

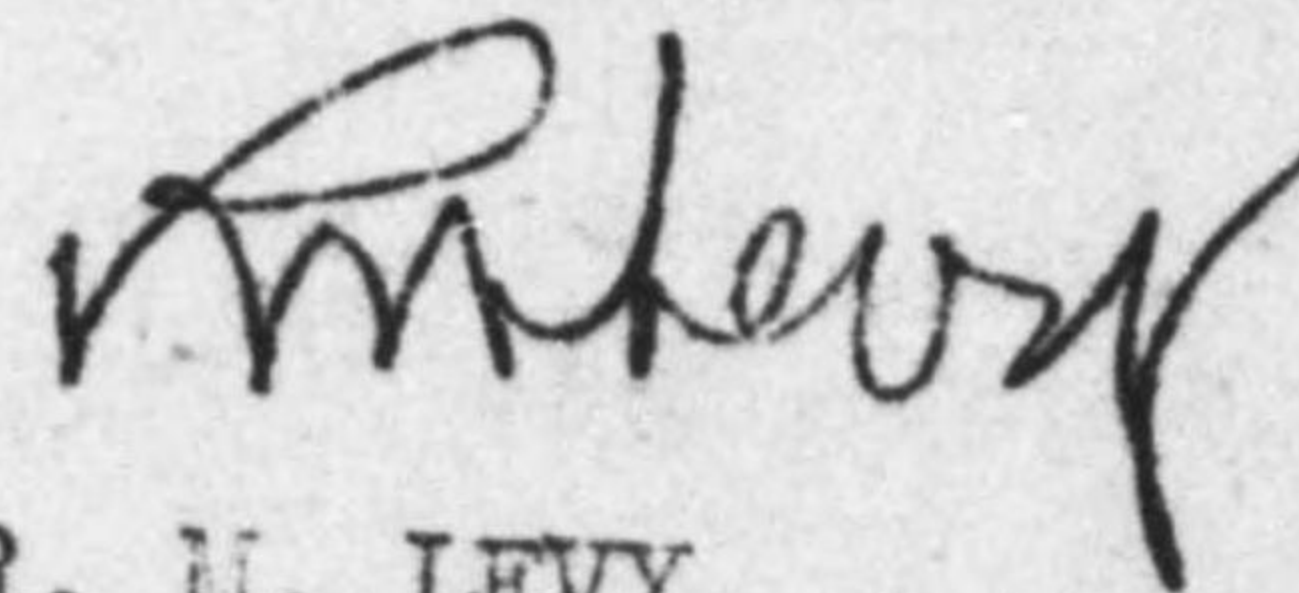
BASIC: Memo for JG SCAPIN 1913

- a. Each vessel will be marked and operated in conformity with directives from the Administrator, Naval Shipping Control Authority.
- b. Each vessel will display in the prescribed manner only the International code flag "E" (Easy) modified. At no time will the flag of the Japanese Merchant Marine be flown.
- c. The master of each of the participating factory ships will maintain a duplicate of the ship's log which will be available for inspection at all times and upon completion of the expedition will be submitted, properly certified, to the Supreme Commander for the Allied Powers. In addition a log will be maintained in English containing the text of all radiograms received from the catcher boats reporting the killing of whales.
- d. The master of each of the participating factory ships during the periods enroute to and from the whaling area will forward daily radiograms to the Japanese Bureau of Fisheries in Tokyo listing the position of his ship at 1200 hours local time on the date the radiogram is dispatched.
- e. The master of each of the participating factory ships during whaling operations will forward a daily radiogram to the Japanese Bureau of Fisheries in Tokyo containing the following information:
 - (1) Position of his ship at 1200 hours local time on the date the radiogram is dispatched.
 - (2) Number and kind of whales processed during the previous 24-hour period ending at 2400 hours local time, output of whale oil and other products, and raw material weights of meat, blubber and other materials processed as food stuffs.
- f. The senior Japanese Government Inspector aboard each of the two participating factory ships will personally verify all information forwarded to the Japanese Bureau of Fisheries in Tokyo by radiogram as required in paragraphs d and e above.
- g. Applications for frequencies for radio communication by the whaling fleets will be made to Civil Communications Section, General Headquarters, Supreme Commander for the Allied Powers.
- h. Each vessel will proceed to and return from the whaling area by the most direct route and without approaching land nearer than 12 miles. The route to be followed by each vessel will be supplied to the Supreme Commander for the Allied Powers and the Commander, Naval Forces, Far East, by the Japanese Government 15 days prior to the departure of each vessel from Japan and from the whaling area.

BASIC: Memo for JG SCAPIN 1913

- i. The master of each of the two factory ships will, upon conclusion of whaling operations, dispatch a radiogram to the Japanese Bureau of Fisheries in Tokyo stating the date of departure of his ship from the whaling area.
5. The Japanese Bureau of Fisheries will maintain at its office in Tokyo a file of all communications between the whaling fleets and Japan for reference by the Supreme Commander for the Allied Powers when desired.
6. The whale oil produced by operations in the Antarctic will be transported to Japan and as quickly as possible after its arrival will be suitably stored and safely guarded. Within ten days of storage the Japanese Government will notify the Supreme Commander for the Allied Powers of the place or places of storage, the amount stored, and the quality of the oil.
7. The Japanese Government will verify the cargo of each vessel arriving in Japan from the whaling area, and within ten days of the discharging of cargo will notify the Supreme Commander for the Allied Powers of the exact cargo of each vessel and the condition of the cargo.
8. Thirty days prior to the departure of the first units of the expedition the Japanese Government will notify the Supreme Commander for the Allied Powers of the allocation of petroleum products to the participating companies. The Japanese Government will also verify the amount of petroleum products aboard each vessel immediately prior to its departure from Japan and upon its arrival in Japan from the whaling area. Within ten days of the departure and arrival the Japanese Government will notify the Supreme Commander for the Allied Powers of the exact amounts of petroleum products aboard each vessel.
9. The attention of the Japanese Government is directed to the memoranda referred to in paragraphs 1 a, b, and c, above. Reports required by the referenced memoranda will be submitted to the Supreme Commander for the Allied Powers prior to 1 June 1949.
10. This authorization does not establish any precedent for whaling operations in the Antarctic or in any other area for any subsequent period of time; nor is it an expression of Allied policy relative to ultimate determination of national jurisdiction, international boundaries, or fishing or whaling operations in the area concerned or in any other area.

FOR THE SUPREME COMMANDER:



R. M. LEVY,
Colonel, AGD,
Adjutant General.

Enclosure No. 2 to Despatch No. 406 dated July 2, 1948 from the Office of the United States Political Adviser at Tokyo, on the subject: "Authorization of Japanese Antarctic Whaling Expedition for the 1948-1949 Season."

SECRET

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

HGS/WCH/CMA/vs
APO 500

10 March 48

MEMORANDUM FOR THE CHIEF OF STAFF

I. THE PROBLEM

Authorization of three Japanese whaling fleets to operate in the Antarctic whaling area during the 1948-49 whaling season.

II. FACTS BEARING ON THE PROBLEM

1. SCAPIN 1103, dated 6 August 1946, authorized the Japanese to conduct whaling operations in the Antarctic for the 1946-47 season.

2. This operation consisted of 21 vessels including two factory ships and accompanying catcher boats and transports. The expedition produced 22,229 metric tons of meat, blubber and other products and 12,260 metric tons of whale oil. The meat and blubber produced was all consumed in Japan and represented 42.5 percent of all animal meat produced in Japan in 1946. The whale oil had a world market value of about \$4,866,000. Of the total amount of whale oil produced, 5,000 metric tons were consumed in Japan and the balance was allocated to USMG in Germany.

3. SCAPIN 1737 dated 21 June 1947 authorized the Japanese to conduct whaling operations in the Antarctic for the 1947-48 whaling season.

4. This operation consists of 27 vessels including two factory ships and accompanying catcher boats and transports. Operations will be completed on about 8 March 1948 and it is expected that the production of about 30,000 metric tons of meat and blubber and about 18,000 metric tons of whale oil will be realized. The increase in production over the 1946-47 expedition is accounted for by the fact that catching and processing equipment was improved and the present expedition will operate approximately three weeks longer than the previous one.

5. The SCAP-administered, Japanese-manned whaling expeditions were authorized because a critical shortage of protein foods and edible oils existed in Japan. Authorization permitted access to world resources in international waters and was in accord with provisions of Potsdam Declaration which stated in part: "Japan shall be permitted to maintain such industry as will sustain her economy and permit the execution of just reparations in kind, but not those which

would

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Enclosure No. 2 to Tokyo's
No. 406, July 2, 1948.

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would enable her to rearm for war. To this end, access to, as distinguished from control of, raw materials shall be permitted." The authorization permitted Japan to make a material contribution to the world supply of protein foods and edible oils by using Japanese-manned vessels and equipment.

6. Four nations engaged in whaling operations in the Antarctic in the 1946-47 season with a total of 15 factory ships. In the 1947-48 season, two more nations entered the field, bringing the total number of factory ships in operation to 17. Norway is reported to have nine of the factories in operation and to be supporting a fleet from South Africa.

7. The International Whaling (Convention) signed in Washington, D.C., 2 December 1946, provides that no more than 16,000 blue whale units will be taken from waters south of 40° South Latitude (Antarctic whaling area) in the 1947-48 season. (A blue whale unit consists of: One blue whale; two fin whales; or six sei whales.) A radio from International Bureau for Whaling Statistics, Sandefjord, Norway, to the Japanese Bureau of Fisheries dated 25 February 1948 states that by 21 February the total number of blue whale units taken in the Antarctic was 11,556. (This report includes the catch of all participating nations except Russia whose report for the week 14-21 February had not been received.) The 1947-48 season officially ends on 7 April 1948. The approximate average weekly catch for all nations during this season is 1,000 blue whale units. Thus, it may be concluded that the 16,000 allowable blue whale units will not be taken during this season unless the catch continues at the present rate, which is unlikely due to adverse weather conditions, and unless all of the factory ships presently engaged continue operating until the end of the season. The Japanese expedition will complete operations on or about 8 March 1948.

8. The critical shortage of food and edible oils noted in paragraph 5, above, remains acute. The justification advanced for authorization of Antarctic whaling operations by Japanese-manned vessels for the past and present season continues in force.

III. DISCUSSION

1. In order for Japan to obtain an equitable share of whale products from the international waters of the Antarctic, it is advisable that a whaling expedition authorized for participation in the 1948-49 season should be composed of three factory vessels and accompanying catcher boats and transports. More complete utilization of existing equipment would thus be made as a sufficient number of catcher boats are available in Japan and the conversion of other vessels to a factory ship and cargo carriers is possible.

2. That some nations which engage in Antarctic whaling will object to increased participation by Japanese-manned vessels may be expected.

3. One of the grounds upon which objections may be based is that any increase in the number of whales taken by Japanese vessels

will

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Enclosure No. 2 to Tokyo's
No. 406, July 2, 1948.

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will reduce by that amount the number which may be taken by other participating nations. Regarding the validity of an objection of this nature, the following points may be considered:

a. The purpose and intent of the establishment of a seasonal catch limit by International Whaling Conventions was to preserve and protect the stock of certain species of whales and not to create an advantage for any nation or group of nations.

b. The objection is prejudicial and inhumanitarian. It is in direct contradiction to the fourth basic principle laid down in the Atlantic Charter which states as follows: "They will endeavor with due respect for their existing obligations to further the enjoyment by all States, great or small, victor or vanquished, of access, on equal terms, to the trade and to the raw materials of the world which are needed for their economic prosperity." This principle is also one of those incorporated in the declaration by the United Nations.

4. Criticism was levied against resumption of Japanese participation in Antarctic whaling in 1946 because Japan was never a party to International Whaling Conventions and her operations were in some cases in violation of the principles of good conduct as defined by the Conventions. Japan's methods of operation were considered wasteful of natural resources. This criticism may be reiterated as an objection to increased participation by Japan.

5. The number of barrels of oil obtained from each blue whale unit is used internationally as a basis for determining efficiency of operations and utilization of whale carcasses. The yield of 110 barrels per blue whale unit is considered a satisfactory level of production. The average oil yield of the two Japanese-manned fleets from 8 December 1947 to 14 February 1948 is 114.7 barrels.

6. International Whaling Conventions specify that it is prohibited to take whales under certain lengths and lactating whales for processing. It is the desire of all member nations that this restriction be strictly observed but occasionally, due to fog or snow or misjudgment by a gunner, an illegal whale is killed. Statistics available show that Norwegian expeditions have a record of less than 1 percent of illegal whales killed. This record is probably better than that of any other participating nation. Sufficient statistics to make an actual comparison are not available. By 21 February 1948 one of the Japanese-manned fleets had a record of 1.1 percent. The other has taken no illegal whales. If the first fleet continues to take whales without a further violation the percentage will be reduced to possibly less than 1 percent. The record of the second fleet is exceptional.

7. From a standpoint of efficiency of operation and observance of International Whaling Conventions, Japan has proved she is capable of maintaining a standard comparable to that of other whaling nations.

8. In discussing the proposed third Japanese Antarctic Whaling Expedition with other interested SCAP sections and other headquarters, the following comments were received:

a. N. W. Bard, Capt USN, Chief of Staff, COMNAVFE, stated: "The decision to authorize Antarctic Whaling Expeditions is

not

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Enclosure No. 2 to Tokyo's
No. 406, July 2, 1948.

- 4 -

not within the purview of COMNAVFE's responsibility. It is desired to invite attention to the fact that there are insufficient operable vessels available for a third fleet. There are laid-up vessels which could be recommissioned for this purpose if so authorized."

b. A check note from G-4 to NR dated 2 March 1948, subject: "Antarctic Whaling" stated: ". . . G-4 offers no objection in principle to the proposed increase in whaling activities during the 1948-1949 season. However, the implementation of this increased program is contingent upon completion of financing arrangements for the additional fuel oil requirements. The FY 1949 GARIOA budget was prepared on the basis of two fleets only. The additional fleet will increase requirements by 50%. It is believed this additional fuel can be provided, but the cost must be defrayed either by increased appropriation to Project 132 or by allocation of funds from the SCAP Trust Fund."

9. Radio from WAR (WDSCA ECON) to SCAP, WAR 85641, dtg 042309Z September 1947, referred to the 1947-48 Japanese Antarctic Whaling Expedition and stated in part: "The British Government would be grateful if the U.S. Government would give the following assurances:

a. No further Japanese Antarctic Whaling Expeditions whatever will be authorized without concurrence FEC until decision on Japanese whaling has been reached by peace conference.

b. Adequate steps will be taken by SCAP to ensure all international whaling regulations are scrupulously observed by second Japanese Antarctic whaling expedition and Allied observers will be permitted to accompany expedition to supervise its compliance with those regulations.

c. All supplies of whale oil obtained by expedition will be made available for allocation by International Emergency Food Council."

10. Radio from SCAP to WAR (WDSCA ECON) C-55377, dtg 091009Z September 1947, is in reply to the radio referred to in paragraph 9 above. This radio indicated that assurance requested in paragraph 9 above should not be given, and that assurances requested in paragraph 9 b and 9 c above had been given.

IV. RECOMMENDATIONS

1. That a SCAP-administered, Japanese-manned expedition be authorized to participate in Antarctic whaling during the 1948-49 season and the number of factory ships be limited to three.

2. That a radio be sent to Department of the Army stating that SCAP is taking the action recommended in paragraph 1 above and that the expedition will be operated under the same general conditions as were the two previous expeditions.

HUBERT G. SCHENCK
Lt Col CE
Chief, Natural Resources Section

SECRET



THE FOREIGN SERVICE
OF THE
UNITED STATES OF AMERICA

UNITED STATES POLITICAL ADVISER

FOR JAPAN

DC/L
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is assigned to



No. 429

MISSION ON TOKYO, July 9, 1948.
NORTH PACIFIC AFFAIRS
AUG 10 1948

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DEPARTMENT OF STATE

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1948 JUL 20 AM 10 0
DC/M
FACILITIES BRANCH

Subject: Enforcement of Directives Limiting Japanese Fishing Areas.

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894.628/7-948

The Acting Political Adviser has the honor to refer to this Mission's despatches no. 337, June 9, 1948, and no. 234, April 19, 1948, in regard to control of Japanese fishing operations, and to enclose a copy of a memorandum dated June 22, 1948, from this Mission, acting in its capacity as the Diplomatic Section of this Headquarters, to the Chinese Mission in Japan, describing the kind of evidence required by Japanese law for effective enforcement of directives limiting the authorized Japanese fishing areas.

