

THE WHITE HOUSE
WASHINGTON~~CONFIDENTIAL~~INFORMATION
March 24, 1972

MEMORANDUM FOR: THE PRESIDENT

FROM: AL HAIG 

SUBJECT: Recent Brazilian Fishery Negotiations

Attached at Tab A is a memorandum to you from Secretary Rogers reporting the outcome of negotiations with the Government of Brazil on an interim agreement (between now and the 1973 Law of the Sea Conference) to cover the operation of the large US-flag fleet engaged in shrimp fishing within Brazil's claimed 200 mile territorial sea.

The result of the negotiations was a draft agreement which protects the juridical positions of both sides. Since it protects our legal position and permits continued fishing by US-flag vessels, the agreement can be considered as favorable. We understand that The Departments of State, Defense and Commerce and also the shrimp fishing industry approve the significant features of the agreement. We expect that Secretary Rogers will send you a memorandum in the near future recommending approval of the interim agreement.

Attachment
Tab A - Memo from Secretary Rogers

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DECLASSIFIED
PA/HO Department of State
E.O. 12958, as amended
July 12, 2005

Attachment

Memorandum from the Secretary to the President

Washington, March 20, 1972.

DECLASSIFIED
PA/HO Department of State
E.O. 12958, as amended
July 12, 2005

THE SECRETARY OF STATE
WASHINGTON

March 20, 1972

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MEMORANDUM FOR THE PRESIDENT

Subject: Recent Brazilian Fishery Negotiations

A delegation of State, Commerce and Defense Department officials, with advisers from the fishing industry, was in Brasilia from February 23 to March 6 negotiating an agreement to cover operations of the large U.S. flag fleet engaged in shrimp fishing within Brazil's claimed 200-mile territorial sea. The U.S. and Brazilian delegations agreed on a text to be submitted to their Governments for approval, and review of the proposed agreement is proceeding in both Governments at this time. If the agreement goes into effect, it should prevent a confrontation between the United States and Brazil over fisheries in the next two years.

The agreement is based on a common interest in conservation of shrimp resources in a clearly defined area off Brazil's coast. It should meet Brazil's political requirement for an apparent limitation on foreign fishing without in fact significantly burdening the U.S. industry or implying recognition of Brazil's jurisdictional claim. Exemption of Brazilian fishermen from certain limitations which apply to U.S. vessels is explained by the unequal development of the fishing industries rather than the geographical position of the countries. The text avoids prejudice to the juridical position or the negotiating position of either Party

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for the 1973 Law of the Sea Conference. The agreement is for two years, with possibility of extension but with the tacit understanding that its interim nature is related to the outcome of the 1973 Law of the Sea Conference.

John H. Duerksen II
for William P. Rogers

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