JAPAN

Fisheries: North Pacific Driftnet

Agreement effected by exchange of letters
Signed at Tokyo and Washington April 12 and 23, 1991;
Entered into force April 23, 1991.
With annexes and attachment.

The Japanese Councillor, Fisheries Agency to the Deputy Assistant Secretary, Oceans and Fisheries Affairs, Department of State and the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce

FISHERIES AGENCY
MINISTRY OF AGRICULTURE, FORESTRY AND FISHERIES,
GOVERNMENT OF JAPAN

April 12, 1991

Mr. David A. Colson
Deputy Assistant Secretary
Oceans and Fisheries Affairs
Department of State

Dr. William W. Fox, Jr.
Assistant Administrator for
Fisheries
National Marine Fisheries Service

Dear Mr. Colson/Dr. Fox:

I have the pleasure to write this letter concerning the observer program with respect to the Japanese squid and large-mesh driftnet fisheries operating during the coming season in the high seas area of the North Pacific beyond the 200-mile zone of any coastal states. The details of this program are set forth in the attached Annexes A, B, and C.

I would like to notify you of the intention of the Japan Squid Driftnet Fishery Association and the Japan Large-Mesh Driftnet Fishery Association to take the voluntary measures to accept Japanese researchers and North American scientific observers on board Japanese squid driftnet and large-mesh driftnet vessels for the time periods specified in the Annexes.

I understand that logistical details of the program have been agreed upon by the appropriate organizations of Japan, Canada, and the United States. I also understand that each side will be responsible for bearing the expenses incurred with respect to the boarding of its own scientific observers.

In addition, I would like to notify you of the plan of the Fisheries Agency of Japan to send scientific research vessels to the North Pacific in 1991 to collect various scientific data with respect to the Japanese squid and large-mesh driftnet fisheries as follows:

4 research vessels to the squid driftnet fishing area

1 research vessel to the large-mesh driftnet fishing area

The Japanese side is ready to accept North American scientists on board these five vessels mentioned above, on condition that the boarding expenses will be

borne by the Canadian or U.S. side that dispatches the scientist. The Canadian and U.S. sides will be provided with the details of the research plan and are requested to inform the Japanese side in a timely fashion of their intent to participate in the research cruises.

I would like to state that the program has been devised in response to your interests with respect to the Japanese high seas squid and large-mesh driftnet fisheries and their impact on the stocks of various species, particularly recognizing the significance of collecting adequate information on the incidental take of anadromous species in these fisheries, taking into account the 1989 and 1990 observations, and with full respect to United Nations General Assembly Resolutions 44/225 and 45/197.

I understand that Japanese, Canadian and the U.S. sides share the view that the data to be obtained from the programs are intended to provide statistically reliable information.

Finally, I would like to repeat the basic position of the government of Japan on the subject of high seas fishing including, but not limited to, the squid and large-mesh driftnet fisheries; that is, the research programs and other activities with regard to those high seas fisheries should be undertaken under the responsibility and initiative of the flag state, i.e., Japan.

Sincerely,

Koji Imamura
Councillor
Fisheries Agency
Government of Japan

cc: Dr. J. C. Davis
Regional Director-Science
Pacific Region
Department of Fisheries and Oceans
Government of Canada

ANNEX A

Japanese High Seas Squid Driftnet Fishery
1991 Observer Program

The arrangements described below represent the process for collecting, handling, and providing driftnet fishery data by Japanese and North American scientific observers during 1991. The purpose of these activities is to secure statistically reliable information on the catch of target species such as squid and the incidental take of salmonids, all other fin fishes, marine mammals, seabirds, sea turtles, and other species of marine life.

1. Observer Deployment

A. Squid Driftnet Fishery

During 1991, 10 Canadian, 30 U.S. and 21 Japanese scientific observers will be deployed aboard 61 commercial driftnet vessels throughout the driftnet fishing area to monitor an average of 44 driftnet operations each so that a minimum of 2626 operations will be observed throughout the fishing season and area. Observers will be deployed to reflect the typical monthly pattern of fishing effort based on the 1990 season. Allocation of the observer effort will follow the plan in Table 1.

Observers are also to be deployed on vessels by type (large and small classes) in proportion to the 1990 fishing effort by each vessel type. Out of 61 observers, 45 will be on large type vessels (over 100 gross tons)[1] and 16 on small type vessels (under 100 gross tons).

[1] This is over 130 gross tons in the new Japanese tonnage classification. [Footnote in the original.]

Table 1. Deployment of Scientific Observers and the Number of Squid Driftnet Fishing Vessels to be Observed during 1991.

	June	July	Aug	Sept	Oct	Nov	Dec
United States	10	17	11	6	4	2	1
Canada	6	8	5	3			
Japan	8	13	9	4	2	1	
Total Observers	24	38	25	13	6	3	1

Estimated Number of Observed Operations[2]

							Total
578	938	599	299	126	76	10	2626

These monthly numbers of observed operations are a guideline based on the distribution of fishing effort in the 1990 fishing season; the actual numbers may vary. However, the minimum total number of observed operations will be 2626.

B. Embarkation and Disembarkation of Observers

In principle, embarkation and disembarkation of North American scientific observers will be from Japanese ports designated by the Japanese side.

Further details regarding arrangements for observation of Japanese high seas squid driftnet operations are addressed in Annex C of this letter.

Each North American scientific observer will present a Letter of Introduction to the ship's master which will describe the detailed arrangements consistent with understandings among the appropriate organizations of Japan, Canada and the United States for deployment, observation, and other terms and conditions as appropriate. Such Letter of Introduction should be written in Japanese. The Japanese side will provide the ship's master and crew of each squid driftnet ves-

[2] Assumptions:

1. A total of 2626 observed driftnet operations will provide bycatch estimates within plus or minus 10% tolerable error at a confidence interval of 90% based on 1990 fishing effort.

2. Observers will monitor about 81% of vessel operations during a month. This is a correction for operations that are not monitored due to work breaks, weather conditions and transits within the fishing grounds.

3. The estimated number of observers will be on board fishing vessels continuously on the fishing grounds. This schedule does not account for transit time between port and the fishing grounds. [Footnote in the original.]

sel with written instructions describing duties of scientific observers and required assistance from the crew.

2. Data Collection

A. Data to be Collected.

For each operation, observers will collect the following data in accordance with standardized procedures and format:

(a) Information on fishing methods including net mesh-sizes, method of net deployment (i.e., whether the vessel fished individually or in conjunction with other vessels), depth of the top of the net from the water surface, total net depth from corkline to lead line, true compass direction of the set, length (meters) of a tan of net (as measured by the observer), number of tans per net section, number and arrangement of net sections deployed per net set, and tans of net lost or discarded, description of net materials, number of driftnet vessels fishing in an array and number of such arrays in the area (within 15 nm of the observer vessel as determined from the radio officer's daily "array chart" and RADAR);

(b) Environmental conditions at the beginning and again at the ending of each net deployment, including: surface water temperatures, weather conditions (wind speed and direction), and sea condition (swell height);

(c) Date and location of net at the time of the beginning and the end of the set and at retrieval to nearest minute of latitude and longitude as recorded by the scientific observer directly from the navigation equipment;

(d) Catches and take of all species, including target species and incidental take species, recorded by each net section observed. Dropout rates will be recorded in accordance with the procedures agreed upon at the March 1990 meeting in Tokyo by scientists of Canada, Japan and the United States, described in section Below ("Agreed Procedures") and as may be modified in subsequent meetings early in 1991.

