

**Agreement in the form of an Exchange of Notes on the extension of and amendments to the  
Agreement between the Government of the United States of America and the European Economic  
Community concerning fisheries off the coast of the United States**  
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**AGREEMENT**

in the form of an Exchange of Notes on the extension of and amendments to the Agreement between the Government of the United States of America and the European Economic Community concerning fisheries off the coast of the United States

A. Note from the Government of the United States of America

The United States Mission to the European Communities presents its compliments to the Commission of the European Communities and wishes to draw the attention of the Commission of the European Communities to the agreement between the Government of the United States of America and the European Communities concerning fisheries off the coasts of the United States, signed at Washington on 1 October 1984, and due to expire on 1 July 1989. The United States proposes that the agreement be extended until 1 July 1991, and that it be amended as follows:

A. In Article III, paragraph 2, replace the words 'necessitated by unforeseen circumstances affecting the stocks' with the word 'appropriate'.

B. In Article IV, replace the phrase, 'the Magnuson Fishery Conservation and Management Act, as amended, that is:' with the phrase, 'US law, including:'. Remove quotation marks and replace italic numerals which follow with corresponding arabic numerals.

C. In Article IV, paragraph 1, replace the phrase 'of United States fish or fishery products' with 'of both United States fish and fishery products, particularly fish and fishery products for which the foreign nation has requested an allocation; '.

D. In Article IV, paragraph 2, replace the present text with the following: 'Whether, and to what extent, such nation is cooperating with the United States in both the advancement of existing and new opportunities for fisheries exports from United States processors and the advancement of fisheries trade through the purchase of fish and fishery products for which the foreign nation has requested an allocation; '.

E. 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 judgment of the United States, vessels or nationals of the Member States of the European Communities are harvesting United States origin anadromous species at unacceptable levels, or whether the European Communities are failing to take sufficient action to benefit the conservation and development of United States fisheries.'

F. In Article XII, paragraph 4, at the end of the paragraph, add the following sentence: 'The European Communities shall similarly provide such economic data as may be requested by the United States.'

G. In Article XIX, replace the date '1 July 1989' with the date '1 July 1991'.

The United States proposes that if the extension and the amendments set out in this note are acceptable to the European Communities to that effect shall constitute an agreement between

B. Note from the European Community

The Directorate General for External Relations of the Commission of the European Communities presents its compliments to the United States Mission of the European Communities and has the honour to acknowledge receipt of the Mission's Note of 15 September 1988, which reads as follows:

'The United States Mission to the European Communities presents its compliments to the Commission of the European Communities and wishes to draw the attention of the Commission of the European Communities to the agreement between the Government of the United States of America and the European Communities concerning fisheries off the coasts of the United States, signed at Washington on 1 October 1984, and due to expire on 1 July 1989. The United States proposes that the agreement be extended until 1 July 1991, and that it be amended as follows:

A. In Article III, paragraph 2, replace the words "necessitated by unforeseen circumstances affecting the stocks" with the word "appropriate".

B. In Article IV, replace the phrase, "the Magnuson Fishery Conservation and Management Act, as amended, that is:" with the phrase, "US law, including:". Remove quotation marks and replace italic numerals which follow with corresponding arabic numerals.

C. In Article IV, paragraph 1, replace the phrase "of United States fish or fishery products" with "of both United States fish and fishery products, particularly fish and fishery products for which the foreign nation

has requested an allocation; ".

D. In Article IV, paragraph 2, replace the present text with the following: "Whether, and to what extent, such nation is cooperating with the United States in both the advancement of existing and new opportunities for fisheries exports from the United States through the purchase of fishery products from United States processors and the advancement of fisheries trade through the purchase of fish and fishery products from United States fishermen, particularly fish and fishery products for which the foreign nation has requested an allocation; ".

E. 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 judgment of the United States, vessels or nationals of the Member States of the European Communities are harvesting United States origin anadromous species at unacceptable levels, or whether of European Communities are failing to take sufficient action to benefit the conservation and development of United States fisheries.".

F. In Article XII, paragraph 4, at the end of the paragraph, add the following sentence: "The European Communities shall similarly provide such economic data as may be requested by the United States.".

G. In Article XIX, replace the date "1 July 1989" with the date "1 July 1991".

The United States proposes that if the extension and the amendments set out in this note are acceptable to the European Communities, this note and the reply of the European Communities to that effect shall constitute an agreement between the Government of the United States of America and the European Communities amending the agreement concerning fisheries off the coasts of the United States and extending that agreement until 1 July 1991. This agreement shall enter into force on a date to be agreed upon by exchange of diplomatic notes following the completion of internal procedures of both parties.".

The Directorate General for External Relations of the Commission of the European Communities has the honour to confirm that the contents of the above note are acceptable to the European Economic Community and that the above note and this note constitute an Agreement in accordance with the proposal of the Government of the United States of America.

The Directorate General for External Relations of the Commission of the European Communities takes this opportunity to renew to the United States Mission to the European Communities the assurance of its highest consideration.

On behalf of the Council of the  
European Communities