

**General Assembly**Distr.: General  
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Agenda item 76 (b)**Resolution adopted by the General Assembly***[without reference to a Main Committee (A/64/L.29 and Add.1)]*

- 64/72. Sustainable fisheries, including through the 1995 Agreement for the Implementation of the Provisions of the United Nations 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, and related instruments**

**X****Responsible fisheries in the marine ecosystem**

107. *Encourages* States to apply by 2010 the ecosystem approach, in accordance with paragraph 30 (d) of the Johannesburg Plan of Implementation;

108. *Also encourages* States, individually or through regional fisheries management organizations and arrangements and other relevant international organizations, to work to ensure that fisheries and other ecosystem data collection is performed in a coordinated and integrated manner, facilitating incorporation into global observation initiatives, where appropriate;

109. *Calls upon* States and regional fisheries management organizations or arrangements, working in cooperation with other relevant organizations, including the Food and Agriculture Organization of the United Nations, the Intergovernmental Oceanographic Commission and the World Meteorological Organization, to adopt, as appropriate, measures to protect ocean data buoy systems moored in areas beyond national jurisdiction from actions that impair their operation;

110. *Encourages* States to increase scientific research in accordance with international law on the marine ecosystem;

111. *Calls upon* States, the Food and Agriculture Organization of the United Nations and other specialized agencies, subregional and regional fisheries management organizations and arrangements, where appropriate, and other appropriate intergovernmental bodies, to cooperate in achieving sustainable aquaculture, including through information exchange, developing equivalent standards on such issues as aquatic animal health and human health and safety concerns, assessing the potential positive and negative impacts of aquaculture, including socio-economics, on the marine and coastal environment, including biodiversity, and adopting relevant methods and techniques to minimize and mitigate adverse effects, and in this regard encourages the implementation of the 2007 Strategy and Outline Plan for Improving Information on Status and Trends of Aquaculture of the Food and Agriculture Organization of the United Nations,<sup>21</sup> as a framework for the improvement and understanding of aquaculture status and trends;

112. *Expresses its appreciation* to the Secretary-General for the report on the actions taken by States and regional fisheries management organizations and arrangements to give effect to paragraphs 83 to 90 of resolution 61/105;<sup>22</sup>

113. *Calls upon* States to take action immediately, individually and through regional fisheries management organizations and arrangements, and consistent with the precautionary approach and ecosystem approaches, to implement the 2008 International Guidelines for the Management of Deep-sea Fisheries in the High Seas of the Food and Agriculture Organization of the United Nations (“the Guidelines”)<sup>23</sup> in order to sustainably manage fish stocks and protect vulnerable marine ecosystems, including seamounts, hydrothermal vents and cold water corals, from destructive fishing practices, recognizing the immense importance and value of deep sea ecosystems and the biodiversity they contain;

114. *Reaffirms* the importance of paragraphs 80 to 91 of resolution 61/105 addressing the impacts of bottom fishing on vulnerable marine ecosystems and the long-term sustainability of deep sea fish stocks and the actions called for in that resolution, and emphasizes the need for full implementation by all States and relevant regional fisheries management organizations or arrangements of their commitments under those paragraphs on an urgent basis;

115. *Recalls* that nothing in the paragraphs of resolution 61/105 and the present resolution addressing the impacts of bottom fishing on vulnerable marine

<sup>21</sup> Food and Agriculture Organization of the United Nations, *Decisions and Recommendations of the Third Session of the Sub-Committee on Aquaculture, Twenty-seventh Session of the Committee on Fisheries, Rome, 5–9 March 2007* (COFI/2007/5), appendix.

<sup>22</sup> A/64/305.