(e) The vertical distribution of seabirds and seabird prey species (such as squid, saury, and pomfret) in the net webbing may be recorded by net section.

(f) Observers will record biological information from any salmonid incidentally caught. For the 1991 observer program, this information will include the taking of scale samples, species determination, sex, fork length measurement and the collection of snouts from all salmonids missing the adipose fin. Gonad weight will be measured whenever feasible. After sampling, the salmonids will be returned to the water in compliance with Japanese domestic regulations. All

salmonid information will be exchanged by the appropriate authorities of Japan, Canada and the United States by February 1, 1992.

(g) Observers will record biological information from any sea turtles caught. Carapace measurements will be taken whenever feasible. Whenever conditions permit, turtles taken alive will be freed from the net or net fragments, tagged by the observer, and released. Turtles taken aboard dead may be dissected for examination of stomach contents and collection of organs or tissue samples. All biological data from sea turtles will be exchanged by the appropriate authorities of Japan, Canada and the United States by April 1, 1992.

(h) Observers will record biological information and collect biological samples, including structures for age determination, and length measurements from flying squid, albacore and other tunas, billfishes, sharks, and other non-salmonid fishes. All biological data from squid and non-salmonid finfishes will be exchanged by the appropriate authorities of Japan, Canada and the United States by April 1, 1992.

(i) Observers will record biological information and collect biological samples in accordance with the Agreed Procedures from marine mammals incidentally caught. The data will include species, sex, body length, lactation, pregnancy, fetal length and sex. The samples will include stomachs, tissues, skulls, teeth and reproductive organs. These data will be exchanged by the appropriate authorities of Japan, Canada and the United States by April 1, 1992.

(j) Observers will record biological information and collect biological samples from sea birds incidentally caught in accordance with the Agreed Procedures. The data will include species, color phase, age, brood patch, culmen length, wing length, molt, stomach contents, sex, weight and the collection of and information on, all recovered tags and bands. One whole specimen of each species may be retained and frozen as a voucher specimen by each observer. These data will be exchanged by the appropriate authorities of Japan, Canada and the United States by April 1, 1992.

(k) Observers may record data on sightings of marine mammals and seabirds when the vessel is in transit to a new fishing location. The data will include standard sighting information such as location, environmental conditions, species sighted, number of animals sighted, distance from the vessel, etc. Such sighting activity is not to alter the course or interrupt in any way the normal operations of the vessel, except that access to information on the vessel's position and environmental conditions will be assured.

(l) Secure freezer space adequate (up to 2 m^3 for vessels of 100 gross tons or larger and 1 m^3 for vessels smaller than 100 gross tons) to hold biological sam-

ples and specimens will be available for the observer. Specimens will be promptly removed from the ship's freezers upon the vessel's arrival in port.

(m) Observers, without neglecting their duties aboard the host vessel as described herein, may record observations of the fishing operations of other nations. This activity will consist of visual observation and recording of a description of activities observed and is not intended to disrupt or divert the host vessel in any way from its normal fishing activities. These data will be exchanged by the appropriate authorities of Japan, Canada and the United States at the same time as other observer information is exchanged following return of observers to port.

(n) The observers will collect from the vessel captain general information on the disposition and shipboard processing of tunas, billfishes, sharks, and other non-salmonid fish species. Such information will indicate which species are discarded and which species are retained for landing in Japan. In the case of retained species the observer will document the various methods of shipboard processing employed (e.g., frozen whole, gilled and gutted, filleted, only fins retained, belly portions kept, etc.).

B. Agreed Procedures

Detailed procedures for biological sampling and specific sampling requirements are described fully in the official observer field manual. The general procedures for catch and bycatch data collection and sampling agreed upon by scientists of Canada, Japan and U.S. are as follows (these procedures may be modified by scientists of Canada, Japan and U.S. in subsequent meetings or correspondence early in 1991):

1. Catch and Bycatch Data Collection Procedures

(a) Number of sections to be observed for catch and bycatch records on all animal species:

Sections will be randomly selected for observations. Up to six sections will be observed in operations consisting of six to nine sections and up to seven sections will be observed in operations consisting of ten or more sections.

(b) Number of observed sections for counting dropouts by species:

Two sections out of the sections mentioned above may be observed for counting dropouts. During the observation of these two sections, the number of all finfishes which have dropped out of the net should be counted and recorded except for squid. Mammal, sea bird and sea turtle dropouts are to be recorded for every section observed. When counting dropouts, the counting of pomfret

may be excluded if it affects the ability of the observer to accurately count the dropouts of other species.

(c) Observers do not work on non-fishing days. Should a vessel fish continuously for many days, the observers may take every 6th consecutive fishing day off.

(d) Although field data collection forms may differ, all observers will collect data on common variables.

(e) The computer file of observer data should be common among the three countries at the section level of resolution.

2. Sampling and Biological Measurements

Due to the great variety of specialized sampling tasks, certain tasks identified in the official observer field manual will be performed routinely by all observers. Other more specialized sampling tasks may be assigned only to designated observers.

(a) Sampling and biological measurements will be done on observed days and observed sections. Sampling may also be done on off-duty days and non-observed sections.

(b) For salmonids, species, fork length and sex will be recorded and scale samples will be taken. Gonad weight may be measured. For salmonids missing the adipose fin, snouts will be collected.

(c) For marine mammals all observers will record species, sex, body length and lactation. Marine mammal experts will note if females are pregnant. Mammary glands, uterus, ovaries, or testes may be collected by marine mammal experts. Sampling of internal organs will be limited to marine mammal experts on board vessels of more than 300 gross tons.

(d) For sea birds, the number of incidental take by species will be recorded. Each observer will preserve one specimen of each species during each cruise. Detailed biological measurements and dissection may be done by sea bird experts.

(e) For tuna fishes, fork length or eye fork length measurements will be taken for the first 30 individuals of each species caught each week. If conditions permit, additional individuals of all species of significance may be measured. Other non-salmonid fishes may be measured based on methods agreed upon by scientists of Canada, Japan and the United States. All observers will freeze a sample of (whole) albacore less than 30 cm fork length and retain them as biological specimens.

(f) For flying squid, designated observers will measure the mantle lengths of 30 flying squid randomly sampled from a single observed section each day. A small number of squid specimens will be measured, weighted, and dissected for studies of age and growth and reproductive biology.

(g) For sea turtles, carapace lengths will be measured on all turtles taken aboard. Stomach or stomach contents may be dissected from dead turtles longer than 35 cm carapace length and frozen. A sample of dead turtles less than 35 cm carapace length will be frozen whole and retained as biological specimens. All turtles taken aboard alive will be measured, photographed, tagged, and released.

