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DEVELOPMENT AND INTERNATIONAL ECONOMIC CO-OPERATION: ENVIRONMENT

Draft resolution submitted by the Vice-Chairman of the
Committee, Mr. David Payton (New Zealand), on the basis
of informal consultations held on revised draft
resolutions A/C.2/44/L.28/Rev.1 and L.30/Rev.1

Large-scale pelagic driftnet fishing and its impacts on the living marine resources of the world's oceans and seas

The General Assembly,

Noting that many countries are disturbed by the increase in the use of large-scale pelagic driftnets, which can reach or exceed 30 miles (48 kilometres) in total length, to catch living marine resources on the high seas of the world's oceans and seas,

Mindful that large-scale pelagic driftnet fishing, a method of fishing with a net or a combination of nets intended to be held in a more or less vertical position by floats and weights, whose purpose is to enmesh fish by drifting on the surface of or in the water, can be a highly indiscriminate and wasteful fishing method which is widely considered to threaten the effective conservation of living marine resources such as highly migratory and anadromous species of fish, birds and marine mammals,

Noting that the present resolution does not address the question of small-scale driftnet fishing traditionally conducted in coastal waters, especially by developing countries, which provides an important contribution to their subsistence and economic development,

Expressing concern that, in addition to targeted species of fish, non-targeted fish, marine mammals, seabirds and other living marine resources of the world's oceans and seas can become entangled in large-scale pelagic driftnets, either in those in active use or in those that are lost or discarded, and as a result of such entanglement, are often either damaged or killed,

Recognizing that more than one thousand fishing vessels use large-scale pelagic driftnets in the Pacific Ocean, the Atlantic Ocean, the Indian Ocean, and in other areas of the high seas,

Recognizing that any regulatory measures to be taken for the conservation and management of living marine resources should take account of the best available scientific data and analyses,

Recalling the relevant principles elaborated in the United Nations Convention on the Law of the Sea,

Affirming that, in accordance with the relevant articles of the Convention on the Law of the Sea, all members of the international community have a duty to co-operate globally and regionally in the conservation and management of living resources on the high seas, and a duty to take, or to co-operate with others in taking, such measures for their nationals as may be necessary for the conservation of the living resources of the high seas,

Recalling, in accordance with the relevant articles of the Convention on the Law of the Sea, the responsibility of all members of the international community to ensure the conservation and management of living marine resources and the protection and preservation of the living marine environment within their exclusive economic zones,

Noting the serious concern, particularly of coastal States and States with fishing interests, that when living marine resources are overexploited in the high seas adjacent to the exclusive economic zones of coastal States, this is likely to have adverse impacts on the same resources within such zones, and in this regard, the responsibility for co-operation in accordance with the relevant articles of the Convention on the Law of the Sea,

Also noting that the countries of the South Pacific Forum and the South Pacific Commission, in recognition of the importance of living marine resources to the people of the South Pacific region, have called for a cessation of such fishing in the South Pacific and the implementation of effective management programmes,

Also noting the adoption by South Pacific Heads of Government of the Declaration on this subject at Tarawa on 11 July 1989 and the adoption by South Pacific States and territories of the Convention for the Prohibition of Fishing with Long Driftnets in the South Pacific, at Wellington on 24 November 1989,

Further noting that some members of the international community have entered into co-operative enforcement and monitoring programmes for the immediate evaluation of the impacts of large-scale pelagic driftnet fishing,

Recognizing that some members of the international community have taken steps to reduce their driftnet operations in some regions in response to regional concerns,

1. Calls upon all members of the international community, particularly those with fishing interests, to strengthen their co-operation in the conservation and management of living marine resources;

2. Calls upon all those involved in large-scale pelagic driftnet fishing to co-operate fully with the international community, and especially with coastal States and the relevant international and regional organizations, in the enhanced collection and sharing of statistically sound scientific data, in order to continue to assess the impacts of such fishing methods, and to secure conservation of the world's living marine resources;

3. Recommends that all interested members of the international community, particularly within regional organizations, continue to consider and, by no later than 30 June 1991, review the best available scientific data on the impacts of large-scale pelagic driftnet fishing, and agree upon further co-operative regulation and monitoring measures, as needed;

4. Further recommends that all members of the international community, bearing in mind the special role of regional organizations and regional and bilateral co-operation in the conservation and management of living marine resources, as reflected in the relevant articles of the Convention on the Law of the Sea, agree to:

(a) Moratoria on all large-scale pelagic driftnet fishing on the high seas by 30 June 1992 with the understanding that such a measure will not be imposed in a region, or if implemented, can be lifted, should effective conservation and management measures be taken based upon statistically sound analysis to be jointly made by concerned parties of the international community with an interest in the fishery resources of the region, to prevent unacceptable impacts of such fishing practices in that region and to ensure the conservation of the living marine resources of that region;

(b) Take immediate action to reduce progressively large-scale pelagic driftnet fishing activities in the South Pacific region leading to the cessation of such activities by no later than 1 July 1991, as an interim measure, until appropriate conservation and management arrangements for South Pacific albacore tuna resources are entered into by the parties concerned;

(c) An immediate cessation to further expansion of large-scale pelagic driftnet fishing on the high seas of the North Pacific and all the other high seas outside the Pacific Ocean, with the understanding that this measure will be reviewed subject to the conditions in 4 (a);

5. Encourages coastal countries which have exclusive economic zones adjacent to the high seas to take appropriate measures and to co-operate in collection and submission of scientific information on driftnet fishing in their own exclusive

economic zones, taking into account the measures taken on the high seas for the conservation of living marine resources;

6. Requests specialized agencies, particularly the Food and Agriculture Organization of the United Nations and other appropriate organs, organizations and programmes of the United Nations system, as well as the various regional and subregional fisheries organizations, to study urgently large-scale pelagic driftnet fishing and its impacts on the living marine resources and to report their views to the Secretary-General;

7. Requests the Secretary-General to bring the present resolution to the attention of all members of the international community, intergovernmental organizations, non-governmental organizations in consultative status with the Economic and Social Council, and well-established scientific institutions with expertise in relation to living marine resources;

8. Requests the Secretary-General to submit to the General Assembly at its forty-fifth session a report on the implementation of the present resolution for its consideration.