<sup>23</sup> Food and Agriculture Organization of the United Nations, *Report of the Technical Consultation on International Guidelines for the Management of Deep-sea Fisheries in the High Seas, Rome, 4–8 February and 25–29 August 2008*, FAO Fisheries and Aquaculture Report No. 881 (FIEP/R881 (Tri)), appendix F.

ecosystems prejudices the sovereign rights of coastal States over their continental shelf or the exercise of the jurisdiction of coastal States with respect to their continental shelf under international law as reflected in the Convention, in particular article 77;

116. *Welcomes* the important progress made by States, regional fisheries management organizations or arrangements and those States participating in negotiations to establish a regional fisheries management organization or arrangement competent to regulate bottom fisheries to implement paragraphs 80 and 83 to 87 of resolution 61/105 and address the impacts of bottom fishing on vulnerable marine ecosystems;

117. *Also welcomes* the substantial work of the Food and Agriculture Organization of the United Nations related to the management of deep sea fisheries in the high seas and the protection of vulnerable marine ecosystems, in particular the development and adoption of the Guidelines, and urges States and regional fisheries management organizations or arrangements to ensure that their actions in sustainably managing deep sea fisheries and implementing paragraphs 80 and 83 to 87 of resolution 61/105 and paragraphs 119, 120 and 122 to 124 of the present resolution are consistent with the Guidelines;

118. *Notes with concern* that, despite the progress made, the urgent actions called for in paragraphs 80 and 83 to 87 of resolution 61/105 have not been sufficiently implemented in all cases;

119. *Considers* that, on the basis of the review carried out in accordance with paragraph 91 of resolution 61/105, further actions in accordance with the precautionary approach, ecosystem approaches and international law are needed to strengthen the implementation of paragraphs 80 and 83 to 87 of resolution 61/105, and in this regard calls upon regional fisheries management organizations or arrangements with the competence to regulate bottom fisheries, States participating in negotiations to establish such organizations or arrangements, and flag States to take the following urgent actions in areas beyond national jurisdiction:

(a) Conduct the assessments called for in paragraph 83 (a) of resolution 61/105, consistent with the Guidelines, and ensure that vessels do not engage in bottom fishing until such assessments have been carried out;

(b) Conduct further marine scientific research and use the best scientific and technical information available to identify where vulnerable marine ecosystems are known to occur or are likely to occur and adopt conservation and management measures to prevent significant adverse impacts on such ecosystems consistent with the Guidelines, or close such areas to bottom fishing until conservation and management measures have been established, as called for in paragraph 83 (c) of resolution 61/105;

(c) Establish and implement appropriate protocols for the implementation of paragraph 83 (d) of resolution 61/105, including definitions of what constitutes evidence of an encounter with a vulnerable marine ecosystem, in particular threshold levels and indicator species, based on the best available scientific information and consistent with the Guidelines, and taking into account any other conservation and management measures to prevent significant adverse impacts on vulnerable marine ecosystems, including those based on the results of assessments carried out pursuant to paragraph 83 (a) of resolution 61/105 and paragraph 119 (a) of the present resolution;

(d) Adopt conservation and management measures, including monitoring, control and surveillance measures, on the basis of stock assessments and the best available scientific information, to ensure the long-term sustainability of deep sea fish stocks and non-target species, and the rebuilding of depleted stocks, consistent with the Guidelines; and, where scientific information is uncertain, unreliable, or inadequate, ensure that conservation and management measures are established consistent with the precautionary approach, including measures to ensure that fishing effort, fishing capacity and catch limits, as appropriate, are at levels commensurate with the long-term sustainability of such stocks;

120. *Calls upon* flag States, members of regional fisheries management organizations or arrangements with the competence to regulate bottom fisheries and States participating in negotiations to establish such organizations or arrangements to adopt and implement measures in accordance with paragraphs 83, 85 and 86 of resolution 61/105, paragraph 119 of the present resolution, and international law, and consistent with the Guidelines, and not to authorize bottom fishing activities until such measures have been adopted and implemented;

121. *Recognizes* the special circumstances and requirements of developing States and the specific challenges they may face in giving full effect to certain technical aspects of the Guidelines, and that implementation by such States of paragraphs 83 to 87 of resolution 61/105, paragraph 119 of the present resolution and the Guidelines should proceed in a manner that gives full consideration to section 6 of the Guidelines on special requirements of developing countries;