C. Coordination, Standardization, and Observer Training

1. All data identified in section 2 ''Data collection'' for collection by observers will be recorded daily onto data forms developed by the parties. These forms will be duplicated and provided to the appropriate authorities of Japan, Canada and the United States within 30 days after the Japanese or the North American scientific observer disembarks the host vessel.

2. Canadian, U.S. and Japanese scientists will cooperate to ensure that their respective scientific observers will collect and record data in an agreed and standardized format produced at the March 1990 meetings in Tokyo and as may be modified in subsequent meetings early in 1991. The designated liaison persons of the appropriate authorities of Japan, Canada and the United States will exchange final versions of the observer training and field data collection manuals by April 15, 1991.

3. Data Exchange and Reporting

A. Data Exchange

1. Total fishing effort and the total catch in numbers of salmonids and of other animals in metric tons of the squid driftnet fleets will be compiled by 10-day period and month and 1° x 1° statistical areas, for the following species: flying squid, albacore, skipjack tuna, swordfish, marlin, yellowtail, pomfret, sharks, and other fishes. Such data will be provided to the appropriate authorities of Japan, Canada and the United States by April 1, 1992. The number of vessels by type are also to be provided to the appropriate authorities of Japan, Canada and the United States by April 1, 1992. Three measures of effort are to be reported for the fishery: the cumulative number of standardized tans (50m standard tan length), number of vessels fishing and vessel days of operations.

For each vessel on which an observer is deployed the following data will be provided by the appropriate authorities of Japan, to the appropriate authorities of Canada and the United States by April 1, 1992: (1) the vessel's total landed tonnage of flying squid, albacore, skipjack tuna, other tunas, swordfish, marlins, pomfret, yellowtail, sharks, and other fishes for the 1991 squid fishing season; and (2) for each day on which an observer was deployed on the vessel, a record of the vessel's retained catch of major species groups indicated in (1) above.

2. A report on results of the 1991 research cruises in the squid driftnet fishing areas will be provided to the appropriate authorities of Japan, Canada and the United States within 90 days after the completion of the cruises.

3. Reports of results of other research related to the high seas driftnet programs will be provided to the appropriate authorities of Japan, Canada and the United States upon completion.

B. Reporting

1. Data reporting will be made by the appropriate authorities of Japan, Canada and the United States in accordance with the following schedules:

(a) For the squid driftnet observer program, the appropriate authorities of Japan, Canada and the United States will jointly compile by April 1, 1992, a preliminary data set of total catches and average catch rates collected by Japanese and North American scientific observers of the species of cephalopods, finfish, marine mammals, seabirds and sea turtles identified in section 2.A by 1° x 1° areas by 10-day period and month. To facilitate the compilation of the preliminary data set, Canadian, Japanese and U.S. scientists will meet early in 1992.

(b) A final report reviewing data identified in section 2.A collected by Japanese and North American scientific observers during 1991 will be jointly produced by the appropriate authorities of Japan, Canada and the United States by May 1, 1992. The compiled data set and the final report will include data collected on the catch and bycatch of all species. If there are disagreements among the appropriate authorities of Japan, Canada and the United States pertaining to the data set or reports, the differences will be described therein.

2. All observed field data collected from individual operations shall not be opened to the public. The final reports of the observations made by the Japanese and North American scientific observers shall not be opened to the public until its completion as specified in Section 3.B.1(b).

4. Research Coordination

Recognizing that Canada, the United States and Japan are conducting research programs relevant to the interpretation of driftnet fisheries observer data, the range and scope of potential cooperation in these programs should be thoroughly considered prior to implementation of the 1991 driftnet fisheries observer program. Canadian, Japanese and U.S. scientists familiar with these programs will exchange views on potential collaboration.

Discussions will include:

(1) current and anticipated research on the biology and population dynamics of species taken in the North Pacific driftnet fisheries;

(2) current and anticipated research on the physical and biological oceanography of the high seas driftnet fishing area;

(3) current and anticipated research plans and development of fisheries technologies relevant to driftnet fisheries and the avoidance of non-target species; and

(4) research vessel and chartered fishing vessel activities for the North Pacific high seas region in 1991.

ANNEX B

Japanese High Seas Large-Mesh Driftnet Fishery
1991–1992 Observer Program

The arrangements described below represent the process for collecting, handling, and providing driftnet fishery data by Japanese and U.S. scientific observers during late 1991 and the early part of 1992. The purpose of these activities is to secure statistically reliable information on the catch of target species such as tuna and billfish, and the incidental take of salmonids, all other fin fishes, marine mammals, seabirds, sea turtles, and other species of marine life.

1. Observer Deployment

A. Large-Mesh Driftnet Fishery

Based on analyses of the 1990–91 pilot observer monitoring data, the 1990–91 catch and effort data, and any other relevant data from the Japanese large-mesh driftnet fishery, representatives from the National Marine Fisheries Service (NMFS) and the Fisheries Agency of Japan (FAJ) will by September 30, 1991, agree on the number and distribution of observers needed in the Japanese large-mesh driftnet fishery in late 1991 and the early part of 1992. This monitoring program will involve approximately equal numbers of Japanese and U.S. observers.

B. Embarkation and Disembarkation of Observers

In principle, embarkation and disembarkation of U.S. scientific observers will be from Japanese ports designated by the Japanese side.

Further details regarding arrangements for observation of Japanese high seas large-mesh operations are addressed in Annex C of this letter.

Each U.S. scientific observer will present a Letter of Introduction to the Ship's master which will describe the detailed arrangements consistent with understandings among the appropriate organizations of Japan and the United States for deployment, observation, and other terms and conditions as appropriate. Such Letter of Introduction should be written in Japanese. The Japanese side will provide the ship's master and crew of each large-mesh driftnet vessel with written instructions describing duties of scientific observers and required assistance from the crew.

2. Data Collection

A. Data to be Collected

For each operation, observers will collect the following data in accordance with standardized procedures and format:

(a) Information on fishing methods including net mesh-sizes, method of net deployment (i.e., whether the vessel fished individually or in conjunction with other vessels), depth of the top of the net from the water surface, total net depth from corkline to lead line, true compass direction of the set, length (m) of a tan of net (as measured by the observer), number of tans per net section, number and arrangement of net sections deployed per net set, and tans of net lost or discarded, description of net materials, number of driftnet vessels fishing in an array and number of such arrays in the area (within 15 nm of the observer vessel as determined from the radio officer's daily "array chart" and RADAR);

(b) Environmental conditions at the beginning and again at the ending of each net deployment, including: surface water temperatures, weather conditions (wind speed and direction), and sea condition (swell height);

(c) Date and location of net at the time of the beginning and the end of the set and at retrieval to nearest minute of latitude and longitude as recorded by the scientific observer directly from the navigation equipment;

(d) Catches and take of all species, including target species and incidental take species, recorded by each net section observed. Dropout rates will be recorded in accordance with the procedures agreed upon at the March 1990 meeting in Tokyo by scientists of Canada, Japan and the United States, described in section B below ("Agreed Procedures") and as may be modified in subsequent meetings early in 1991.

