

1.76 Implementation of the UN Fish Agreement and Other Marine Biodiversity Instruments and Initiatives

RECALLING Recommendations 18.33, 19.55 and 19.56 of the 18th and 19th Session of the IUCN General Assembly;

NOTING the entry into force in 1994 of the Convention on Biological Diversity and the UN Convention on the Law of the Sea (UNCLOS), and the agreement of the States Parties to the latter on the Council of the Assembly of the International Seabed Authority and on practical arrangements for the establishment of the International Tribunal for the Law of the Sea;

WELCOMING the adoption of the Agreement for the Implementation of the Provisions of the UN Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (UN Fish Agreement) in August 1995;

RECOGNIZING the importance of bringing the UN Fish Agreement into force as soon as possible and implementing it domestically and in subregional and regional organizations and arrangements;

NOTING that marine fisheries internationally have reached a plateau of a reported 80 to 90 million tonnes of fish and shellfish per year with limited possibilities for increased supplies, except for aquaculture and better conservation and management;

AWARE of the adoption by FAO in 1990 of the Agreement to Provide Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas, and in 1995 of the voluntary Code of Conduct for Responsible Fisheries;

NOTING the initial work of the Commission on Sustainable Development on the review of Chapter 17 (Protection of the oceans, all kind of seas, including enclosed, and semi-enclosed seas, and coastal areas and the protection, rational use and development of their living resources) of Agenda 21 and the review in 1997 of CSD's work;

NOTING Decision II/10 on Conservation and Sustainable Use of Marine and Coastal Biological Diversity of the Second Meeting of the Parties to the Convention on Biological Diversity, adopted in November 1995, which serves as a sound basis for further action to prevent physical alteration and destruction and degradation of habitats;

RECALLING that Chapter 17 of Agenda 21 called for States to commit themselves to the conservation and sustainable use of marine living resources on the high seas (para. 46) and marine living resources under national jurisdiction (para. 74);

RECALLING the decision of the UN Commission on Sustainable Development at its Fourth Session in 1996 on the Implementation of International Fisheries Instruments;

CONCERNED nonetheless, at the ongoing and serious threats to marine and coastal biological diversity caused by inadequate management and unsustainable fishing practices, which according to FAO has led to most major commercial species being depleted, fully exploited or over-exploited, and is threatening the sustainability of high seas fisheries resources;

EMPHASIZING the continued and crucial need to address the problems of over-capacity and overfishing in the high seas and in areas under national jurisdiction, unsustainable fishing methods and wasteful fisheries practices, in particular discards;

AWARE that in many coastal States, fishing communities traditionally dependent on fishing for food and livelihoods are jeopardized by over-exploitation of fish stocks and damage to ecosystems;

AWARE that 1998 is the Year of the Oceans;

The World Conservation Congress at its 1st Session in Montreal, Canada, 14–23 October 1996:

1. CALLS ON all States:
 - a) to sign and ratify the UN Agreement Relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks so as to bring it into force and implement its provisions as soon as possible;

- b) to deposit their instrument of acceptance of the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas;
 - c) to implement the FAO Code of Conduct for Responsible Fisheries;
 - d) to speedily negotiate a global, legally binding instrument for the reduction and/or elimination of emissions and discharges of Persistent Organic Pollutants as a step in controlling land-based sources of marine pollution;
 - e) to review their policies with regard to subsidies and to phase-out, as soon as possible, those which are inappropriate and lead to over-capacity of fishing fleets and over-exploitation of fisheries resources;
2. CALLS ON all States and regional fisheries agencies :
- a) to apply the precautionary approach as set out in the UN Agreement Relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks;
 - b) to integrate marine and coastal biodiversity concerns into national and regional regulation of fishing activities, using as a basis Decision II/10 of the Second Meeting of the Parties to the Convention on Biological Diversity;
 - c) to strengthen fisheries research, including research into impacts of all kinds of fishing on marine biodiversity and by-catch species;
3. CALLS UPON States Parties to UNCLOS to pay special attention to the required initiatives and responsibilities attached to the environmentally-related provisions of that Convention;
4. CALLS ON Parties to the Convention on Biological Diversity to develop and extend their consideration of marine biodiversity in line with the Jakarta Mandate on Conservation and Sustainable Use of Marine and Coastal Biodiversity;
5. CALLS ON all States and international organizations to review their fishing agreements with other countries, in particular developing countries, in order to ensure that these agreements do not result in negative impacts on local coastal communities and artisanal fishers and on the fisheries resources in areas under the national jurisdiction of host countries;
6. REQUESTS the Chairs of relevant Commissions and the Director General, within available resources, to develop a programme to use the Year of the Oceans 1998 as a means of raising awareness and promoting action on marine biodiversity and ecologically sustainable use of marine resources;
7. REQUESTS the Director General, within available resources, to establish technical and legal cooperation with the Secretariats and other organs of the international agreements mentioned above, and to strengthen their efforts for the conservation and sustainable management of marine living resources.