

No. 11132

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

**Agreement relating to fishing for king and tanner crab (with
appendix and exchange of letters). Signed at Washington on
12 February 1971**

Authentic texts: English and Russian.

Registered by the United States of America on 6 June 1971.

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

**Accord relatif à la pêche du crabe royal et du crabe tanner (avec
appendice et échange de lettres). Signé à Washington le
12 février 1971**

Textes authentiques: anglais et russe.

Enregistré par les États-Unis d'Amérique le 6 juin 1971.

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

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

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

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

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

Have agreed as follows:

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

2. Nationals and vessels of the Soviet Union may continue to carry out commercial fishing for king and tanner crab on the continental shelf of the United States for a period of two years in that area of the eastern Bering Sea described in the Appendix to this Agreement, provided that the annual commercial catch of king crab and tanner crab by Soviet nationals and vessels in such area shall not exceed 23,000 cases and 35,000 cases respectively of 48 half-pound cans each in 1971 and 1972.

¹ Came into force on 12 February 1971 by signature.

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

3. Each Government will apply the measures specified in paragraphs 2 and 3 of the Appendix to this Agreement to its nationals and vessels engaged in the king and tanner crab fisheries in the eastern Bering Sea. Either Government shall, if requested by the other Government, provide opportunity for observation of the conduct of enforcement of the provisions of this Agreement and for that purpose shall permit duly authorized officers of the other Government to board its vessels engaged in the king and tanner crab fisheries in the eastern Bering Sea. These officers will make a report on the results of their observations; the report will be forwarded to the flag government for appropriate action if such should be necessary.

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

5. This Agreement shall replace the Agreement of February 5, 1965¹ between the two Governments relating to fishing for king crab, as amended and extended by the Agreements of February 13, 1967² and January 31, 1969.³ At the request of either Government, representatives of the two Governments will meet at a mutually convenient time with a view to modifying the present Agreement. In any event, representatives of the two Governments will meet at a mutually convenient time prior to the expiration of the period of validity of this Agreement to review the operation of the Agreement and to decide on future arrangements.

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

¹ United Nations, *Treaty Series*, vol. 541, p. 97.

² *Ibid.*, vol. 688, p. 428.

³ *Ibid.*, vol. 714, p. 292.

DONE at Washington, February 12, 1971, in duplicate, in the English and Russian languages, both texts being equally authentic.

For the Government
of the United States of America:

[Signed]
DONALD L. MCKERNAN

For the Government
of the Union of Soviet
Socialist Republics:

[Signed]
VLADIMIR M. KAMENTSEV

APPENDIX

1. The area referred to in paragraph 2 of the Agreement is that portion of the southeastern Bering Sea lying seaward of the nine-mile zone contiguous to the territorial sea of the United States west of 160° W. longitude.

2. (a) Female king crabs, king crabs less than 15.8 cms. in maximum carapace width and soft-shelled king crabs shall not be retained and used. Any such crabs taken incidentally shall be returned immediately to the sea with a minimum of injury.

(b) King crabs and tanner crabs shall not be taken by means of fishing gear other than pot and tangle net. The stretched diagonal measure of tangle net mesh shall be no less than 50 cms.

3. Unless otherwise agreed by the two Governments, only pots may be used to capture king crabs and tanner crabs for commercial purposes and no trawling may be conducted for other species in that area lying seaward of the nine-mile zone contiguous to the territorial sea of the United States within the following described boundaries: a line running from a point on the Bering Sea coast of the Alaska Peninsula due west along 55°54' north latitude to its intersection with a line connecting the two points 56°20' north latitude, 163°00' west longitude and 55°16' north latitude, 166°10' west longitude, thence southwesterly along the said line to its intersection with a line passing between Cape Navarin and Cape Sarichef at 55°16' north latitude and 166°10' west longitude, thence southeasterly along the Cape Navarin-Sarichef line to Cape Sarichef.

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

a. Biological Data.

(1) Tag returns: tag number and/or tag; date and location of capture (latitude and longitude); sex, length, width and weight of crab; condition of shell.

- (2) Life History Data: length, width, weight and age of crab by sex; moult data; breeding habits, feeding habits, migration habits.
 - (3) Publications dealing with king crabs and tanner crabs in Bering Sea and North Pacific.
- b. Catch Statistics.
- Total annual catch and weekly or daily catch by area, sub-area or precise location.
- c. Effort Statistics.
- (1) Number of nets and pots set; location of nets and pots set (sub-area, latitude and longitude, or boundaries of net field); duration of set for nets and pots and number of crabs caught; description of nets and pots — length, depth, mesh size, twine.
 - (2) Number of fleets operated by dates of operations; number of setting boats, picker boats, pot boats; number of fishermen.
- d. Production Statistics.
- (1) Canned crab: number of cases, number of crabs per case, quantity of meat per case.
 - (2) Frozen crab: number of units; number of crabs.

[TRANSLATION — TRADUCTION]

12 February 1971

Excellency,

[See letter II]

Accept, Excellency, etc.

[Signed]

V. KAMENTSEV
Deputy Minister of Fisheries
of the Union of Soviet Socialist Republics

Mr. Donald L. McKernan
Coordinator of Ocean Affairs & Special Assistant
to the Secretary for Fisheries and Wildlife

II

DEPARTMENT OF STATE
WASHINGTON, D.C. 20520

February 12, 1971

Dear Mr. Minister:

I refer to your letter of February 12, 1971, which reads as follows:

“ In connection with the signing today of an Agreement between the Government of the Union of Soviet Socialist Republics and the Government of the United States of America relating to fishing for king and tanner crab, I have the honor to confirm the following understandings and to propose that such understandings shall constitute an integral part of the Agreement:

“ 1. The annual commercial catch of king crab by Soviet nationals and vessels in 1971 and 1972 in the area of the eastern Bering Sea described in the Agreement will not exceed 12,800 cases of 48 half-pound cans each. It is understood that in these circumstances the minimum size limit for king crabs taken and retained by Soviet nationals and vessels in 1971 and 1972 shall be 14.5 cms. in maximum carapace width.

“ 2. The use of tangle nets in fishing for king and tanner crab by Soviet nationals and vessels will be reduced in 1971 and will be further reduced in 1972, looking to the subsequent termination of the use of tangle nets and their replacement by pot gear.

“ 3. Scientists of the Soviet Union will conduct sampling observations aboard Soviet vessels at a convenient time to obtain data on the incidental catch of king crabs and tanner crabs in trawling for groundfish. ”

I am pleased to inform you that the above understandings are acceptable to the Government of the United States of America as an integral part of the Agreement.

Sincerely yours,

[Signed]

DONALD L. MCKERNAN

Coordinator of Ocean Affairs and Special Assistant
for Fisheries and Wildlife to the Secretary

Mr. V. M. Kamentsev
Deputy Minister of Fisheries
of the Union of Soviet Socialist Republics