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As indicated in this Mission's despatch No. 337, clarification of the legal standards imposed in cases of this kind has been sought from the Sections of this Headquarters concerned with this problem in order to assist prosecution in Japanese courts. The enclosed memorandum, based on the opinions of these Sections, stresses the necessity of submitting formal documents as evidence in Japanese court actions.

The enclosed memorandum also emphasizes the point that Japanese fishing activities on the high seas are governed by directives which are issued by the Supreme Commander for the Allied Powers and are subject to enforcement by the Supreme Commander only.

Army
Navy

Enclosures: *att. all used*

✓ Memorandum dated June 22, 1948 from Diplomatic Section, GHQ, SCAP, to the Chinese Mission in Japan.

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AUG 11 1948

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Enclosure to Despatch No. 429 dated July 9, 1948 from the Office of the United States Political Adviser at Tokyo, on the subject: "Enforcement of Directives Limiting Japanese Fishing Areas."

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

Diplomatic Section

MEMORANDUM

Tokyo, June 22, 1948.

Reference is made to the Chinese Mission's memorandum of May 8, 1948 and to the Diplomatic Section's memorandum of February 6, 1948 concerning reports of violations by Japanese fishing vessels and crews operating beyond the authorized fishing area in the East China Sea.

As indicated in the Diplomatic Section's memorandum of February 6, reports of violations received from the Chinese Mission have been found to lack sufficient probative value to warrant convictions of captains of the concerned vessels by Japanese courts. In order to assist prosecution in Japanese courts, the Diplomatic Section has endeavored to secure clarification of the standards of evidence required.

According to expert information the following documents are essential to Japanese procurators in their efforts to convict violators of Occupation directives establishing fishing areas:

1. An affidavit or other formal document giving the name and position of the Japanese vessel alleged to be operating beyond the authorized area and stating the date of the occurrence. The manner in which the vessel was identified should be clearly noted and the procedure by which the violation was recorded, whether in the vessel's log, by radio communication to the appropriate Chinese authorities or by other means, should be established. This document should be signed by a competent observer and wherever possible the names of other witnesses should be affixed. Other evidentiary material such as photographs of the Japanese vessel concerned would be of considerable use.

2. A document certified by responsible officials of the Chinese Government, stating that the reported information has been verified and is considered to be reliable.

Inasmuch as fishing activities of Japanese on the high seas are governed by directives issued by the Supreme Commander for the Allied Powers and which are subject to enforcement by the Supreme Commander only, the competent authorities are desirous that information be supplied as far as practicable in the form prescribed, in order that adequate prosecution can afford appropriate protection to the legitimate interests involved. The Mission's kind assistance is solicited.

To the
Chinese Mission in Japan,
Tokyo.

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INCOMING AIRGRAM

DEPARTMENT OF STATE DIVISION OF COMMUNICATIONS AND RECORDS MISSION OF TELEGRAPH BRANCH

NORTHEAST ASIAN AFFAIRS

TO: <i>NA</i>
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RESTRICTED

W. J. ...
 JUL 19 1948
 DEPARTMENT OF STATE
W. J. ...

FROM: USPOLAD, Tokyo

Date of Mailing: July 14, 1948

Rec'd:

July 19 1948

Office of FAR EASTERN AFFAIRS
 JUL 19 1948
 DIRECTOR
 Department of State

10:33 a.m.

Secretary of State,

Washington.

A-145, July 10, 1948.

Reference Department's airgram no. 95, June 30, 1948, and this Mission's despatch no. 337, June 9, 1948.

It has been learned unofficially from officials of Natural Resources Section of this Headquarters that the Japanese Government, by informal direction of this Headquarters, is preparing a new plan for patrol of fishing areas in order to reduce violations.

Under this plan, the Japanese fishing industry would turn over to the Japanese Government five or six vessels which would be manned and operated by that Government for patrol purposes.

Officials of NRS expect that Japanese Government will request permission for these patrol vessels to operate beyond the authorized area in order to apprehend violators. NRS officials appear sympathetic with the position that, if the patrol is to be effective, the patrol vessels must be permitted to operate beyond the authorized area.

It is expected that the Japanese Government will submit details of the plan to Headquarters about July 20. NRS will then prepare a staff study on the problem. Any proposals for action by this Headquarters will be submitted to this Mission, acting as Diplomatic Section, for concurrence.

The Department will be kept informed.

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PERMANENT RECORD COPY.—This copy must be returned to DC/R central files with notation of action taken.

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W. J. ...
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JUL 27 1948
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No. 61

To the

Officer in Charge of the American Mission,
Oslo.

The Secretary of State encloses herewith the original and one copy of a report from the Supreme Commander for the Allied Powers pertaining to Japanese pelagic Antarctic whaling operations during the 1947-48 season.

The Supreme Commander has requested that in accordance with paragraphs 16 and 17 of the Agreement for the Regulation of Whaling signed at London, June 8, 1937, the enclosed information be transmitted to the International Bureau of Whaling Statistics, Sandefjord. The Embassy is requested accordingly to forward the enclosed reports to the International Bureau.

Enclosure:

Original and one copy of report on Japanese pelagic Antarctic whaling operations - 1947-48.

W
JUL 16 1948 P.M.

A true copy of the signed original

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THE FOREIGN SERVICE OF THE UNITED STATES OF AMERICA

UNITED STATES POLITICAL ADVISER FOR JAPAN

ACTION is assigned to

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DEPARTMENT OF STATE

Tokyo, July 21, 1948

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1948 JUL 27 3 11

DCM BRANCH FACILITIES

Subject: Plan for 1948-1949 Japanese Antarctic Whaling Expedition.

The Acting Political Adviser has the honor to refer to previous correspondence concerning authorization of the Japanese Antarctic Whaling Expedition for the 1948-1949 season and to enclose a copy of a plan prepared by the Japanese Government for this expedition. This plan, which has been approved by this Headquarters, will be issued shortly as SCAPIN 1913A.

The plan for the 1948-1949 expedition is substantially the same as that for the 1947-1948 expedition. Four additional vessels, two catcher boats and two carrier boats, have been authorized. SCAPIN 1913 authorized Japanese operations in those areas permitted by the International Whaling Convention; the Japanese plan, however, contemplates operations only in those areas south of fifty-five degrees south latitude. In this way Japanese operations will not be permitted near Australia or New Zealand.

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DIVISION OF OCCUPIED AREAS, ECONOMIC AFFAIRS
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DEPARTMENT OF STATE

Enclosure:

Plan for Japanese Whaling Expedition

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DEPARTMENT OF STATE
AUG 3 1948

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FILE 7-2148

COPY

TO : GENERAL HEADQUARTERS OF THE SUPREME
COMMANDER FOR THE ALLIED POWERS

FROM : Ministry of Agriculture and Forestry

SUBJECT: Plan for Japanese Whaling Operation in the
Antarctic in the 1948-1949 Season

M.A.F.No. 71-'48

9 July, 1948

1. Reference: SCAP. Memorandum AG 800.217 (21 June '48)
NR/FI (SCAPIN 1913), subject, "Japanese Whaling Operation
in the Antarctic in the 1948-1949 season".
2. In accordance with paragraph 3 of reference Memorandum,
the Japanese Government submits herewith for your
approval the plan for whaling operations in the Antarctic
in the 1948-1949 season as set forth in Enclosures.

FOR THE MINISTER:

signed

Mamoru Hirakawa
Director of General Affairs .
Bureau, Ministry of Agriculture
and Forestry

COPY

Enclosure

THE ANTARCTIC WHALING PLAN FOR THE 1948-1949 SEASON

1. The Japanese Antarctic Whaling Expedition for the 1948-1949 season will consist of two fleets composed as follows:

a. First Fleet (Nippon Suisan K.K.)

Kind of vessel	Name of vessel	Gross tonnage	Engine	Horse power
Factory ship	Hashidate Maru	10,841	Turbine	8,600
Saltery & refrigeration ship	Tadotsu Maru	10,175	"	8,600
"	Settsu Maru	9,670	Diesel	3,600
Frozen meat carrier	Sagami Maru	998	"	800
"	Chikuzen Maru	1,161	"	800
Oil tanker	Gyokuei Maru	10,245	"	4,000
Catcher boat	Koyo Maru	364	"	1,800
"	Koyo Maru No.2	366	"	1,800
"	Koyo Maru No.3	366	"	1,800
"	Koyo Maru No.5	366	"	1,800
"	Shonan Maru No.8	355	Recipre	1,000
"	Kyo Maru No. 3	370	Diesel	1,800
"	Kyo Maru No. 6	374	"	1,800

Total 13 vessels

Note: Kyo Maru No. 3 and Kyo Maru No. 6 will be chartered from Kyokuyo Hogeï K.K.

b. Second Fleet (Taiyo Gyogyo K.K.)

Kind of vessel	Name of vessel	Gross tonnage	Engine	HorsePower
Factory ship	Nisshin Maru No.1	11,781	Turbine	5,000
Saltery ship	Tenyo Maru	10,269	"	5,000
Saltery & refrigeration ship	Tenyo Maru No.2	10,595	Diesel	5,400
Refrigeration ship	Banshu Maru	983	Semi-diesel	600
"	Tenyo Maru No.3 ca.	3,500	Diesel	2,400
Frozen meat carrier	Banshu Maru No. 35	999	"	800
"	Banshu Maru No. 36	992	"	950
"	Banshu Maru No. 38	998	"	950
Oil tanker	San Diego Maru	7,268	"	2,400
Catcher boat	Fumi Maru No. 3	312	"	1,600
"	Fumi Maru No. 5	384	"	1,600
"	Fumi Maru No. 6	304	"	1,600
"	Seki Maru	365	"	1,600
"	Seki Maru No. 3	300	Recipre	1,400
"	Seki Maru No. 7	306	Diesel	1,600
"	Seki Maru No. 8	300	"	1,600

Total 16 vessels

2. The Japanese Whaling Fleets will conduct whaling operations in that part of Antarctic Whaling Area authorized by International Whaling Conventions that lies south of fifty-five degree south latitude.

3. General manager of each fleet.

First fleet: Mr. Hiroshi Kurebayashi
Second fleet: Mr. Shigeo Takeda

4. Schedule of operation.

	First fleet	Second fleet
Departure from home port	6 Nov. 1948, Yokohama	5 Nov. 1948, Yokosuka
Arrival at whaling ground	5 Dec. 1948	5 Dec. 1948
Commencement of operation	8 Dec. 1948	8 Dec. 1948
Number of days at ground	100 days	100 days
Departure from ground	16 Mar. 1949	16 Mar. 1949
Arrival at home port	14 Apr. 1949	15 Apr. 1949

B. Carrier

Name of vessel	Departure from home port	Arrival at ground	Departure from ground	Arrival at home port
First fleet				
Tadotsu Maru	6 Nov. '48 (Osaka)	5 Dec. '48	16 Mar. '49	14 Apr. '49
Settsu Maru	22 Nov. '48 (Yokohama)	25 Dec. '48	6 Mar. '49	10 Apr. '49
Sagami Maru	15 Nov. '48 (")	20 Dec. '48	5 Jan. '49	9 Feb. '49
Chikuzen Maru	" (")	"	"	"
Gyokuei Maru	5 Dec. '48 (")	7 Jan. '49	22 Feb. '49	29 Mar. '49
Second fleet				
Tenyo Maru	5 Nov. '48 (Yokosuka)	5 Dec. '48	20 Feb. '49	22 Mar. '49
Tenyo Maru, 2	" (")	"	15 Mar. '49	9 Apr. '49
Banshu Maru	1 Nov. '48 (")	"	7 Mar. '49	11 Apr. '49
	(Shimonoseki)			
Tenyo Maru, 3	14 Dec. '48 (Kobe)	9 Jan. '49	10 Feb. '49	7 Mar. '49
Banshu Maru, 35	10 Nov. '48	15 Dec. '48	31 Dec. '48	6 Feb. '49
	(Shimonoseki)			
Banshu Maru, 36	" "	"	"	"
Banshu Maru, 38	" "	"	"	"
San Diego Maru	1 Dec. '48 (Yokosuka)	5 Jan. '49	10 Feb. '49	17 Mar. '49

Note: Schedule above listed may be changed according to the schedule of transportation of fuel oil from Bahrein.

5. Number of whales expected to be caught.

	<u>First fleet</u>	<u>Second fleet</u>	<u>Total</u>
Blue whale	400	450	850
Fin whale	400	400	800
Total	800	850	1,650
Blue Whale Unit	600	650	1,250

6. Amount of production (in metric tons)

	<u>First fleet</u>	<u>Second fleet</u>	<u>Total</u>
Whale oil	10,200	11,050	21,250
Frozen meat	8,810	8,050	16,860
" others	0	100	100
Salted meat	5,154	6,480	11,634
" <u>Une</u>	1,485	1,609	3,094
" <u>Sunoko</u>	792	858	1,650
" <u>Oba</u>	192	208	400
" others	340	64	404
Bone meal	100	150	250
Tampaku (protein)	0	50	50
Baleen plates	100	135	233
Crude liver oil	7	8	15
Total	27,180	28,762	55,942

7. Amount of major materials needed.

	<u>First fleet</u>	<u>Second fleet</u>	<u>Total</u>
Fuel oil (in Kiloliters)			
Navy special	21,664.3	18,493.5	40,157.8
Diesel	9,219.6	12,202.7	21,422.3
Total	30,883.9	30,696.2	61,580.1
Salt (in metric tons)	4,853	5,665	10,518

8. Plan of charter of vessels from Kyokuyo Hogeï K.K.

The vessels Kyo Maru No. 3 and Kyo Maru No. 6 will be chartered from Kyokuyo Hogeï K.K. by Nippon Suisan K.K. The matter of selection of crews of above vessels will be the responsibility of Nippon Suisan K.K. The charterage of above vessels shall not exceed sixty million yen (¥60,000,000) in total and contract between the two companies shall be signed before the departure date.

CARGO PLAN OF EACH VESSEL

Name of vessel	Cargo plan (quantity: in metric tons)			
<u>First fleet</u>				
Hashidate Maru	whale oil	5,500	salted meat, etc.	800
	others	17	total	4,317
Tadotsu Maru	frozen meat	2,925	salted meat, etc.	3,483
			total	6,408
Settsu Maru	frozen meat	4,485	Salted meat, etc.	577
	others	20	total	5,082
Sagami Maru	frozen meat	700		
Chikuzen Maru	frozen meat	700		
Gyokuei Maru	whale oil	6,700	salted meat, etc.	3,103
	others	170	total	9,973
<u>Second fleet</u>				
Nisshin Maru No. 1	whale oil	3,050	salted meat, etc.	669
	others	343	total	4,062
Tenyo Maru	salted meat, etc.		6,000	
Tenyo Maru No. 2	frozen meat	3,800	salted meat, etc.	2,000
			total	5,800
Banshu Maru	frozen meat	500		
Banshu Maru No. 35	frozen meat	700		
Banshu Maru No. 36	frozen meat	700		
Banshu Maru No. 28	frozen meat	700		
Tenyo Maru No. 3	frozen meat	1,750	salted meat, etc.	550
			total	2,300
San Diego Maru	whale oil	8,000		



THE FOREIGN SERVICE
OF THE
UNITED STATES OF AMERICA

ACTION
is assigned to



United States Political Adviser
for Japan

Tokyo, July 27, 1948

No. 471

RESTRICTED

SUBJECT: Chinese Representations in Regard to Japanese Fishing
Operations.

RECEIVED
DEPARTMENT OF STATE

1948 AUG 4 AM 9 12

COMMUNICATIONS BRANCH

DIVISION OF
NORTHEAST ASIAN AFFAIRS

AUG 20 1948

DEPARTMENT OF STATE

The Honorable
The Secretary of State,
Washington.

Sir:

I have the honor to refer to the Department's airgram no. 95, June 30, 1948, this Mission's airgram no. 145, July 10, 1948 and to this Mission's despatch no. 429, July 9, 1948 concerning Japanese fishing operations, and to enclose a copy of a memorandum of conversation, dated July 22, 1948, held at the request of the Chief of the Chinese Mission in Japan between representatives of the Chinese Mission, officers of this Mission, and an official from the Natural Resources Section of this Headquarters. The Chinese representatives were interested primarily in determining what action was planned by Headquarters to reduce unauthorized Japanese fishing activity.

Also enclosed are five copies each of a press report from the NIPPON TIMES dated July 18, 1948, describing an interview with Mr. W. C. Herrington of the National Resources Section, and of an editorial from the NIPPON TIMES dated July 20, 1948 in regard to this interview.

