

CENTRAL ARCTIC OCEAN FISHERIES AGREEMENT FROM ASIAN PERSPECTIVES

Eom Seon-Hee

Korea Maritime Institute

Outline

- *What is the Central Arctic Ocean Fisheries Agreement?*
- *The Case Comparison : CBSPC, IWRC, CCAMLR*
- *Implications for Asian Nations*

Central Arctic Ocean Fisheries Agreement(CAOFA)

Preamble

Art. 1 'Use of Terms'

Art. 2 'Objective of this Agreement'

Art. 3 'Interim Conservation and Management Measures Concerning Fishing'

Art. 4 'Joint Program of Scientific Research and Monitoring'

Art. 5 'Review and Further Implementation'

Art. 6 'Decision-Making'

Art. 7 'Dispute Settlement'

Art. 8 'Non-Parties'

Art. 9 'Signature'

Art. 10 'Accession'

Art. 11 'Entry into Force'

Art. 12 'Withdrawal'

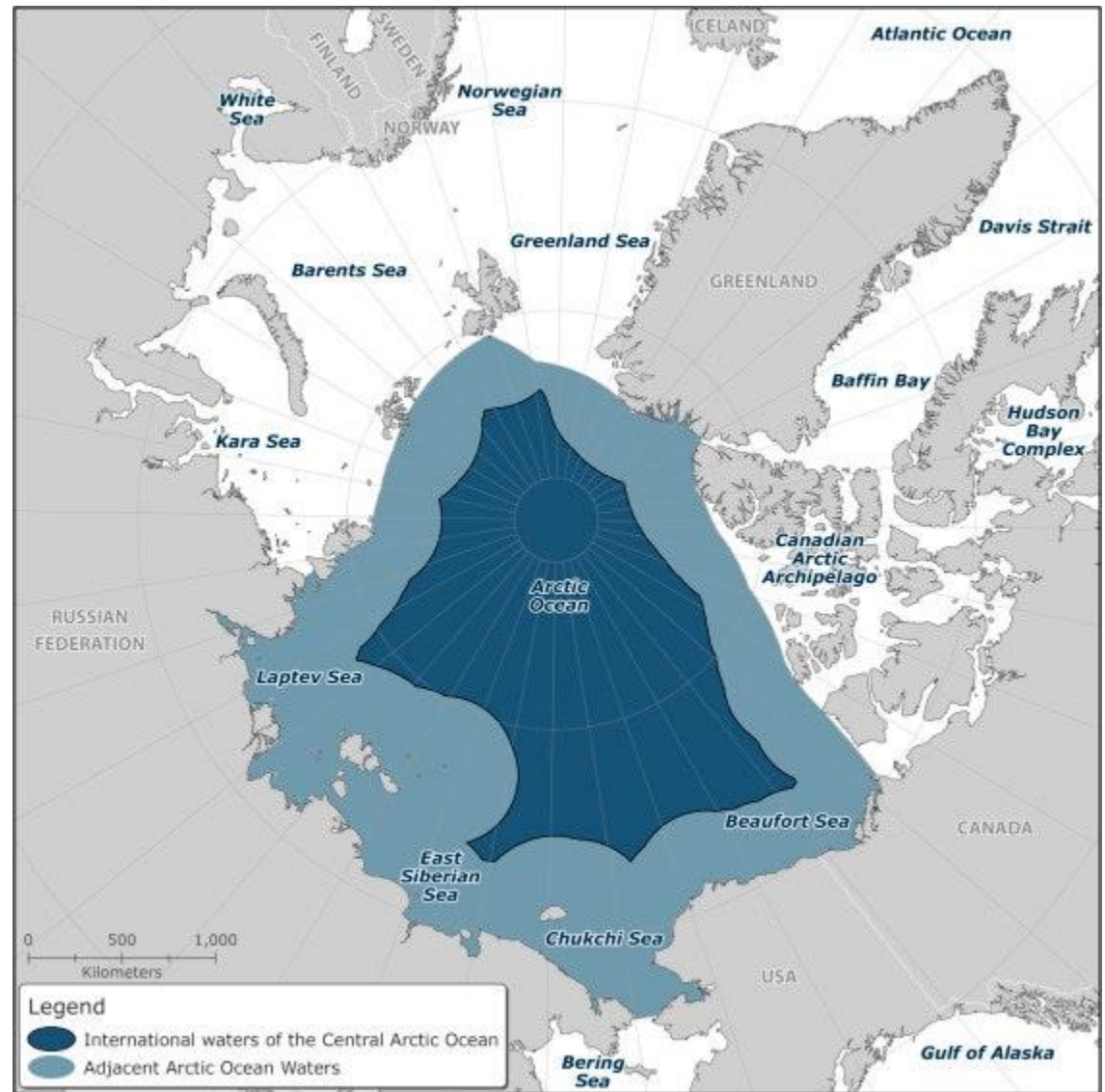
Art. 13 'Duration of the Agreement'

