

46/215. Large-scale pelagic drift-net fishing and its impact on the living marine resources of the world's oceans and seas

The General Assembly,

Recalling its resolutions 44/225 and 45/197, concerning large-scale pelagic drift-net fishing and its impact on the living marine resources of the world's oceans and seas, including enclosed and semi-enclosed seas, which took into account the concerns of the developing countries and were adopted by consensus on 22 December 1989 and 21 December 1990, respectively,

Also recalling, in particular, that the General Assembly recommended that all members of the international community agree to certain measures specified in the operative paragraphs of resolution 44/225,

Further recalling the relevant principles elaborated in the United Nations Convention on the Law of the Sea,¹⁰⁵ which are referred to in the seventh to tenth preambular paragraphs of resolution 44/225,

Expressing deep concern about reports of expansion of large-scale pelagic drift-net fishing activities on the high seas in contravention of resolutions 44/225 and 45/197, including attempts to expand large-scale pelagic drift-net fishing in the high seas areas of the Indian Ocean,

Commending the unilateral, regional and international efforts that have been undertaken by members of the international community and international organizations to implement and support the objectives of resolutions 44/225 and 45/197,

Noting that at the Twenty-second South Pacific Forum, held at Palikir on 29 and 30 July 1991, the heads of Government reaffirmed their opposition to large-scale pelagic drift-net fishing,¹⁰⁶ and in this regard, *inter alia*, welcomed the entry into force on 17 May 1991 of the Convention for the Prohibition of Fishing with Long Drift-nets in the South Pacific,

Recalling the Castries Declaration,¹⁰⁹ in which the Authority of the Organization of Eastern Caribbean States resolved to establish a regional regime for the regulation and management of the pelagic resources in the Lesser Antilles region that would outlaw the use of drift-nets and called upon other States in the region to cooperate in this regard,

Welcoming the actions taken that have resulted in the cessation of all large-scale pelagic drift-net fishing activities in the South Pacific in advance of the date stipulated in paragraph 4 (b) of resolution 44/225 for the termination of such activities,

Also welcoming the decision of other members of the international community to cease large-scale pelagic drift-net fishing on the high seas,

Commending the efforts of many members of the international community to compile data on large-scale pelagic drift-net fishing and to submit their findings to the Secretary-General,

Noting the contributions to the report of the Secretary-General made by some members of the international community and by intergovernmental and non-governmental organizations,

Noting also the significant concerns expressed by members of the international community and competent re-

gional fisheries bodies regarding the impact of large-scale pelagic drift-net fishing on the marine environment,

Noting further that, in accordance with paragraph 3 of resolution 44/225, some members of the international community have reviewed the best available scientific data on the impact of large-scale pelagic drift-net fishing and have failed to conclude that this practice has no adverse impact which threatens the conservation and sustainable management of living marine resources,

Noting that the grounds for concerns expressed in resolutions 44/225 and 45/197 about the unacceptable impact of large-scale pelagic drift-net fishing have been confirmed and that evidence has not demonstrated that the impact can be fully prevented,

Recognizing that a moratorium on large-scale pelagic drift-net fishing is required, notwithstanding that it will have adverse socio-economic effects on the communities involved in high seas pelagic drift-net fishing operations,

1. Recalls its resolutions 44/225 and 45/197;

2. Commends the efforts jointly to collect statistically sound data regarding large-scale pelagic drift-net fishing in the North Pacific Ocean, which were reviewed at the meeting of scientists held at Sidney, Canada, in June 1991, and presented at the symposium on the high seas drift-net fisheries in the North Pacific Ocean, held at Tokyo in November 1991 under the auspices of the International North Pacific Fisheries Commission;

3. Calls upon all members of the international community to implement resolutions 44/225 and 45/197 by, *inter alia*, taking the following actions:

(a) Beginning on 1 January 1992, reduce fishing effort in existing large-scale pelagic high seas drift-net fisheries by, *inter alia*, reducing the number of vessels involved, the length of the nets and the area of operation, so as to achieve, by 30 June 1992, a 50 per cent reduction in fishing effort;

(b) Continue to ensure that the areas of operation of large-scale pelagic high seas drift-net fishing are not expanded and, beginning on 1 January 1992, are further reduced in accordance with paragraph 3 (a) of the present resolution;

(c) Ensure that a global moratorium on all large-scale pelagic drift-net fishing is fully implemented on the high seas of the world's oceans and seas, including enclosed seas and semi-enclosed seas, by 31 December 1992;

4. Reaffirms the importance it attaches to compliance with the present resolution and encourages all members of the international community to take measures, individually and collectively, to prevent large-scale pelagic drift-net fishing operations on the high seas of the world's oceans and seas, including enclosed seas and semi-enclosed seas;

5. Requests the Secretary-General to bring the present resolution to the attention of all members of the international community, intergovernmental and non-governmental organizations and well-established scientific institutions with expertise in relation to living marine resources;

6. Requests the members and organizations referred to above to submit to the Secretary-General information concerning activities or conduct inconsistent with the terms of the present resolution;

7. *Also requests* the Secretary-General to submit to the General Assembly at its forty-seventh session a report on the implementation of the present resolution.