After the conference described in enclosure one had ended, Mr. Herrington, who represented the Natural Resources Section, told an officer of this Mission informally that five Japanese vessels are already being used by the Bureau of Fisheries of the Japanese Government to patrol within the authorized area; this action is with the knowledge of but without the express authorization of Headquarters. In consequence this Mission, as the Diplomatic Section of this Headquarters, has taken up the matter officially with the Natural Resources Section in order to discourage continuance of this patrol. Mr. Herrington also stated that he had used very strong language in a recent meeting of the Japanese Trawlers Association at Shimonoseki in order to impress upon the Japanese the necessity for obeying SCAP orders and of creating good will toward the fishing industry. He informed the Association that no further extensions of the present area would be permitted until violations had come to an end and that the present area would be reduced if the fishermen

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CSW

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continued

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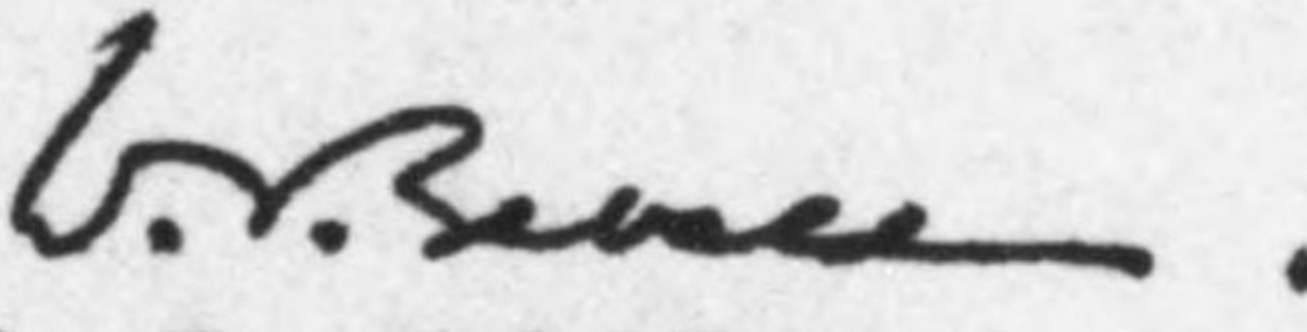
Tokyo's No. 471
July 27, 1948.

-2-

continued to operate beyond it. Mr. Herrington said that the present trawling area is already being over-exploited and that the fishing industry in Kyushu faces a crisis if its operations cannot be expanded. He further stated that the Japanese plan for a fishery patrol, outlined in this Mission's airgram no. 145, July 10, 1948, will probably be transmitted to this Headquarters for approval before the end of the month. The Natural Resources Section expects to request authorization by this Headquarters to establish some form of direct Occupation surveillance, whether by naval units or by aircraft, to control Japanese patrol craft, although United States naval authorities in Tokyo have indicated their opposition to the use of American naval units as a fisheries patrol. Mr. Herrington reiterated his conviction that a patrol, in order to be effective, must be permitted to operate beyond the authorized area.

In accordance with the instruction contained in the Department's airgram no. 95, June 30, 1948, this Mission will continue its efforts to discourage approval by this Headquarters of any plan for patrol either inside or outside the authorized fishing area.

Respectfully yours,


W. J. Sebald

Enclosures: *att. Sebald*

1. Memorandum of conversation,
July 22, 1948.
2. Press Report from NIPPON TIMES,
July 18, 1948.
3. Editorial from NIPPON TIMES,
July 20, 1948.

Original and original to Department

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2. B. B.

Enclosure 1 to Despatch No. 471 dated July 27, 1948, from the Office of the United States Political Adviser for Japan, Tokyo, entitled "Chinese Representations in Regard to Japanese Fishing Operations".

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(COPY)

Memorandum of Conversation, July 22, 1948.

PARTICIPANTS: Dr. W. T. WU, Chief of Political Section of the Chinese Mission in Japan
Dr. T. C. HSU, Chinese Mission
Mr. Y. T. CHEN, Chinese Mission
Mr. W. C. HERRINGTON, Chief of Fisheries Division, Natural Resources Section, GHQ, SCAP
Mr. C. Nelson SPINKS
Mr. R. B. FINN
Mr. Allen HADEN

Dr. Wu stated that he had read Mr. Herrington's interview with the United Press regarding violations by Japanese fishing craft and thought it very helpful as a means of educating the Japanese to their obligations. He said that his government had repeatedly requested the Chinese Mission to protest to Headquarters in regard to violations of the authorized fishing area by Japanese vessels, but that the Mission had often been unable to do so because of insufficient evidence to support its protests.

Mr. Herrington described the procedure followed by Japanese courts in prosecuting alleged violators of SCAP directives and requested Dr. Wu to indicate what the Chinese Government's attitude would be toward a Japanese patrol outside the authorized area in order to reduce violations. Dr. Wu expressed the opinion that his government would oppose such a patrol unless it were operated by SCAP or under the very close supervision of SCAP, preferably with SCAP observers or Occupation naval units directing the patrol. He stated that any patrol resembling that maintained by the Maritime Safety Board of the Japanese Government would meet with the violent opposition of the Chinese Government.

Mr. Herrington emphasized that any patrol plan would be closely examined by SCAP and that its operation would be carefully controlled by means of daily radio reports and periodic checking by Occupation authorities.

Mr. Herrington, in answer to a question concerning Japanese plans for control of fishing operations, stated that the Japanese plan would probably include registration of all Japanese vessels, daily radio reports by these vessels to the Bureau of Fisheries in Tokyo, and a patrol of at least several vessels under the jurisdiction of the Bureau of Fisheries. He noted that the Bureau of Fisheries is under the Ministry of Agriculture and Forestry and has no connection

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Encl. 1 to Despatch 471,
Tokyo, dated July 27, 1948.

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- 2 -

with the Maritime Safety Board, which is under the Ministry of Transportation.

Dr. Wu asked whether the details of the Japanese plan might not be informally communicated to the Chinese Mission before they were approved by SCAP; Mr. Herrington expressed the informal opinion that this could be done, although final decision on the plan would be up to SCAP.

Dr. Wu stated his personal opinion that a patrol by Japanese vessels might be acceptable to the Chinese Government if adequate assurances were given that SCAP would maintain close surveillance over this patrol, that violations by Japanese fishing vessels would be eliminated, and that Japanese maritime jurisdiction was not thereby increased.

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Enclosure 2 to Despatch No. 471 dated July 27, 1948, from the Office of the United States Political Adviser for Japan, Tokyo, entitled "Chinese Representations in Regard to Japanese Fishing Operations".

NIPPON TIMES: July 18, 1948

RRF

JAPANESE VIOLATE DEEP SEA FISHING, SCAP EXPERT SAYS

Government Instructed to
Insure More Adequate
Enforcement

By RUTHERFORD POATS
United Press Staff
Correspondent

SCAP's fisheries chief yesterday confirmed reports that Japanese deep-sea fishermen have committed frequent and serious violations of the fishing ground limits set by General MacArthur.

He said the Japanese Government has been instructed to prepare a program which will insure "more adequate enforcement" of Allied directives on Japan's postwar fishing territory.

A number of Japanese fishing vessels have been sighted by Chinese, Australians, Filipinos and other Allied nationals far outside this territory, which extends roughly south to a line parallel with Formosa, north to a line cutting just north of Hokkaido, east to a line 1,400 miles out in the Pacific, and west just beyond the center of the Japan, Yellow and East China seas.

W. C. Herrington, Chief of the Fisheries Division, Natural Resources Section, GHQ, told the United Press that the "situation in regard to violations had been getting worse for the last six months . . . and had been brought to the attention of the fishing industry."

Says Orders Violated

At a closed meeting of the Japanese Trawlers' Association at Shimonoseki, Mr. Herrington charged the industry with violating SCAP orders. He said association officials replied that their excursions outside the "MacArthur line" had been accidental, caused by engine failure, failure of instruments, or storms.

"There were unofficial admissions, however," Mr. Herrington said, "that some trawlers had deliberately gone outside the area" to get profitable catches.

Mr. Herrington said he notified the association that:

1. "The financial status of the company and the fishermen did not justify failure to observe orders of the Supreme Commander.

2. "Ignorance of the boundary line was no excuse.

3. "In some cases they were too far outside the area to be accounted for by storms."

The fishermen then asked why the limits could not be extended, claiming that the present restrictions on the industry were threatening the failure of many companies.

Explains Situation

The SCAP official said he reminded them that 85 per cent of Japan's prewar home island fish production came from the present authorized fishing grounds, and that the U.S. Government is supplying much of the oil required for the fishing fleet's operation, that 50 per cent of the net, twine and similar equipment used by the trawlers has been supplied through dollar purchases abroad, that authorization had been granted to rebuild a major part of the fishing fleet used in home island (not colonial) fishing, and finally, that three Antarctic whaling expeditions had been authorized, despite some objections by other Allied powers.

"Through this aid they have been able to restore production from the home islands area nearly to prewar levels," Mr. Herrington said. "The fishing industry probably is in better shape than almost any other."

Enclosure 3 to Despatch No. 471 dated July 27, 1948, from the Office of the United States Political Adviser for Japan, Tokyo, entitled "Chinese Representations in Regard to Japanese Fishing Operations".

NIPPON TIMES: July 20, 1948

REF

A Matter of Good Faith

The chief of SCAP's Fisheries Division a few days ago confirmed reports that Japanese deep-sea fishermen have frequently been guilty of venturing beyond the fishing ground limits set by the Occupation authorities.

Whatever excuses the representatives of the Japanese fishing interests may present—as for instance that these violations have been unintentional or that the authorized fishing grounds are too small to enable the Japanese fishermen to remain solvent—it should be realized that these excuses cannot be accepted. It should be emphatically realized that in Japan's own interests all violations of the official regulations must be strictly stopped.

Having relatively little direct contact with the outside world, some Japanese are apt to forget that a considerable portion of the world still remains deeply skeptical of the sincerity and permanence of Japan's conversion to peaceful, lawful, and democratic international conduct. Japan's unsavory record of the past is of too flagrant and too recent memory to permit the dissolving of all suspicion of Japan's good faith. Japan is still very much under probation.

Under these conditions, however unintentional the violations, the slightest such violations of SCAP regulations

can have no other effect than to furnish ammunition to those who would keep Japan under long restrictive limitations. Those who know the Japanese best know that the vast majority of the Japanese people can be trusted. But the illegal conduct of a few, whether intentional or not, will only invite suspicion and have the effect of retarding Japan's acceptance as an equal in the family of nations.

It may be that the Japanese fishing interests have good reasons for believing that the present fishing grounds should be extended. If so, they should present their case openly to the proper quarters. But as long as the present regulations exist, these regulations should be most scrupulously observed.

It is not a mere matter of profits or temporary expediency. The good name and future standing of the entire nation is at stake. The conscientious majority must insist that the unscrupulous or careless minority be forced to desist from conduct which compromises Japan's fidelity to her commitments.

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : 0 - Mr. Lewis

DATE: August 10, 1948

FROM : U - W. M. Chapman

SUBJECT: Request for declassification of "Conclusions", pages 23-24, paragraph 4 thru 7 of SANACC 99/4 15 April 1948.

In view of the importance of SANACC 99/4 United States policy for Japanese fishing and other aquatic industries, and the vulnerability of the State Department to attacks by the United States fishing industry and the Congress in connection with the proposed policy, it is considered essential that this office have an opportunity of consulting confidentially with leaders of the fishing industry prior to final formulation of State Department views on this paper.

It is, therefore, requested that you arrange for the declassification of the above portion of the paper from Secret to Restricted in order to permit these consultations.

There would appear to be no reason why the conclusions (paragraphs 4 thru 7) should not be so declassified since the general position set forth in the conclusions has been made known in discussions with other representatives on the Far Eastern Commission. The proposed Restricted classification and reliability of the industry leaders who will be consulted will assure all needed security of the "Conclusions"

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Aug 12
Chapman withdraw
his suggestions in view
of OE & DA comments.
He will hold a meeting.
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International Resources Division

NA

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OE

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STANDARD FORM NO. 64

Canoll

Office Memorandum • UNITED STATES GOVERNMENT

TO : O - Mr. Lewis

DATE: August 11, 1948

FROM : OE - Mr. Whitman *RHW*

894.629

SUBJECT: Declassification of "Conclusions" of SANACC 99/4.

OE has been asked to concur in a request made upon O to obtain declassification of the Conclusions of SANACC 99/4. OE prefers not to concur in the proposal for the following reasons:

1. The Department on numerous occasions has been asked to permit interested groups to participate in policy formulation with respect to occupied area matters. Often the groups involved would be affected by the policies formulated. Cases in point, for example, are textile producers, textile machinery producers, toy manufacturers. Both the Department of State and the Department of the Army have consistently felt required not to accede to such requests. Consultation of the kind here recommended for one industry group, if not extended to other industry groups, would constitute discrimination in the formulation of policy; if all groups were consulted on such matters the Department would face an impossible administrative and policy task.

2. The function of the Department in the formulation of policy is to consider the interests of all who would be affected by a policy. The policy here involved affects more than the U.S. fishing industry (it affects all U.S. taxpayers) and therefore more than the industry should be consulted if consultations are to be held. The Department should not jeopardize its position by selection of only the "industry" as those with whom to consult.

3. The proposal is questionable in terms of the security classification proposed. The policy involved appears to fit the criteria for the "Confidential" classification. On p. 7 of the Security Handbook it is stated that the classification "Confidential" should be given to "material relating to inter-departmental consultations on questions of policy, the premature disclosure of which might precipitate undesirable public controversy." The memorandum from Mr. Chapman to Mr. Lewis recognizes the importance of SANACC 99/4 in these quoted terms.

4. The view with respect to justification for the proposal because the FEC has been consulted is debatable inasmuch as formal proposals and a final U.S. Government position have not been made known to the FEC. In any case, the Government in its negotiations with other countries very often takes positions which are not generally known in the U.S., pending final agreement.

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It is of course recognized that the U.S. industry has a major interest, and the Department should defend that interest in so far as the general interests of the country are not jeopardized. Informal consultation is therefore appropriate in order that full account be taken of these interests. Such consultation, however, should take the form of an outline of the problem and possible alternative policies, but should not extend to the point where the industry passes judgment on the specific policy involved.

OE: DO Bowman: bcb
8/11/48

cc: U - Chapman
IR - Flory
NA - Allison

*occupied area Economic
affairs Division*

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STANDARD FORM NO. 64

Office Memorandum · UNITED STATES GOVERNMENT

DATE: 8/13/48

TO : Mr. Saltzman
FROM : A. L. Keyes *AK*
SUBJECT: Japanese Fishing.

The paper which defines the area approved for Japanese fishing (SANACC 99/4) is being circulated through the Department for approval and it is hoped will be approved at the SANACC meeting two weeks hence. The U.S. could then take a position at FEC in Sept.

Approval of this paper, however, requires prior approval of a paper (SANACC 392/1) defining fishing rights in U.S. mandated territories in the Pacific, because the Japanese paper proposes to authorize Japanese fishing in part of the mandated areas.

Mr. Chapman of "U" (ext. 4174) has proposed an amendment to the mandated areas paper which is probably unacceptable within the Department and may propose to decrease the area of authorized Japanese fishing in the second paper. I told him yesterday that although the mandated area ^{is} is of no concern substantively to "O" we are anxious to put the Japanese fishing paper before FEC in Sept. He said he would try not to hold up action.

I suggest that you telephone Mr. Chapman before you leave telling him that you would appreciate anything he can do to expedite action on the mandated areas paper and also on the Japanese fishing paper since you are responsible for getting prompt action in the FEC on the latter paper.

O:ALKeyes:mds
cc:Mr. Claxton

2451

FEC 804.628/8-1148

STANDARD FORM NO. 64

Office Memorandum · UNITED STATES GOVERNMENT

DATE: 8/13/48

TO : Mr. Saltsman
FROM : A. L. Keyes
SUBJECT: Japanese Fishing.

