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Statement of Position

on behalf of

The Pacific Islands Forum Nations

by

**H.E. Mr. Stuart Beck
Ambassador Extraordinary and Plenipotentiary/
Permanent Representative**

at

The General Assembly

regarding

**The Sustainable Fisheries Resolution
(A/61/L.38)**

7 December 2006

New York

Madam President,

I have the honour to speak on behalf of the members of the Pacific Islands Forum who are represented at the United Nations, namely, Australia, Fiji, Kiribati, Republic of the Marshall Islands, Federated States of Micronesia, Nauru, New Zealand, Papua New Guinea, Samoa, Solomon Islands, Tonga, Tuvalu, Vanuatu as well as my own country, Palau.

The Pacific Islands Forum covers a region of diverse States. As a group, we are collectively blessed with a vast expanse of interlocking ocean space and marine resources. The ocean and its resources are vital to the very existence of our region and so we, as joint custodians, share the common objective of ensuring their sustainable conservation and management.

The leaders of the Pacific Islands Forum came together in Nadi, Fiji this October and agreed to an historic commitment to protect our ocean and its resources. Our leaders were similarly united in 1989, in Tarawa, Kiribati, when they called on the world to ban large-scale pelagic driftnet fishing in the South Pacific. The Nadi Declaration commits the PIF "to advance international efforts to institute an immediate interim prohibition on destructive fishing practices including bottom trawling" in unmanaged areas beyond national jurisdiction, and to seek the implementation of appropriate conservation and management measures for destructive fishing practices in other high seas areas.

Our leaders felt that urgent action on destructive fishing practices was required because such practices undermine the conservation and sustainable use of marine biological diversity, which is so crucial to our very way of life.

This year's consultations on the sustainable fisheries resolution saw a particular focus on the issue of fishing practices, including bottom fishing, that have adverse impacts on vulnerable marine ecosystems. Responsible fishing nations understand the need to end destructive fishing practices, including bottom trawling, on vulnerable marine ecosystems and many have adopted measures to restrict such practices within their national waters. In this regard, we note the statement in this year's Secretary General's report that it is believed that 95 percent of the damage to seamount ecosystems worldwide is caused by bottom trawling-usually concentrated around areas where fish aggregate to feed and spawn-and that in international waters at least, the practice remains poorly regulated.

We therefore welcome the final sustainable fisheries resolution as a significant advance in international efforts to regulate bottom fishing in international waters. Given that progress in taking the urgent actions called for two years ago in this resolution were most limited in respect of international waters, it was important for the UN General Assembly to build considerably on its calls for action.

We are satisfied that RFMOs and developing RFMOs now have a series of clear actions to implement for regulating bottom fisheries that have destructive

impacts on vulnerable marine ecosystems. This year's resolution goes much further than that of 2004, as it clearly sets the standard for the management of bottom fishing activities and their impact on vulnerable marine ecosystems. It is directly targeted at preventing significant adverse impacts – in effect protecting vulnerable marine ecosystems from destructive fishing. The adoption by RFMOs of the strong package of measures required in paragraph 83 should bring about a very substantial reduction in destructive fishing activities on the high seas.

We also welcome the call in paragraph 85 for States participating in negotiations to establish an RFMO to ensure they adopt and implement interim measures consistent with paragraph 83 by 31 December 2007. That task will be taken up by the countries of the Pacific and those other countries participating in the negotiations to establish a South Pacific Regional Fisheries Management Agreement. It is unfortunate that some countries were not yet ready to adopt interim measures at our South Pacific RFMO meeting in November in Hobart. We very much hope that, with the impetus provided by this resolution, we will see the adoption of such measures at the next meeting to be held in Chile in April next year.

For the countries of the Pacific, the most disappointing aspect of the sustainable fisheries resolution, in light of our commitments in the Nadi Declaration, was in respect of measures to address bottom fishing in unregulated areas of the high seas. In accordance with the mandate of that Declaration, the Forum countries argued strongly for an immediate interim prohibition on bottom trawling in unmanaged areas.

We are very disappointed that some States were unwilling to support such an approach. We consider that an interim prohibition would have been the clearest and most effective means for dealing with the impacts of bottom fishing in areas where there are no multilateral measures in place, and none in prospect. An interim prohibition would have further encouraged the development of new RFMOs for unregulated areas. We were further disappointed that a small number of States were not willing to consider a freeze on the expansion of bottom fisheries in unregulated waters from current levels. We believe this goes against the intent and spirit of many of the measures agreed in this year's resolution.

We do, however, recognise the importance of paragraph 86 of this year's resolution, which makes it clear that measures are required to control bottom fishing in all areas of international waters, including the unregulated areas, and that doing nothing is simply not an option. Under the resolution, bottom fishing in unregulated areas of the high seas must either be subject to flag state measures of the kind set out in paragraph 83 to prevent damage to vulnerable marine ecosystems, or must not be authorised.

It is also very important to recognise that States whose vessels are carrying out bottom fishing in high seas, including the unregulated areas, are called on to make publicly available through the FAO a list of those vessels authorised to carry out bottom fishing in those areas, and their measures adopted pursuant to paragraph 86. The adequacy of those measures - and States' compliance with them - will, of course, be key issues for our ongoing discussion, and we will continue to scrutinise them carefully.

While we would very much have preferred stronger multilateral measures for unmanaged areas, such as the immediate interim prohibition we advocated, the Forum countries recognise that this package of measures represents a significant advance on the status quo. We also appreciate that States have worked hard to find consensus, and that this year's resolution reflects the collective commitment of the international community, comprising both fishing and non-fishing States.

Nevertheless, individual States can still do more. We urge flag states in particular to ensure that their vessels and nationals fish responsibly, and in accordance with conservation and management measures, including those in paragraph 86 of this year's resolution.

The international community will need to be focussed and disciplined, both individually and cooperatively, to implement the steps we are agreeing to today. The Forum countries will be at the forefront of this action and we hope that others are as committed to taking on this challenge, and to fulfilling their responsibilities. For these reasons, the Forum members are ready to support the adoption of this resolution, which we see as a positive step by the international community to support responsible fisheries and protect marine biodiversity in areas beyond national jurisdiction.

Thank you.