*79th plenary meeting
20 December 1991*

46/216. International cooperation to mitigate the environmental consequences on Kuwait and other countries in the region resulting from the situation between Iraq and Kuwait

The General Assembly,

Aware of the disastrous situation caused in Kuwait and neighbouring areas by the torching and destruction of hundreds of its oil wells and of the other environmental consequences on the atmosphere, land and marine life,

Bearing in mind all relevant Security Council resolutions, in particular section E of resolution 687 (1991) of 3 April 1991,

Having taken note of the report submitted by the Secretary-General to the Security Council describing the nature and extent of the environmental damage suffered by Kuwait,¹¹⁰

Having also taken note of decision 16/11 A adopted by the Governing Council of the United Nations Environment Programme on 31 May 1991,⁴¹

Profoundly concerned at the deterioration in the environment as a consequence of the damage, especially the threat posed to the health and well-being of the people of Kuwait and the people of the region, and the adverse impact on the economic activities of Kuwait and other countries of the region, including the effects on livestock, agriculture and fishing, as well as on wildlife,

Acknowledging the fact that dealing with this catastrophe goes beyond the capabilities of the countries of the region and, in that regard, recognizing the need for strengthened international cooperation to deal with the issue,

Noting with appreciation the appointment by the Secretary-General of an Under-Secretary-General as his Personal Representative to coordinate United Nations efforts in this field,

Also noting with appreciation the efforts already undertaken by the Member States of the region, other States, the organizations of the United Nations system, and governmental and non-governmental organizations to study, mitigate and minimize the consequences of this environmental catastrophe,

Bearing in mind the effective work of the Regional Organization for the Protection of the Marine Environment and the inter-agency task force established under the leadership of the United Nations Environment Programme especially for the environmental situation in the region, and the plan of action,

Expressing its special appreciation to the Governments which have extended financial support to the two trust funds established for the purpose by the Secretary-General of the International Maritime Organization and the Executive Director of the United Nations Environment Programme,

Emphasizing the need to continue to take comprehensive measures to study and mitigate these environmental con-

sequences within a framework of sustained and coordinated international cooperation,

1. *Urgently appeals* to all States Members of the United Nations, intergovernmental and non-governmental organizations, scientific bodies and individuals to provide assistance for programmes aimed at the study and mitigation of the environmental deterioration of the region and for strengthening the Regional Organization for the Protection of the Marine Environment and its role in coordinating the implementation of these programmes;

2. *Calls upon* the organizations and programmes of the United Nations system, in particular the International Maritime Organization and the United Nations Environment Programme, to pursue their efforts to assess and counteract the short-term as well as long-term impact of the environmental deterioration of the region;

3. *Requests* the Secretary-General, through his Personal Representative, to render assistance to the members of the Regional Organization for the Protection of the Marine Environment in the formulation and implementation of a coordinated and consolidated programme of action comprising costed project profiles, to help identify all possible resources for the programme of action and, *inter alia*, for strengthening the environmental capacities of the members of the Regional Organization for the Protection of the Marine Environment to surmount the problem, and to allocate, within existing resources, the minimum resources required to enable his Personal Representative to continue to help coordinate the activities of the United Nations system to that end;

4. *Also requests* the Secretary-General to submit to the General Assembly at its forty-seventh session, through the Economic and Social Council, a report on the implementation of the present resolution;

5. *Decides* to include in the provisional agenda of its forty-seventh session a sub-item entitled "International cooperation to mitigate the environmental consequences on Kuwait and other countries in the region resulting from the situation between Iraq and Kuwait" under the item entitled "Development and international economic cooperation".

*79th plenary meeting
20 December 1991*

46/217. International cooperation in the monitoring, assessment and anticipation of environmental threats and in assistance in cases of environmental emergency

The General Assembly,

Reaffirming its resolution 44/224 of 22 December 1991, on international cooperation in the monitoring, assessment and anticipation of environmental threats and in assistance in cases of environmental emergency,

Also reaffirming its resolution 44/228 of 22 December 1989, on the United Nations Conference on Environment and Development,

Taking note of decision 16/37 of 31 May 1991 of the Governing Council of the United Nations Environment Programme, on early warning and forecasting of environmental emergencies,⁴¹ and decision 16/9 of 31 May 1991, on a United Nations centre for urgent environmental assistance,⁴¹ in which the Governing Council, *inter alia*, en-