

relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks,<sup>109</sup>

*Recalling also* resolutions I and II adopted by the Conference,<sup>110</sup>

*Noting* the opening for signature of the Agreement on 4 December 1995,

*Recognizing* the importance of the Agreement for the conservation and management of straddling fish stocks and highly migratory fish stocks and the need for the regular consideration and review of developments relating thereto,

*Recognizing also* the importance of artisanal and subsistence fishers,

*Noting with appreciation* the information provided by States, relevant specialized agencies, international organizations, intergovernmental bodies and non-governmental organizations in accordance with resolution 50/24,

*Taking note* of the report of the Secretary-General,<sup>111</sup>

1. *Recognizes* the significance of the 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<sup>109</sup> as an important contribution to ensuring the conservation and management of straddling fish stocks and highly migratory fish stocks;

2. *Emphasizes* the importance of the early entry into force and effective implementation of the Agreement;

3. *Calls upon* all States and other entities referred to in article 1, paragraph 2 (b), of the Agreement that have not done so to ratify or accede to it and to consider applying it provisionally;

4. *Takes note with concern* that many commercially important straddling fish stocks and highly migratory fish stocks have been subject to heavy and little-regulated fishing efforts and that some stocks continue to be overfished;

5. *Welcomes* the fact that a growing number of States and other entities, as well as regional and subregional fishery management organizations and arrangements, have adopted legislation, established regulations or taken other measures to implement the provisions in the Agreement, and urges them to enforce those measures fully;

6. *Calls upon* States and other entities and regional and subregional fishery management organizations and

arrangements that have not done so to consider taking measures to implement the provisions of the Agreement;

7. *Urges* States, relevant specialized agencies, international organizations, intergovernmental bodies and non-governmental organizations that have not yet done so to provide information to the Secretary-General to ensure as comprehensive a report as possible;

8. *Requests* the Secretary-General to report to the General Assembly at its fifty-second session and biennially thereafter on further developments relating to the conservation and management of straddling fish stocks and highly migratory fish stocks, including the status and implementation of the Agreement, taking into account information provided by States, relevant specialized agencies, in particular the Food and Agriculture Organization of the United Nations, and other appropriate organs, organizations and programmes of the United Nations system, regional and subregional organizations and arrangements for the conservation and management of straddling fish stocks and highly migratory fish stocks, as well as other relevant intergovernmental bodies and non-governmental organizations;

9. *Also requests* the Secretary-General to ensure that reporting on all major fishery-related activities and instruments is effectively coordinated and duplication of activities and reporting minimized, and that relevant scientific and technical studies are disseminated to the international community, and invites the relevant specialized agencies, including the Food and Agriculture Organization of the United Nations, as well as regional and subregional fishery organizations and arrangements, to cooperate with the Secretary-General to that end;

10. *Decides* to include in the provisional agenda of its fifty-second session, under an item entitled "Oceans and law of the sea", the sub-item entitled "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".

*77th plenary meeting  
9 December 1996*

**51/36. Large-scale pelagic drift-net fishing; unauthorized fishing in zones of national jurisdiction; and fisheries by-catch and discards**

*The General Assembly,*

*Reaffirming* its resolutions 46/215 of 20 December 1991, 49/116 and 49/118 of 19 December 1994 as well as other relevant resolutions,

*Reaffirming also* its resolution 50/25 of 5 December 1995 on large-scale pelagic drift-net fishing and its impact on the living marine resources of the world's oceans and seas, unauthorized fishing in zones of national jurisdiction and its impact on the living marine resources of the world's oceans and seas, and fisheries by-catch and discards and their impact on the sustainable use of the world's living marine resources,

<sup>109</sup> A/CONF.164/37; see also A/50/550, annex I.

<sup>110</sup> A/CONF.164/38, annex; see also A/50/550, annex II.

<sup>111</sup> A/51/383.

