

U.S. DEPARTMENT OF STATE

Office of the Assistant Secretary/Spokesman

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U.S. TO ENFORCE MORATORIUM ON DRIFTNET FISHING

The United States announced plans today to enforce a moratorium on large-scale driftnet fishing on the high seas. The moratorium was agreed to at the United Nations General Assembly in 1991. Under United Nations Resolution 46/215, which was adopted by consensus, a global moratorium on all large-scale pelagic driftnet fishing operations on the high seas took effect on January 1, 1993. All members of the international community agreed to take measures individually and collectively to implement the resolution.

The United States plans to take the following steps in the event U.S. enforcement authorities have reasonable grounds to believe that any foreign flag vessel encountered on the high seas is conducting, or has conducted, large-scale pelagic driftnet fishing operations in violation of the United Nations resolution:

1. U.S. authorities will contact the authorities of the territory whose flag the vessel is flying to seek confirmation that the vessel is in fact registered by those authorities. If the vessel is not flying a flag, U.S. authorities will contact the authorities of the territory in which the vessel claims to be registered to seek confirmation of the same information. The U.S. Government will expect a prompt response to such a request to facilitate enforcement operations.
2. If the contacted authorities verify that the vessel in question is registered in their territory, U.S. authorities will take appropriate action in accordance with agreements in force between the United States and those authorities or any other bilateral or multilateral arrangements that may be made to prevent large-scale pelagic driftnet fishing operations on the high seas inconsistent with the United Nations resolution. If there are no preexisting arrangements, the United States will seek a special arrangement to take law enforcement, or other appropriate action, on behalf of the authorities in whose territory the vessel is registered.

3. If the contacted authorities deny that the vessel in question is registered in their territory, or if the vessel refuses to reveal or claim a territory of registry, U.S. authorities will, consistent with Article 92 of the 1982 United Nations Convention on the Law of the Sea, treat the vessel as stateless. It is noted that, under customary international law and U.S. law, a stateless vessel conducting large-scale pelagic driftnet fishing operations on the high seas would be subject to prosecution in the United States.

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