

103^D CONGRESS
2^D SESSION

S. 2569

To prohibit the United States from entering into any international agreement which would prevent full implementation of the United Nations moratorium on large-scale driftnet fishing on the high seas.

IN THE SENATE OF THE UNITED STATES

DECEMBER 1 (legislative day, SEPTEMBER 12), 1994

Mr. STEVENS (for himself and Mr. MURKOWSKI) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To prohibit the United States from entering into any international agreement which would prevent full implementation of the United Nations moratorium on large-scale driftnet fishing on the high seas.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “High Seas Driftnet
5 Fishing Moratorium Protection Act”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds that—

1 (1) Congress has enacted and the President has
2 signed into law numerous Acts to control or prohibit
3 large-scale driftnet fishing both within the jurisdic-
4 tion of the United States and beyond the exclusive
5 economic zone of any nation, including the Driftnet
6 Impact Monitoring, Assessment, and Control Act of
7 1987 (title IV, Public Law 100-220), the Driftnet
8 Act Amendments of 1990 (Public Law 101-627),
9 and the High Seas Driftnet Fisheries Enforcement
10 Act (title I, Public Law 102-582);

11 (2) the United States has signed and the Sen-
12 ate has ratified the Convention for the Prohibition
13 of Fishing with Long Driftnets in the South Pacific,
14 also known as the Wellington Convention;

15 (3) the General Assembly of the United Nations
16 has adopted three resolutions and three decisions
17 which established and reaffirm a global moratorium
18 on large-scale driftnet fishing on the high seas, be-
19 ginning with Resolution 44/225 in 1989 and most
20 recently in Decision 48/445 in 1993;

21 (4) the General Assembly of the United Nations
22 adopted these resolutions and decisions at the re-
23 quest of the United States and other concerned
24 nations;

1 (5) the best scientific information demonstrates
2 the wastefulness and potentially destructive impacts
3 of large-scale driftnet fishing on living marine re-
4 sources and seabirds; and

5 (6) Resolution 46/215 of the United Nations
6 General Assembly calls on all nations, both individ-
7 ually and collectively, to prevent large-scale driftnet
8 fishing on the high seas.

9 **SEC. 3. PROHIBITION.**

10 The United States, or any agency or official acting
11 on behalf of the United States, may not enter into any
12 international agreement with respect to fisheries, marine
13 resources, the use of the high seas, or trade in fish or
14 fish products that would prevent full implementation of
15 the global moratorium on large-scale driftnet fishing on
16 the high seas, as such moratorium is expressed in Resolu-
17 tion 46/215 of the United Nations General Assembly.

18 **SEC. 4. NEGOTIATIONS.**

19 The Secretary of State, on behalf of the United
20 States, shall seek to enhance the implementation and ef-
21 fectiveness of the United Nations General Assembly reso-
22 lutions and decisions regarding the moratorium on large-
23 scale driftnet fishing on the high seas through appropriate
24 international agreements and organizations.

1 **SEC. 5. CERTIFICATION.**

2 The Secretary of State shall determine in writing
3 prior to the provisional or formal signing by the United
4 States of any international agreement with respect to fish-
5 eries, marine resources, the use of the high seas, or trade
6 in fish or fish products that the prohibition contained in
7 section 3 will not be violated if such agreement is signed.

8 **SEC. 6. ENFORCEMENT.**

9 The President shall utilize appropriate assets of the
10 Department of Defense, the United States Coast Guard,
11 and other Federal agencies to detect, monitor, and prevent
12 violations of the United Nations moratorium on large-scale
13 driftnet fishing on the high seas for all fisheries under the
14 jurisdiction of the United States and, in the case of fish-
15 eries not under the jurisdiction of the United States, to
16 the fullest extent permitted under international law.

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