

No. 4546. INTERIM CONVENTION BETWEEN THE UNITED STATES OF AMERICA, CANADA, JAPAN AND THE UNION OF SOVIET SOCIALIST REPUBLICS ON CONSERVATION OF NORTH PACIFIC FUR SEALS. SIGNED AT WASHINGTON ON 9 FEBRUARY 1957¹

PROTOCOL² AMENDING AND EXTENDING THE ABOVE-MENTIONED CONVENTION AS AMENDED AND EXTENDED.¹ SIGNED AT WASHINGTON ON 7 MAY 1976

Authentic texts: English, Japanese and Russian.

Registered by the United States of America on 27 April 1978.

The Governments of Canada, Japan, the Union of Soviet Socialist Republics and the United States of America, Parties to the Interim Convention on Conservation of North Pacific Fur Seals, signed at Washington on February 9, 1957, as amended,¹ hereinafter referred to as the Convention,

Having given due consideration to the recommendations adopted by the North Pacific Fur Seal Commission on March 28, 1974, and to the exchange of views expressed at the North Pacific Fur Seal Conference in March and December 1975, and

Desiring to amend the Convention,

Have agreed as follows:

Article I. The Convention shall be amended by this Protocol as from the date of its entry into force.

Article II. Article II, paragraph 2(f), of the Convention shall be replaced by the following:

“(f) relationship between fur seals and other living marine resources, including the extent to which fur seals affect commercial fish catches, the damage fur seals inflict on fishing gear, and the effect of commercial fisheries on the fur seals;”.

Article III. 1. In Article II, paragraph 2, of the Convention, “and” at the end of subparagraph (h), shall be deleted and “(i)” shall be replaced by “(j)”.

2. After Article II, paragraph 2(h), of the Convention, the following shall be inserted:

“(i) effects of man-caused environmental changes on the fur seal populations; and”.

Article IV. Article II, paragraph 3(b), of the Convention shall be replaced by the following:

“(b) to devote to pelagic research an effort which, to the greatest extent possible, should be similar in extent to that expended in recent years, provided that this shall not involve the annual taking by all the Parties combined of more than 2,500 seals in the Eastern

¹ United Nations, *Treaty Series*, vol. 314, p. 105, and annex A in volumes 494 and 719.

² Came into force on 12 October 1976, i.e., the date on which the fourth instrument of ratification or acceptance was deposited with the Government of the United States of America, in accordance with article XV (3). Instruments were deposited as follows:

<i>State</i>	<i>Date of deposit of the instrument of ratification or acceptance (A)</i>
United States of America	4 October 1976
Canada	6 October 1976
Japan	6 October 1976 A
Union of Soviet Socialist Republics	12 October 1976 A

and more than 2,200 seals in the Western Pacific Oceans, unless the Commission, pursuant to Article V, paragraph 3, shall decide otherwise; and”.

Article V. Article IV of the Convention shall be replaced by the following:

“*Article IV.* Each Party shall bear the expense of its own research. Title to sealskins taken during the research shall vest in the Party conducting such research.”

Article VI. Article V, paragraph 2(d), of the Convention shall be replaced by the following:

“(d) recommend appropriate measures to the Parties on the basis of the findings obtained from the implementation of such coordinated research programs, including measures regarding the size and the sex and age composition of the seasonal commercial kill from a herd and regarding a reduction or suspension of the harvest of seals on any island or group of islands in case the total number of seals on that island or group of islands falls below the level of maximum sustainable productivity; provided, however, that due consideration be given to the subsistence needs of Indians, Ainos, Aleuts, or Eskimos who live on the islands where fur seals breed, when it is not possible to provide sufficient seal meat for such persons from the seasonal commercial harvest or research activities; and”.

Article VII. Article V, paragraph 2(e), of the Convention shall be replaced by the following:

“(e) study whether or not pelagic sealing in conjunction with land sealing could be permitted in certain circumstances without adversely affecting achievement of the objectives of the Convention, and make recommendations thereon to the Parties at the end of the twenty-first year after entry into force of the Convention.”

Article VIII. Article V, paragraph 3, of the Convention shall be replaced by the following:

“3. In addition to the duties specified in paragraph 2 of this Article, the Commission shall, subject to Article II, paragraph 3, determine from time to time the number of seals to be marked on the rookery islands, and the total number of seals which shall be taken at sea for research purposes, the times at which such seals shall be taken and the areas in which they shall be taken, as well as the number to be taken by each Party, taking into account any recommendations made pursuant to Article V, paragraph 2(d).”

