

THE UNITED NATIONS FISH STOCKS AGREEMENT

SUSTAINABLE FISHERIES FOR A BLUE FUTURE

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



UNFSA FOR IMPROVED FISHERIES MANAGEMENT

In creating management plans and agreeing on conservation measures, as well as other instruments and policies, fisheries managers can benefit from taking into consideration the main provisions of UNFSA.

As an international framework, UNFSA is a helpful instrument to assess if your country has the international policy that allows you to make decisions based on the best available science, apply key approaches, and provide for strengthening conservation and sustainable management of key fish stocks.

UNFSA at a glance








WHAT IS THE UNITED NATIONS FISH STOCKS AGREEMENT?

UNFSA is an international agreement that regulates key fisheries that, because they occur both in areas within national jurisdiction and on the high seas, require international cooperation for their effective management. Therefore, its objective is to ensure the long-term conservation and sustainable use of straddling fish stocks and highly migratory fish stocks through effective implementation of the relevant provisions of the 1982 United Nations Convention on the Law of the Sea (UNCLOS).

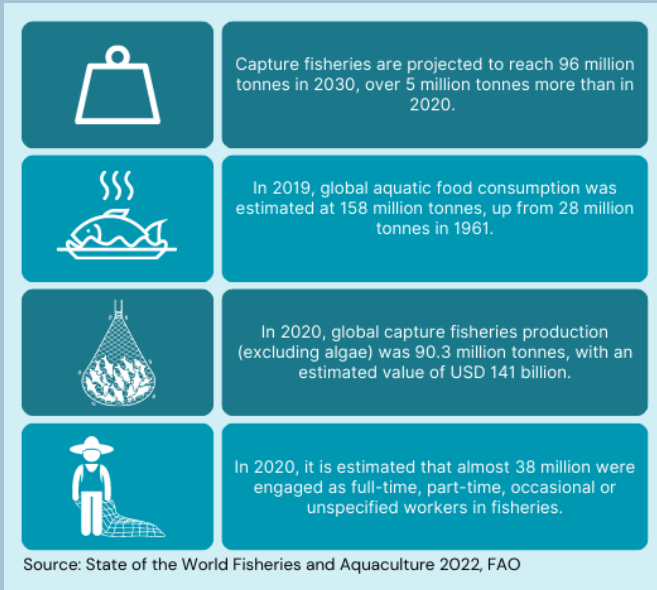
In relation to straddling fish stocks and highly migratory fish stocks, UNCLOS requires States to cooperate either directly or through appropriate subregional or regional fisheries organizations. As an implementing agreement to UNCLOS, UNFSA further develops this general framework and also incorporates new regulatory approaches based on modern principles.



THE FULL AND EFFECTIVE IMPLEMENTATION OF UNFSA HELPS STATES

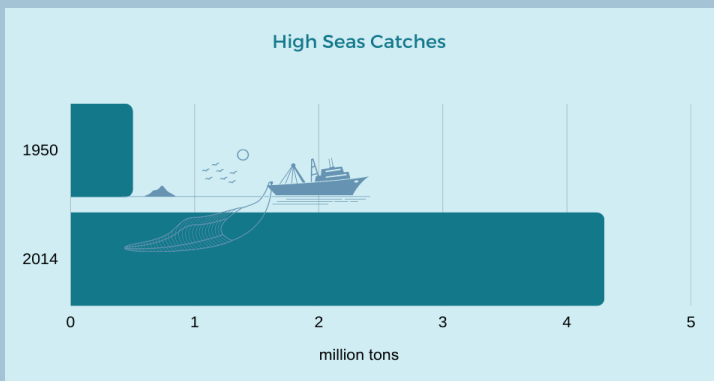
 <p>Promote the long-term sustainability of fisheries</p>	 <p>Combat illegal, unregulated and unreported fishing</p>	 <p>Maintain and strengthen the current system of regional governance in fisheries</p>	 <p>Strengthen the inclusiveness and effectiveness of RFMOs</p>	 <p>Meet global goals and commitments on fisheries</p>	 <p>Address current and future challenges to sustainability of fish stocks</p>
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FISHERIES ARE AN ENGINE FOR SUSTAINABLE BLUE GROWTH AND A VITAL SOURCE OF NUTRITION AND LIVELIHOODS



GLOBAL FISHERIES ARE IN CRISIS

- High seas fish catches grew from 0.5 million tons to 4.3 million tons between 1950 and 2014.
- High seas fisheries are under pressure from overfishing and other human stressors. Currently, more than 35% of all fish stocks are overfished.

