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# LEGISLATING FOR SUSTAINABLE FISHERIES

A Guide to Implementing the  
1993 FAO Compliance Agreement and  
1995 UN Fish Stocks Agreement

William Edeson, David Freestone, and Elly Gudmundsdottir

# Legislating For Sustainable Fisheries

**William R. Edeson, David  
Freestone, Elly Gudmundsdottir**



## **Legislating For Sustainable Fisheries:**

**Legislating for Sustainable Fisheries** William R. Edeson, David Freestone, Elly Gudmundsdottir, 2001-01-01 Printed on Demand Limited stock is held for this title If you would like to order 30 copies or more please contact books.worldbank.org Contact books.worldbank.org if currently unavailable The purpose of this guide is to facilitate the ratification or acceptance of the 1993 FAO Compliance Agreement and the 1995 UN Fish Stocks Agreement It presents an outline of some of the most important provisions contained in the two agreements The book also includes a QUOTE tool kit QUOTE of the various approaches used by some countries that have already enacted national legislation to meet the obligations and objectives set forth in these agreements Promoting Sustainable Fisheries Mary Ann E. Palma, Martin Tsamenyi, William R. Edeson, 2010 Analyses the concept of illegal unreported and unregulated fishing and the international instruments which provide the legal and policy framework to combat IUU fishing Palma Tsamenyi and Edeson University of Wollongong Australia *Towards Sustainable Fisheries Law* Gerd Winter, 2009 With the growing scarcity of fish resources instruments of fisheries management become crucial This publication suggests a legal approach to this issue and focuses on six case studies Indonesia Kenya Namibia Brazil Mexico and the EU The case studies are preceded by an analysis of the international law requirements concerning fisheries management with a focus on fisheries in Exclusive Economic Zones The final part of the book summarises the case studies and develops a proposal for a legal clinic for fisheries management **Legislating for an ecosystem approach to fisheries - Revisited** Food and Agriculture Organization of the United Nations, 2021-09-23 The ecosystem approach to fisheries EAF is a risk based management process for the planning management development regulation and monitoring of fishing and fishing related activities EAF addresses ecological consequences of fishing as well as social economic and institutional aspects of fisheries sustainability Adequate legislation and regulatory frameworks are key to successful implementation of the EAF The continuous review and update of information on legislation and regulatory instruments require the analysis of existing legal frameworks at all levels of governance to assess whether they remain in force valid and aligned with international fisheries law standards including the EAF The present work was prepared with a view to provide current information on how the EAF is being implemented through national legal frameworks of selected countries in Africa It revisits a previous legal study prepared by Anniken Skonhoft and published by FAO in 2011 A decade later based on the scope of that study the present work provides updated data and contributes to the knowledge on the current global and regional legal frameworks for an EAF which are vital for EAF implementation purposes This update also re-analysed certain countries national legislation and their evolution with respect to capturing the EAF requirements Ultimately the present work supports the legal implementation of an EAF for a holistic integrated and innovative way of managing fisheries that promotes the participation of all relevant stakeholders and the use of best available knowledge for decision making whilst balancing the human dimensions with the care for the environment habitats ecosystems and

biodiversity related with fishery resources on which they depend

### **Legislating for Property Rights in Fisheries**

Christine Stewart,2004-01-01 This study is a contribution of the FAO Development Law Service to the discussion on rights based systems in fisheries management from a legal perspective It outlines the history of the development of rights based fisheries management the concepts of property rights in fisheries and the terms used in property rights regimes the governing legislation in jurisdictions which have introduced property rights in fisheries the interpretation placed by the courts of the jurisdiction on that legislation and the possible options for implementing property based fisheries rights systems in national legislation Includes a section on New Zealand p 24 35

### **China and International Fisheries Law and Policy**

Guifang Xue,2005 This book deals with China s response to international fisheries law and policy as envisaged in the LOSC framework and post LOSC fisheries instruments As the first monograph of its kind dealing with the complex issue of the global fisheries crisis and China s fisheries management practice over a significant period of time the book builds a bridge between China and the world for a better understanding of Chinese fisheries management It will be of great value to academics professionals and policy makers alike

### **Legislation on Foreign Relations Through ... United States,2009**

Guidelines for Protected Areas Legislation Barbara J. Lausche,2011 The central aim of this publication is to consider the key elements of a modern comprehensive and effective legal framework for successful management of protected areas They provide practical guidance for all those involved in developing improving or reviewing national legislation on protected areas be they legal drafters and practitioners protected area managers interested NGOs or scholars These guidelines include fifteen case studies eight dealing with the protected area legislation of individual countries and six cases dealing with specific sites providing fundamental solutions that stand the test of time

