

## 19.57 The Northwest Atlantic Offshore Fishery

AWARE that several fish stocks have severely declined in the northwest Atlantic Ocean from over-fishing and recent harsh climatic conditions;

RECOGNIZING that the UN Convention on the Law of the Sea (UNCLOS) was developed, in part, to conserve marine wildlife and to establish exclusive rights for States to manage fishery resources within 200-mile economic zones off their respective shorelines;

ALSO AWARE that UNCLOS is considered to be customary international law with respect to fishing, although it is not yet a legally binding agreement;

EMPHASIZING that conservation and management measures inside and outside 200-mile economic zones should be consistent;

CONSIDERING that offshore fishing in the northwest Atlantic Ocean should be limited to States adjacent to offshore waters and to those States who have fished traditionally in the waters, as outlined by UNCLOS;

RECOGNIZING that the Northwest Atlantic Fisheries Organization (NAFO) is responsible for setting quotas, based on good conservation principles, for States fishing in the northwest Atlantic Ocean, and that NAFO member governments have all agreed to comply with the annual quotas set by that organization;

AWARE that Canadian government surveillance flights and fisheries inspection vessels have observed boats from non-NAFO member States, in particular from "flags of convenience" States such as Panama, Honduras and Belize, fishing just outside Canada's 200-mile zone;

CONCERNED that NAFO quotas should be reduced if catches are found to be adversely affecting fish stocks within the area regulated by NAFO;

RECOGNIZING that where current measures are not leading to recovery of stocks, within the NAFO regulated area, additional restrictions should be implemented, not excluding consideration of a complete moratorium;

AWARE that the United Nations is considering a legally binding draft Convention on the Conservation and Management of Straddling Fish Stocks on the High Seas and Highly Migratory Fish Stocks on the High Seas;

The General Assembly of IUCN - The World Conservation Union, at its 19th Session in Buenos Aires, Argentina, 17-26 January 1994:

1. URGES non-NAFO member countries immediately

to halt all fishing operations in the area regulated by NAFO;

2. ENCOURAGES the United Nations quickly to adopt an appropriate legal instrument on the conservation and management of straddling and migratory fish stocks on the High Seas that would ensure effective enforcement, surveillance and dispute settlement mechanisms, to regulate fishing practices and prevent over-fishing on the High Seas;
3. RECOMMENDS that NAFO reduce fish quotas if catches are found to be adversely affecting the conservation of any fish species or adversely affecting the conservation of fish stocks within its regulatory area;
4. URGES NAFO to take additional measures to ensure a recovery of cod stocks.

*Note. This Recommendation was adopted by a show of hands after various amendments had been considered. The delegation of the State members Australia and Sweden indicated abstentions, as did the delegation of the State member Greece on behalf of the delegations of the Member States present of the European Union.*