(e) The vertical distribution of seabirds and seabird prey species (such as squid, saury, and pomfret) in the net webbing may be recorded by net section.

(f) Observers will record biological information from any salmonid incidentally caught. For the 1991–92 observer program, this information will include the taking of scale samples, species determination, sex, fork length measurement and the collection of snouts from all salmonids missing the adipose fin. Gonad weight will be measured whenever feasible. After sampling the salmonids will be returned to the water, in compliance with Japanese domestic regulations. All salmonid information will be exchanged by the appropriate authorities of Japan and the United States by August 1, 1992.

(g) Observers will record biological information from any sea turtles caught. Carapace measurements will be taken whenever feasible. Whenever conditions

permit, turtles taken alive will be freed from the net or net fragments, tagged by the observer, and released. Turtles taken aboard dead may be dissected for examination of stomach contents and collection of organs or tissue samples. All biological data from sea turtles will be exchanged by the appropriate authorities of Japan and the United States by August 1, 1992.

(h) Observers will record biological information and collect biological samples including length measurements from flying squid, albacore and other tunas, billfishes, sharks, and other non-salmonid fishes. All biological data from squid and non-salmonid finfishes will be exchanged by the appropriate authorities of Japan and the United States by August 1, 1992.

(i) Observers will record biological information and collect biological samples in accordance with the Agreed Procedures from marine mammals incidentally caught. The data will include species, sex, body length, lactation, pregnancy, fetal length and sex. The samples will include stomachs, tissues, skulls, teeth and reproductive organs. These data will be exchanged by the appropriate authorities of Japan and the United States by August 1, 1992.

(j) Observers will record biological information and collect biological samples from sea birds incidentally caught in accordance with the Agreed Procedures. The data will include species, color phase, age, brood patch, culmen length, wing length, molt, stomach contents, sex, weight and the collection of and information on all recovered tags and bands. One whole specimen of each species may be retained and frozen as a voucher specimen by each observer. These data will be exchanged by the appropriate authorities of Japan and the United States by August 1, 1992.

(k) Observers may record data on sightings of marine mammals and seabirds when the vessel is in transit to a new fishing location. The data will include standard sighting information such as location, environmental conditions, species sighted, number of animals sighted, distance from the vessel, etc. Such sighting activity is not to alter the course or interrupt in any way the normal operations of the vessel, except that access to information on the vessel's position and environmental conditions will be assured.

(l) Secure freezer space adequate (up to 2 m^3 for vessels of 100 gross tons or larger and 1 m^3 for vessels smaller than 100 gross tons) to old biological samples and specimens will be available for the observer. Specimens will be promptly removed from the ship's freezers upon the vessel's arrival in port.

(m) Observers, without neglecting their duties aboard the host vessel as described herein, may record observations of the fishing operations of other nations. This activity will consist of visual observation and recording of a

description of activities observed and is not intended to disrupt or divert the host vessel in any way from its normal fishing activities. These data will be exchanged by the appropriate authorities of Japan and the United States at the same time as other observer information is exchanged following return of observers to port.

(n) The observers will collect from the vessel captain general information on the disposition and shipboard processing of tunas, billfishes, sharks, and other non-salmonid fish species. Such information will indicate which species are discarded and which species are retained for landing in Japan. In the case of retained species the observer will document the various methods of shipboard processing employed (e.g., frozen whole, gilled and gutted, filleted, only fins retained, belly portions kept, etc.).

B. Agreed Procedures

Detailed procedures for biological sampling and specific sampling requirements are described fully in the official observer field manual. The general procedures for catch and bycatch data collection and sampling agreed upon by scientists of Japan and U.S. are as follows (these procedures may be modified by scientists of Japan and U.S. in subsequent meetings or correspondence early in 1991.).

1. Catch and Bycatch Data Collection Procedures

(a) Number of sections to be observed for catch and bycatch records on all animal species:

Sections will be randomly selected for observations. Up to six sections will be observed in operations consisting of six to nine sections and up to seven sections will be observed in operations consisting of ten or more sections.

(b) Number of observed sections for counting dropouts by species:

Two sections out of the sections mentioned above may be observed for counting dropouts. During the observation of these two sections, the number of all finfishes which have dropped out of the net should be counted and recorded except for squid. Mammal, sea bird and sea turtle dropouts are to be recorded for every section observed. When counting dropouts, the counting of pomfret may be excluded if it affects the ability of the observer to accurately count the dropouts of other species.

(c) Observers do not work on non-fishing days. Should a vessel fish continuously for many days, the observers may take every 6th consecutive fishing day off.

(d) Although field data collection forms may differ, all observers will collect data on common variables.

(e) The computer file of observer data should be common among the two countries at the section level of resolution.

2. Sampling and Biological Measurements

Due to the great variety of specialized sampling tasks, certain tasks identified in the official observer field manual will be performed routinely by all observers. Other more specialized sampling tasks may be assigned only to designated observers.

(a) Sampling and biological measurements will be done on observed days and observed sections. Sampling should not be done on off duty days and non-observed sections.

(b) For salmonids, species, fork length and sex will be recorded and scale samples will be taken. Gonad weight may be measured. For salmonids missing the adipose fin, snouts will be collected.

(c) For marine mammals all observers will record species, sex, body length and lactation. Marine mammal experts will note if females are pregnant. Mammary glands, uterus, ovaries, or testes may be collected by marine mammal experts. Sampling of internal organs will be limited to marine mammal experts on board vessels of more than 300 gross tons.

(d) For sea birds, the number of incidental take by species will be recorded. Each observer will preserve one specimen of each species during each cruise. Detailed biological measurements and dissection may be done by sea bird experts.

(e) For tuna fishes, fork length or eye fork length measurements will be taken for the first 30 individuals of each species caught each week. If conditions permit, additional individuals may be measured. Other non-salmonid fishes may be measured based on methods agreed upon by scientists of Canada, Japan and the United States. All observers will freeze a sample of (whole) albacore less than 30 cm fork length and retain them as biological specimens.

(f) For sea turtles, carapace lengths will be measured on all turtles taken aboard. Stomach or stomach contents may be dissected from dead turtles longer than 35 cm carapace length and frozen. A sample of dead turtles less than 35 cm carapace length will be frozen whole and retained as biological specimens. All turtles taken aboard alive will be measured, photographed, tagged, and released.

C. Coordination, Standardization, and Observer Training

1. All data identified in section 2 "Data collection" for collection by observers will be recorded daily onto data forms developed by the parties. These forms will be duplicated and provided to the appropriate authorities of Japan and the United States within 30 days after the Japanese or the U.S. scientific observer disembarks the host vessel.

2. U.S. and Japanese scientists will cooperate to ensure that their respective scientific observers will collect and record data in an agreed and standardized format produced at the March 1990 meetings in Tokyo and as may be modified in subsequent meetings early in 1991. The designated liaison persons of the appropriate authorities of Japan and the United States will exchange final versions of the observer training and field data collection manuals by April 15, 1991.

