

2. Articles 119 and 120 provide obligations ancillary to these fundamental obligations.
3. Experience shows that, while constituting a sound framework, in a number of high seas areas these obligations are not being implemented as intended. In these areas there are problems of unregulated fishing, vessel reflagging to escape controls, harmful fishing practices such as driftnetting, overfishing, lack of surveillance, control and enforcement and, in general, lack of the required cooperation with other States. Resort to these harmful practices is increasing and may spread to other areas of the high seas.
4. It is necessary to identify and achieve international agreement on principles and measures, consistent with the Convention, to eliminate these practices and thus provide for an effective conservation regime on the high seas giving full effect to the Convention's provisions. Following is a proposed list of such principles and measures for inclusion in Agenda 21.

PRINCIPLES

- (a) High seas fishing must be carried out only on the basis of sustainable ecologically sound practices, effectively monitored and enforced, in order to ensure conservation and promote optimum utilization of the living resources.
- (b) In order to ensure sustained conservation of those resources, fisheries management regimes must effectively maintain the ecological relationship between dependent and associated populations, prevent any decrease in the size of harvested populations below those necessary to ensure their stable recruitment, and avoid adverse impacts or changes in the marine ecosystem.
- (c) On the high seas, States fishing a stock which straddles the 200-mile limit of a coastal State, or highly migratory species which are found within that limit, must take all measures necessary to give effect to the special interest and responsibility of the coastal State concerning the portion of the stock outside the 200-mile limit and in the highly migratory species while outside that limit.
- (d) High seas fishing must not have an adverse impact on the resources under the jurisdiction of coastal States.

MEASURES

1. State must effectively monitor and control fishing activities of their national, vessels and crews thereof on the high seas to ensure the conservation of the resources, compliance with applicable conservation and management rules, complete and accurate reporting of catches and effort, and avoidance of incidental catch.
2. States must make available to appropriate international organizations all data relating to catches on the high seas as well as scientific data on these catches. States fishing the same stocks must also cooperate through the exchange of such data.