*Conscious* of the need to promote and facilitate international cooperation, especially at the regional and subregional levels, in order to ensure the sustainable development and use of the living marine resources of the world's oceans and seas, consistent with the present resolution,

*Mindful* that the 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<sup>112</sup> provides in its general principles that States shall minimize pollution, waste, discards, catch by lost or abandoned gear, catch of non-target species, both fish and non-fish species, and impacts on associated or dependent species, in particular endangered species, through measures including, to the extent practicable, the development and use of selective, environmentally safe and cost-effective fishing gear and techniques, and further provides that States shall take measures, including the establishment of regulations, to ensure that vessels flying their flags do not conduct unauthorized fishing within areas under the national jurisdiction of other States,

*Noting* that the Code of Conduct for Responsible Fisheries sets out principles and global standards of behaviour for responsible practices to conserve, manage and develop fisheries, including guidelines for fishing on the high seas and in areas under the national jurisdiction of other States, and on fishing gear selectivity and practices, with the aim of reducing by-catch and discards,

*Expressing deep concern* at the detrimental impact of unauthorized fishing in areas under national jurisdiction, where the overwhelming proportion of the global fish catch is harvested, on the sustainable development of the world's fishery resources and on the food security and economies of many States, particularly developing States,

*Reaffirming once again* the rights and duties of coastal States to ensure proper conservation and management measures with respect to the living resources in areas under their national jurisdiction, in accordance with international law as reflected in the United Nations Convention on the Law of the Sea,<sup>113</sup>

*Taking note* of the report of the Secretary-General<sup>114</sup> on large-scale pelagic drift-net fishing and its impact on the living marine resources of the world's oceans and seas, unauthorized fishing in zones of national jurisdiction and its impact on the living marine resources of the world's oceans and seas, and fisheries by-catch and discards and their impact on the sustainable use of the world's living marine resources,

*Acknowledging with appreciation* the measures taken and the progress made by members of the international

community, international organizations and regional economic integration organizations to implement and support the objectives of resolution 46/215,

*Recognizing* the efforts that international organizations and members of the international community have made to reduce by-catch and discards in fishing operations,

*Once again expressing deep concern* that there are continuing reports of activities inconsistent with the terms of resolution 46/215 and unauthorized fishing inconsistent with the terms of resolution 49/116,

1. *Reaffirms* the importance it attaches to compliance with its resolution 46/215, in particular to those provisions of the resolution calling for full implementation of a global moratorium on all large-scale pelagic drift-net fishing on the high seas of the world's oceans and seas, including enclosed seas and semi-enclosed seas;

2. *Notes* that a growing number of States and other entities as well as relevant regional and subregional fisheries management organizations and arrangements have adopted legislation, established regulations or applied other measures to ensure compliance with resolutions 46/215 and 49/116, and urges them to enforce fully such measures;

3. *Urges* all authorities of members of the international community that have not done so to take greater enforcement responsibility to ensure full compliance with resolution 46/215 and to impose appropriate sanctions, consistent with their obligations under international law, against acts contrary to the terms of that resolution;

4. *Calls upon* States to take the responsibility, consistent with their obligations under international law as reflected in the United Nations Convention on the Law of the Sea<sup>113</sup> and resolution 49/116, to take measures to ensure that no fishing vessels entitled to fly their national flags fish in areas under the national jurisdiction of other States unless duly authorized by the competent authorities of the coastal State or States concerned; such authorized fishing operations should be carried out in accordance with the conditions set out in the authorization;

5. *Urges* States, relevant international organizations and regional and subregional fisheries management organizations and arrangements to take action to adopt policies, apply measures, including through assistance to developing countries, collect and exchange data and develop techniques to reduce by-catches, fish discards and post-harvest losses consistent with international law and relevant international instruments, including the Code of Conduct for Responsible Fisheries;

6. *Reiterates its call* on development assistance organizations to make it a high priority to support, including through financial and/or technical assistance, efforts of developing coastal States, in particular the least developed countries and the small island developing States, to improve the monitoring and control of fishing activities and the enforcement of fishing regulations, including through financial

<sup>112</sup> A/CONF.164/37; see also A/50/550, annex I.

<sup>113</sup> *Official Records of the Third United Nations Conference on the Law of the Sea*, vol. XVII (United Nations publication, Sales No. E.84.V.3), document A/CONF.62/122.