Article IX. Article V, paragraph 6, of the Convention shall be replaced by the following:

“6. The Commission shall hold an annual meeting at such time and place as it may decide. Additional meetings shall be held when requested by two or more members of the Commission.”

Article X. Article IX, paragraph 3, of the Convention shall be replaced by the following:

“3. The respective Parties will seek to ensure the utilization of those methods for the capture and killing and marking of fur seals on land or at sea which will spare the fur seals pain and suffering to the greatest extent practicable.”

Article XI. Article XI of the Convention shall be replaced by the following:

“*Article XI.* The Parties agree to meet in the twenty-second year after entry into force of the Convention to consider the recommendations in accordance with Article V

paragraph 2(e), and to determine what further agreements may be desirable in order to achieve the maximum sustainable productivity of the North Pacific fur seal herds.”

Article XII. Article XIII, paragraph 3, of the Convention shall be replaced by the following:

“3. The Convention shall enter into force on the date of the deposit of the fourth instrument of ratification.”

Article XIII. Article XIII, paragraph 4, of the Convention shall be replaced by the following:

“4. The Convention shall continue in force for twenty-two years and thereafter until the entry into force of a new or revised fur seal convention between the Parties, or until the expiration of one year after such period of twenty-two years, whichever may be the earlier; provided, however, that the Convention shall terminate one year from the day on which a Party gives written notice to the other Parties of an intention of terminating the Convention.”

Article XIV. 1. In Article XIII of the Convention, paragraph “5” shall be redesignated as “6”.

2. After Article XIII, paragraph 4, of the Convention, the following shall be inserted:

“5. At the request of any Party, representatives of the Parties will meet at a mutually convenient time within ninety days of such request to consider the desirability of modifications of the Convention.”

Article XV. 1. This Protocol shall be subject to ratification or acceptance. Instruments of ratification or acceptance shall be deposited with the Government of the United States of America as soon as practicable.

2. The Government of the United States of America shall notify the other signatory Governments of ratifications or acceptances deposited.

3. This Protocol shall enter into force on the date on which the fourth instrument of ratification or acceptance is deposited with the Government of the United States of America.

4. The original of this Protocol shall be deposited with the Government of the United States of America, which shall communicate certified copies thereof to each of the Governments signatory to this Protocol.

IN WITNESS WHEREOF, the undersigned, being duly authorized by their respective Governments, have signed this Protocol.

DONE at Washington this seventh day of May, 1976, in the English, Japanese, and Russian languages, each text equally authentic.

以上の証拠として、各自の政府から正当に委任を受け
た下名は、この議定書に署名した。

千九百六十三年十月八日にワシントンで、ひとしく正
文である英語、日本語及びロシア語により本書を作成した。

В УДОСТОВЕРЕНИЕ ЧЕГО НИЖЕПОДПИСАВШИЕСЯ, ДОЛЖНЫМ ОБРАЗОМ УПОЛНОМОЧЕННЫЕ
СВОИМИ СООТВЕТСТВУЮЩИМИ ПРАВИТЕЛЬСТВАМИ, ПОДПИСАЛИ НАСТОЯЩИЙ ПРОТОКОЛ.

СОВЕРШЕНО В ВАШИНГТОНЕ 7 МАЯ 1976 ГОДА НА РУССКОМ, АНГЛИЙСКОМ И ЯПОНСКОМ
ЯЗЫКАХ, ПРИЧЕМ ВСЕ ТЕКСТЫ ИМЕЮТ ОДИНАКОВУЮ СИЛУ.

For the Government of Canada:

カナダ政府のために

От имени Правительства Канады:

[Signed — Signé]¹

For the Government of Japan:

日本国政府のために

От имени Правительства Японии:

[Signed — Signé]²

For the Government of the Union of Soviet Socialist Republics:

ソヴィエト社会主義共和国連邦政府のために

От имени Правительства Союза Советских Социалистических Республик:

[Signed — Signé]³

For the Government of the United States of America:

アメリカ合衆国政府のために

От имени Правительства Соединенных Штатов Америки:

[Signed — Signé]⁴

¹ Signed by Vernon G. Turner — Signé par Vernon G. Turner.

² Signed by Fumihiko Togo — Signé par Fumihiko Togo.

³ Signed by A. Dobrynin — Signé par A. Dobrynin.

⁴ Signed by Frederick Irving — Signé par Frederick Irving.