A RESOLUTION


1. WHEREAS, 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" (the "High Seas Agreement") was opened for signature at the United Nations in New York on December 4, 1995, and the Federated States of Micronesia became a signatory to the Agreement at that time; and

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

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

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

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

6. WHEREAS, the High Seas Agreement establishes conservation and management measures using the precautionary approach for straddling fish
WHEREAS, the High Seas Agreement establishes conservation and management measures using the precautionary approach for straddling fish stocks and highly migratory fish stock to:

eliminate over-fishing and excess fishing capacity; promote and conduct scientific research; effectively perform monitoring,

control and surveillance; promote and develop the use of safe and cost-effective fishing gear and techniques; protect biodiversity; and protect dependent species; and

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

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

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

WHEREAS, boarding and inspection procedures for port states
for vessels apprehended on the high seas are established; and

WHEREAS, the special requirements of developing States are
recognized and assistance made available for fisheries
conservation, management and development; and

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

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

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

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

Date: 5/22/96

Introduced by: Joseph J. Urusemal
(by request)