### **The Stockholm Declaration and Law of the Marine Environment**

Myron H. Nordquist,John Norton Moore,Said Mahmoudi,2021-10-18 This collection of essays commemorates the Thirtieth Anniversary of the 1972 Stockholm Declaration on the Human Environment The opening presentation is by the distinguished former Foreign Minister of Sweden Dr Hans Blix a primary author of the Stockholm Declaration A second keynote abstract is by Professor Bjorn Lomborg the renowned author of The Skeptical Environmentalist The third keynote essay is by the United Nations Under Secretary General of Legal Affairs Hans Correl The remainder of the volume includes contributions by six judges from the International Tribunal for the Law of the Sea the Secretary General of the International Seabed Authority senior representatives from the Food and Agriculture Organization International Maritime Organization World Bank Swedish Foreign Ministry and United States Department of State along with 25 professors and environmental law experts from 15 countries The collection provides a comprehensive in depth review of the historic achievement as well as current relevance of the 1972 Stockholm Declaration as a landmark achievement in international environmental law

*Lyster's International Wildlife Law* Michael Bowman,Peter Davies,Catherine Redgwell,2010-12-23 The development of international wildlife law has been one of the most significant exercises in international law making during

the last fifty years This second edition of Lyster s International Wildlife Law coincides with both the UN Year of Biological Diversity and the twenty fifth anniversary of Simon Lyster s first edition The risk of wildlife depletion and species extinction has become even greater since the 1980s This new edition provides a clear and authoritative analysis of the key treaties which regulate the conservation of wildlife and habitat protection and of the mechanisms available to make them work The original text has also been significantly expanded to include analysis of the philosophical and welfare considerations underpinning wildlife protection the cross cutting themes of wildlife and trade and the impact of climate change and other anthropogenic interferences with species and habitat Lyster s International Wildlife Law is an indispensable reference work for scholars practitioners and policy makers alike

**OECD Review of Fisheries: Policies and Summary Statistics 2013** OECD,2013-12-23 This Review contains a General Survey of Policy Developments based on material submitted by OECD member countries information gathered on observer and enhanced engagement countries and an overview of recent activities of the Committee of Fisheries

**European Fisheries Law** Till Markus,2009 The EC s Common Fisheries Policy CFP was established to ensure that the exploitation of living aquatic resources in EC waters and by EC fisheries is carried out at sustainable levels However since its inception in 1970 the CFP has pursued conflicting objectives On one hand it has tried to manage fisheries by establishing and implementing a complex system of conservation control and enforcement measures On the other hand it has heavily subsidized its fisheries sector to secure food supplies increase employment and the sector s competitiveness as well as to further economic development in coastal regions Given that many fish stocks exploited by EC fisheries are overfished and catches continue to decline it could be argued that EC management and promotion measures have generally failed Conservation measures such as total allowable catches effort restrictions and technical measures often encourage fishing at unsustainable levels Control and enforcement measures have lacked effectiveness On the other hand in many cases subsidies have increased fishing and processing capacities of the EC s fisheries industry High capacity in the sector however demands high catch rates thus putting pressure on marine capture resources It has only been recently that the CFP has really begun to adjust its support practices to correspond to the situational and legal management requirements Nevertheless such subsidization continues even under the new European Fisheries Fund This book a explains and make accessible the CFP s complex management and promotional regimes b identifies problems and failures in both systems c assesses whether CFP measures are coherent as well as consistent with higher ranking law and d finds out how consistency between promotion and management can be increased

*International Organizations and the Law of the Sea 2001* Barbara Kwiatkowska,Harm Dotinga,Erik J. Molenaar,Alex G. Oude Elferink,Alfred H.A. Soons,2004-04-01 Now in its 17th year the NILOS Documentary Yearbook provides the reader with an excellent collection of documents related to ocean affairs and the law of the sea issued each year by organizations organs and bodies of the United Nations system Documents of the UN General Assembly and Security Council Meeting of States Parties

