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OF THE LIVING RESOURCES OF THE SEA

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INTERNATIONAL TECHNICAL CONFERENCE ON THE CONSERVATION
OF THE LIVING RESOURCES OF THE SEA

WORKING PAPER SUBMITTED BY THE DELEGATIONS OF CUBA
AND MEXICO AS A BASIS FOR DISCUSSION

(Sub-Committees I, II and III)

Draft of Some Conclusions for Insertion in the Report of the International
Technical Conference on the Conservation of the Living Resources of the Sea

1. The development of modern techniques for the exploitation of the living resources of the sea has exposed some of these resources to the danger of being wasted, harmed or exterminated. Consequently, it is necessary and urgent that measures for the conservation of the living resources of the sea should be adopted when scientific evidence indicates that they are being or might be exposed to waste, harm or extermination.
2. The primary objective of the conservation of the living resources of the sea is to obtain in a form useful to mankind, the optimum sustainable yield with the minimum harm to the species concerned and to its ecological environment. In certain cases, however, social and economic factors may have a bearing upon the evaluation of the objective of conservation. In particular, when formulating conservation programmes, account should be taken of the needs of the coastal State and of its special interest in maintaining the productivity of the resources of the high seas near to its coast.
3. The nature and scope of the problems involved in the conservation of the living resources of the sea is such that there is a clear necessity that they should be solved primarily on a basis of international co-operation, through the concerted action of all states concerned.
4. Study of the last fifty years experience and recognition of the great variety of conditions under which conservation programmes have to be applied, clearly indicate that these programmes can be more effectively carried out for separate species or on a regional basis. Naturally, the degree to which international conservation agreements are necessary, the scope of such agreements

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and the number of parties to them may vary considerably according to the region or species in question.

5. Where the States concerned have not agreed as to the measures for the conservation of the living resources of the sea, the coastal State may adopt those measures which are based on scientific and technical principles, when the need of conserving these resources becomes imperative. The measures which the coastal State adopts under such conditions must not discriminate against foreign fishermen.

6. In the case of differences between the coastal State and other States concerned, or between States which are parties to an international agreement and third States, either on the scientific and technical justification of the measures adopted, or on their nature or scope, such differences should be settled by appropriate technical bodies of an international character.

7. International co-operation for the investigation and formulation of scientific and technical principles should be encouraged, preferably on a regional basis. Such principles may serve as a guide for drafting international agreements, and as a guide to coastal States seeking to adopt proper conservation measures, or for the purpose of settling differences which may arise between the various States in this regard.