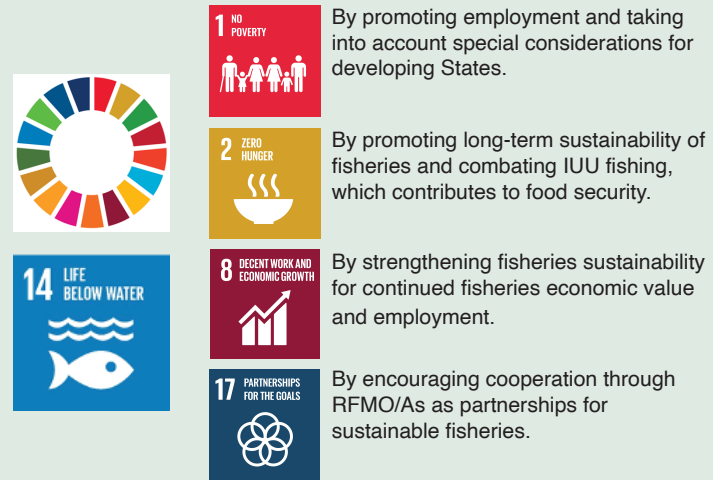


Illegal, unreported and unregulated fishing undermines national and regional efforts to manage fisheries sustainably and conserve marine biodiversity.

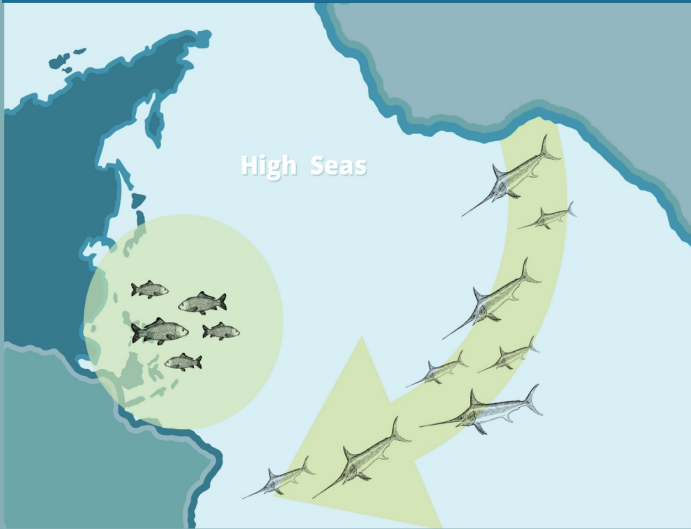
UNFSA AND THE 2030 AGENDA

In 2015, all Member States of the United Nations adopted the 2030 Agenda for Sustainable Development. It provides the shared strategy for peace and prosperity for people and the planet, contained under 17 Sustainable Development Goals (SDG).

SDG 14 titled “Life Below Water” aims to conserve and sustainably use the oceans, seas and marine resources for sustainable development. This includes effectively regulating fishing practices and implementing science-based management plans to restore fish stocks. Sustainable use of ocean resources through the implementation of UNFSA can also aid in achieving other SDGs, including:



UNFSA applies to stocks which occur both in areas within national jurisdiction and in areas beyond national jurisdiction. Highly migratory fish stocks and straddling fish stocks represent some of the most commercially significant high seas fisheries globally.



Straddling Fish Stocks: Can be found both within a country's national jurisdiction and in the adjacent high seas.
Examples: cod, halibut, pollock, jack mackerel and squid



Highly Migratory Fish Stocks: Regularly travel long distances through high seas areas and areas under national jurisdiction.
Examples: tuna, swordfish and oceanic sharks

COOPERATION FOR FISH STOCKS CONSERVATION

Cooperation, including at the regional dimension is key to international fisheries management policy. To be effective, UNFSA – as other global instruments and normative processes – has to be implemented and translated into actions at the national and regional levels.