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O:ALKeyes:nds
cc:Mr. Claxton

2451

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : O - Mr. Lewis

DATE: August 11, 1948

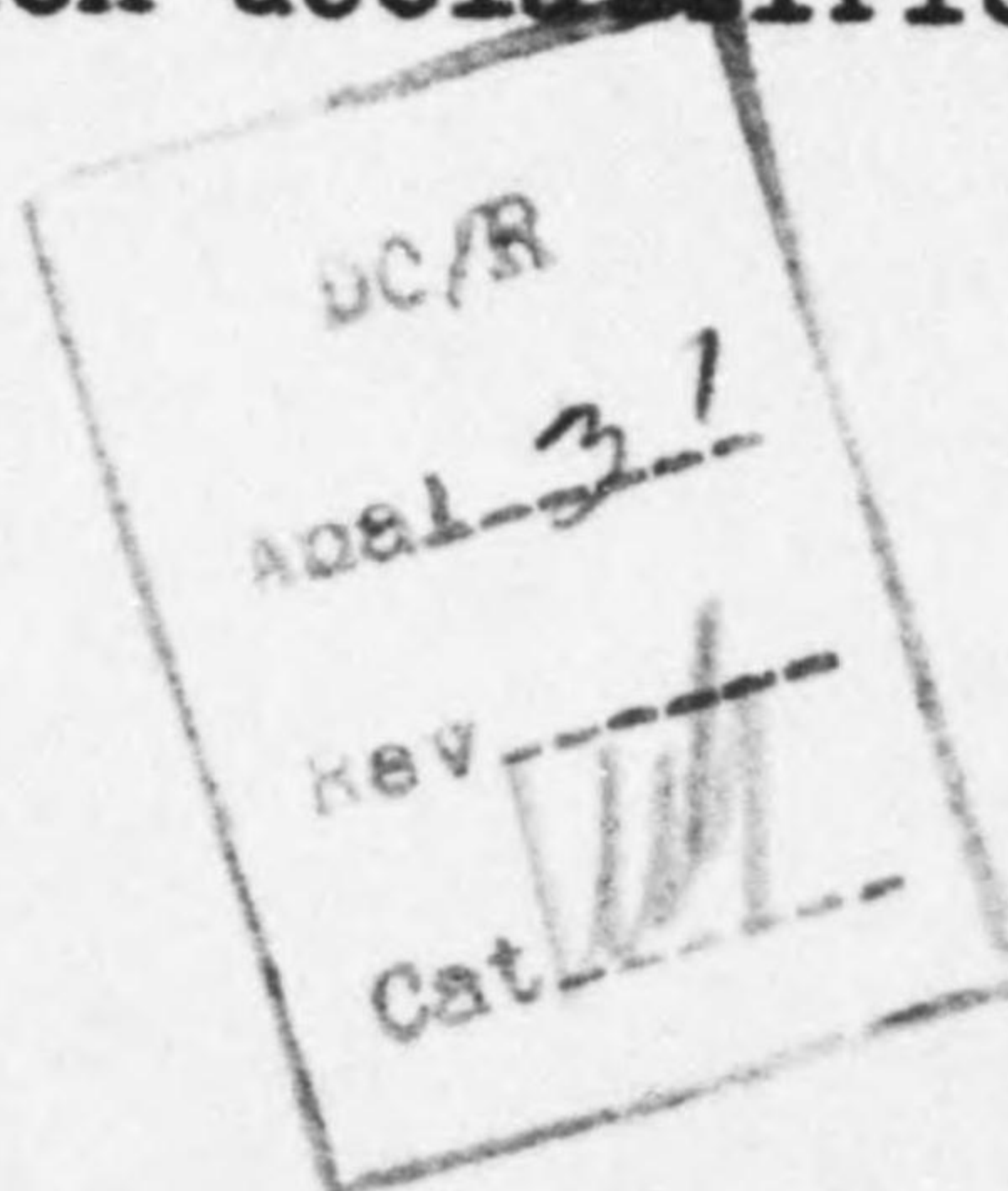
FROM : NA - Mr. Allison *JMA*

SUBJECT: Request for Declassification of "Conclusions", pages 23-24, paragraph 4 thru 7 of SANACC 99/4 15 April 1948.

I have not initialled the attached memorandum of Mr. Chapman requesting declassification of the "Conclusions" of SANACC 99/4. I do not believe declassification of this paper is necessary in order to permit consultation with the leaders of the fishing industry prior to final formulation of the State Department views. The Conclusions of SANACC 99/4, particularly that in paragraph 4, are entirely in line with overall U.S. commercial policy and specifically in accordance with our general policy that we will not take advantage of a defeated enemy to gain economic benefits for any U.S. industry. Paragraph 4 of the Conclusions is also in line with paragraph 11 of the Potsdam Declaration which provides that Japan shall have "access to, as distinguished from control of raw materials". In similar situations affecting other American industries, such as textiles, it has not been considered necessary to make confidential papers accessible to members of the industry concerned. I see no reason why Mr. Chapman cannot carry on consultations with the fishing industry in which the views of that industry can be elicited on problems raised without the necessity of giving precise information as to the terms of proposed U.S. policy. For example, it would seem to me to be perfectly in order for Mr. Chapman to request the views of the fishing industry as to possible extension at this time of Japanese fishing areas or the fishing industry's views as to permitting Japanese access eventually to all high seas areas. This can be done without any statement on Mr. Chapman's part that it is presently contemplated that this will be the recommended U.S. policy.

From a detailed administrative point of view, I am not certain whether it is possible in the time allowed to have the Conclusions to this paper declassified even if it was advisable to do so, as it may be that it would be necessary to obtain the agreement of the Army, Navy and Air Force to such declassification.

NA:JMallison:lt



FW 894.628/8-1048

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This Document Shall Be Returned to

ASSISTANT SECRETARY
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~~FE~~

Ref: 58/26/48

1948 OCT 14 PM 4 30 DIVISION OF
NORTHEAST ASIAN AFFAIRS

AUG 30 1948

AIDE MEMOIRE
DEPARTMENT OF STATE

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DC/R

With reference to the Department of State's
Aide-Memoire of 5th December, 1947, concerning the Inspector's
expenses on the 1947-48 SCAP-administered whaling expedition,
His Majesty's Government in the United Kingdom wish to enquire
whether a United Kingdom inspector would be acceptable on the
forthcoming 1948-49 expedition, and, if so, whether the
arrangement which existed last year for the payment of his
expenses would still apply on this occasion.

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DEPARTMENT OF STATE

1948 AUG 26 PM 12

RECORDS BRANCH

BRITISH EMBASSY,
WASHINGTON, D.C.

J.F.

25th August, 1948.

OFFICE OF
INTERNATIONAL TRADE POLICY
OCT 11 1948
DEPARTMENT OF STATE

cc/BC

8/26/48

PUBLIC AFFAIRS OVERSEAS PROGRAM STAFF
British Commonwealth Section (Europe)
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DEPARTMENT OF STATE

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INTERNATIONAL RESOURCES DIVISION
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OCT 11 1948
DEPARTMENT OF STATE

894.628/8-2548

AIDE-MÉMOIRE

The Department of State ^{refers to} ~~acknowledges receipt~~
of the British Embassy's aide-mémoire of August 25,
1948, inquiring whether a United Kingdom inspector
would be acceptable on the forthcoming 1948-49
SCAP-administered Antarctic whaling expedition, and,
if so, whether the arrangement which existed last
year for the payment of his expenses would still
apply on this occasion.

The Embassy's inquiries were forwarded to the
Supreme Commander, who advises that a representative
of the United Kingdom is welcome to accompany the
1948-49 expedition in the capacity of observer, but
that the logistical support and salary expenses of
the observer must, as on the past two expeditions,
be met by the United Kingdom.

894.628/8-2548

OCT 6 1948
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Adm. *BM*

Sec. *MK*

Dist. *ES*

Department of State.

JM RAT Washington, October 7, 1948
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BCJR

DEPARTMENT OF STATE

Memorandum of Conversation

DATE: August 26, 1948

SUBJECT: FEC Problems, Division of Shares, Rate of Exchange for the Yen, Japanese Fishing Area.

PARTICIPANTS: Mr. Bullock, Australian Embassy
and
Mr. Whitman, ED.

COPIES TO: OFD - Mr. Barnett
FE
NA
EP - Mr. Smith

894.628/8-2648

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Mr. Bullock called, at his request, to discuss some of the current FEC issues. His Government had instructed him to explore informally with the United States Government further possibilities for settling the division-of-shares problem. The Australians still support the original U.S. proposal. However, if agreement cannot be reached on this line, they would like to have us consider an alternative plan. Under this plan, the division of shares, level of industry, external assets, et cetera, would be tied together in a single package. A new approach to the division of shares would be made: 3 percent to be given to each country on the FEC, and the balance divided on the basis of need for rehabilitation of the tested areas. The Australian Government thought this might make it possible for the USSR to agree. Mr. Bullock will discuss these problems in more detail with Mr. Barnett upon Mr. Barnett's return to the Department.

Mr. Bullock inquired about the establishment of rate of exchange for the yen and was told that the matter was still under consideration by the United States Government. Mr. Bullock said that his instructions still call for the establishment of a yen exchange rate by the FEC but that he certainly hoped this

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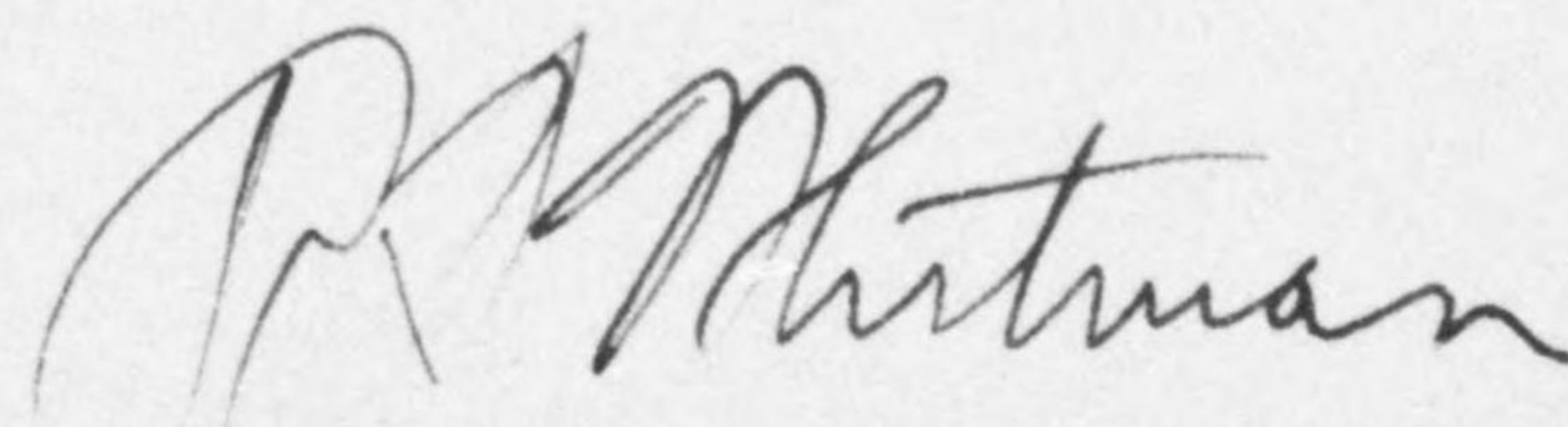
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could be avoided. He did not feel that the FEC could contribute to this question. His Government, however, would certainly wish to be consulted before the final exchange rate was established. It was suggested to Mr. Bullock that it would be best if his Government presented its views to the United States at once so that these views could be taken into consideration.

Mr. Bullock inquired as to whether the United States Government would be in a position to press for a decision on the Japanese fishing area to include the mandated islands. He stated that his Government opposed strongly the extension of the Japanese fishing area to include the mandated islands. This was a point of some importance to Dr. Evatt.



ED:RWhitman:mhe



THE FOREIGN SERVICE
OF THE
UNITED STATES OF AMERICA

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No. 567

Office of the U.S. Political Adviser
for Japan

Tokyo, August 30, 1948.

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OFFICE OF INTERNATIONAL TRADE
POLICIES

INTERNATIONAL RESOURCES DIVISION
SEP 15 1948
DEPARTMENT OF STATE

1948 SEP 14
1948 SEP 10 PM 2 30

Subject: Analysis of Japanese Fishing Industry--Japanese Government Monograph, and Natural Resources Section Comments.

The Honorable
The Secretary of State,
Washington.

Sir:

- 1/ I have the honor to enclose five copies of a monograph prepared by the Foreign Office of the Japanese Government entitled Fishery Problems and five copies of a communication dated August 26, 1948 from the Natural Resources Section of this Headquarters commenting on the monograph.
- 2/

The monograph concludes that, in order to maintain the 1930-1934 standard of protein derived from fishery products, about 5,540,000 metric tons would have to be caught in 1950, assuming 60% utilization of these products for food and a population of 78,600,000 people; it is predicted that there will be a deficiency in the 1950 catch of about 1,000,000 metric tons.

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Natural Resources Section, whose comments are generally critical of the Japanese monograph, indicates that the 1930-1934 standard could be maintained by 90% utilization for food of a catch of 3,600,000 metric tons, which is stated to be a practical goal for 1950, assuming a population of 78,000,000 people.

Natural Resources Section officials have stated informally that they consider the Japanese monograph a tendentious composition written with a view to emphasizing Japan's need for an expansion of the presently authorized fishing areas. It would appear, however, that confusion in authorship of the enclosed memorandum as indicated in paragraph 12 of the Natural Resources Section comments as well as inadequate statistical analysis would serve to explain in large part the defects of the Japanese study.

The criticisms and estimates proposed by the Natural Resources Section seem to be soundly based, although the assumption of a population of about 78,000,000 people in Japan in 1950 appears too low and the

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Tokyo's 567
August 30, 1948.

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attainment of as much as 90% utilization of fishery products for food would be very difficult.

Respectfully yours,

W. J. Sebald
W. J. Sebald

Enclosures(2): *att* *attache*

1. Five copies monograph prepared by *1 with orig*
Foreign Office of the Japanese
Government entitled Fishery Problems.
2. Copy of Comments by Natural Resources
Section, GHQ, SCAP, dated August 26, 1948.

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Enclosure No. 2 to Despatch No. 567 dated August 30, 1948 from the Office of the United States Political Adviser for Japan, Tokyo, entitled "Analysis of Japanese Fishing Industry---Japanese Government Monograph, and Natural Resources Section Comments".

(COPY)

Comments by

Natural Resources Section

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

August 26, 1948.

NR's comments on the monograph "Fishery Problems" prepared by the Foreign Office, Japanese Government, are based on data collected from the Japanese Government, the fishing industry and other sources. Problems considered in the monograph are closely related to some of the principal problems dealt with by NR, consequently, much effort has been expended during the past two years on compilation, checking, and analysis of data in order to obtain the most reliable information possible.

Japanese statistics on the same subject obtained from different sources or at different times, practically always differ to a greater or lesser extent. This is taken into consideration in these comments. Only major differences in values for the same item are thought to be significant and are remarked on in the following paragraphs.

It is stated on page 2 of the monograph that the average catch for 1930-34, minus the catch of overseas territories, was 4,851,000 metric tons. The most reliable figures that we have for the Japanese catch, not including colonial and overseas, average 3,618,000 metric tons for the 1930-34 period. If the colonial catch is included, it averages 5,021,000 metric tons. Apparently, the colonial catch is included in the Japanese figure. This is misleading since practically all of the colonial catch was consumed in the colonies or exported from the colonies to nations other than Japan. On the same page, the 3,566,000 metric tons shown for the coastal and inland fisheries is about 639,000 metric tons higher than our figures. Their figure of 6,194,000 metric tons for 1933 (except for overseas territories) does not compare to our figure of 5,686,000 metric tons for the entire Japanese empire.

On page 6, figures are given in the monograph for catches during 1944-47 compared to the 1930-34 average. The catch given for 1945 is about equal to our figure for reported catch. This is considerably lower than the actual catch since it makes no allowance for an unknown but considerable percentage of fish handled through the black market. The 1947 figure also is too low according to the figures we have from various sources, on the percentage of fish in the black market. Consequently, the status they show for the postwar catch as compared to the 1930-34 catch, is misleading.

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Encl. No. 2 to
Tokyo's 567
August 30, 1948

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The figures shown on Page 7 and 8 for number and tonnage of the postwar fishing fleet as compared to the prewar fishing fleet are misleading. Data on the postwar fleet of powered boats of 5 tons and over, obtained from the complete registration of Japanese boats required by the recent "Fishing Boat Registration Law" show the present fleet of powered craft to be greater in number than the prewar fleet. Tonnage is less because of the reduction in large factory ships used in the Antarctic and overseas fisheries. If the figures are adjusted for such factory ships, which are not now needed, they show the present fleet to be greater than the prewar fleet in both numbers and tonnage. Steel boats have increased over 90% in number and 40% in tonnage. The total for all powered wood boats has increased 1% in number and 7% in tonnage.

