

SUSTAINABLE USE AND CONSERVATION OF MARINE LIVING RESOURCES UNDER NATIONAL JURISDICTION

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Basis for action

Marine fisheries yield 80 to 90 million tons of fish and shellfish per year 95 per cent of which is taken from waters under national jurisdiction. Yields have increased nearly fivefold over the past four decades. The provisions of the United Nations Convention on the Law of the sea on marine living resources of the exclusive economic zone and other areas under national jurisdiction set forth rights and obligations of States with respect to conservation and utilization of those resources.

Marine living resources provide an important source of protein in many countries and their use is often of major importance to local communities and indigenous people. Such resources provide food and livelihoods to millions of people and, if sustainably utilized, offer increased potential to meet nutritional and social needs, particularly in developing countries. To realize this potential requires improved knowledge and identification of marine living resource stocks, particularly of underutilized and unutilized stocks and species, use of new technologies, better handling and processing facilities to avoid wastage, and improved quality and training of skilled personnel to manage and conserve effectively the marine living resources of the exclusive economic zone and other areas under national jurisdiction. Emphasis should also be on multi-species management and other approaches that take into account the relationships among species.

Fisheries in many areas under national jurisdiction face mounting problems, including local over-fishing, unauthorized incursions by foreign fleets, ecosystem degradation, overcapitalization and excessive fleet sizes, undervaluation of catch, insufficiently selective gear, unreliable databases, and increasing competition between artisanal and large-scale fishing, and between fishing and other types of activities.

Problems extend beyond fisheries. Coral reefs and other marine and coastal habitats, such as mangroves and estuaries, are among the most highly diverse, integrated and productive of the Earth's ecosystems. They often serve important ecological functions, provide coastal protection, and are critical resources for food, energy, tourism, and other marine and coastal systems are under stress or are threatened from a variety of sources, both human and natural.

Objectives

Coastal States, particularly developing countries and States whose economies are overwhelmingly dependent on the exploitation of the marine living resources of their exclusive economic zones, should obtain the full social and economic benefits from sustainable utilization of marine living resources within their exclusive economic zones and other areas under national jurisdiction.

States commit themselves to the conservation and sustainable use of marine living resources under national jurisdiction. To this end, it is necessary to:

- Develop and increase the potential of marine living resources to meet human nutritional needs, as well as social, economic and development goals;
- Take into account traditional knowledge and interests of local communities, small-scale artisanal fisheries and indigenous people in development and management programmes;
- Maintain or restore populations of marine species at levels that can produce the maximum sustainable yield as qualified by relevant environmental and economic factors, taking into consideration relationships among species;
- Promote the development and use of selective fishing gear and practices that minimize waste in the catch of target species and minimize by-catch of non-target species;
- Protect and restore endangered marine species;
- Preserve rare or fragile ecosystems, as well as habitats and other ecologically sensitive areas.

Nothing in paragraphs above restricts the right of a coastal State or the competence of an international organization, as appropriate, to prohibit, limit or regulate the exploitation of marine mammals more strictly than provided for in that paragraph. States shall cooperate with a view to the conservation of marine mammals and in the case of cetaceans shall in particular work through the appropriate international organizations for their.

The ability of developing countries to fulfill the above objectives is dependent upon their capabilities, including the financial, scientific and technological means at

their disposal. Adequate financial, scientific and technological cooperation should be provided to support acting by them to implement these objectives

Management-related activities

States should ensure that marine living resources of the exclusive economic zone and other areas under national jurisdiction are conserved and managed in accordance with the provisions of the United Nations Convention on the Law of the Sea.

Costal States, individually or through bilateral and/or multilateral cooperation and with the support, as appropriate of international organizations, whether sub-regional, regional or global, should inter alia:

- Assess the potential of marine living resources, including underutilized or unutilized stocks and species, by developing inventories, where necessary, for their conservation and sustainable use;
- Implement strategies for the sustainable use of marine living resources, taking into account the special needs and interests of small-scale artisanal fisheries, local communities and indigenous people to meet human nutritional and other development needs;
- Implement, particularly in developing countries, mechanisms to develop mariculture, aquaculture and small-scale deep-sea and oceanic fisheries within areas under national jurisdiction where assessments show that marine living resources are potentially available;
- Strengthen their legal and regulatory frameworks, where appropriate, including management, enforcement and surveillance capabilities, to regulate activities related to the above strategies;
- Take measures to increase the availability of marine living resources as human food by reducing wastage, post-harvest losses and discards, and improving techniques of processing, distribution and transportation;
- Develop and promote the use- of environmentally sound technology under criteria compatible with the sustainable use of marine living resources, including assessment of the environmental impact of major new fishery practices;
- Enhance the productivity and utilization of their marine living resources for food and income.

States, in implementing the provisions of the United Nations Convention on the Law of the Sea, should address the issues of straddling stocks and highly migratory species, and taking fully into account the objective set out above, access to the surplus of allowable catches.

Coastal States should explore the scope for expanding recreational and tourist activities based on marine living resources, including those for providing alternatives sources of income. Such activities should be compatible with conservation and sustainable development policies and plans.

Coastal States should support the sustainability of small-scale artisanal fisheries. To this end, they should, as appropriate:

- Integrate small-scale artisanal fisheries development in marine and costal planning, taking into account the interests and, where appropriate, encouraging representation of fishermen, small-scale fish workers, women, local communities and indigenous people;
- Recognize the rights of small-scale fish workers and the special situation of indigenous people and local communities, habitats on a sustainable basis;
- Develop systems for the acquisition and recording of traditional knowledge concerning marine living resources and environment and promote the incorporation of such knowledge into management systems.

Coastal States should ensure that, in the negotiation and implementation of international agreements on the development or conservation of marine living resources, the interests of local communities and indigenous people are taken into account, in particular their right to subsistence.

Coastal States, with the support, as appropriate, of international organizations should conduct analyses of the potential for aquaculture in marine and coastal areas under national jurisdiction and apply appropriate safeguards as to the introduction of new species.

States should prohibit dynamiting, poisoning and other comparable destructive fishing practices.

States should identify marine ecosystems exhibiting high levels of biodiversity and productivity and other critical habitat areas and provide necessary limitations on use in these areas, through **inter alia**, designation of protected areas. Priority should be accorded, as appropriate, to:

- coral reef ecosystems,
- estuaries,
- temperate and tropical wetlands, including mangroves,
- seagrass beds,
- other spawning and nursery areas.
- Less euphoria, more realism