3. Data Exchange and Reporting

A. Data Exchange

1. Total fishing effort and the total catch in numbers of animals of the large-mesh driftnet fleets will be compiled by 10-day period and month and 1° x 1° statistical areas, for the following species: salmonids, albacore, skipjack tuna, other tuna, swordfish, marlin, pomfret, sharks and other fishes. Such data will be provided to the appropriate authorities of Japan and the United States by August 1, 1992. The number of vessels by type are also to be provided to the appropriate authorities of Japan and the United States by August 1, 1992. Three measures of effort are to be reported for the fishery: the cumulative number of standardized tans (50m standard tan length), number of vessels fishing and vessel days of operations.

For each vessel on which an observer is deployed the following data will be provided by the appropriate authorities of Japan to the appropriate authorities of the United States by August 1, 1992: (1) the vessel's total landed tonnage of flying squid, albacore, skipjack tuna, other tunas, swordfish, marlins, pomfret, yellowtail, sharks, and other fishes for the 1991-1992 fishing season; and (2) for each day on which an observer was deployed on the vessel, a record of the vessel's retained catch of major species groups indicated in (1) above.

2. A report on results of the 1991 research cruises in the large-mesh driftnet fishing areas will be provided to the appropriate authorities of Japan and the United States within 90 days after the completion of the cruises.

3. Reports of results of other research related to the high seas driftnet programs will be provided to the appropriate authorities of Japan and the United States upon completion.

B. Reporting

1. Data reporting will be made by the appropriate authorities of Japan and the United States according to the following schedules:

(a) For the large-mesh driftnet observer programs, the appropriate authorities of Japan and the United States will jointly compile by August 1, 1992, a preliminary data set of total catches and average catch rates collected by Japanese and U.S. scientific observers of the species of cephalopods, finfish, marine mammals, seabirds and sea turtles identified in section 2.A by 1° x 1° areas by 10-day period and month. To facilitate the compilation of the preliminary data set, Japanese and U.S. scientists will meet early in 1992.

(b) A preliminary report reviewing available data identified in section 2.A collected by Japanese and U.S. scientific observers during 1991 and the first part of 1992 will be jointly produced by the appropriate authorities of Japan and the United States by June 1, 1992.

(c) A final report reviewing data identified in section 2.A collected by Japanese and U.S. scientific observers during 1991 and the first part of 1992 will be jointly produced by the appropriate authorities of Japan and the United States by September 30, 1992. The compiled data set and the final report will include data collected on the catch and bycatch of all species. If there are disagreements among the appropriate authorities of Japan and the United States pertaining to the data summaries or reports, the differences will be described therein.

2. All observed field data collected from individual operations shall not be opened to the public. The preliminary and final reports of the observations made by the Japanese and U.S. scientific observers shall not be opened to the public until their completion as specified in Section 3.B.1(b) and (c).

4. Research Coordination

Recognizing that the United States and Japan are conducting research programs relevant to the interpretation of driftnet fisheries observer data, the range and scope of potential cooperation in these programs should be thoroughly considered prior to implementation of the 1991–92 driftnet fisheries observer program. Japanese and U.S. scientists familiar with these programs will exchange views on potential collaboration. Discussions will include:

(1) current and anticipated research on the biology and population dynamics of species taken in the North Pacific driftnet fisheries;

(2) current and anticipated research on the physical and biological oceanography of the high seas driftnet fishing area;

(3) current and anticipated research and development of fisheries technologies relevant to driftnet fisheries and the avoidance of non-target species; and

(4) research vessel and chartered fishing vessel activities for the North Pacific high seas region in 1991–92.

ANNEX C
ARRANGEMENTS FOR OBSERVATION OF JAPANESE HIGH SEAS DRIFTNET OPERATIONS FOR 1991 AND 1992

This Annex describes the arrangements for the implementation of the scientific observer programs on board Japanese high seas driftnet vessels in the North Pacific Ocean for 1991 and the early part of 1992.

1. Coordinators: The National Marine Fisheries Service (NMFS) of the United States, Department of Fisheries and Oceans (DFO) of Canada and the Fisheries Agency of Japan (FAJ) will take necessary measures within their respective competence for smooth implementation of the scientific observer programs. They will nominate their respective coordinators and exchange the names of their coordinators and contact procedures for implementation of this program by April 15, 1991.

2. Host Vessels: The FAJ will provide by April 15, 1991 to the DFO and NMFS the number of squid driftnet vessels scheduled to host Canadian and U.S. scientific observers in June 1991. The FAJ will provide a list of all Japanese squid driftnet vessels scheduled to host Canadian and U.S. scientific observers to the DFO and the NMFS respectively by April 30, 1991. The FAJ will provide a list of Japanese large-mesh driftnet vessels scheduled to host U.S. scientific observers to the NMFS by October 1, 1991, or at least one month before the departure of the host vessels. These lists will include the vessel name, size, expected dates for taking on observers, and expected areas of fishing. Host vessels will be selected taking into account the sampling schedules in Annexes A and B and views of the DFO and NMFS. The FAJ will notify the DFO and NMFS of the itineraries of each host vessel at least 15 days prior to embarkation of observers.

3. Embarkation and Disembarkation: In principle, embarkation and disembarkation of Canadian and U.S. scientific observers will be from Japanese ports. Should such arrangements be impractical, the embarkation and/or disembarkation of Canadian and U.S. scientific observers to and from the host driftnet vessel may be made via transport or other vessels. The FAJ may arrange for such transportation in consultation with the DFO and NMFS. If necessary, the FAJ will assist scientific observers in the procurement of standard biological supplies and preservatives (formalin, etc.) as may be required for specimen collection.

4. Travel to Port: The DFO and NMFS will provide travel arrangements for Canadian and U.S. scientific observers respectively to and from the ports of embarkation and disembarkation and the cost of stay on land. Canadian and U.S.

scientific observers are required to arrive at ports at least two working days prior to the scheduled departure dates of their host vessels.

5. At-sea Transfer: In the event that a host vessel of a Canadian or U.S. scientific observer cannot continue operation and must return to port due to such incident as accident or mechanical trouble, the FAJ will arrange for a substitute vessel to continue observations. However, if such transfer opportunity is unavailable, the observer will return to port aboard the host vessel.

If transfer at sea is required, observers are to wear U.S. Coast Guard approved personal flotation devices during transfer.

6. Redeployment of Observers: In the event that a host vessel with an observer aboard ceases operations and returns to port unexpectedly, the FAJ, in consultation with the NMFS or DFO, as appropriate, will arrange for the observer to board the same vessel during its next trip, or a substitute vessel, in order to complete the observations or fully cover the fishing season by vessel category.