While some RFMO/As predated it, UNFSA strengthens the role of RFMO/As as primary means of cooperation between coastal States and fishing States in the conservation and management of straddling fish stocks and highly migratory fish stocks.

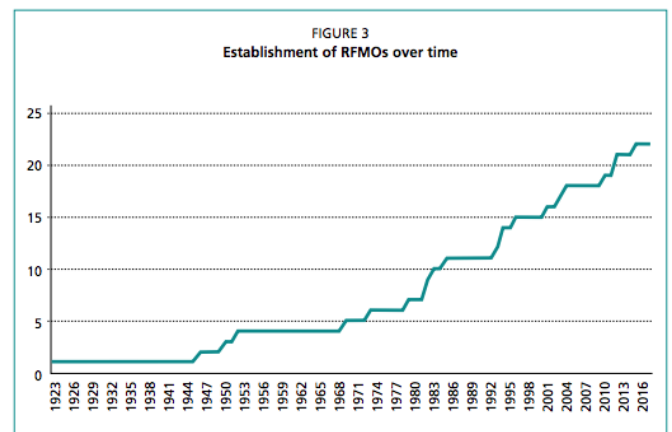
Regional Fisheries Management Organizations and Arrangements that manage highly migratory fish stocks or straddling fish stocks



The regional fisheries management organizations or arrangements are international frameworks for the management of regional fishing activities in the high seas.

States with fishing interests in a given geographical area cooperate through them. They are open both to countries in the region ('coastal States') and countries that have interests in those fisheries ('distant water fishing States').

As demonstrated by the rapid increase in their number, strengthening of their mandates, and growing number of members over the past decades, RFMO/As have become the management mechanisms of choice for long-term conservation and sustainable use of straddling fish stocks and highly migratory fish stocks.



Source: Regional fisheries management organizations and advisory bodies. Activities and developments, 2000-2017. FAO.

The UNFSA Review Conference has provided recommendations on RFMO/As function.

To learn more about the different Review Conference recommendations, please visit:
un.org/oceancapacity/unfisa

WHAT DO FISHERIES MANAGERS NEED TO KNOW ABOUT UNFSA?

CONSERVATION AND MANAGEMENT

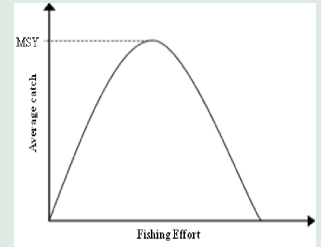
- UNFSA incorporates modern general principles to fisheries management, such as the precautionary and ecosystem approaches and promotes optimum utilization.
- UNFSA requires conservation and management measures to be adopted based on the best scientific evidence available. States are required to be more cautious when information is uncertain, unreliable or inadequate.
- Among other things, UNFSA stipulates that coastal States and States fishing in the high seas shall assess the impacts of fishing, other anthropogenic activities and environmental factors on species belonging to the same ecosystem or associated with or dependent upon the target stocks.
- States are mandated to adopt conservation and management measures bearing in mind species belonging to the same ecosystem or associated with or dependent upon the target stocks.

MECHANISMS FOR INTERNATIONAL COOPERATION

- UNFSA strengthens the duty for States to take or cooperate with other States in taking conservation measures, including through sub-regional or regional fisheries organizations, as codified in UNCLOS.
- To give effect to this duty, fishing States and coastal States shall become members of these organizations or agree to their conservation and management measures.
- Where such RFMO/As do not exist, relevant fishing and coastal States shall cooperate to establish such organization and arrangements.
- UNFSA also provides for the functions of the RFMO/As as well as for the rights and obligations of their participants, including sharing data about the fishery, abiding their rules, and contributing to funds for scientific assessments.
- UNFSA also provides for a wide range of mechanisms for peaceful settlement of disputes between parties. The diversity of the means at their disposal, ranging from negotiation to judicial settlement, allows for effective and expeditious settlement of disputes.
- UNFSA calls for transparency in the activities of RFMO/As, including their decision-making process.

