishing operations by vessels of the German Democratic Republic would be given in conformity with all the applicable criteria of Articles III and IV.

4. With respect to Article V, the representative of the Government of the United States stated that the economic data likely to be sought would be economic data related to various aspects of fisheries and trade in fishery products.

5. With respect to Article IX, paragraph 5, the representative of the Government of the United States stated that resultant economic loss generally would include losses of income experienced as the result of fishing gear conflicts, in accordance with Section 10 of the Fishermen's Protective Act of 1967, as amended, (22 USC Sec. 1980).



6. The representative of the Government of the German Democratic Republic requested that the list of ports specified in Annex II, paragraph 1.a, be expanded to include the following ports: Dutch Harbour, Kodiak and Seward, Alaska; Seattle, Washington; San Francisco, California; and Portland and Coos Bay, Oregon. The representative of the Government of the United States agreed to consider the request and expressed his willingness to effect an expansion, if possible, by way of an exchange of notes between the two Governments.