7. Observer Training and Duties: The Alaska Fisheries Science Center (AFSC) of the NMFS will send observer trainers to Japan in early 1991 to coordinate training and standardize sampling procedures for the squid driftnet fishery with the National Research Institute of Far Seas Fisheries, FAJ (NRIFSF). The NRIFSF will also send Japanese observer trainers to the AFSC in early 1991 to coordinate training and standardize the squid driftnet fishery sampling procedures. Canada will participate in these joint training sessions held at the AFSC. Also in 1991, the AFSC will send an observer trainer to Japan and the NIFSF will send an observer trainer to the AFSC to coordinate training and standardize procedures for the large-mesh fishery. All expenses for the travel described in this paragraph will be borne by the side sending participants.

The duties of Canadian, U.S. and Japanese scientific observers will be standardized according to training procedures developed by the DFO, AFSC and NRIFSF, and will be described in the observer manual. The data collection procedures and data forms used by each scientific observer will be standardized by the DFO, AFSC and NRIFSF.

8. Program Review: The coordinators of the three parties for the squid scientific observer programs will evaluate the progress of the observer programs in late July 1991, and adjust scientific observer coverage as necessary to achieve objectives of the monitoring design set forth in Annex A. The parties will exchange on a weekly basis the number of observations made by each deployed observer in order to check the accumulated total number of observations and adjust the coverage as needed.

9. Information: In the event that the FAJ obtains information that will affect the implementation of the above arrangements, the FAJ will immediately provide such information to Canadian and U.S. authorities.

FISHERIES AGENCY
MINISTRY OF AGRICULTURE, FORESTRY AND FISHERIES,
GOVERNMENT OF JAPAN

April 12, 1991

Mr. David A. Colson
Deputy Assistant Secretary
Oceans and Fisheries Affairs
Department of State

Dr. William W. Fox,
Assistant Administrator
Fisheries
National Marine Fisheries Service

Dear Mr. Colson/Dr. Fox:

I would like to inform you that the Japanese side, in the fishing season for 1991 through June 1992, will implement the attached regulatory, enforcement, and information gathering program on the Japanese squid and large-mesh driftnet fisheries in accordance with the principle that enforcement activities with regard to high seas fishing including, but not limited to, those driftnet fisheries should be conducted under the responsibility and initiative of the flag state.

In devising the program, the Fisheries Agency has paid full respect to the United Nations General Assembly Resolutions 44/225 and 45/197 and taken into account your concerns regarding the incidental take of North American-origin anadromous species by the squid and large-mesh driftnet fisheries. The details of this program are described in the Attachment.

Sincerely,

Koji Imamura
Councilllor
Fisheries Agency
Government of Japan

cc: Dr. J. C. Davis
Regional Director-Science
Pacific Region
Department of Fisheries and Oceans
Government of Canada

ATTACHMENT

REGULATORY, ENFORCEMENT AND INFORMATION GATHERING PROGRAM OF THE GOVERNMENT OF JAPAN ON THE JAPANESE HIGH SEAS SQUID AND LARGE-MESH DRIFTNET FISHERIES FOR THE 1991 FISHING SEASON AND PERIOD THROUGH JUNE 30, 1992

The Government of Japan (GOJ), as a flag state with established jurisdiction over its high seas fisheries on the basis of the principle of the freedom of the high seas, has instituted necessary regulatory measures to control the squid driftnet and large-mesh fisheries on the high seas and has constructed enforcement programs to ensure compliance with those measures for the 1991 fishing season and the period through June 30, 1992. The Japanese side intends to continue to make information available to the Canadian and U.S. sides.

I. Regulatory Measures

(i) Overview

(a) Squid Driftnet Fishery

In response to the rapid expansion of the squid driftnet fisheries, the GOJ introduced a limited-entry licensing system and other regulations in August, 1981, prohibiting fishing operations in the North Pacific targeting for squid by using driftnets without a license issued by the Minister of Agriculture, Forestry and Fisheries (MAFF). Since then there has been a steady decrease in the number of vessels. The following are the main elements of these measures.

1. Limit on the number of the vessels engaged in this fishery
2. Limit of the fishing ground and period; in particular, establishment of the northern boundary by month based on the best scientific information available in order to minimize incidental takes of the anadromous species inhabiting waters to the north of the waters where flying squids (Ommastrephes bartrami) are distributed.
3. Prohibition on retention of anadromous species, even taken incidentally
4. Prohibition of transfer of catch at sea
5. Mandatory display of the vessel's name, registration number, and license number on the hull for facilitating the identification of the vessel at sea
6. Mandatory marking on fishing gears for identification
7. Restriction on mesh size for stock conservation
8. Mandatory record and submission to the Fisheries Agency of NNSS data in order to identify operational positions

9. Mandatory vessel position reports

10. Mandatory submission of catch reports to the Government

In the event of the violation of any of the regulations above, penalties will be imposed in accordance with the Japanese domestic regulations.

The period of "port confinement" which is an administrative penalty imposed on violations has been doubled effective from the 1988 fishing season.

(b) Large-mesh Driftnet Fishery

Major enforcement measures imposed upon this fishery have been restrictions on the fishing season, the fishing grounds and the fishing gears. In addition to these measures, the MAFF introduced a registration system to this fishery in August 1989 by modifying its ministerial ordinance. Under this registration system large-mesh fishermen operating on the high seas are required to register their fishing plan in order to engage in the fishery and submit catch reports and other necessary information to the MAFF for a better understanding of the fishing operations.

The following are the main elements of these measures:

1) Restrictions on fishing ground and period

2) Prohibition of retention of anadromous species, even taken incidentally

3) Mandatory display of vessel's name and registration number for facilitating identification of the vessel at sea

4) Mandatory marking of fishing gears for identification

5) Restriction on mesh size for stock conservation

6) Mandatory submission of catch reports to the Government

Based upon the 1989 registration system, the FAJ adopted a new regulatory system for the high seas large-mesh driftnet fishery in 1990. The regulatory system imposed a limited entry system which restricts the number of vessels which can participate in the high seas fishery for 1990 and beyond, strictly limiting new entrants to the fishery, and prohibits expansion of the capacity of fishing vessels. Furthermore, the regulatory system provided for the adoption of measures which require the deployment of transmitters on all high seas vessels, prohibit transfers at sea, and mandate the submission of vessel position reports. Other regulatory measures will be adopted as necessary.

In the event of the violation of any of the regulations above, penalties will be imposed in accordance with the Japanese domestic regulations.

(ii) Restriction on the number of vessels

(a) Squid Driftnet Fishery

Licensing certificates will be issued to squid driftnet fishing vessels operating in the North Pacific late in May after the necessary domestic procedures. The number of licensed vessels is limited to that of the previous year.

The list of the licensed vessels, including enlisting name, license number and vessel registration number, will be made available to the Canadian and U.S. authorities on request at the earliest possible time after the licenses are issued. In addition, each driftnet vessel must submit to the FAJ a color photograph of each side of the vessel.

(b) Large-mesh Driftnet Fishery

Based upon the 1989 registration system, the FAJ imposed a new regulatory system to limit the number of fishing vessels engaged in the high seas large-mesh driftnet fishery to a number less than the actual number of vessels which operated during the last twelve months. No more than 200 vessels are permitted in this high seas fishery for the 1991 season and beyond. In addition, each driftnet vessel must submit to the FAJ a color photograph of each side of the vessel. The list of the vessels will be made available to the Canadian and U.S. authorities upon request.