Optimum Utilization

When aiming for **optimum utilization**, States must determine their **total allowable catch** to maintain or restore stocks at levels capable of producing **maximum sustainable yield**



Conservation and Management Measures (CMM)

Based on best scientific evidence, measures adopted to conserve and manage straddling fish stocks and highly migratory fish stocks, by States individually or through RFMO/As.

Examples of CMM: catch limits, time and area closures, etc.





WHAT DO FISHERIES MANAGERS NEED TO KNOW ABOUT UNFSA?

COMPLIANCE AND ENFORCEMENT

- UNFSA contains obligations for Flag States, including maintaining records on fishing activities or establishing appropriate regulations respecting its vessels.
- Flag States are required to ensure compliance by States flying their flag with relevant conservation and management measures, as well as to carry the appropriate proceedings to enforce it.
- Port States are required to adopt measures to promote conservation efforts. These measures may include inspection of documents, fishing gear and catch on board fishing vessels, and the adoption of specific regulations regarding landings and transshipments, among others.
- UNFSA also allows at-sea boarding and inspections of documents, catch and fishing gear by members of competent RFMO/As, introducing a unique and far-reaching exception to the exclusive flag State jurisdiction (see UNFSA Article 18) .

SPECIAL REQUIREMENTS OF DEVELOPING STATES

- UNFSA further recognizes the special requirements of developing States in the conservation and management of straddling fish stocks and highly migratory fish stocks, whether they occur on the high seas or within national waters of coastal developing States.
- States Parties are therefore asked to provide assistance to developing States, directly or indirectly, which can take different forms and includes financial assistance, assistance related to human resources development, technical assistance and transfer of technology.
- To further assist Developing States in the implementation of UNFSA, an Assistance Fund was created by the United Nations General Assembly.

Combating IUU Fishing


Along with other instruments, UNFSA is part of the international framework aiming at combating Illegal, Unreported and Unregulated (IUU) Fishing.

To learn more about the Assistance Funds, visit the Division of Ocean Affairs and the Law of the Sea webpage.

www.un.org/oceancapacity/UNFSAfund

To learn more about the different meetings and consultations, visit the Division of Ocean Affairs and the Law of the Sea webpage.

www.un.org/oceancapacity/



WHAT DO FISHERIES MANAGERS NEED TO KNOW ABOUT UNFSA?

INSTITUTIONAL PROVISIONS

- A Review Conference of the Agreement is periodically convened. It reviews and assesses the adequacy of the provisions of UNFSA and, if necessary, proposes means of strengthening their implementation of those provisions in order better to address any continuing problems and emerging issues. It has adopted important recommendations to strengthen implementation of UNFSA by States and RFMO/As, including through the Food and Agriculture Organization of the United Nations.
- Informal Consultations of States Parties to UNFSA also take place on a yearly basis and serve as a forum to discuss issues related to the implementation of the Agreement, including taking preparatory steps for the Review Conference. These Consultations also contribute to the consideration by the General Assembly of its agenda subitems on sustainable fisheries as well as on oceans and the law of the sea.

HOW CAN MY COUNTRY BECOME A PARTY TO UNFSA?

For States and other entities referred to in article 1, paragraph 2(b), of the Agreement, the consent to be bound by UNFSA can be expressed through ratification or accession. To do so, instruments of accession or ratification shall be deposited to the Secretary-General of the United Nations. Models of such instruments can be found on the United Nations Treaty Section. *See: un.org/oceancapacity/UNFSA*

For each State or entity which ratifies or accedes, the Agreement shall enter into force on the thirtieth day following the deposit of its instrument of ratification or accession. UNFSA is no longer open for signature.



Project of assistance to strengthen participation in and implementation of UNFSA. Made possible by a contribution from the European Commission to the Assistance Fund established pursuant to Part VII of UNFSA, which is administered by FAO in cooperation with DOALOS



Raised awareness of the benefits of UNFSA participation



Strengthened capacity of developing States Parties to implement UNFSA



Improved understanding of provisions and implementation



Strengthened implementation at international level

LEARN MORE: WWW.UN.ORG/OCEANCAPACITY/UNFSAPROJECT

