

POLAND

Fisheries Off the United States Coasts

Agreement amending and extending the agreement of August 1, 1985.

Effected by exchange of notes

Signed at Washington January 24 and June 12, 1991;

Entered into force November 21, 1991;

Effective July 1, 1991.

*The Secretary of State to the Polish Ambassador*DEPARTMENT OF STATE
WASHINGTON

January 24, 1991

Excellency:

I have the honor to refer to the Agreement between the Government of the United States of America and the Government of the Republic of Poland Concerning Fisheries off the Coasts of the United States signed at Washington on August 1, 1985 (hereinafter referred to as "the Agreement"). Noting the desire by the United States to address cooperatively with the Republic of Poland the recommendations outlined in United Nations Resolution 44/225 of December 1989 on Large-Scale Pelagic Driftnet Fishing, as well as concerns about the burgeoning fishery for pollock in the central Bering Sea area, I have the further honor to propose that, in accordance with the provisions of Article XVIII, the Agreement be extended until December 31, 1993, and that it be amended as follows:

1. In Article II, delete "(except highly migratory species of tuna)" in paragraph 1, and revise paragraph 2, deleting the phrase "and highly migratory species," and concluding with the phrase "marine mammals and birds;"
2. In Article II, at the end of subparagraph 6. b., add the word "and", delete paragraph 7, and renumber the present paragraph 8 as paragraph 7.
3. In Article IV, paragraph 7, delete "; and" and replace with ";"
4. In Article IV, add a new paragraph 8 as follows:

"8. whether, and to what extent, such nations are cooperating with the United States in matters pertaining to the fulfillment of the recommendations outlined in United Nations General Assembly Resolution 44/225 of December 1989 on Large-scale Pelagic Driftnet Fishing and in the conservation of the pollock resource in the central Bering Sea; and"

His Excellency

Kazimierz Dziewanowski,

Ambassador of the Republic of Poland.

5. In Article IV, renumber the present paragraph 8 as paragraph 9.
6. In Article XII, add a new paragraph 5 as follows:

“5. The Government of the Republic of Poland shall cooperate with the Government of the United States in matters pertaining to the fulfillment of the recommendations outlined in United Nations General Assembly Resolution 44/225 of December 1989 on Large-scale Pelagic Driftnet Fishing and in the conservation of the pollock resource in the central Bering Sea.”
7. Delete the existing text of Article XIV and replace it with:

“The Government of the United States undertakes to authorize fisheries research vessels of the Republic of Poland 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.”
8. In Annex II, paragraph 1, delete “, fishing vessels participating in joint ventures involving over-the-side purchases of fish from U.S. fishing vessels (including support vessels)” and “which have been issued permits pursuant to the Agreement” from existing paragraph 1.

I have the further honor to propose that if these proposals are acceptable to the Government of the Republic of Poland, this Note and the Embassy's Note in reply to that effect shall constitute an Agreement between the Government of the United States of America and the Government of the Republic of Poland, 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:

The Polish Ambassador to the Secretary of State

EMBASSY
OF THE REPUBLIC OF POLAND

Dear Mr. Secretary,

I have the honor to acknowledge receipt of the Note of the Department of State dated January 24, 1991, which reads as follows:

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

I have the honor to inform you that the Government of the Republic of Poland agrees that the Agreement between the Government of the Republic of Poland and the Government of the United States of America be extended until December 31, 1993 and be amended as proposed in the above cited Note of the Department of State with an understanding that the phrase "the Polish Peoples' Republic" be replaced throughout the text with the phrase "the Republic of Poland".

I have the further honor to inform you that the Government of the Republic of Poland further acknowledges with great satisfaction the announcement by the President of the United States made on May 8, this year of the revision in United States port access policy which provides access for Polish fishing, fishing support and other vessels to all United States ports on the basis of 24-hours notice of entry into the port.

The Government of the Republic of Poland also agrees that the above cited Note of the Department of State dated January 24, 1991 and the present Embassy's reply thereto shall constitute an agreement between the two Governments which shall 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.

Washington, June 12th, 1991

The Honorable James A. Baker, III
Secretary of State

I avail myself of this opportunity to renew to you, Mr. Secretary, the assurances of my highest consideration.

Kazimierz Dziewanowski
Ambassador of the Republic
of Poland