The figures shown on page 10 for fishing materials are much too high. Heavy oil requirements are given as 560,000 kilolitres. In 1936, the year of peak catch, records show only 440,000 kilolitres used in both colonial and local fisheries, while 1939 and 1940 show 383,000 kilolitres and 301,000 kilolitres, respectively. The monograph gives 15,000 metric tons as the requirement for raw cotton. The best records available show the average cotton consumption 1932-36 as about 7,000 metric tons. We estimate 1948 requirements at about 14,000 metric tons because of the poor condition of the gear resulting from low replacements during the last several years. The monograph shows manila hemp requirements as 33,000 metric tons. The average prewar requirements during years of peak catch were about 16,500 metric tons. Our best figures show current requirements as about 23,000 metric tons, but once the deficit in gear is made up, this will drop back to about 16,000 metric tons annually. If there is some extension in fishing areas, which now appears possible, postwar requirements may equal but should not exceed prewar.

The Japanese report on page 14 shows an average of about 2,713,000 metric tons of fish used as food between 1930-34. Our best figures for the same period are 2,862,000 metric tons which is a good agreement. Our figures show that this is about 74% of the fish landed in Japan. The Japanese figures show fish used for food as a percentage of the total production of the Japanese empire. This reduces the percentage to 48% since a large part of the colonial production was used for fish oil and fertilizer for export. Their estimate for the production necessary to give the Japanese the same amount of fish for food as they received in 1930-34 is 5,542,000 metric tons. This assumes that 40% of production would be used for inedible fish meal and oil and for exports. Our figures show that from 1930-34 about 74% of fish landed in Japan was used for food in spite of the fact that large quantities of sardines and herring were made into non-edible meal and oil. With greater accent now than in 1930-34 on the use of fish for food, it should be possible to increase this percentage to 80 or 90 percent. With 80% used for food, the Japanese would receive the same amount of fish per person (assuming a population of about 78,000,000) as in 1930-34, from a production of 4,000,000 metric tons. With 90% utilization for food, the total catch requirement would be 3,560,000 metric tons. On this basis, Japanese food requirements would be met but little fish would be available for export.

The figures given on pages 18 and 19 of the monograph for expected catches by 1950 are unrealistic.

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a. The 500,000

Encl.No. 2 to
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August 30, 1948

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a. The 500,000 metric tons they show for Antarctic whaling are close to their prewar peak. Such a catch would require about 7,150 blue whale units which is about 45% of the quota for the entire world. This assumption is fantastic unless Japan resumes unrestricted whaling operations. The 100,000 metric tons of finished products is not impossible if the improved utilization of whales required of the Japanese by SCAP is continued. Based on the performance of the 1947-48 expedition, this quantity of finished products could be obtained from 2,200 blue whale units, which is 14% of the world quota. This is about double the average catch of the two post-surrender expeditions.

b. Figures given for their high-seas fisheries, northern seas fisheries, and trawling fisheries, assume that these waters will be completely, or almost completely, open to Japanese fishing operations. This assumption does not appear realistic under present world conditions.

c. The Japanese expect a total production of 4,380,000 metric tons by 1950. According to their figures, this would leave a deficit of 1,000,000 metric tons to provide the same per capita daily intake of protein as in 1930-34. Our figures, shown in paragraph 7, indicate it would be possible to attain an average protein intake comparable to 1930-34 with a catch of between 3,600,000 metric tons and 4,000,000 metric tons. A goal of 3,600,000 metric tons is a practical one for 1950, 4,000,000 metric tons is remotely possible. The goal of 5,540,000 metric tons they give is completely unrealistic.

The requirements for vessels, oil, cotton and manila hemp for 1950 shown on page 20, are as unrealistic as the expected production figures. The present Japanese fishing fleet is greater than is required by the present authorized area and, except possibly for tuna boats, is sufficient to exploit any additional areas which might be opened to Japanese fishing between now and 1950. This can be substantiated by our own figures and by numerous statements obtained from Japanese to the effect that crowded conditions resulting from too many boats in the present area are leading to financial failure of many operators. The only additional boats required between now and 1950 will be for replacement purposes and perhaps a small number for special purposes. Requirements for fuel oil, cotton yarn and manila hemp are also excessive according to any figures which we can obtain on past and current records.

On page 21, paragraph 2, it is stated "the fishing industry has advantage in that it does not involve the resources of other countries". If the Japanese believe this, then they are probably the only people who labor under such a delusion. Certainly no other Pacific nation is ready to concede that the aquatic resources of the Pacific are the property of the Japanese people. In paragraph 3, it is stated that the principal problems of the future are to "better the method of hauling fish and improve the percentage utilized for food". The first problem is hardly a major one for Japan today when over-exploitation already exists in many of her fisheries. The second problem stated is important, but the most important

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problem

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Tokyo's 567
August 30, 1948

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RESTRICTED

problem is not even mentioned. This is the development and application of methods for managing the coastal fish populations in order to maintain their productivity. Japanese neglect of this factor is one of the chief reasons their activities are so resented and feared by other fishing nations.

On the whole, the report exaggerates the magnitude of prewar production, under-estimates war-time and post-surrender production, exaggerates the requirements for fishing materials needed now and in the future, exaggerates the catch necessary to provide an animal protein supply to the Japanese people equal to that of 1930-34, and assumes that by 1950 the Japanese will be allowed to resume fishing operations on much the same basis as during the prewar period. These conclusions are achieved apparently by a conscious selection of slanted data to prove their case rather than by use of unbiased and representative figures. If this report is released for general distribution in Japan and to outside nations, it can do a very effective job of unduly alarming other nations over Japanese (and SCAP) objectives and develop greatly increased resistance to any moves for reasonable expansion of Japanese operations.

On 23 August 1948, a meeting was held with representatives of the Japanese fisheries Agency, and the Japanese Foreign Office, and members of the Natural Resources Fisheries Division. Discrepancies between the figures in the report of the Foreign Office and the figures from the data on file with Natural Resources Fisheries Division were discussed. Representatives of the Foreign Office stated that they were not aware of the differences between the available figures and stated that the document would be made subject to revision based in part on a re-check of the figures submitted by the Japanese Fisheries Agency. Representatives of the latter Agency assumed the responsibility for the figures which were submitted to the Foreign Office and included in the report. The Japanese Fisheries Agency will make a further check and furnish Natural Resources Fisheries Division with an explanation of the discrepancies. It was stated the document had been prepared about a year ago at which time the Japanese Government did not have reliable figures on some of the problems stated in the subject report.

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September 14, 1948

MEMORANDUM FOR THE EXECUTIVE SECRETARY, SANACC

The State Department approves SANACC 392/1 subject to the modification of paragraph 4 h of the Conclusions to read:

"Except as provided in paragraph 4a above, and subject to the requirements of security, and the obligation to promote the advancement of the inhabitants, the principle of non-discrimination on the basis of nationality shall be observed in the implementation of the foregoing principles and shall apply to all aspects of commercial fishing and ancillary operations and the regulation thereof in the Trust Territory."

This change is proposed in order that the administrative agency will have discretion in applying the principles of non-discrimination in instances where the requirements of security or the obligation to promote the advancement of the inhabitants would be endangered.

Inasmuch as the phrase "as required by the Trusteeship Agreement" is eliminated from the original wording of paragraph 4 h of the Conclusions of SANACC 392/1, this same phrase should be stricken from the third sentence of paragraph 2 b of the Discussion.

The State Department concurs in the proposal of the Department of the Interior that a press release be issued on approval of this paper. If agreeable with the other Members of SANACC, the State Department will issue such a release based upon the Conclusions of SANACC 392/1.

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A/MK

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Rev.			
Col.			
Dist.			

Charles E. Saltzman
State Member
SANACC

U/FW+WMChapman:bmd
9/10/48
SANACC:HWMoseley:hmh
9/14/48

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along 180th meridian to 24°30' north latitude; thence west along the parallel 24°30' north latitude to 123° east longitude; then to 32°30' north latitude, 125° east longitude; thence to 33° north latitude, 127°40' east longitude; then to 40° north latitude, 135° east longitude; to 45°30' north latitude, 140° east longitude; thence east to 45°30' north latitude, 145° east longitude rounding Soya Misaki at a distance of three (3) miles from shore; south along 145th meridian to a point three (3) miles off the coast of Hokkaido; thence along a line three (3) miles off the coast of Hokkaido rounding Shire Toko Saki and passing through Nemuro Kaikyo to the starting point midway between Nosappu Misaki and Kaigara Jima."

This change means that the Japanese will be permitted, as soon as SCAP wishes, to enter again the rich albacore tuna fishing grounds of the North Central Pacific, as SCAP requested. It should be possible for them to begin almost immediately, with vessels and equipment now available, harvesting albacore to an extent which will add at least the \$7,000,000 per annum of foreign exchange to the Japanese national income that SCAP suggested might be possible.

The change also means that, as a purely temporary measure, the Japanese will not be permitted for the present to fish south of 24°30' north latitude (the present southern boundary of their permitted fishing area). To have given this permission at this time would have brought adverse reactions in all three fields referred to by SCAP, 31 January 1948, in CX58322 SCAP:

"(3) International aspects, effect on U.S. fishing industry and area of responsibility of CINCPAC involved."

Charles E. Saltzman
State Member
SANACC

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MEMORANDUM FOR THE EXECUTIVE SECRETARY, SANACC

September 10, 1948

The State Department approves SANACC 99/4 subject to the following changes:

Paragraph 5 of the Conclusions to be replaced by the following (extracted from paragraph 4.d (1), (2), (3) of SWNCC 99/3):

out "4. Japanese fishing operations should conform strictly to:

"(1) The provisions of agreements relating to whaling to which the United States is a party;

"(2) The provisions of other agreements relating to conservation of marine resources to which the United States is a party;

"(3) The policies or rules governing specific fisheries announced by the United States, or by other governments in conformity with policies announced by the United States with respect to coastal fisheries." *out. Put a period here*

This change is proposed because there have been no alterations in the Japanese or United States positions on the conservation of marine resources since the adoption of SWNCC 99/3. Consequently it is desirable to continue into SANACC 99/4 the language of SWNCC 99/3 covering this position.

The last sentence of Paragraph 6 of the Conclusions to be changed to read as follows:

"Further, the United States representative to the FEC should press for immediate approval of an extension of the area in which the Japanese may fish so as to encompass approximately the following area, at the discretion of the Supreme Commander for Allied Powers, for Japanese fishing and pearl fishing operations:

"From a point midway between Nosappu Misaki and Kaigara Jima at approximately 43°23' north latitude,

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FW 894.628/9-1548

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145°51' east longitude; to 43° north latitude 146°30' east longitude; thence to 45° north latitude, 165° east longitude; thence east to 160° longitude; thence south along 180th meridian to 24°30' north latitude; thence west along the parallel 24°30' north latitude to 123° east longitude; thence to 32°30' north latitude, 125° east longitude; thence to 33° north latitude, 127°40' east longitude; thence to 40° north latitude, 135° east longitude; to 45°30' north latitude, 140° east longitude; thence east to 45°30' north latitude, 145° east longitude rounding Soya Misaki at a distance of three (3) miles from shore; south along 145th meridian to a point three (3) miles off the coast of Hokkaido; thence along a line three (3) miles off the coast of Hokkaido rounding Shire Toko Saki and passing through Nemuro Kaikyo to the starting point midway between Nosappu Misaki and Kaigara Jima."

This change is proposed because it will make the policy of SANACC 99/4 one which is in the general welfare of the United States and will be defensible both domestically and internationally.

The present wording of this section is not defensible either domestically or internationally. If adopted it would presumably save the United States \$2,250,000 per annum through decreasing the expenditure of United States funds for food supplies for Japan by that amount. It would also likely jeopardize the following United States policies, responsibilities, and interests:

a. Our policy regarding the management of fisheries lying in international waters (by subtracting our sole means of satisfactorily opposing the counter-views advanced by Mexico, and other countries).

b. All of our fisheries lying off the shores of Latin American countries, both present and future (through removing our means of satisfactorily opposing Mexico's objective of capturing these off her coast, which will lead to similar actions by other Latin-American countries).

c. A \$120,000,000 fleet of Naval auxiliary vessels, which the west coast tuna fleet represents, and which will be removed to non-United States registry if the conditions in b. obtain.

d. A valuable source of Naval intelligence in the Eastern Pacific, which is represented by the year round activities of our tuna industry in the western approaches to the Panama Canal from the Galapagos Islands to Southern California, and which will be lost if the conditions in b. obtain.

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e. The Navy's administration of native welfare in the Trust Territory of the Pacific, in two principal ways:

1. Direct conflict and intercourse between Japanese fishermen and the natives.
2. Inability to start a local fishing industry which would bolster the native economy.

f. The purpose of the Farrington Project, for which the 80th Congress appropriated \$1,000,000 for fiscal 1949, by making it impractical for the United States fishing industry to use what information is gained regarding the fisheries resources of the Central Pacific.

g. An industry based on the Trust Territory which has the potential of carrying a large share of the administrative cost of that territory, and eventually of producing several times \$2,250,000 per annum in tax revenues.

h. Our friendly position with other countries in the Far Eastern Commission, and possibly necessitate the use of the veto in FEC by the United States, by presenting a United States position which is opposed by a majority of the nations on the FEC.

Charles E. Saltzman
State Member
SANACC

W.M.C.

U/FW:WMChapman:bmd
9/10/48

*This memo has been
approved by Mr. Lovett
W.M.C.*

CFD
 UND ~~FE~~ NA CP ~~IFP~~ *CTW* *Just*
Conclusions cleared by
RB
Conclusions of Bureau
by phone w/ call on 7/23/48
by letter w/ call on 7/23/48
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DEPARTMENT OF THE ARMY
STAFF MESSAGE CENTER
INCOMING CLEAR MESSAGE

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DIVISION OF
NORTHEAST ASIAN AFFAIRS

~~SEP 20 1948~~
DEPARTMENT OF STATE

From: SCAP Tokyo Japan
To: Dept of Army for CSCAD ECON
Nr: Z-24041

-24 September 1948

Reurad WCL 26486, date time group 181738Z. States Aide-Memoire of 5 December 47 not available in this Headquarters and contents unknown here. However representative of the United Kingdom is welcome to accompany the 1948-49 Japanese Antarctic whaling expedition in capacity of observer. As in past two expeditions, the logistical support and salary expenses of their observer will be met by the United Kingdom.

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ACTION: CAD
INFO : CAD (STATE), OUS, PO

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MC IN 59108 (24 Sep 48)

DTG 240447Z

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DOR - ITP Unit	
Anal.	<i>Bm Bryan</i>
Rev.	<i>[Signature]</i>
Cat.	<i>[Signature]</i>
Dist.	

UNCLASSIFIED

STANDARD FORM NO. 64

Office Memorandum · UNITED STATES GOVERNMENT

DATE: 9/27/48

TO : NA - Mr. Robert A. Fearey
FROM : O - G. W. Lewis *gwl*
SUBJECT :

Enclosed ~~there~~ are a couple of copies of the reply from SCAP to our query concerning ~~antarktic~~ arrangements for a UK observer on the Japanese antarctic whaling expedition.

894,628
I cannot locate in our files any copy of the State Department aide memoire of December 5, 1947 to which the British allude in their aide memoire of August 25 and which is mentioned in SCAP's incoming cable. I do, however, find a copy of an aide memoire from the British dated October 13, 1947 on this subject and I suspect that our aide memoire of December 5 is a reply to that.

894.628/9-2748

Enclosure.

DC/R
Ansl <i>60</i>
Rev. _____
Cat <i>CB</i>

O:GWLewis:mds

0-667

CS/H

894.628/9-2748

C
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From: SCAP Tokyo Japan
To: Dept of Army for CSCAD ECON
Nr: Z-24041

24 September 1948

Reurad WCL 26486, date time group 181738Z. States Aide Memoire of 5 Dec. 47 not available in this headquarters and contents unknown here. However representative of the United Kingdom is welcome to accompany the 1948-49 Japanese Antarctic whaling expedition in capacity of observer. As in past two expeditions, the logistical support and salary expenses of their observer will be met by the United Kingdom.

FW 894.628/9.2748

MC IN 59108 (24 Sept 48)

DC/R
Anal <u>60</u>
Rev. _____
Cat. _____

C
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From: SCAP Tokyo Japan
To: Dept of Army for CSCAD ECON
Hr: Z-24041

24 September 1948

Reurad WCL 26486, date time group 181738Z. States Aide Memoire of 5 Dec. 47 not available in this headquarters and contents unknown here. However representative of the United Kingdom is welcome to accompany the 1948-49 Japanese Antarctic whaling expedition in capacity of observer. As in past two expeditions, the logistical support and salary expenses of their observer will be met by the United Kingdom.

