

45. The Annex lists the particular species that Japan has agreed to abstain from fishing, and that we and the United States have agreed to continue to conserve. Annex, paragraph 2 refers to the Behring Sea question, as does also the Protocol.

46. The Behring Sea issue did not come up until the whole treaty had been drafted. As the conference was drawing to a close, it suddenly became confronted with a major question — namely the intermingling of salmon stocks in the Behring Sea, the stocks going to Asia and to North America respectively. The winds of the Behring Sea did not, however, ventilate our brains on this issue. It was late. There was fear of the unknowns on the part of both the Americans and the Japanese. The Japanese knew the fishery in the area more intimately than anyone else and knew much about the intermingling of the stocks. With the loss of their fisheries in Kamchatka, with the Russians imprisoning any Japanese fishermen found anywhere up to fifty miles off their coasts, the Japanese wanted a substantial area in the Behring Sea to fish for the Asiatic-bound salmon. Neither we nor the Americans knew anything of the migratory routes or of the intermingling of the Asiatic and Alaskan salmon in the Behring Sea. The Americans wished to hold the Japanese off as far as possible from Alaska to ensure that they would not trap the runs of red salmon going to Bristol Bay. A compromise was needed and it had to be geographical, a corridor, a zone or a line.

47. We pleaded for a corridor, an area of no-fishing in the middle of the Behring Sea where the stocks intermingle, with the Japanese fishing on the left of the corridor, taking salmon as they headed out for Asia, and the Americans on the right taking salmon as they headed out for Alaska. In the end the conference did what it had set out not to do. It drew a line, the line specified in Annex, paragraph 2. (See official printed report of Tripartite Fisheries Conference, Pages 103-4 for Canadian Delegation's comment on the compromise.) The line sets out an area roughly from Alaska to 175°W longitude in which both Canada and Japan have agreed to abstain from fishing salmon.

48. The Japanese had argued cogently that if a line to be drawn it should be at 170°W. This the Americans would not accept and the final compromise pleased neither. Nor did it please the United States State Department in Washington. In the last hours of the conference Herrington had to make several phone calls to Washington as they sought some other solution. His delegation of industrial advisers had all returned to the United States and some of them, too, had to be phoned. Only at noon on the day of the signing of the final document did he receive final consent from the State Department — with their non-committal statement that they would sanction the line if it were approved by Mr. Sebald, the United States Political Adviser in Japan. He did approve and Herrington was able to be present for the signing at 4 P.M.

49. Because all three parties disliked the idea of any geographical zone, a protocol was added to the treaty to draw attention to the unique nature of this problem. It was agreed that the line should be only provisional, and the protocol instructs the Commission to put priority on the study of the intermingling of stocks in that area and to recommend other appropriate action to the governments. Should the commission fail to make a recommendation, the matter may be referred to a special