

DECLARATION CONCERNING THE PREVENTION OF UNREGULATED HIGH SEAS FISHING IN THE CENTRAL ARCTIC OCEAN

Draft

Meeting in Oslo on 16 July 2015, representatives of Canada, the Kingdom of Denmark, the Kingdom of Norway, the Russian Federation and the United States of America continued discussions toward the implementation of interim measures to prevent unregulated fishing in the high seas portion of the central Arctic Ocean. They adopted the following Declaration:

We recognize that until recently ice has generally covered the high seas portion of the central Arctic Ocean on a year-round basis, which has made fishing in those waters impossible to conduct. We acknowledge that, due to climate change resulting in changes in ice distribution and related environmental phenomena, the marine ecosystems of the Arctic Ocean are evolving and that the effects of these changes are poorly understood. We note that the Arctic Ocean ecosystems until now have been relatively unexposed to human activities.

We recognize the crucial role of healthy marine ecosystems and sustainable fisheries for food and nutrition. We are aware that fish stocks in the Arctic Ocean may occur both within areas under the fisheries jurisdiction of the coastal States and in the high seas portion of the central Arctic Ocean, including straddling fish stocks. We note further that ice cover in the Arctic Ocean has been diminishing in recent years, including over some of the high seas portion of the central Arctic Ocean.

We recognize that, based on available scientific information, commercial fishing in the high seas portion of the central Arctic Ocean is unlikely to occur in the near future and, therefore, that there is no need at present to establish any additional regional fisheries management organization for this area. Nevertheless, recalling the obligations of States under international law to cooperate with each other in the conservation and management of living marine resources in high seas areas, including the obligation to apply the precautionary approach, we share the view that it is desirable to implement appropriate interim measures to deter unregulated fishing in the future in the high seas portion of the central Arctic Ocean.

We recognize that subsistence harvesting of living marine resources is ongoing in some Arctic Ocean coastal States, and that traditional and local knowledge exists among the users of these resources. We desire to promote scientific research, and to integrate scientific knowledge with traditional and local knowledge, with the aim of improving the understanding of the living marine resources of the Arctic Ocean and the ecosystems in which they occur. We also recognize the interests of Arctic residents, particularly the Arctic indigenous peoples, in the proper management of living marine resources in the Arctic Ocean.

We therefore intend to implement, in the single high seas portion of the central Arctic Ocean that is entirely surrounded by waters under the fisheries jurisdiction of Canada, the Kingdom of Denmark in respect of Greenland, the Kingdom of Norway, the Russian Federation and the United States of America, the following interim measures:

- We will authorize our vessels to conduct commercial fishing in this high seas area only pursuant to one or more regional or subregional fisheries management organizations or arrangements that are or may be established to manage such fishing in accordance with recognized international standards.
- We will establish a joint program of scientific research with the aim of improving understanding of the ecosystems of this area and promote cooperation with relevant scientific bodies, including but not limited to the International Council for the Exploration of the Sea (ICES) and the North Pacific Marine Science Organization (PICES).
- We will promote compliance with these interim measures and with relevant international law, including by coordinating our monitoring, control and surveillance activities in this area.
- We will ensure that any non-commercial fishing in this area does not undermine the purpose of the interim measures, is based on scientific advice and is monitored, and that data obtained through any such fishing is shared.

We recall that an extensive international legal framework applies to the Arctic Ocean. These interim measures will neither undermine nor conflict with the role and mandate of any existing international mechanism relating to fisheries, including the North East Atlantic Fisheries Commission. Nor will these interim measures prejudice the rights, jurisdiction and duties of States under relevant provisions of international law as reflected in the 1982 United Nations Convention on the Law of the Sea, or the 1995 United Nations 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, or alter the rights and obligations of States that arise from relevant international agreements.

In implementing these interim measures, we will continue to engage with Arctic residents, particularly the Arctic indigenous peoples, as appropriate.

We intend to continue to work together to encourage other States to take measures in respect of vessels entitled to fly their flags that are consistent with these interim measures.

We acknowledge the interest of other States in preventing unregulated high seas fisheries in the central Arctic Ocean and look forward to working with them in a broader process to develop measures consistent with this Declaration that would include commitments by all interested States.

Signed at Oslo in five copies

For the Kingdom of Denmark in respect of Greenland, Ambassador Torben Brylle

For Canada, Chargé d'Affaires a.i. Marie-Josée Rhéaume

For the Kingdom of Norway, Director General Margit Tveiten

For the Russian Federation, Ambassador Vyacheslav Pavlovskiy

For the United States of America, Chargé d'Affaires a.i. Robert Bradtke