



PRESS RELEASE

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Pacific Nations Adopt Treaty for Joint Management of Pacific Tuna

Fishing nations from throughout the Pacific today adopted an agreement to establish an international fishery commission to ensure the long-term conservation and sustainable use of tuna and other highly migratory fish stocks in the central and western Pacific. This area produces two-thirds of the tuna caught worldwide, with an annual landed value of \$1.5 to \$2 billion.

“The adoption of the convention was a culmination of five years of long negotiations on some very difficult issues,” said Ambassador Satya Nandan of Fiji, chairman of the Multilateral High-Level Conference (MHLC) on Highly Migratory Fish Stocks in the Western and Central Pacific. “It reflects a fair balance of interests, in particular between developing Pacific countries, in whose national areas large stocks of tuna fish are found, and distant-water fishing states, which fish in the Central and Western Pacific.”

The two-thirds vote required for adoption of the convention was cleared with 19 nations voting in favor; Japan and Korea in opposition; and China, France and Tonga abstaining. The 24 nations, as well as other Pacific territories and fishing entities, have been meeting at the Hawaii Convention Center in Honolulu since August 30 in the seventh and final session of MHLC.

Japan expressed concern about the decision-making process, the northern boundary, the observer program and dispute settlement, among other issues. Korea said there are many outstanding issues that the convention does not address.

China argued against membership status by fishing entities. Such membership has been proposed for Taiwan. It also expressed concern about boarding vessels and stressed that the convention area should not include the South China Sea. Tonga said decision-making process was unacceptable, as “a body of three can veto a majority consensus.”

The adopted convention will be opened 10 a.m. (Hawaii standard time) tomorrow for signature. It may be signed by ministerial representatives of the following conference participants: Australia, Canada, China, Cook Islands, Federated States of Micronesia, Fiji, France, Indonesia, Japan, Kiribati, Marshall Islands, Nauru, New Zealand, Niue, Palau, Papua New Guinea, Philippines, Republic of Korea, Samoa, Solomon Islands, Tonga, Tuvalu, United Kingdom, United States and Vanuatu.

The convention shall enter into force 30 days after the deposit of instruments of ratification, acceptance, approval or accession by three States north of 20°N latitude (i.e., the distant-water fishing nations) and seven States situated south of the 20°N latitude (i.e., the Pacific island nations in whose waters the fishing predominantly occurs).

A preparatory conference will convene within the year so that functioning of the commission can begin immediately upon the convention's entry into force.

Among key issues resolved by the delegations this past week were the following:

Decision-making. Decisions of the commission will be made by consensus as a general rule. If consensus cannot be reached, decisions by voting on questions of procedure will be taken by a majority of those present and voting. Decisions on question of substance shall be taken by a three-fourths majority of the members of the South Pacific Forum Fisheries Agency present and voting and a three-fourths majority of non-members of the South Pacific Forum Fisheries Agency present and voting and provided further that in no circumstances shall a proposal be defeated by two or fewer votes in either chamber.

Taiwan. Fishing entities, such as Taiwan, whose vessels fish for highly migratory fish stocks in the convention area may, by written instrument, agree to be bound by the regime established by the convention. Any such fishing entity shall participate in the work of the commission, including decision-making on matters stated in the convention.

Participation by territories. American Samoa, French Polynesia, Guam, New Caledonia, Northern Mariana Islands, Tokelau and Wallis and Futuna are entitled to be present and to speak at the meetings of the commission and its subsidiary bodies. Separate rules of procedure will be developed by the contracting parties on the extent and nature of participation by these territories.

Boundaries. The northern and western boundaries of the convention area are not fixed, but will encompass the range of the stocks within the Pacific Ocean. It is not intended to include waters in South-East Asia that are not part of the Pacific Ocean, nor is it intended to include the waters of the South China Sea. The southern and eastern boundaries of the convention area are fixed as follows:

from the south coast of Australia due south along the 141° meridian of east longitude to its intersection with the 55° parallel of south latitude; thence due east along the 55° parallel of south latitude to its intersection with the 150° meridian of east longitude; thence due south along the 150° meridian of east longitude to its intersection with the 60° parallel of south latitude; thence due east along the 60° parallel of south latitude to its intersection with the 130° meridian of west longitude; thence due north along the 130° meridian of west longitude to its intersection with the 4° parallel of south latitude; thence due west along the 4° parallel of south latitude to its intersection with the 150° meridian of west longitude; thence due north along the 150° meridian of west longitude.