

ing, assessing and anticipating environmental threats and the rendering of timely assistance in cases of environmental emergency,

1. *Recognizes* the need to strengthen international co-operation in monitoring, assessing and anticipating environmental threats and rendering assistance in cases of environmental emergency;

2. *Reaffirms* that, owing to its universal character, the United Nations system, through the General Assembly, is the appropriate forum for concerted political action on global environmental problems;

3. *Underlines* the importance of broader participation in Earthwatch, established by the United Nations Conference on the Human Environment¹¹⁴ and operated by the United Nations Environment Programme, in order to strengthen its capacity to make authoritative assessments, to anticipate environmental degradation and to issue early warnings to the international community;

4. *Reaffirms* that, in accordance with the Charter of the United Nations and the principles of international law, States have the sovereign right to exploit their own resources in accordance with their environmental policies, and also reaffirms their responsibility to ensure that activities within their jurisdiction or control do not cause damage to the environment of other States or of areas beyond the limits of national jurisdiction as well as to play their due role in preserving and protecting the global and regional environment in accordance with their capacities and specific responsibilities;

5. *Requests* the Secretary-General, assisted by the Executive Director of the United Nations Environment Programme, to prepare a report, on the basis of the views of Member States and existing national and international legislation in this field, containing proposals and recommendations on possible ways and means to strengthen the capacity of the United Nations:

(a) To monitor, assess and anticipate environmental threats;

(b) To define criteria for determining when environmental degradation undermines health, well-being, development prospects and the very survival of life on the planet to such an extent that international co-operation may be required, if requested;

(c) To issue early warnings to the international community when such degradation becomes imminent;

(d) To facilitate intergovernmental co-operation in monitoring, assessing and anticipating environmental threats;

(e) To assist Governments facing environmental emergencies, at their request;

(f) To mobilize financial resources and technical co-operation to fulfil the tasks listed in paragraphs 5 (a) to (e) of the present resolution, taking into account the needs of the countries concerned, particularly the developing countries;

6. *Also requests* the Secretary-General to submit to the Governing Council of the United Nations Environment Programme the report called for in paragraph 5 of the present resolution for consideration during the preparatory process for the United Nations conference on environment and development;

7. *Invites* the Governing Council of the United Nations Environment Programme to consider that report and to present its views thereon to the General Assembly at its forty-sixth session, through the Economic and Social Council.

*85th plenary meeting
22 December 1989*

44/225. Large-scale pelagic driftnet fishing and its impact on the living marine resources of the world's oceans and seas

The General Assembly,

Noting that many countries are disturbed by the increase in the use of large-scale pelagic driftnets, which can reach or exceed 30 miles (48 kilometres) in total length, to catch living marine resources on the high seas of the world's oceans and seas,

Mindful that large-scale pelagic driftnet fishing, a method of fishing with a net or a combination of nets intended to be held in a more or less vertical position by floats and weights, the purpose of which is to enmesh fish by drifting on the surface of or in the water, can be a highly indiscriminate and wasteful fishing method that is widely considered to threaten the effective conservation of living marine resources, such as highly migratory and anadromous species of fish, birds and marine mammals,

Drawing attention to the fact that the present resolution does not address the question of small-scale driftnet fishing traditionally conducted in coastal waters, especially by developing countries, which provides an important contribution to their subsistence and economic development,

Expressing concern that, in addition to targeted species of fish, non-targeted fish, marine mammals, seabirds and other living marine resources of the world's oceans and seas can become entangled in large-scale pelagic driftnets, either in those in active use or in those that are lost or discarded, and as a result of such entanglement are often either injured or killed,

Recognizing that more than one thousand fishing vessels use large-scale pelagic driftnets in the Pacific, Atlantic and Indian Oceans and in other areas of the high seas,

Recognizing also that any regulatory measure to be taken for the conservation and management of living marine resources should take account of the best available scientific data and analysis,

Recalling the relevant principles elaborated in the United Nations Convention on the Law of the Sea,⁹⁰

Affirming that, in accordance with the relevant articles of the Convention, all members of the international community have a duty to co-operate globally and regionally in the conservation and management of living resources on the high seas, and a duty to take, or to co-operate with others in taking, such measures for their nationals as may be necessary for the conservation of those resources,

Recalling that, in accordance with the relevant articles of the Convention, it is the responsibility of all members of the international community to ensure the conservation and management of living marine resources and the protection and preservation of the living marine environment within their exclusive economic zones,

Noting the serious concern, particularly among coastal States and States with fishing interests, that the overexploitation of living marine resources of the high seas adjacent to the exclusive economic zones of coastal States is likely to have an adverse impact on the same resources

¹¹⁴ See *Report of the United Nations Conference on the Human Environment, Stockholm, 5-16 June 1972* (United Nations publication, Sales No. E.73.II.A.14 and corrigendum).

within such zones, and noting also, in this regard, the responsibility for co-operation in accordance with the relevant articles of the Convention,

