

A RESOLUTION

To ratify 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."

1 WHEREAS, the "Agreement for the Implementation of the Provisions of the
2 United Nations Convention on the Law of the Sea of 10 December 1982 Relating
3 to the Conservation and Management of Straddling Fish Stocks and Highly
4 Migratory Fish Stocks" (the "High Seas Agreement") was opened for signature at
5 the United Nations in New York on December 4, 1995, and the Federated States
6 of Micronesia became a signatory to the Agreement at that time; and

7 WHEREAS, the Congress of the Federated States of Micronesia has
8 acceded to the United Nations Convention on the Law of the Sea of 10 October
9 1982 ("UNCLOS") and the High Seas Agreement is an agreement for the
10 implementation of provisions of UNCLOS relating to the conservation and
11 management of straddling fish stocks and highly migratory fish stocks; and

12 WHEREAS, straddling fish stocks maintain their habitats both in exclusive
13 economic zones and the high seas, and highly migratory fish stocks migrate in
14 and out of exclusive economic zones and the high seas; and

15 WHEREAS, the high seas have been viewed as a "global commons" and
16 have been unregulated prior to the High Seas Agreement; and

17 WHEREAS, the FSM has actively participated in the United Nations
18 Conferences on the High Seas Agreement in conjunction with other small island
19 states and has worked hard to obtain an agreement that is acceptable to the
20 FSM; and

21 WHEREAS, the High Seas Agreement establishes conservation and
22 management measures using the precautionary approach for straddling fish

1 WHEREAS, the High Seas Agreement establishes conservation
2 and management measures using the precautionary approach for
3 straddling fish stocks and highly migratory fish stock to:
4 eliminate over-fishing and excess fishing capacity; promote and
5 conduct scientific research; effectively perform monitoring,
6 control and surveillance; promote and develop the use of safe
7 and cost-effective fishing gear and techniques; protect
8 biodiversity; and protect dependent species; and

9 WHEREAS, certain highly migratory fish stocks and straddling
10 fish stocks, particularly tuna and tuna-like species, are among
11 the most important resources of the FSM, and the FSM will
12 benefit from international conservation and management efforts
13 on behalf of such stocks; and

14 WHEREAS, under the High Seas Agreement, regional fisheries
15 management organizations will be established for cooperation in
16 conservation and management measures, including: allocation of
17 catch; adoption of international minimum standards for
18 responsible fishing; adoption of mechanisms to obtain scientific
19 advice, review stock status, and assess impact on non-target and
20 ecologically related species; standards for data collection and
21 dissemination, and other measures; and

22 WHEREAS, the responsibilities of flag state vessels are
23 clarified, including compliance and enforcement measures for
24 fishing violations; and

25 WHEREAS, boarding and inspection procedures for port states

1 for vessels apprehended on the high seas are established; and
 2 WHEREAS, the special requirements of developing States are
 3 recognized and assistance made available for fisheries
 4 conservation, management and development; and


5 WHEREAS, mechanisms for peaceful settlements of disputes are
 6 established; now, therefore,

7 BE IT RESOLVED by the Ninth Congress of the Federated States
 8 of Micronesia, Third Regular Session, 1996, that pursuant to
 9 section 2(b) of article IX of the Constitution of the Federated
 10 States of Micronesia, the Congress hereby ratifies the "High Sea
 11 Agreement"; and

12 BE IT FURTHER RESOLVED that upon receipt of this resolution,
 13 the President of the Federated States of Micronesia or the
 14 Secretary of External Affairs shall lodge with the Secretary-
 15 General of the United Nations as depository, an instrument of
 16 ratification; and

17 BE IT FURTHER RESOLVED that a certified copy of this
 18 resolution be transmitted to the President of the Federated
 19 States of Micronesia.

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 21 Date: 5/22/96

Introduced by: 
 Joseph J. Urusemal
 (by request)

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