

Draft 3 October 2005

Declaration
on the Interpretation and Implementation of the Convention on the Future Multilateral
Cooperation in North-East Atlantic Fisheries

(Draft presented by the Chairman of the Working Group on the Future of NEAFC)

The Contracting Parties to the Convention on the Future Multilateral Cooperation in North-East Atlantic Fisheries (hereinafter referred to as the Convention),

Recognising the relevant provisions of the United Nations Convention on the Law of the Sea of 10 December 1982; the 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, 1995; the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas, 1993, and *taking into account* the Code of Conduct for Responsible Fisheries adopted by the 28th Session of the Conference of the Food and Agriculture Organisation of the United Nations in October 1995,

Desiring to promote the long-term conservation and optimum utilisation of the fishery resources of the North-East Atlantic area, and in doing so to safeguard the marine ecosystems in which the resources occur, and accordingly to encourage international cooperation and consultation with respect to these resources,

Noting the amendments to the Convention adopted at the 24th annual meeting of the North-East Atlantic Fisheries Commission (NEAFC),

Declare that the following shall apply when interpreting and implementing the Convention, until such time when the amendments have entered into force:

1. The Commission shall perform its functions in order to ensure the long-term conservation and optimum utilisation of the fishery resources in the Convention Area, providing sustainable economic, environmental and social benefits.
2. When making recommendations in accordance with Article 5 or 6 of the Convention the Commission shall in particular:
 - a) ensure that such recommendations are based on the best scientific evidence available;
 - b) apply the precautionary approach;
 - c) take due account of the impact of fisheries on other species and marine ecosystems, and in doing so adopt, where necessary, conservation and management measures that address the need to minimise harmful impacts on living marine resources and marine ecosystems; and
 - d) take due account of the need to conserve marine biological diversity.

3. The Commission shall provide a forum for consultation and exchange of information on the state of the fishery resources in the Convention Area and on the management policies, including examination of the overall effects of such policies on the fishery resources and, as appropriate, other living marine resources and marine ecosystems.

4. In this respect the following definitions shall apply:

a) “*Fishery resources*” means resources of fish, molluscs, crustaceans and including sedentary species, excluding, in so far as they are dealt with by other international agreements, highly migratory species listed in Annex I of the United Nations Convention on the Law of the Sea of 10 December 1982, and anadromous stocks;

b) “*Living marine resources*” means all living components of marine ecosystems;

c) “*Marine biological diversity*” means the variability among marine living organisms and the ecological complexes of which they are part; this includes diversity within species, between species and of ecosystems.