(iii) Restriction of fishing period and area

(a) Squid Driftnet Fishery

The operation of the squid driftnet fishery is permitted only within the limits of the waters surrounded by 20 degrees N, 170 degrees E, 145 degrees W and the northern boundary that changes by month (40–46 degrees N). The period in which the operation is permitted is limited from June to December. The northern and eastern boundaries have been specifically established to minimize incidental takes of anadromous species.

For squid driftnet vessels operating in the area between 170 degrees E to 145 degrees W longitude, the northern boundaries are established as follows:

January through May	Closed to fishing
June	Latitude 40 degrees N
July	Latitude 42 degrees N
	Between 170 degrees E – 170 degrees W
	Latitude 43 degrees N
	Between 170 degrees W – 145 degrees W

August	Latitude 45 degrees N Between 170 degrees E – 170 degrees W Latitude 46 degrees N Between 170 degrees W – 145 degrees W
September	Latitude 46 degrees N
October	Latitude 44 degrees N
November	Latitude 42 degrees N
December	Latitude 40 degrees N

(b) Large-mesh Driftnet Fishery

The FAJ will maintain existing time and area restrictions (Figures 1 and 2), including the prohibition of the large-mesh driftnet operation in the following areas.

1) north of 20 degrees N latitude and east of 14 degrees W longitude

2) north of the northern boundaries between 170 degrees E and 145 degrees W longitude described below:

January through June	Latitude 40 degrees N
July	Latitude 42 degrees N
August	Latitude 44 degrees N
September	Latitude 46 degrees N
October	Latitude 44 degrees N
November	Latitude 42 degrees N
December	Latitude 40 degrees N

The FAJ has introduced additional northern boundaries established as follows for the indicated areas and times for the large-mesh driftnet fishery, as a part of the new regulatory system.

Between 170 degrees E and 145 degrees W

January through April	Latitude 36 degrees N
May	Latitude 37 degrees N

Area west of 170 degrees E longitude:

January through April	Latitude 36 degrees N
May	Latitude 30 degrees N
June	Latitude 40 degrees N
July through September	Latitude 38 degrees N
October	Latitude 44 degrees N
November	Latitude 42 degrees N
December	Latitude 40 degrees N

(iv) Display of the vessel's name, and other identification on the hull

(a) Squid Driftnet Fishery

In order to facilitate the identification of squid driftnet vessels at sea, displaying vessel's name, license number, and vessel's registration number in a specified size on the hull is mandatory for all the licensed vessels.

Each squid driftnet vessel is to be assigned a license number. This license number is to be displayed on both sides of the hull and on both sides of the bridge in a color in contrast to the background. The license number affixed to the hull must be in Roman letters and Arabic numerals at least 50 cm in height. The license number affixed to the bridge must be in Roman letters and Arabic numerals at least 30 cm in height. In addition, each squid driftnet vessel will have two blue stripes, one at least 30 cm in width and the other at least 20 cm in width, surrounding the bridge.

(b) Large-mesh Driftnet Fishery

Each large-mesh driftnet vessel will have one black stripe at least 30 cm in width surrounding the bridge. For the identification of large-mesh driftnet vessels at sea, displaying the vessel's name and the vessel's registration number in a specified size on the bridge is mandatory. The registration number affixed to the bridge must be in Roman letters and Arabic numbers at least 30 cm in height and in a color in contrast to the background.

(v) Marking of fishing gear

Each driftnet vessel is to use methods to identify the driftnet gear it deploys by permanently marking at every tan (45–50 m) of net with the name of the vessel and its corresponding license number or port of registry if the vessel has not been issued a license number. Each vessel is also required to refrain from discarding used or damaged driftnets, to stow them on the vessel, and to return them to port for proper disposal upon completion of the vessel's voyage. The location, date, and amount of lost fishing gear must be reported to the FAJ.

(vi) Gear restrictions

Driftnet vessels may only carry the gear type for which they are permitted (large mesh (15 cm or more) or small mesh (10–13.5 cm)). No driftnet vessel can be permitted to engage in more than one kind of driftnet fishery during any given scheduled fishing trip.

II. Gear materials

In 1991, the FAJ will continue its basic research, started in 1989, on the development of biodegradable materials which break into segments that do not

represent a significant threat to the living marine resources. Reports of this research will be provided to the U.S. side. The FAJ will also make best efforts to conduct a field experiment of the fishing nets constructed with biodegradable materials by a research vessel in the squid fishing grounds in 1991. The U.S. side will provide the FAJ with any useful information for the development of biodegradable materials.

III. Enforcement program

(i) Intensification of enforcement activities

In the 1991 season and thereafter, enforcement activities such as the deployment of patrol boats and surveillance at landing ports by Japanese enforcement officers will be maintained.

The number of vessel-days of patrol cruises focusing mainly on the enforcement of the northern boundary will be maintained in the 1991 season (5 patrol-boats to be deployed for about 600 vessel-days in 1991). During January–June 1992 an enforcement presence at sea will be maintained comparable to that during the same period of 1991 unless violations should indicate otherwise.

(ii) Communication with the U.S. enforcement authorities

FAJ will conduct surveillance and boardings of Japanese driftnet fishing vessels, both dockside and at sea. On the high seas, FAJ will coordinate with the appropriate U.S. authorities communications between their respective patrol units. Both sides will use state-of-the-art communications equipment such as International Marine Satellite (INMARSAT) and facsimile to facilitate communications, where possible.

(iii) Utilization of the information supplied by the U.S. officials in Japanese investigations

The Japanese side intends to continue to utilize, to the maximum extent, the information supplied by the U.S. officials indicating alleged violations by the Japanese driftnet fishing vessels, in the investigation and identification of the violator. In order to facilitate the investigation on the Japanese side, photographs are expected to be as clear as possible, and/or with reliable information of sighting positions.

The Japanese side intends to continue to provide the U.S. authorities with the results of its investigation, which has utilized the information supplied by the U.S. officials, including specific penalty imposed on the violators.

(iv) Notice of the outline of Japanese enforcement activities:

The Japanese side intends to continue to be prepared to provide the Canadian and U.S. authorities with the outline of the Japanese enforcement activities on a voluntary basis.

IV. Exchange of Enforcement Observers

The Japanese side is prepared to invite a U.S. observer to at least one 30 day patrol cruise of the Hakuryu-maru of FAJ in 1991.

The Japanese side understands that the U.S. side will invite a Japanese observer to get on board a U.S. Coast Guard surveillance plane. The flight will stage out of Coast Guard Air Station, Kodiak, Alaska or other appropriate U.S. facilities.

The Japanese side also understands that both sides will pay the travel and per diem costs of their own observers and each side will cover all operational costs of their patrol operations.

V. Deployment of Satellite Transmitters

Real-time automatic satellite position fixing devices (transmitters) will be deployed by the relevant fishery organization on board 100% of the Japanese driftnet fishing vessels which leave port for operation beyond the 200 nautical mile zone of the flag state after January 1, 1991, and which allow automatic, real-time monitoring of the location and identity of each vessel at all times while at sea.