<sup>114</sup> A/51/404.

and technical support for regional and subregional meetings for this purpose;

7. *Requests* the Secretary-General to bring the present resolution to the attention of all members of the international community, relevant intergovernmental organizations, the organizations and bodies of the United Nations system, regional and subregional fisheries management organizations, and relevant non-governmental organizations, and invites them to provide the Secretary-General with information relevant to the implementation of the present resolution;

8. *Also requests* the Secretary-General to ensure that reporting on all major fisheries-related activities and instruments is effectively coordinated and duplication of activities and reporting minimized and that relevant scientific and technical studies are disseminated to the international community, and invites the relevant specialized agencies, including the Food and Agriculture Organization of the United Nations, as well as regional and subregional fisheries organizations and arrangements, to cooperate with the Secretary-General to that end;

9. *Further requests* the Secretary-General to submit to the General Assembly at its fifty-second session and biennially thereafter a report on further developments relating to the implementation of resolutions 46/215, 49/116 and 49/118, taking into account the information provided by States, relevant specialized agencies, in particular the Food and Agriculture Organization of the United Nations, and other appropriate organs, organizations and programmes of the United Nations system, regional and subregional organizations and arrangements and other relevant intergovernmental and non-governmental organizations;

10. *Decides* to include in the provisional agenda of its fifty-second session, under an item entitled "Oceans and law of the sea", a sub-item entitled "Large-scale pelagic drift-net fishing; unauthorized fishing in zones of national jurisdiction; and fisheries by-catch and discards".

*77th plenary meeting  
9 December 1996*

**51/57. Cooperation between the United Nations and the Organization for Security and Cooperation in Europe**

*The General Assembly,*

*Recalling* its resolution 48/5 of 13 October 1993 on observer status for the Conference on Security and Cooperation in Europe and the framework for cooperation and coordination between the United Nations and the Conference on Security and Cooperation in Europe<sup>115</sup> signed on 26 May 1993, as well as its resolution 50/87 of 18 December 1995 on cooperation between the two organizations,

*Recalling also* the declaration at the 1992 Helsinki Summit by the heads of State or Government of the participating States of the Conference on Security and

<sup>115</sup> See A/48/185, annex II.

Cooperation in Europe of their understanding that the Conference is a regional arrangement in the sense of Chapter VIII of the Charter of the United Nations and as such provides an important link between European and global security,<sup>116</sup>

*Acknowledging* the increasing contribution of the Organization for Security and Cooperation in Europe to the establishment and maintenance of international peace and security in its region through activities in early warning and preventive diplomacy, including through the activities of the High Commissioner for National Minorities, crisis management, arms control and disarmament, post-crisis stabilization and rehabilitation measures, and its efforts in supporting the economic dimension, as well as its crucial role in the human dimension,

*Welcoming* the meeting held on 15 and 16 February 1996 on the invitation of the Secretary-General between the United Nations and the regional and other organizations, and noting the importance of continuing and further developing the practice of convening such meetings,

*Recalling* the special ties between the Organization for Security and Cooperation in Europe and the Mediterranean Partners for Cooperation,

*Underlining* the continued importance of enhanced coordination and cooperation between the United Nations and the Organization for Security and Cooperation in Europe,

1. *Welcomes* the report of the Secretary-General;<sup>117</sup>
2. *Also welcomes* the progress in common work in the field between the United Nations and the Organization for Security and Cooperation in Europe;
3. *Further welcomes* the Summit Declaration and the decisions adopted by the heads of State or Government of the Organization for Security and Cooperation in Europe on 3 December 1996 at Lisbon, in particular the Lisbon Declaration on a Common and Comprehensive Security Model for Europe for the Twenty-first Century, which, as such, complements the mutually reinforcing efforts of other European and transatlantic institutions and organizations in this field;
4. *Commends* the Organization for Security and Cooperation in Europe for the fulfilment, in cooperation with the United Nations, of the role assigned to it by the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto<sup>118</sup> (collectively, "the Peace Agreement"), in particular for:

(a) The successful supervision of the preparation and the conduct of the elections held on 14 September 1996;

<sup>116</sup> See A/47/361-S/24370, annex; see *Official Records of the Security Council, Forty-seventh Year, Supplement for July, August and September 1992*, document S/24370.

<sup>117</sup> A/51/489 and Add.1.

<sup>118</sup> A/50/790-S/1995/999; see *Official Records of the Security Council, Fiftieth Year, Supplement for October, November and December 1995*, document S/1995/999.