Art. 14 'Relation to Other Agreements'

Art. 15 'Depositary' (Canada)

Date of signature and authentic texts
(Chinese, English, French and Russian)

CAOFA Area



Source: <https://www.newsdeeply.com/oceans/articles/2017/12/04/international-accord-bans-fishing-in-central-arctic-ocean-spurs-science>

Key Concepts of CAOFA

- **Fisheries in High Seas:** defined by UNCLOS and UNFSA
 - Article 87(Freedom of the high seas), Article 92(Status of ships)
 - Article 116(Right to fish on the high seas, subject to Article 63-2, 64-67)
 - Article 117 Article 118, Article 123....
- **Precautionary Approach:** defined by UNFSA
- **Unregulated Fishing:** referenced by IPOA-IUU(FAO)

CBSPC

(Convention on the Conservation and Management of Pollock Resources in the Central Bering Sea)



- Objectives:
 - Restore and maintain the pollock resources in the Bering Sea
 - Cooperate in the gathering and examining of factual information
- Characteristics:
 - Cooperation of Coastal Countries and Fishing Countries.
 - Interim comprehensive agreement
- **Until now pollock fishing prohibited:** have not reached at the level of maximum sustainable yield

IWRC

(The International Convention for the Regulation of Whaling)



- Objectives:
 - Provide for the proper conservation of whale stocks
 - Make possible the orderly development of the whaling industry.
- Features:
 - Catch limits by species and area; permanent but amendable
 - Based on the scientific monitoring and social economic aspects
 - Governing bodies: IWC with Scientific Committee
 - Limits: Demand for whale meat cannot be controlled

CCAMLR

(Convention for the Conservation of Antarctic Marine Living Resources)



- Objective:
 - Conservation of Antarctic Marine Life
- Features:
 - Harmonious balance of the development and conservation ('conservation' and 'rational use' of living resources)
 - Ecosystem-based and precautionary approach
 - IUU fishing introduced for the first time
 - Governing bodies: Commission with Scientific Committee

Summary

	CAOFA	CBSPC	IWRC	CCAMLR
Instruments	Legally binding	Legally binding	Legally binding	Legally binding
Governing Body	-	no	Yes(IWC)	Yes(CCAMLR)
Legal Base	<ul style="list-style-type: none"> • UNCLOS • FSA • Code of Conduct 	<ul style="list-style-type: none"> • UNCLOS • FSA 		<ul style="list-style-type: none"> • Antarctic Law
Terms	Interim	Interim	Permanent	Interim
Convention Area	Central Arctic Ocean	Central Bering Sea	All over the World	Antarctic Ocean
Implementation	Precautionary approach	-	-	Precautionary approach

CAOFA: Implications for Asian Nations



Responsible Fisheries
Development and Conservation
Scientific Monitoring and Research
Cooperation among Stakeholders



Scientific Methodologies
Governing Body
Social Economic Effects
Agreement Area



CAOFA: New Opportunities

- **Create governing body of CAOFA**
- **Do more reviews over the scientific methods**
- **Consider the social economic effects**

Thank You

Email : sheom@kmi.re.kr