to the UN Law of the Sea Convention CLCS ISBA ITLOS Follow ups to the UN Fish Stocks and Small Island States Conferences WSSD ECOSOC UNEP and UNCTAD are reproduced first followed by the documents of FAO IAEA IMO and UNESCO IOC As in the previous volumes documents which were issued in the course of 2001 are reproduced while other relevant documents are listed The NILOS Documentary Yearbook has proved to be of invaluable assistance in facilitating access of the international community of scholars and practitioners in ocean affairs and the law of the sea to essential documentation The entry of the 1982 UN Law of the Sea Convention into force in 1994 and of the Part XI Agreement in 1996 as well as of the UN Fish Stocks Agreement in 2001 coupled with the review of the UNCED Agenda 21 the 2002 Johannesburg World Summit make continuation of this assistance of particular significance in the years to come The members of the Yearbook s Advisory Board are Judges Abdul Koroma and Shigeru Oda of the ICJ UNDOALOS Director Mrs Annick de Marffy ITLOS President Dolliver Nelson and Judges Thomas Mensah and Tullio Treves as well as Rosalie Balkin Edward Brown Bernard Oxman and Shabtai Rosenne *International Organizations and the Law of the Sea 2000* Barbara Kwiatkowska, Harm Dotinga, Erik J. Molenaar, Alex G. Oude Elferink, Alfred H.A. Soons, 2021-10-25 Now in its 16th year the NILOS Documentary Yearbook provides the reader with an excellent collection of documents related to ocean affairs and the law of the sea issued each year by organizations organs and bodies of the United Nations system Documents of the UN General Assembly Meeting of States Parties to the UN Law of the Sea Convention CLCS ISBA ITLOS Follow Up to the UN Small Island States Conference ECOSOC UNEP and UNCTAD are included first followed by the documents of FAO IAEA ILO IMO and UNESCO IOC As in the previous volumes documents which were issued in the course of 2000 are reproduced while other relevant documents are listed The NILOS Documentary Yearbook has proved to be of invaluable assistance in facilitating access by the international community of scholars and practitioners in ocean affairs and the law of the sea to essential documentation The entry of the 1992 UN Law of the Sea Convention into force on 16 November 1994 and of the Part XI Agreement on 28 July 1996 as well as of the UN Fish Stocks Agreement on 11 December 2001 coupled with the review of the UNCED Agenda 21 at the 2002 Johannesburg World Summit make continuation of this assistance of particular significance in the years to come The members of the Yearbook s Advisory Board are Judges Abdul Koroma and Shigeru Oda of the ICJ UNDOALOS Director Mrs Annick de Marffy Judges Thomas Mensah Dolliver Nelson and Tullio Treves of the ITLOS as well as Rosalie Balkin Edward Brown Lee Kimball Bernard Oxman and Shabtai Rosenne Training Manual on International Environmental Law ,2006 It is widely recognized that most environmental problems challenges and solutions are transboundary regional or global in scope The environment is an area where states and stakeholders are cooperating extensively and progressively This manual seeks to provide a comprehensive overview of the current body of environmental law Publisher s description **Review of the State of World Marine Capture Fisheries Management** Food and Agriculture Organization of the United Nations, 2007-01-01 During the first half of the 1990s in response to the increasing

concern about many of the world's fisheries a number of international fisheries instruments provided an impetus for countries to strengthen their fisheries management A key step in supporting such efforts is the development of more detailed systematic and comparable information on fisheries environments and management trends The State of World Marine Capture Fisheries Management Questionnaire was developed by FAO in 2004 to help meet this need The results have been grouped by region and are reported in this publication More than a decade later we are able to look back to see how countries responded to examine whether more fisheries are managed and to determine whether the management tools and strategies employed have improved the overall situation in marine capture fisheries Trends in legal and administrative frameworks management regimes and status of marine capture fisheries are analysed for 29 countries in the Pacific Ocean and presented in this report and on the accompanying CD ROM as an easy to read and informative reference for policy decision makers fishery managers and stakeholders

**Congressional Record** United States. Congress, 2001 The Congressional Record is the official record of the proceedings and debates of the United States Congress It is published daily when Congress is in session The Congressional Record began publication in 1873 Debates for sessions prior to 1873 are recorded in The Debates and Proceedings in the Congress of the United States 1789 1824 the Register of Debates in Congress 1824 1837 and the Congressional Globe 1833 1873

**Journal of the Senate of the United States of America** United States. Congress. Senate, 2002

*Principles of International Environmental Law* Philippe Sands, Jacqueline Peel, 2018-03-01 This new and fully updated edition of Principles of International Environmental Law offers a comprehensive and critical account of one of the fastest growing areas of international law the principles and rules relating to environmental protection Introducing the reader to the key foundational principles governance structures and regulatory techniques Principles of International Environmental Law explores each of the major areas of international environmental regulation through substantive chapters including climate change atmospheric protection oceans and freshwater biodiversity chemicals and waste regulation The ever increasing overlap with other areas of international law is also explored through examination of the inter linkages between international environmental law and other areas of international regulation such as trade human rights humanitarian law and investment law Incorporating the latest developments in treaty and case law for key areas of environmental regulation this text is an essential reference and textbook for advanced undergraduate and postgraduate students academics and practitioners of international environmental law

Asian Yearbook of International Law B.S. Chimni, Miyoshi Masahiro, Javaid Rehman, 2013-03-05 Launched in 1991 The Asian Yearbook of International Law is a major refereed publication dedicated to international law issues as seen primarily from an Asian perspective under the auspices of the Foundation for the Development of International Law in Asia DILA It is the first publication of its kind edited by a team of leading international law scholars from across Asia The Yearbook provides a forum for the publication of articles in the field of international law and other Asian international law topics written by experts from the region and elsewhere Its

aim is twofold to promote international law in Asia and to provide an intellectual platform for the discussion and dissemination of Asian views and practices on contemporary international legal issues Each volume of the Yearbook contains articles and shorter notes a section on State practice an overview of Asian states participation in multilateral treaties succinct analysis of recent international legal developments in Asia an agora section devoted to critical perspectives on international law issues surveys of the activities of international organizations of special relevance to Asia and book review bibliography and documents sections This volume offers Asian perspectives on topics including treaty making power in China the crime of aggression illegal fishing and the destruction of environment in armed conflicts



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