

UNCLOS in Fisheries Perspective

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Topic

Introduction

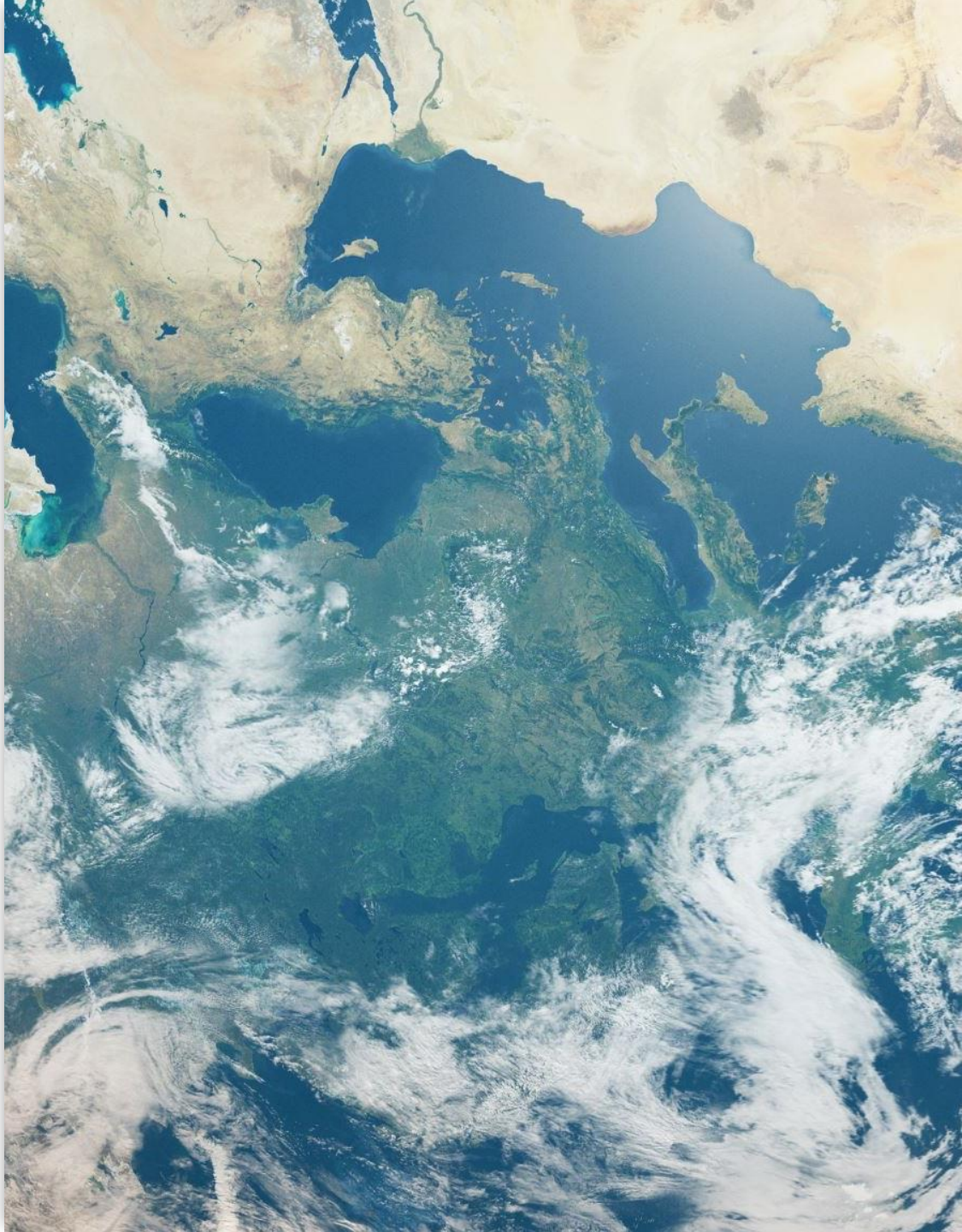
Relevant International fisheries instruments and tools

Maritime Zones

Fisheries Perspective

Introduction

- a comprehensive regime of law and order in the world's oceans and seas establishing rules governing all uses of the oceans and their resources
- opened for signature on 10 December 1982 in Montego Bay, Jamaica.
- more than 150 countries representing all regions of the world
- instrument traditional rules for the uses of the oceans
- entered into force on 16 November 1994



Introduction (2)

- The Convention comprises 320 articles and nine annexes, governing all aspects of ocean space, such as delimitation, environmental control, marine scientific research, economic and commercial activities, transfer of technology and the settlement of disputes relating to ocean matters.
- Currently Status: 172 parties

Credit: UN.org **Updated:** 13/10/2026





Some of the key features

- sovereignty
- transit passage
- Archipelagic States
- sovereign rights
- freedom of navigation
- the right of the Land-locked and geographically disadvantaged States

Credit: UN.org



Some of the key features(2)

- rights over the continental shelf
- exploiting resources from any part of their shelf beyond 200 miles
- the limits of the continental shelf
- freedoms of the high seas
- The limits of the territorial sea, the EEZ and continental shelf of islands
- cooperate in managing living resources, environmental and research

Credit: UN.org



Some of the key features (3)

- the right of the Land-locked States
- prevent and control marine pollution and are liable for damage
- marine scientific research
- promote the development and transfer of marine technology "on fair and reasonable terms and conditions“
- settle by peaceful means their disputes

Credit: UN.org

Implementing Agreements and Relevant International fisheries instruments

1. Agreement relating to the implementation of Part XI
2. UN Fish Stocks Agreement 1995
3. BBNJ Agreement
4. Regional Mechanisms
5. SDGs: SDG14

