

PEOPLE'S REPUBLIC OF CHINA

Fisheries Off the United States Coasts

*Agreement amending and extending the agreement of July 23,
1985, as amended.*

Effected by exchange of notes

Signed at Washington March 14 and 22, 1990;

Entered into force August 8, 1990;

Effective July 1, 1990.

The Secretary of State to the Chinese Ambassador

DEPARTMENT OF STATE
WASHINGTON
March 14, 1990

Excellency:

I have the honor to refer to the Agreement between the Government of the United States of America and the Government of the People's Republic of China Concerning Fisheries off the Coasts of the United States of America, signed at Washington on July 23, 1985, as amended, (hereinafter referred to as "the Agreement"). I have further the honor to propose that, in accordance with the provisions of Article XVII, the Agreement be extended until July 1, 1992, and further amended as follows:

1. In Article VII, before the final sentence, insert the following: "While such fees shall be applied without discrimination, the fee level may vary depending upon, *inter alia*, whether, in the judgement of the United States, vessels or nationals of the People's Republic of China are harvesting United States origin anadromous species at unacceptable levels, or whether the People's Republic of China is failing to take sufficient action to benefit the conservation and development of United States fisheries."
2. In Annex II, paragraph 1, replace the term "four working days" with the term "twenty-four hours".

His Excellency

Zhu Qizhen,

Ambassador of the People's Republic of China.

3. In Annex II, paragraph 1, replace the term “the ports of Kodiak, Dutch Harbor, Seattle, Seward, Nome, Coos Bay, Aberdeen and Astoria” with the term “any U.S. port except Portsmouth, New Hampshire (including Kittery, Maine and Dover, New Hampshire on the Piscataqua River); New London and Groton, Connecticut; Hampton Roads, Virginia (including Norfolk, Newport News, Jamestown, Yorktown and Portsmouth, Virginia and access to the James River); Charleston, South Carolina; Kings Bay, Georgia; Port Canaveral, Florida; Panama City, Florida; Pensacola, Florida; Port St. Joe, Florida; San Diego, California; Port Hueneme, California; and Honolulu, Hawaii.”
4. In Annex II, paragraph 3, replace the term “United States Coast Guard (GWPE) in accordance with standard procedures using telex (892427), teletype communication ‘TWX’ (710-822-1959), or Western Union” with the term “local United States Coast Guard Captain of the Port.”

I have further the honor to propose that if the said proposal is acceptable to the Government of the People's Republic of China, this Note and Your Excellency's Note in reply indicating such acceptance shall be regarded as constituting an agreement between the two Governments, which will enter into force on a date to be agreed upon in a subsequent exchange of diplomatic notes between the two Governments following the completion of necessary internal procedures.

Accept, Excellency, the renewed assurances of my highest consideration.

For the Secretary of State:

Edward E. Wolfe

The Chinese Ambassador to the Secretary of State

No. 035/90

Excellency:

I have the honor to acknowledge the receipt of your Note of March 14, 1990, which reads as follows:

[For text of the U.S. note, see pp. 2-3.]

I have further the honor to confirm on behalf of the Government of the People's Republic of China that the said proposal is acceptable to the Government of the People's Republic of China and to agree that Your Excellency's Note and this Note in reply shall be regarded as constituting an agreement between the two Governments, which will enter into force on a date to be agreed upon in a subsequent exchange of diplomatic notes between the two Governments.

I avail myself of this opportunity to renew to you the assurance of my highest consideration.

Zhu Qizhen
Ambassador of the People's
Republic of China
March 22, 1990

His Excellency
James A. Baker III,
Secretary of State,
Washington, D.C.