MC IN 59108 (24 Sept 48)

Self file

DEPARTMENT OF STATE

Memorandum of Conversation

DATE: Oct. 8, 1948

SUBJECT: SANACC 99/4 and FEC

894.628/9-1548

PARTICIPANTS: O - Mr. Alexander Keyes
U/FW - Mr. William E. S. Flory

COPIES TO: U/FW - Mr. Edward Castleman

894.628/10-848

1-1492

In accordance with the decision at yesterday's meeting of the SANACC's sub-committee, Mr. Keyes reported that the shortest conceivable time for getting the Japanese fishing question through the FEC, assuming that further reference by the representative to their Government would be unnecessary, would be three weeks. Mr. Keyes, therefore, suggested that, in line with the tentative decision of the sub-committee, if FEC does not approve the UN position within sixty days of approval by SANACC of the paper, SCAP should be authorized to expand immediately eastward, and that the shortest possible time to which State should agree would be six weeks.

DCR - ITP Unit

Adm. *MK*
Inv. *MK*
Ext. *[Signature]*

MAR 11 1949

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[Signature]
U/FW/WES/Flory/RB

1/7/76

ACCESS RESTRICTED

The item identified below has been withdrawn from this file:

File Designation 894.628/11-248
No. 206
 Date November 2, 1948
 From Tokyo
 To _____

In the review of this file this item was removed because access to it is restricted. Restrictions on records in the National Archives are stated in general and specific record group restriction statements which are available for examination. The item identified above has been withdrawn because it contains:

- Security-Classified Information
- Otherwise Restricted Information

USSR/No guides
Authority

3/26/76
Date
MKW

WITHDRAWAL NOTICE

SECRET

DEPARTMENT OF STATE
ASSISTANT SECRETARY

November 10, 1948

To : The Under Secretary
Through : S/S
Subject : Japanese Fishing

894.628

At the request of Mr. Royall, Col. Lincoln (Mr. Draper's Deputy) asks to present to you the Army's argument in favor of allowing Japanese to fish in the U. S. Trust Territories of the Pacific.

You decided against such action at the present time on the basis of memorandum submitted to you on September 10, 1948 by Mr. Chapman (see Tab A). Mr. Nitze recommended that Japanese be authorized to fish in such areas, subject to agreement between the Army and the Navy to insure security and administrative convenience (see Tab B). SANACC 99/6 (see Tab A), which expressed your decision, was not adopted by SANACC in view of objections of the Army. An effort to reach a compromise is set forth in SANACC 99/8, which proposes in effect:

- a. Authorization by the FEC to SCAP to allow Japanese fishing in any areas except that SCAP should obtain approval of any country which might have "direct concern" in a particular area before fishing in that area.
- b. Within three months SANACC should consider expansion of Japanese fishing into the Trust area (where fish resources are worth some \$2,500,000 per year).
- c. Within 60 days, whether or not FEC action had been obtained, the U. S. Government would advise SCAP that he is authorized to extend Japanese fishing into a large area north of the Trust area (where fish resources are worth some \$7,000,000 per year).

Col. Lincoln will request an amendment to SANACC 99/8 (see Tab C), which would propose FEC authorization to SCAP to allow fishing in any area regardless of agreement by countries having a direct concern therein and would provide authorization for the Japanese to fish in both the Trust area and area north of it within 15 days, irrespective of FEC action. He will undoubtedly refer to MacArthur's cable (see Tab D).

The decision you formerly made was based on issues raised by the attached memoranda of Messrs. Chapman and Nitze, the essential issue

Keyes and Claxton

contained

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This Document must be Returned
to the RMR Central Files
CLASSIFIED FILE

Mr. Tolson	
Mr. E.A. Tamm	
Mr. Clegg	
Mr. Glavin	
Mr. Ladd	
Mr. Nichols	
Mr. Rosen	
Mr. Tracy	
Mr. Carson	
Mr. Egan	
Mr. Gurnea	
Mr. Harbo	
Mr. Hendon	
Mr. Pennington	
Mr. Quinn	
Mr. Nease	
Miss Gandy	

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contained therein being that of giving priority to U. S. fishermen to establish themselves in the Trust Territory before the Japanese are re-admitted. I agree with Mr. Nitze that Japanese fishing in the Trust area should be prohibited only on the grounds of security, conservation or administrative convenience and that protection of American industry, at least in this case, does not appear to be sufficient grounds for such prohibition. I understand, moreover, that Mr. Chapman no longer urges protection of American industry as a major consideration and it therefore appears that all offices of the Department are in agreement that the only significant considerations are security, administrative convenience and, especially, conservation.

The Navy claims that the security or well-being of the island natives would be adversely affected by Japanese fishing in the Trust area, while the Department of the Interior is concerned that the Japanese will not conserve the fish resources of the area. Furthermore, there is a direct State Department concern that Japanese fishing in this area would produce strong objections from the FEC countries so that we should at least advise them informally before SCAP takes any steps in this direction. Accordingly, I do not believe we can agree without qualification to the Army proposals.

It seems clear that the essential objectives are that the Japanese comply with appropriate standards of conservation, administrative convenience and security--so that their fishing activities will be so conducted as to be acceptable to the fishing nations of the world. It therefore appears to me that the correct solution to satisfy all interested offices of this Department and the Departments of the Government is to provide SCAP with standards desired by the Government, with the understanding that SCAP will put such standards into effect, compelling the Japanese to carry them out and seeing to it that they are rigorously enforced. SCAP should be advised that when, but only when, he is satisfied that the standards are actually in effect and that from the practical point of view he will be able to see that they are enforced, he may authorize the Japanese to fish in the high seas of the Trust area. I therefore believe that we might agree to some compromise with the Army proposals along the lines presented below (referring to the three points in SANACC 99/8 set out above):

- a. No change except that possibly SCAP should only be required to obtain agreement to Japanese fishing from those countries "adjacent to" as well as "directly concerned in" the areas involved. This change would be designed to avoid the necessity of obtaining agreement of the Australians to fishing north of the equator even though they claim an interest there.
- b. Agree that as a matter of principle the Japanese should have free access to fishing areas subject to interest of security, conservation and administrative convenience. The Departments

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of State, Interior, Navy and Army will immediately provide SCAP with internationally accepted standards of conservation in fishing and with standards satisfying administrative considerations to govern Japanese fishing in the open sea areas. SCAP should be advised that prior to the extension of Japanese fishing into the high seas of the Trust Territory he must be satisfied that such standards have been put into effect as applicable to all Japanese fishing activities and that as a practical matter he can rigorously enforce such standards on the Japanese in all open sea areas to which the Japanese have been or may be admitted. Upon being thus satisfied he may permit the Japanese to extend their fishing activities into the high seas of the Trust Territory, subject to special provisions laid down for the protection of the native population.

c. Reduce the 60 day interval to 30 days.

Recommendation:

I recommend that you (a) approve the proposed compromise set out just above and authorize me to negotiate with the Department of the Army on this basis, or (b) if you do not feel that you have been provided with sufficient information to approve the proposals as set out above that you hold a conference on the subject with the interested officers of the Department.

Charles E. Saltzman
Charles E. Saltzman

Attachments:

Tabs A, B, C, and D.

O:ALKeyes-PPClaxton:fa:br

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Nitze

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September 10, 1948

Mr. Lovett:

1. SANACC 99/4, when adopted, will result in an extension of the area in which Japanese, under SCAP direction, may fish. Expansion is envisioned eastward into the rich albacore tuna grounds of the North Pacific and/or southward into the rich yellowfin - skipjack tuna grounds adjacent to the Trust Territories.
2. SCAP has requested the extension both to the east and to the south, and this is the Army stand. Navy has recommended that extension, at this time, be permitted only to eastward. This has also become the Interior position.
3. Within the Department U/FW has supported the Navy-Interior position. Opposition to this position intra-departmentally has come only from ITP.

ITP's position is that the Navy-Interior view on this matter is opposed to the general policy of non-discrimination between nations in economic affairs. This is true.

It is also true that the Army position on SANACC 99/4 is equally, with the Navy-Interior position, an infringement of this policy.

Consequently U/FW feels that the policy regarding non-discrimination does not enter into the present discussion, and that the decision between the Navy-Interior and the Army position on SANACC 99/4 should be based upon its effect on the general welfare of the United States.

4. The Army position, if adopted, will bring repercussions in the following fields:
 - a. in this Government (Navy, Interior and this office will be opposed)
 - b. in the FEC (Philippines, China, Australia, New Zealand, U.K. will certainly be opposed and India, Canada, and Russia will probably be opposed)
 - c. in its effect on the policies of this Government on the management of fisheries in international waters. (It will quite possibly upset our policy completely)
 - d. in its

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- d. in its effect on our fisheries in the Latin American area. (It will likely mean the loss of those fisheries)
 - e. in the Navy's administration of native welfare in the Trust Territory. (It will bring extreme administrative difficulties)
 - f. in the Congress (there will be quick and violent political repercussions directed at this Department and at SCAP).
5. The Navy-Interior position, if adopted, will not bring repercussions of a major nature in any of these fields, or in any other field known to this office. Domestically this stand can be shown to be in the general interest of the United States; internationally it will probably be accepted unanimously in FEC.
6. Unless otherwise directed U/FW proposes to request the State Member on SANACC to recommend the adoption of SANACC 99/4 with the conclusions modified as in the attached memorandum. This modification will bring SANACC 99/4 into line with the Navy-Interior position on the paper.

Approved (Signed L.)

Disapproved _____

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September 10, 1948

U - Mr. Lovett

E - Mr. Nitze

Japanese fishing privileges in the Pacific Trust Territory.

Pending a final determination of Japanese fishing privileges in the peace settlement, SCAP has restricted Japanese fishing activities in accordance with administrative and security requirements of the occupation. SCAP has recently proposed an extension of these privileges into several new areas, including the waters surrounding the Pacific Trust Territory in the Central Pacific. It has been urged that the U.S. Government oppose that part of the extension which relates to the waters around the islands of the Trust Territory. The arguments in favor of this position are given in a memorandum to you from Mr. Chapman. I recommend that the Department of State not support this position for the following reasons:

1. The U.S. Government has consistently followed the principle that Japanese economic activity should be restricted as a result of defeat and occupation only in so far as was necessary on strict security grounds or, during the period of occupation, for reasons of administrative convenience. This policy has been considered essential to the restoration, as promptly as possible, of conditions of economic stability and prosperity without which permanent peace is impossible. It is also consistent with our desire to end, at the earliest possible date, U.S. financial assistance to the defeated countries. To violate this principle would be inconsistent with strong positions taken in the past with other governments on such matters as Japanese whaling in the Antarctic, would embarrass us in the peace settlement negotiations, particularly with China and one or two other countries which are expected to seek strict limits on the capacity of the Japanese textile industry, and might even present difficulties in the impending negotiations to sharply reduce reparations deliveries.

Whether or not exceptions to this policy may be justified in this case on security grounds is a matter on which the Department of State should look for guidance to the Department of National Defense, acting in consultation with SCAP.

Insofar as administrative considerations are crucial, they are of direct concern to SCAP and the Navy (as the administrative power in the Trust Territory) and should be settled by agreement between them.

2. In the absence of conclusive administrative or security considerations, a U. S. position which would exclude the Japanese from fishing in the Trust Territory could be supported only on the ground of the need for

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aiding the U. S. tuna industry. This would be a violation by the U.S. of MFN treatment toward Japan with respect to commercial activities, treatment which the U. S. is now actively and aggressively seeking to secure for Japan, from the nations on whose trade Japan's economic future is dependent. To take such a step would materially weaken our position in these negotiations and might indirectly affect substantially the economic situation of Japan over the next few years and, in turn, the drain imposed by Japan on the U.S. Treasury. Moreover, it is just this type of discriminatory action which the U.S. is continually protesting when practiced by other countries and which the whole U.S. trade policy is designed to outlaw.

3. In the absence of conclusive administrative and security considerations, to take a step which was contrary to the general principles of U.S. policy stated in 1 and 2 above, could only be justified, if at all, by the prospect of a very great advantage for the U.S. It appears from available evidence that to deprive the Japanese of fishing rights in the Trust Territory would deprive Japan of about two million dollars worth of food which might well have to be made up out of the U.S. Treasury. In the foreseeable future the profits of the U.S. tuna industry from fishing operations in the Trust Territory are apt to be negligible. Their total take is not estimated at over two million dollars and it will be a year or two before they can reach that level.

The only other possible factor affecting this point is the indirect effect of the granting to the U.S. tuna industry of exclusive fishing rights in the mandates on the discriminations now being practiced by certain South American countries, particularly Mexico, against the U.S. tuna fishing industry. It is not believed that this somewhat uncertain and indirect gain justified the probably adverse effects on the U.S. position generally and with respect to Japan, which would result from an abandonment of the principles of 1 and 2.

It is, therefore, recommended that the Department of State support a U.S. Government position which would seek to secure FEC approval for the extension of Japanese fishing in the areas outlined by SCAP, with the understanding in this Government that the authorization would not be exercised by SCAP with respect to the Trust Territory until there had been an agreement between the Army and Navy as to its desirability, based on two considerations only -- security and administrative convenience.

ITP:EMMartin:bfo - Sept. 10, 1948.

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THE FOREIGN SERVICE
OF THE
UNITED STATES OF AMERICA

UNITED STATES POLITICAL ADVISER

FOR JAPAN

No. 737

✓ DIVISION OF
NORTHEAST ASIAN AFFAIRS Tokyo, November 19, 1948.

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DEC - 2 1948

DEPARTMENT OF STATE

Subject: Departure of Japanese Antarctic Whaling Expedition. *DCR*

The Acting Political Adviser has the honor to inform the Department that the Japanese 1948-1949 Antarctic whaling expedition consisting of two fleets departed from Japan on November 12 and 13, 1948.

✓
Enclosed is a copy of a press release issued by the Public Information Office, General Headquarters, Far East Command, dated November 2, 1948, announcing the departure plans of the expedition. SCAP supervisors as well as observers from Australia and the United Kingdom are accompanying the expedition.

2/
Also enclosed are five copies of a directive from this Headquarters to the Japanese Government (SCAPIN 5822-A/5, November 15, 1948) authorizing minor changes in the plan for the 1948-1949 expedition. A copy of the memorandum for record, prepared by the Natural Resources Section in explanation of SCAPIN 5822-A/5, is also enclosed.

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Enclosure No. 1 to Despatch No. 737
dated November 19, 1948 from the Office
of the United States Political Adviser
at Tokyo, on the subject: "Departure of
Japanese Antarctic Whaling Expedition."

Source: Public Information Office,
General Headquarters, Far
East Command.

Press Release:

2 November 1948

TWO-FLEET WHALING EXPEDITION LEAVES NOV. 12, 13

For the third consecutive year since the beginning of the Occupation, a Japanese whaling expedition, consisting of two fleets belonging to the Nippon Suisan and Taiyo Gyogyo companies, will leave Japan for a six-month whale hunt in the southern waters of the Antarctic Ocean.

William M. Terry, Fisheries Division official of SCAP's Natural Resources Section, estimates that the total catch of the 1948-49 expedition will amount to approximately 1,250 blue whale units. Maximum production efforts and utilization of these blue whale units will result in 21,250 metric tons of whale oil, 16,860 metric tons of frozen meat, 11,634 metric tons of salted meat, and approximately 6,198 metric tons of bone meal, baleen plates and other assorted by-products.

*XR
562.8 Washington*

Maj. James A. Crombie, 336 Riverside Avenue, Buffalo, N.Y., and Lt. Francois Bourgois of the French Navy, both assigned to NRS, Fisheries Division, will accompany the Japanese whaling fleets as SCAP representatives, serving in supervisory capacities to insure that all whaling operations are in conformity with the most recent International Conventions for Regulation of Whaling. Kenneth Coonan of Sydney, Australia, and Capt. A.V. Hemming of London, Royal Navy, retired, have been designated to accompany the Antarctic expedition as Allied observers for the governments of Australia and the United Kingdom. Both Captain Hemming and Lieutenant Bourgois accompanied last year's expedition, and Coonan has served as Allied observer for Australia on the two previous trips.

The Nisshin Maru No. 1, 11,781 ton factory ship belonging to the Taiyo Gyogyo Company, is scheduled to depart from Yokosuka Harbor at 12 noon Nov. 12. Shigeo Takeda is shipping as fleet general manager and Major Crombie and Coonan will be aboard. The Nisshin Maru will be in a fleet comprising 16 other vessels.

The Hashidate Maru, 10,841 ton factory ship belonging to the Nippon Suisan Company, will depart from Yokohama Harbor at 12 noon Nov. 13. Hiroshi Kurebayashi will ship as fleet general manager and Lieutenant Bourgois and Captain Hemming will be aboard. This fleet will include 13 other vessels.