122. *Calls upon* States and regional fisheries management organizations or arrangements to enhance efforts to cooperate to collect and exchange scientific and technical data and information related to the implementation of the measures called for in the relevant paragraphs of resolution 61/105 and the present resolution to manage deep sea fisheries in areas beyond national jurisdiction and to protect vulnerable marine ecosystems from significant adverse impacts of bottom fishing by, inter alia:

(a) Exchanging best practices and developing, where appropriate, regional standards for use by States engaged in bottom fisheries in areas beyond national jurisdiction and regional fisheries management organizations or arrangements with a view to examining current scientific and technical protocols and promoting consistent implementation of best practices across fisheries and regions, including assistance to developing States in accomplishing these objectives;

(b) Making publicly available, consistent with domestic law, assessments of whether individual bottom fishing activities would have significant adverse impacts on vulnerable marine ecosystems and the measures adopted in accordance with paragraphs 83, 85 and 86, as appropriate, of resolution 61/105, and promoting the inclusion of this information on the websites of regional fisheries management organizations or arrangements;

(c) Submission by flag States to the Food and Agriculture Organization of the United Nations of a list of those vessels flying their flag authorized to conduct bottom fisheries in areas beyond national jurisdiction, and the measures they have adopted to give effect to the relevant paragraphs of resolution 61/105 and the present resolution;

(d) Sharing information on vessels that are engaged in bottom fishing operations in areas beyond national jurisdiction where the flag State responsible for such vessels cannot be determined;

response to paragraphs 80 and 83 to 87 of resolution 61/105 and paragraphs 117 and 119 to 127 of the present resolution, and invites States and regional fisheries management organizations and arrangements to consider making such information publicly available;

131. *Encourages* accelerated progress to establish criteria on the objectives and management of marine protected areas for fisheries purposes, and in this regard welcomes the proposed work of the Food and Agriculture Organization of the United Nations to develop technical guidelines in accordance with the Convention and the Code on the design, implementation and testing of marine protected areas for such purposes, and urges coordination and cooperation among all relevant international organizations and bodies;

132. *Urges* all States to implement the 1995 Global Programme of Action for the Protection of the Marine Environment from Land-based Activities<sup>24</sup> and to accelerate activity to safeguard the marine ecosystem, including fish stocks, against pollution and physical degradation;

133. *Reaffirms* the importance it attaches to paragraphs 77 to 81 of resolution 60/31 concerning the issue of lost, abandoned or discarded fishing gear and related marine debris and the adverse impacts such debris and derelict fishing gear have on, inter alia, fish stocks, habitats and other marine species, and urges accelerated progress by States and regional fisheries management organizations and arrangements in implementing those paragraphs of the resolution;

## XI Capacity-building

134. *Reiterates* the crucial importance of cooperation by States directly or, as appropriate, through the relevant subregional and regional organizations, and by other international organizations, including the Food and Agriculture Organization of the United Nations through its FishCode programme, including through financial and/or technical assistance, in accordance with the Agreement, the Compliance Agreement, the Code and its associated international plans of action,<sup>7</sup> to increase the capacity of developing States to achieve the goals and implement the actions called for in the present resolution;

135. *Welcomes* the work of the Food and Agriculture Organization of the United Nations in developing guidance on the strategies and measures required for the creation of an enabling environment for small-scale fisheries, including the development of a code of conduct and guidelines for enhancing the contribution of small-scale fisheries to poverty alleviation and food security that include adequate provisions with regard to financial measures and capacity-building, including transfer of technology, and encourages studies for creating possible alternative livelihoods for coastal communities;

136. *Encourages* increased capacity-building and technical assistance by States, international financial institutions and relevant intergovernmental organizations and bodies for fishers, in particular small-scale fishers, in developing countries, and in particular small island developing States, consistent with environmental sustainability;

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<sup>24</sup> See A/51/116, annex II.