Real-time vessel location and identification data and information from the satellite transmitters will be made available to the FAJ under contract with Argos. Based upon the information received from Argos, the FAJ will take immediate and appropriate action as required.

The FAJ authorizes Argos to make those data and information available to the appropriate Canadian and U.S. authorities under contract between Argos and these authorities. In this connection, it is confirmed that such access by those Canadian and U.S. authorities to the said data and information shall not be deemed to authorize in any way the Canadian and U.S. sides to be engaged in enforcement activities with respect to Japanese high seas driftnet fisheries. The Japanese side understands that raw transmitter data shall be kept confidential within these authorities.

VI. Exchange of information on driftnet operations by the vessels of non-contracting parties to the INPFC

When Japanese patrol vessels have witnessed driftnet operations by the vessels of non-contracting parties to the INPFC which are deemed to be engaged in fish-

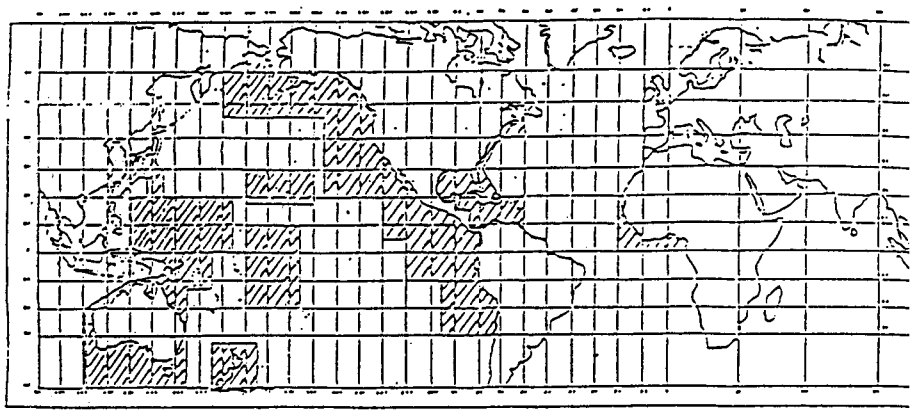
ing for anadromous species, the Japanese side will continue to transmit the following information on those vessels to the Canadian and U.S. sides as quickly as possible.

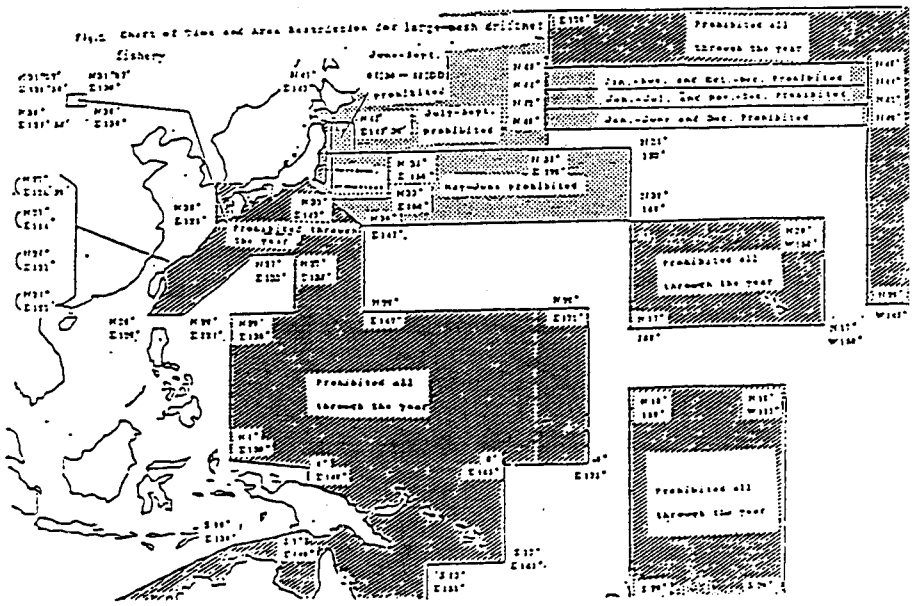
All driftnet vessels of non-contracting parties to the INPFC sighted by the Japanese salmon fishery patrol vessels and those vessels of non-contracting parties to the INPFC sighted in operation in waters north of the northern boundary by the Japanese squid fishery patrol vessels will be reported. Information will include if available:

1. position (coordinates) sighted
2. nationality and registry
3. name of vessel
4. registration number
5. estimated tonnage
6. color of hull
7. activities, including description of fishing procedures, nature of catch, and estimated course and speed

VII. Reflagging

The FAJ will review their regulatory measures regarding the reflagging of Japanese driftnet vessels. If necessary, the FAJ intends to reinforce under its competence appropriate regulations and penalties to prohibit such reflagging.




Prohibited all
through the year
Jan.-Nov. and Oct.-Dec. Prohibited
Jan.-Oct. and Nov.-Dec. Prohibited
Jan.-Sept. and Dec. Prohibited
July-Sept.
prohibited
Nov.-June prohibited
Prohibited all
through the year
Prohibited all
through the year
Prohibited all
through the year

The Deputy Assistant Secretary, Oceans and Fisheries Affairs, Department of State and the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce to the Japanese Councillor, Fisheries Agency

United States Department of State
Bureau of Oceans and International
Environmental and Scientific Affairs
Washington, D.C. 20520

April 23, 1991

Councillor Koji Imamura
Department of Oceanic Fisheries
Fisheries Agency of Japan
2-1, 1-chome, Kasumigaseki
Chiyoda-ku
Tokyo 100, Japan

Dear Mr. Imamura:

Thank you for your letters of April 12, 1991, regarding the collection and exchange of scientific information under the programs for the Japanese squid driftnet and large-mesh driftnet fisheries and the enforcement programs for these fisheries, as specified in the Annexes and the Attachment.

The U.S. Government reaffirms its support for United Nations General Assembly Resolutions 44/225 and 45/197. We are pleased to participate in programs designed to collect and snare scientific data. Our participation in these programs, however, does not signify our satisfaction with, or approval of, the measures described in your letters, their Annexes and the Attachment, as effective to prevent unacceptable impacts of these fisheries on the living marine resources of the North Pacific or to ensure the conservation of these resources.

We have repeatedly and consistently protested the Fisheries Agency of Japan's decision to extend the northern boundary of the squid fishery for July and August. Such an expansion of the fishery is unwarranted in view of the risk that such expansion will have unacceptable impacts on the living marine resources of the region.

Finally, we would like to repeat the position of the U.S. Government that the United States has jurisdiction over U.S.-origin anadromous species throughout their migratory range, except during the time they are found within another nations territorial sea or 200-mile zone as recognized by the United States.

Sincerely,

David A. Colson
Deputy Assistant Secretary
Oceans and Fisheries Affairs

William W. Fox, Jr.
Assistant Administrator
for Fisheries
National Marine Fisheries Service
Department of Commerce