Noting also that the countries of the South Pacific Forum and the South Pacific Commission, in recognition of the importance of living marine resources to the people of the South Pacific region, have called for a cessation of such fishing in the South Pacific and the implementation of effective management programmes,

Taking note of the adoption of the Tarawa Declaration on this subject by the Twentieth South Pacific Forum at Tarawa, Kiribati, on 11 July 1989⁵⁹ and the adoption by South Pacific States and territories of the Convention on the Prohibition of Driftnet Fishing in the South Pacific, at Wellington on 24 November 1989,¹¹⁵

Noting that some members of the international community have entered into co-operative enforcement and monitoring programmes for the immediate evaluation of the impact of large-scale pelagic driftnet fishing,

Recognizing that some members of the international community have taken steps to reduce their driftnet operations in some regions in response to regional concerns,

1. *Calls upon* all members of the international community, particularly those with fishing interests, to strengthen their co-operation in the conservation and management of living marine resources;

2. *Calls upon* all those involved in large-scale pelagic driftnet fishing to co-operate fully with the international community, and especially with coastal States and the relevant international and regional organizations, in the enhanced collection and sharing of statistically sound scientific data in order to continue to assess the impact of such fishing methods and to secure conservation of the world's living marine resources;

3. *Recommends* that all interested members of the international community, particularly within regional organizations, continue to consider and, by 30 June 1991, review the best available scientific data on the impact of large-scale pelagic driftnet fishing and agree upon further co-operative regulation and monitoring measures, as needed;

4. *Also recommends* that all members of the international community, bearing in mind the special role of regional organizations and regional and bilateral co-operation in the conservation and management of living marine resources as reflected in the relevant articles of the United Nations Convention on the Law of the Sea, agree to the following measures:

(a) Moratoria should be imposed on all large-scale pelagic driftnet fishing by 30 June 1992, with the understanding that such a measure will not be imposed in a region or, if implemented, can be lifted, should effective conservation and management measures be taken based upon statistically sound analysis to be jointly made by concerned parties of the international community with an interest in the fishery resources of the region, to prevent unacceptable impact of such fishing practices on that region and to ensure the conservation of the living marine resources of that region;

(b) Immediate action should be taken to reduce progressively large-scale pelagic driftnet fishing activities in the South Pacific region with a view to the cessation of such activities by 1 July 1991, as an interim measure, until appropriate conservation and management arrangements

for South Pacific albacore tuna resources are entered into by the parties concerned;

(c) Further expansion of large-scale pelagic driftnet fishing on the high seas of the North Pacific and all the other high seas outside the Pacific Ocean should cease immediately, with the understanding that this measure will be reviewed subject to the conditions in paragraph 4 (a) of the present resolution;

5. *Encourages* those coastal countries which have exclusive economic zones adjacent to the high seas to take appropriate measures and to co-operate in the collection and submission of scientific information on driftnet fishing in their own exclusive economic zones, taking into account the measures taken for the conservation of living marine resources of the high seas;

6. *Requests* specialized agencies, particularly the Food and Agriculture Organization of the United Nations, and other appropriate organs, organizations and programmes of the United Nations system, as well as the various regional and subregional fisheries organizations, urgently to study large-scale pelagic driftnet fishing and its impact on living marine resources and to report their views to the Secretary-General;

7. *Requests* the Secretary-General to bring the present resolution to the attention of all members of the international community, intergovernmental organizations, non-governmental organizations in consultative status with the Economic and Social Council, and well-established scientific institutions with expertise in relation to living marine resources;

8. *Also requests* the Secretary-General to submit to the General Assembly at its forty-fifth session a report on the implementation of the present resolution.

*85th plenary meeting
22 December 1989*

44/226. Traffic in and disposal, control and transboundary movements of toxic and dangerous products and wastes

The General Assembly,

Recalling its resolutions 37/137 of 17 December 1982, 38/149 of 19 December 1983 and 39/229 of 18 December 1984, as well as its decision 41/450 of 8 December 1986,

Recalling also its resolution 42/183 of 11 December 1987 on traffic in toxic and dangerous products and wastes,

Recalling further its resolution 43/212 of 20 December 1988, entitled "Responsibility of States for the protection of the environment: prevention of the illegal international traffic in, and the dumping and resulting accumulation of, toxic and dangerous products and wastes affecting the developing countries in particular",

Recalling Economic and Social Council resolutions 1988/70 and 1988/71 of 28 July 1988 and taking note of Council resolution 1989/104 of 27 July 1989,

Taking note of the report of the Secretary-General on products harmful to health and the environment¹¹⁶ and Economic and Social Council decision 1989/177 of 27 July 1989,

Taking note also of decisions 15/28 and 15/30 of 25 May 1989 of the Governing Council of the United Nations Environment Programme.⁵⁰

¹¹⁵ See A/44/807.

¹¹⁶ A/44/276-E/1989/78.