*White Oval
Call 5150*

Enclosure No. 2 to Despatch No. 737 dated November 19, 1948 from
the Office of the United States Political Adviser at Tokyo.

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
APO 500

AG 800.217(21 Jun 48)NR/F1
SCAPIN 5322-A/5

15 November 1948

MEMORANDUM FOR: JAPANESE GOVERNMENT

SUBJECT: Japanese Whaling Operations in the Antarctic
in the 1948-1949 Season

1. Reference is made to C. L. C. O., Memorandum No. 3724 (2P),
subject: Amendment to Plan for Japanese Whaling Operations in the
Antarctic in the 1948-1949 Season, 1 November 1948.
2. Amendments 1 and 2 contained in reference memorandum are
approved.
3. Amendment 3 contained in reference memorandum is disapproved.

FOR THE SUPREME COMMANDER:

A. M. Levy
for
A. M. LEVY
Colonel, AGD
Adjutant General

Enclosure No. 3 to Despatch No. 737
dated November 19, 1948 from the Office
of the United States Political Adviser
at Tokyo, on the subject: "Departure of
Japanese Antarctic Whaling Expedition."

MEMORANDUM FOR RECORD in explanation of SCAPIN 5822-A/5,
November 15, 1948

1. C.L.C.O. Letter No. 3724(2P), subject, "Amendment to Plan for Japanese Whaling Operations in the Antarctic in the 1948-1949 Season", dated 1 November 1948, requests that changes be made in a plan for Japanese whaling operations in the Antarctic during the 1948-49 Season, which plan was submitted with C.L.C.O. Letter No. 2550(2P), dated 12 July 1948, and approved by SCAPIN 5822-A/1, dated 29 July 1948. Amendments 1, 2, and 3, as stated in C.L.C.O. Letter No. 3724(2P), would make the following changes:

- a. Replace the catcher boat, Kyo Maru No. 3, with Shonan Maru No. 11 in the first fleet.
- b. Revise the sailing schedule of both fleets.
- c. Increase the allocation of fuel for the first fleet.

2. The changes explained in paragraph 1. a. and b. above meet with no objection from NR. The replacement of Kyo Maru No. 3 by Shonan Maru No. 11 will improve the efficiency of the first fleet. The revision of sailing schedules is made necessary by the coming into effect of the International Convention for the Regulation of Whaling, signed at Washington, D.C., 2 December 1946, with which Japanese whalers must conform. However, NR feels that additional fuel requested in paragraph 1. c. above is not justified.

3. This SCAPIN approves amendments 1 and 2, as stated in C.L.C.O. Letter No. 3724(2P), but specifically refuses approval of amendment 3 stated in C.L.C.O. Letter No. 3724(2P).

4. Concurrences:

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THE STATE-ARMY-NAVY-AIR FORCE COORDINATING COMMITTEE
Washington, D. C.

In reply refer to
SANA-6284

File

December 3, 1948

My dear Mr. Secretary:

Reference is made to my letter SANA-6270 dated October 28 and your reply thereto of November 28 regarding U.S. Policy for Japanese Fishing and Other Aquatic Industries.

The Department of the Army now approves SANACC 99/4 as amended by SANACC 99/6 and as further amended by SANACC 99/8 provided it is amended as shown in the Appendix contained in SANACC 99/10, a copy attached herewith.

Accordingly, it is respectfully requested that the Department of the Interior furnish the State-Army-Navy-Air Force Coordinating Committee its comment or concurrence with respect to these changes.

Sincerely yours,

Charles E. Saltzman,
Chairman

The Honorable
Julius A. Krug
Secretary of the Interior

(Enclosed Copy No. 70, SANACC 99/10)

Copies to:

- 1 - State Member
- 1 - Army Member
- 1 - Navy Member
- 1 - Air Force Member
- 1 - P&O, Army
- 2 - P&O, USAF
- 2 - ACNO, Op-35
- 1 - OSD (Mr. Blum)

DCR - IYP Unit

App: *MK*

Re: *Class sheet made*

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December 10, 1948

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MEMORANDUM

See 894.628

To : Mr. Haselton, Executive Secretary,
State-Army-Navy-Air Force Coordinating Committee.

From: Mr. Allison, Deputy Director for Far Eastern Affairs,
Department of State.

Subject: SANACC 99/10, U. S. POLICY FOR JAPANESE FISHING AND
OTHER AQUATIC INDUSTRIES

Reference is made to your memorandum of December 3, 1948, in which you request my comments in connection with the statement by the Army Member of SANACC proposing amendments to 99/8.

The main effects of the proposals made by the Army Member would seem to be (1) to shorten the period before reconsideration of the question of possible Japanese expansion into the entire southern portion of the area recommended by SCAP from three months after approval of the paper (as provided in 99/8) to the fixed date "February 15, 1949" and (2) to extend the area of expansion to be permitted SCAP within one month (instead of two months) after approval of the paper to include, in addition to the eastward area contemplated in 99/8, a southern area that skirts Wake, then drops a few degrees, dips up to avoid the Marianas, and then drops again.

With regard to the second point above, the general effect of the Army proposal would be to accord practically the whole southern expansion desired by SCAP short of admitting the Japanese to the territorial waters of the Trust Territory. Acceptance of the Army proposal would thus go far apparently toward prejudging the issue of southern expansion.

I feel that it is highly desirable that a policy decision be reached at the earliest possible date on the question whether we are or are not to permit southern expansion of Japanese fisheries. We have been discussing the elements involved in this question for many months. Several of the

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arguments presented in 99/10 by the Army Member of SANACC would seem to have much to commend them, such as, for example, his reference to the possible effects of 99/8 upon our efforts internationally to obtain most-favored-nation treatment for Japan. At the same time, it is recognized that there are other legitimate but conflicting interests involved. It would seem that these interests could be reconciled as effectively now as they could be on February 15, 1949 - or, for that matter, after the lapse of three months as proposed in 99/8. It is difficult to perceive what developments in the situation are likely to occur in such brief space of time that cannot now be foreseen.

a If, however, it is in fact impracticable to reach agreement on the overall question, it would seem to me that the solution proposed in 99/8 presents a reasonable temporizing solution -- that is, it permits Japanese expansion within two months into the non-controversial eastern area, thus easing SCAP's situation to some extent, and at the same time it keeps the issue of possible southern expansion alive by providing for reconsideration of that question after three months of the paper's approval.

I perceive no objection to the proposal of the Army Member that appropriately detailed assurances from SCAP of Japanese compliance with fishing conservation practices be accepted instead of "proof of compliance". If additional reassurances in connection with Japanese compliance is desired, SCAP might be specifically instructed to send a supervisory patrol vessel or vessels - possibly with international personnel - to maintain some direct track of how the Japanese are fishing and to make reports as required. Such procedure might meet the end sought in "proof of compliance" without being subject to the objections which might attach to that phrase.

Similarly, I concur in the proposal of the Army Member that the word "entire" be inserted before the reference to the southern portion of the area of possible expansion. (page 57, line 4)

CONCLUSIONS:

I would prefer that immediate decision on the question of southern expansion of Japanese fishing be reached.

If that is impracticable, I would favor adoption of 99/8 as a reasonable temporizing measure but would accept the proposal

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of the Army Member with regard to the insertion of the word "entire" on page 57 and with regard to the substitution of detailed assurance from SCAP for "proof of compliance". In connection with the latter question, provision might be made for the establishment by SCAP of supervisory control measures such as visits by a patrol vessel or vessels to the Japanese fishing grounds.

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FE:RBacon:aho

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ACCESS RESTRICTED

The item identified below has been withdrawn from this file:

File Designation 894. 628/12-748
Mr. Flory's Proposed Directive to SCAP Concerning Fishing
 Date December 7, 1948
 From Bacon
 To Allison

WITHDRAWAL NOTICE

In the review of this file this item was removed because access to it is restricted. Restrictions on records in the National Archives are stated in general and specific record group restriction statements which are available for examination. The item identified above has been withdrawn because it contains:

- Security-Classified Information
- Otherwise Restricted Information

UN/No Guides
Authority

4/19/76
Date
MKW

ADDRESSEES OFFICIAL COMMUNICATIONS TO
THE SECRETARY OF STATE
WASHINGTON 25, D. C.

DEPARTMENT OF STATE
WASHINGTON

*Dec. 13
Allison said
he would comment
on SANACC 99/10*

December 10, 1948



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MEMORANDUM

To : Mr. Haselton, Executive Secretary,
State-Army-Navy-Air Force Coordinating Committee.

From: Mr. Allison, Deputy Director for Far Eastern Affairs,
Department of State. *gah*

Subject: SANACC 99/10, U. S. POLICY FOR JAPANESE FISHING AND
OTHER AQUATIC INDUSTRIES

This Document Must Be Returned to
 RM/R
 Central
 Files
 894.628/12-1048

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If, however, it is in fact impracticable to reach agreement on the overall question, it would seem to me that the solution proposed in 99/8 presents a reasonable temporizing solution -- that is, it permits Japanese expansion within two months into the non-controversial eastern area, thus easing SCAP's situation to some extent, and at the same time it keeps the issue of possible southern expansion alive by providing for reconsideration of that question after three months of the paper's approval.

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ADDRESS OFFICIAL COMMUNICATIONS TO
THE SECRETARY OF STATE
WASHINGTON 25, D. C.

DEPARTMENT OF STATE
WASHINGTON



December 6, 1948

MEMORANDUM

TO: O - Mr. Keyes
Army - Major Lieding
Interior - Mr. Chaney

For information:
CP - Mr. White
NE - Mr. Fearey
FE - Miss Bacon

FROM: William E. S. Flory U/FW *WESJ*
(State Department - Telephone extension 4174 or 4175)

SUBJECT: Proposed Directive to SCAP Concerning Fishing

Attached is a draft of the communication to SCAP which this office was asked to prepare.

Unless there are basic or major changes to be made in this paper, it would appear that approval and minor changes could be effected by telephone. Should it be considered that a meeting is desirable, please notify me at once in order that one can be arranged for the morning of December 8, 1948.

U/FW/WESFlory/RB

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PROPOSED DIRECTIVE TO SCAP-FISHING ACTIVITIES

It is recognized that obtaining the largest possible portion of Japanese food requirements through Japanese effort is an important occupation objective, and that fishery products are a significant diet item of Japan. Likewise it is recognized that export of fishery products is important to the program for reducing the financial burdens upon the U. S. Government. However, in view of the failure of Japan to abide by normal international fishery practices prior to the war, and the resultant international friction and animosity, occupation policy regarding Japanese fishing should give special emphasis to education of the Japanese to a full appreciation and acceptance of those responsibilities concomitant to the conduct of extensive fishing operations, and to measures which will facilitate negotiation of a peace settlement which will not impose special prohibitions or restrictions on Japanese fishing.

In order to break down existing prejudices and scepticism existing both in the United States and abroad, it would appear necessary that a program designed for this purpose should involve more than minimum Japanese compliance with normal and customary conduct and programs of other major fishing nations. The program may necessarily involve adoption by the Japanese of specific regulations, research effort and codes of conduct in advance of any now in effect in any other nation. It will be necessary that full publicity be given to all phases of such program, in order to assure that the American people, as well as the governments and people of the other Allies having concern with fisheries, will recognize that the Japanese are not likely to revert, after the occupation, to their prewar attitude and practices with respect to fisheries matters. Citation by foreign nations, as well as certain American groups, of the pre-war Japanese attitudes and practices, with the assumption that Japan will immediately revert to such practices appears to be the basic argument for the inclusion in the peace settlement of provisions for restricting Japanese fishing operations to their home waters. It is believed that this issue will present serious difficulties at the time of the settlement. Consequently, in principle it would appear advisable that every effort be made to provide convincing demonstration of this program within the fishing areas authorized.

SCAP

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SCAP may be assured of the full cooperation of the agencies of the United States Government in bringing to the attention of foreign governments as well as the American fishing industry, members of Congress, and the American public the accomplishments of SCAP and the Japanese in this respect.

Special consideration should be given to assuring:

1. Strictest possible conformity to the spirit and letter of the provisions of international agreements relating to conservation of aquatic resources. It may be desirable, particularly with respect to whaling, to give special publicity to all measures, programs, and actions, which are in excess of the treaty requirements and which will occasion favorable comment in whaling and Government circles.
2. Recognition of and conformity with any conservation laws and regulations which foreign nations apply to their own vessels fishing in any particular area in which the Japanese are also operating.
3. Conformity with rules of the road, courtesies and customs prevailing generally among fishing vessels or in particular areas or fisheries.
4. Maintaining both in home and other waters full and continuing scientific programs for each fishery to ascertain the effect of Japanese fishing on the resource and immediate imposition of such regulation of fishing as may be shown necessary to ensure a maximum sustained yield from the resource. Where the Japanese and foreign fishermen are harvesting the same resource consideration may be given to joint cooperating action by the Japanese and such nation or nations.
5. Avoidance, in so far as possible, of action which may tend to create or strengthen unfavorable foreign reaction to the continuance and expansion of Japanese fishing operations and trade in fishery products.

U/FW/WESFlory/BMD/RB
12/6/48

PROGRAM WHICH SCAP SHOULD ASSUME WITH RESPECT TO JAPANESE FISHING
AND OTHER AQUATIC OPERATIONS

PROBLEM

To determine what guidance the U.S. Government should give SCAP with respect to the conservation and management responsibilities he should assume, insofar as he has not already done so, with respect to the operation of Japanese fishing and other aquatic commercial activities.

FACTS BEARING ON THE PROBLEM

The failure of Japan to abide by generally accepted international fishing practices prior to the war resulted in international frictions, animosity and prejudice toward Japan which still exists among the nations today and which could detrimentally affect attainment of U.S. long term objectives respecting Japan. Pre-war Japanese scientific programs and fishing operations were based excessively on the objectives of locating and then exhausting the areas of richest yield without any economic consideration for maintaining the future potential production in these areas. From a long term viewpoint, failure to observe reasonable conservation practices will result in deleterious effects on the food supply of Japan and the whole world. Isolated postwar incidents connected with Japanese fishing operations (which have been the exception rather than the rule) have served to revive prewar animosities and have attracted attention, both in the U.S. and abroad, to Japanese fishing. Official concern in the U.S. was expressed by the view of the Department of the Interior in SANACC 99/8 as follows:

"Interior: In view of evidence of Japanese non-compliance with conservation practices, the Interior Department agrees that there should not be immediate expansion to the south. The Interior Department would, however, be pleased to see such an expansion as soon as conservation factors are known and it is clearly evident that Japanese will operate in a manner consistent with appropriate conservation practices."

Conclusions which follow were based, in part, on the draft International Convention for the Northwest Atlantic Fisheries. Aspects of the problems therein treated and in the Japanese situation are comparable, e.g. depletion of the fish stock by undesirable fishing practices and the urgent need for scientific study of fisheries on an international scale with a pooling of the knowledge acquired therefrom with the objective of maintaining or increasing the potential production of fish stocks. The Preamble and Article VI of the North Atlantic draft is especially pertinent to the Japanese problem and outlines a program which could readily be instituted or added to the present Japanese conservation program. Salient points are:

"(a) make such investigations as it finds necessary into the abundance life history and ecology of any species of aquatic life found in various parts of the area ..."

- "(b) collect and analyze statistical information relating to the current conditions and trends of the fishing resources..."
- "(c) study and appraise information concerning the methods for maintaining and increasing stocks of fish..."
- "(d) publish and otherwise disseminate reports of its findings and statistical, scientific and other pertinent information relating to the fisheries"... (of the areas wherein the Japanese conduct fishing operations).

DISCUSSION

Since a specific directive has never been issued to SCAP setting forth the objective of indoctrinating the Japanese toward a full appreciation and acceptance of responsibilities assumed by most nations in the conduct of fishing operations, it is believed desirable that such a program be developed and sponsored by SCAP for the Japanese. The adoption of such a program would tend to reduce and eliminate the prejudice and animosity now exhibited by many nations toward the return of Japanese fleets to their prewar fishing areas. Adherence to such a program during and after the termination of the occupation should result in benefiting the world food supply.

Other nations should be made aware of the program and its objectives through extensive publicity. The information secured as a result of the scientific studies should be made available for the benefit of other nations through Fisheries Reports and allied pamphlets. SCAP should be assured of the full cooperation of the agencies of the U.S. Government in bringing to the attention of foreign governments as well as of the American fishing industry, members of Congress, and the American public, the accomplishments of SCAP and the Japanese in this respect.

CONCLUSIONS

It is concluded that,

1. SCAP should ^{include} include the Japanese, insofar as it is reasonable for them to do so.

- (a) To maintain surveillance over fishing and other aquatic operations, survey and analyze the indications derived therefrom with special attention to instances of failing resources or of other unusual developments;
- (b) To adjust operations to insure, insofar as feasible, that each resource can be retained over a period of time at its highest level of productivity;
- (c) To attempt, where the Japanese and people of another nation or nations will operate in the same area, to arrange a cooperative approach, bilaterally or multilaterally, to operations and surveillance of results in such an area.

(d) _____

2. SCAP should formulate and inaugurate a continuing program of publicity respecting Japanese fishing and other aquatic operations toward the end of making the world aware of Japan's progress in maintaining desirable fishing and aquatic practices and of Japan's desire to cooperate with other nations in the conservation of pelagic resources.

RECOMMENDATION

That the conclusions expressed herein be incorporated in an Inter-Departmental cable (State-Army-Navy and Interior) as drafted in Appendix A (or alternately in a statement by the Army member to SANACC* or in a state-Army cable**).

* See Appendix B

** See Appendix C

APPENDIX "A"

(Interdepartmental Cable)

I. Tentative inter-departmental agreement between State-Army-Navy and Interior has been reached on the following proposed program with the objective of reducing and eventually eliminating international and U.S. interests' prejudice and animosity toward the return of Japanese fleets to their pre-war fishing areas. The basic elements of the principles stated below are reflected in the Preamble and Article VI of the draft for the International Convention for the Northwest Atlantic Fisheries.

PROGRAM WHICH SHOULD BE ASSUMED WITH RESPECT TO JAPANESE FISHING AND OTHER AQUATIC OPERATIONS

1. SCAP should induce the Japanese, insofar as it is reasonable for them to do so,
 - (a) To maintain surveillance over fishing and other aquatic operations, survey and analyze the indications derived therefrom with special attention to instances of falling resources of other unusual developments;
 - (b) To adjust operations to insure, insofar as feasible, that each resource can be retained over a period of time at its highest level of productivity;
 - (c) To attempt, where the Japanese and people of another nation or nations will operate in the same area, to arrange a cooperative approach, bilaterally or multilaterally, to operations and surveillance of results in such an area.
 2. SCAP should formulate and inaugurate a continuing program of publicity respecting Japanese fishing and other aquatic operations toward the end of making the world aware of Japan's progress in maintaining desirable fishing and aquatic practices and of Japan's desire to cooperate with other nations in the conservation of pelagic resources.
- II. Interested agencies in the United States Government, namely the Departments of State and Interior have assured their full cooperation in bringing to the attention of foreign governments as well as to the U.S. attention of fishing industry and other American interests, members of Congress, and the U.S. public, the accomplishments of SCAP and the Japanese in respect to the proposed program.

APPENDIX "B"Statement of Army Member of SANACC

1. The Department of the Interior based its objection to further expansion of the Japanese fishing area expressed in SANACC 99/8 on failure by the Japanese to observe commonly accepted conservation practices. This conditional objective was qualified by the statement that expansions would be agreeable when conservation factors were known and it was clearly evident that the Japanese were operating in a manner consistent with appropriate conservation practices.
2. A working committee of the State, Army and Interior Departments members agreed on the basic elements of a program which SCAP should assume, develop and sponsor with respect to Japanese fishing and other aquatic operations. Two general objectives were considered in respect to this program: (1) The indoctrination of the Japanese toward a full appreciation of and acceptance of responsibilities assumed by most nations in the conduct of fishing operations, and (2) The adoption and practice of the principles in the proposed program would tend to reduce and to eventually eliminate the prejudice and animosity now exhibited by many nations, as well as fishing interests in the United States, toward the return of Japanese fleets to their pre-war fishing areas. The program as it is set forth herein reflects the basic elements of the conservation principles enunciated in the Preamble and Article VI of the Draft International Convention for the Northwest Atlantic Fisheries, which was released by the Department of State on 15 November 1948.
3. A vital and necessary part of the program is that of extensive publicity which will make other nations fully aware of the program, its objectives and the progress being made to achieve these objectives. The scientific information derived from the fisheries should be made available for the benefit of other nations through Fisheries Reports and allied pamphlets. SCAP should be assured of the full cooperation of the agencies of the United States Government in bringing to the attention of foreign governments as well as the American fishing industry, members of Congress and the American public the accomplishments of SCAP and the Japanese in this respect.
4. The following conservation program is submitted for the consideration and approval of the SANACC:
 1. SCAP should include the Japanese, insofar as it is reasonable for them to do so,
 - (a) To maintain surveillance over fishing and other aquatic operations, survey and analyze the indications derived therefrom with special attention to instances of failing resources of other unusual developments;
 - (b) To adjust operations to insure, insofar as feasible, that each resource can be retained over a period of time at its highest level of productivity;

- (c) To attempt, where the Japanese and people of another nation or nations will operate in the same area, to arrange a cooperative approach, bilaterally or multilaterally, to operations and surveillance of results in such an area.

"2. SCAP should formulate and inaugurate a continuing program of publicity respecting Japanese fishing and other aquatic operations toward the end of making the world aware of Japan's progress in maintaining desirable fishing and aquatic practices and of Japan's desire to cooperate with other nations in the conservation of pelagic resources."

APPENDIX "C"

(State-Army Draft Cable)

I. With a view toward eliminating the objection of the Department of the Interior toward further expansion of the Japanese fishing area as expressed in SANACC 99/8, and with the objective of reducing and eventually eliminating international and US interests' prejudice and animosity toward the return of Japanese fleets to their prewar fishing areas, the following proposed program has been drafted. (The basic elements of the principles herebelow stated are reflected in the Preamble and Article VI of the Draft for the International Convention for the Northwest Atlantic Fisheries, which was released to the Press by the Department of State on 15 November 1948).

PROGRAM WHICH SHOULD BE ASSUMED WITH RESPECT TO JAPANESE
FISHING AND OTHER AQUATIC OPERATIONS

1. SCAP should induce the Japanese, insofar as it is reasonable for them to do so.
 - (a) To maintain surveillance over fishing and other aquatic operations, survey and analyze the indications derived therefrom with special attention to instances of falling resources of other unusual developments;
 - (b) To adjust operations to insure, insofar as feasible, that each resource can be retained over a period of time at its highest level of productivity;
 - (c) To attempt, where the Japanese and people of another nation or nations will operate in the same area, to arrange a cooperative approach, bilaterally or multilaterally, to operations and surveillance of results in such an area.
2. SCAP should formulate and inaugurate a continuing program of publicity respecting Japanese fishing and other aquatic operations toward the end of making the world aware of Japan's progress in maintaining desirable fishing and aquatic practices and of Japan's desire to cooperate with other nations in the conservation of pelagic resources.

II. Comments are requested on proposed program and specifically on the following points:

1. To what extent is the proposed program now being carried out?
2. What future SCAP action would be necessary to carry out the full program outlined herein?

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

DATE: 12/15/48

TO : O - Mr. Claxton
FROM : OFD - Robert W. Barnett
SUBJECT: Japanese Fishing

RM/R
*Alex - please see that
rec. action is taken
put before FEC.*

THIS DOCUMENT
RMR
Central
Files
Not Be Returned to

I have just left Mr. Chapman's office where I discussed with him and Mr. Flory the problem of handling the SANACC fishing paper in the FEC. Mr. Flory will send to you a draft of a policy statement to be put before the Far Eastern Commission. Just as soon as SANACC has taken final action on the paper that draft will have been refined by U/FW in such a way as to make it immediately suitable for transmission to FEC. It is my feeling that O should determine whether or not further clearances with E and FE are necessary.

Mr. Chapman himself has expressed an interest in attending meetings of the Economics Committee with me while this paper is under discussion there.

OFD:RWBarnett:br

cc: U/FW-Mr. Flory

894.628/12-1548

CS/W

894.628/12-1548

Stamp with fields: Date, Rev, and initials. The date field contains '50' and the initials field contains a signature.

SECRET

THE STATE-ARMY-NAVY-AIR FORCE COORDINATING COMMITTEE
WASHINGTON, D. C.

*FE
DC/R.*

*Memo to US members
FEC
SANA-6298
16 December 1948
Dec. 20, 48
Cat 1
File*

MEMORANDUM FOR THE SECRETARY OF STATE:

Subject: SANACC 99/11.

Forwarded herewith for the information of the Department of State is a copy of SANACC 99/11.

The attention of the Department of State is invited to paragraph 10 b (2) and (3) of the Recommendations contained in the enclosure.

Copies of this paper have also been furnished the Departments of Interior, Army, Navy, and Air Force, and the Joint Chiefs of Staff for information.

The Joint Chiefs of Staff have also been requested to transmit a copy of this report to SCAP for his information.

For the State-Army-Navy-Air Force Coordinating Committee:

Walter E. Wilds
WALTER E. WILDS,
Acting Chairman

This Document Must Be Returned To
DC/R
Central
Files
894.628/12-1648

Enclosure:
Copy No. 81, SANACC 99/11

DC/R
Anal. <u>4</u>
Rev. <i>[Signature]</i>
Cat. <i>[Signature]</i>

THIS DOCUMENT IS DECLASSIFIED
WHEN ATTACHMENT IS REMOVED

MAY 19 1952

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In reply refer to
NA

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MEMORANDUM FOR THE UNITED STATES MEMBER,
FAR EASTERN COMMISSION

In accordance with a memorandum dated December 16, 1948, from the State-Army-Navy-Air Force Coordinating Committee, there is enclosed a statement of United States policy (Appendix "A") regarding Japanese Fishing and Pearl Fishing, comprising the substance of Appendix "C" of SANACC 99/11, which was approved by the State-Army-Navy-Air Force Coordinating Committee on December 16, 1948.

The United States Member, Far Eastern Commission, is authorized to present this statement of United States policy to the Far Eastern Commission and at the same time to convey to the other members the substance of the statement contained in Appendix "B".

The United States Member is authorized to press for acceptance of the United States policy by the Far Eastern Commission, and to accept modifications proposed by other members of the Commission which do not change the meaning or the intent of the United States proposal.

Walter Wilde
Deputy Assistant Secretary
for Occupied Areas

Enclosure:

Statement of
United States Policy.

SECRET

FE:NA:ALDunning:pm:clh 12/20/48

FE

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Appendix "A"

POLICY WITH RESPECT TO FISHING AND AQUATIC INDUSTRIES
IN JAPAN

1. Subject to the requirements of this and other policies established in accordance with the terms of reference of the Far Eastern Commission, the Japanese should use their existing resources to the maximum extent possible in order to obtain fish for domestic consumption and export.
2. The Supreme Commander for the Allied Powers may at his discretion expand present Japanese fishing or other commercial aquatic activities. If such expansion will involve fishing or other commercial aquatic activities in an area in which any country has a direct concern, arrangements shall be made between SCAP and such country.
3. The Japanese should conform strictly to the provisions of international agreements for the conservation of fishery and other marine resources.
4. Nothing in the foregoing should be interpreted as predetermining the ultimate constitution and size of the Japanese fishing fleet nor the possible availability for removal as reparations of Japanese fishing and pearl fishing ships, equipment and other facilities.

O:ALKeyes:eg 12/21/48
U/FW:WESFlory:bmd
FE:NA:clh

12/17/48

Appendix "B"

PROPOSED STATEMENT FOR PRESENTATIONTO FAR EASTERN COMMISSION

The United States representative should state (1) It is hoped that the Far Eastern Commission will approve shortly the present U.S. proposal, which would supplant FEC-035; (2) If unfortunately the Far Eastern Commission should fail to agree, prior to January 15, 1949, to a new paper, the Government of the United States will on that date notify the Supreme Commander for the Allied Powers that this Government perceives no objection to an extension of the Japanese fishing area eastward and southward to include the area bounded by a line from 40° north latitude, 165° east longitude; east to 180° longitude; thence south along the 180th meridian to 20° north latitude; thence west along the 20th parallel to 165° east longitude; thence south along the 165th meridian to 16° north latitude; west to 150° east longitude; thence north along the 150th meridian to Tropic of Cancer; west to 141° east longitude; thence south along the 141st meridian to 16° north latitude; west to 130° east longitude thence north along the 130th meridian to 20° north latitude; west to 123° east longitude; thence north to 24° north latitude, 123° east longitude.

O:ALKeyes:eg 12/21/48
U/FW:WESFlory:bmd
FE:NA:clh

12/17/48

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

RM/R

TO : U.S. Representative, FEC

DATE: December 17, 1948

FROM : O - Mr. Keyes

SUBJECT:

894.628

THIS DOCUMENT CONTAINS
UNCLASSIFIED INFORMATION
EXCEPT WHERE SHOWN
OTHERWISE
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Files

In accordance with decisions reached in SANACC 99/11 of December 16, 1948, there is attached a copy of the proposal which the U. S. representative on the FEC should present to the FEC for its acceptance, along with a statement which you are authorized to present.

It is recognized that the language contained in paragraph 3 of Appendix C of SANACC 99/11, "Policy Proposal for Introduction to the FEC by the U.S. Member, Japanese Fishing and Pearl Fishing," would not be appropriate for introduction in FEC in its present form. The modification as contained in the proposal attached hereto is considered to be in conformity with the intention of SANACC 99/11 and it is believed, it will, in practice, achieve all the objectives specified in paragraph 3 of Appendix C, SANACC 99/11.

CS/W

894.628/12-1748

Attachments:

1. Policy with Respect to Fishing and Aquatic Industries in Japan.
2. Proposed Statement for Presentation to Far Eastern Commission.

W.M.C.
U/FW:WESFloxy:dmd
12/17/48

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Rev <i>Wm</i>
Clk <i>Wm</i>

894.628/12-1748

Wc/r
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12/20

In reply refer to
NA

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MEMORANDUM FOR THE UNITED STATES MEMBER,
FAR EASTERN COMMISSION

894.628/7-15-48
U/FW GND FE

In accordance with a memorandum dated December 16, 1948, from the State-Army-Navy-Air Force Coordinating Committee, there is enclosed a statement of United States policy (Appendix "A") regarding Japanese Fishing and Pearl Fishing, comprising the substance of Appendix "C" of SANAGC 99/11, which was approved by the State-Army-Navy-Air Force Coordinating Committee on December 16, 1948.

894.628/12-2048

The United States Member, Far Eastern Commission, is authorized to present this statement of United States policy to the Far Eastern Commission and at the same time to convey to the other members the substance of the statement contained in Appendix "B".

8

The United States Member is authorized to press for acceptance of the United States policy by the Far Eastern Commission, and to accept modifications proposed by other members of the Commission which do not change the meaning or the intent of the United States proposal.

OSA

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Rev.	<i>[Signature]</i>
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Walter Wilde
Deputy Assistant Secretary
for Occupied Areas

Enclosure:

Statement of
United States Policy.

OFD - Barnett in
U/FW Flory
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894.628/12-2048

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FE RB MR

Appendix "A"

POLICY WITH RESPECT TO FISHING AND AQUATIC INDUSTRIESIN JAPAN

1. Subject to the requirements of this and other policies established in accordance with the terms of reference of the Far Eastern Commission, the Japanese should use their existing resources to the maximum extent possible in order to obtain fish for domestic consumption and export.
2. The Supreme Commander for the Allied Powers may at his discretion expand present Japanese fishing or other commercial aquatic activities. If such expansion will involve fishing or other commercial aquatic activities in an area in which any country has a direct concern, arrangements shall be made between SCAP and such country.
3. The Japanese should conform strictly to the provisions of international agreements for the conservation of fishery and other marine resources.
4. Nothing in the foregoing should be interpreted as predetermining the ultimate constitution and size of the Japanese fishing fleet nor the possible availability for removal as reparations of Japanese fishing and pearl fishing ships, equipment and other facilities.

O:ALKeyes:eg 12/21/48
U/FW:WESFlory:bmd
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12/17/48

Appendix "B"

PROPOSED STATEMENT FOR PRESENTATION
TO FAR EASTERN COMMISSION

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O:ALKeyes:eg 12/21/48
U/FW:WESFlory:bmd
FE:NA:clh

12/17/48

DEC 31 1948

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No. 220

see 894.628/12-348

To the
Acting United States Political Adviser for Japan,
Tokyo.

The Secretary of State encloses for the information of the Acting Political Adviser a copy of SANACC 99/11, "U.S. POLICY FOR JAPANESE FISHING AND OTHER AQUATIC INDUSTRIES".

894.628/12-3148

Enclosure:
✓ 1. SANACC 99/11,
copy no. 37.

DOR - WP Unit	
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Dist.	<i>gp</i>

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Classification approved by
JM Allison
Deputy Director, FE
12-29-48

✓ true copy of the last signed orig.

CS/B

894.628/12-3148

DEC 30 1948

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FE:HSTunas
12-29-48

JM