Agreement relating to the implementation of Part XI

- To address certain difficulties with the seabed mining
- Entered into force on 28 July 1996
- Consists of 10 articles dealing mainly with procedural aspects
- Annex divided into 9 sections
- Currently Status: 155 parties

Credit: UN.org **Updated:** 13/10/2026

UN Fish Stocks Agreement

Requires cooperation for the conservation of straddling and highly migratory fish stocks

Requires the application of precautionary approach by setting limit reference points for MSY

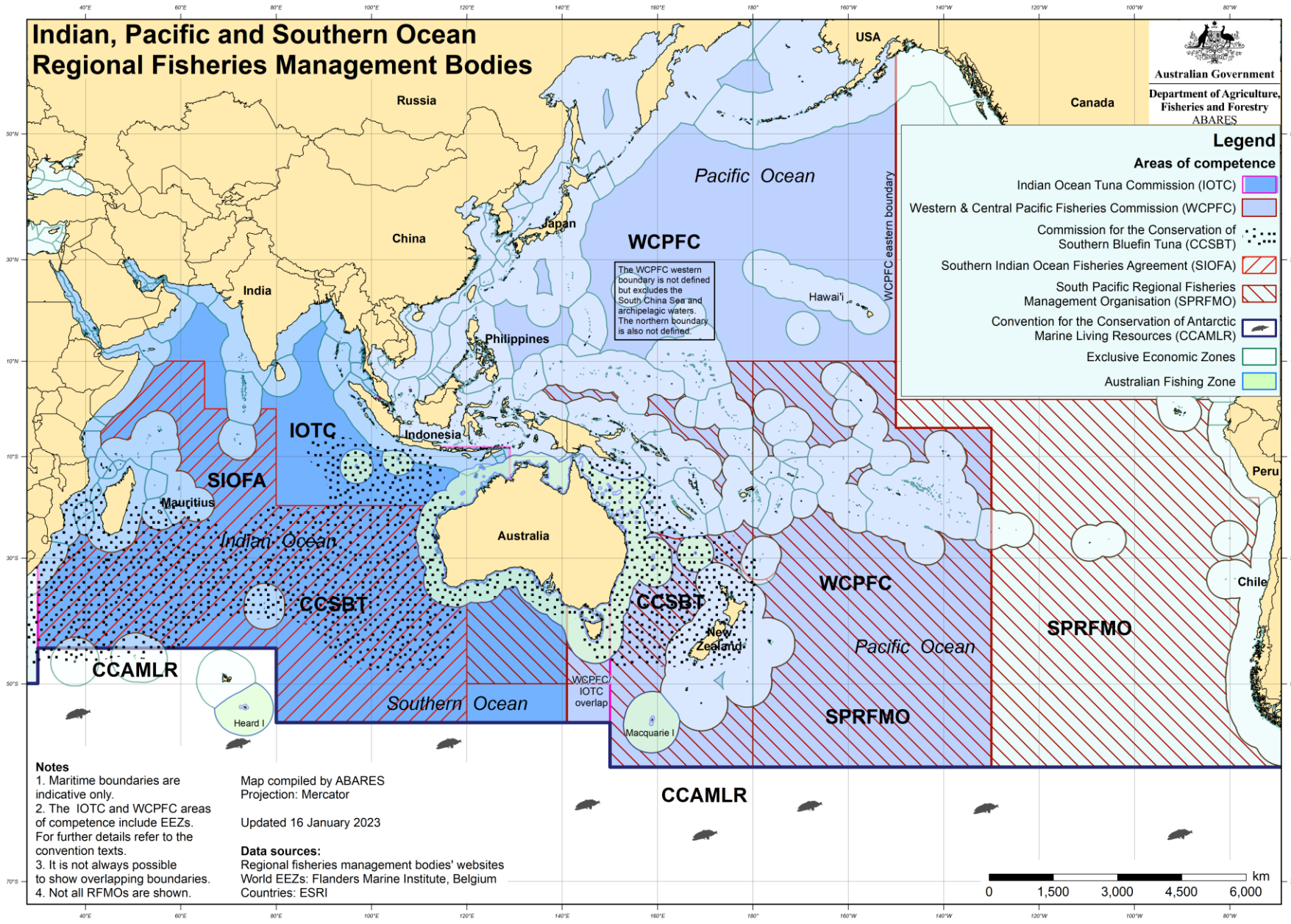
RFMOs are encouraged as a means of fulfilling the duty of States to co-operate

BBNJ Agreement



Credit: United Nations Sustainable Development Group
Link: https://unsdg.un.org/latest/stories/more-drop-ocean-what-high-seas-treaty

Regional Mechanisms



Credit:

The Australian Fisheries Management Authority (AFMA)

Link: https://www.afma.gov.au/fisheries-management/international-fisheries-management/international-engagement

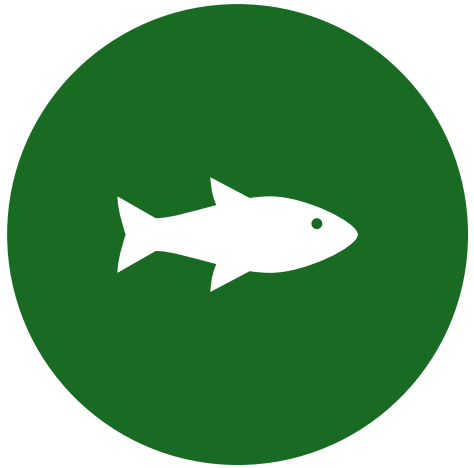
SDGs: SDG14



UNCLOS



MARITIME ZONE

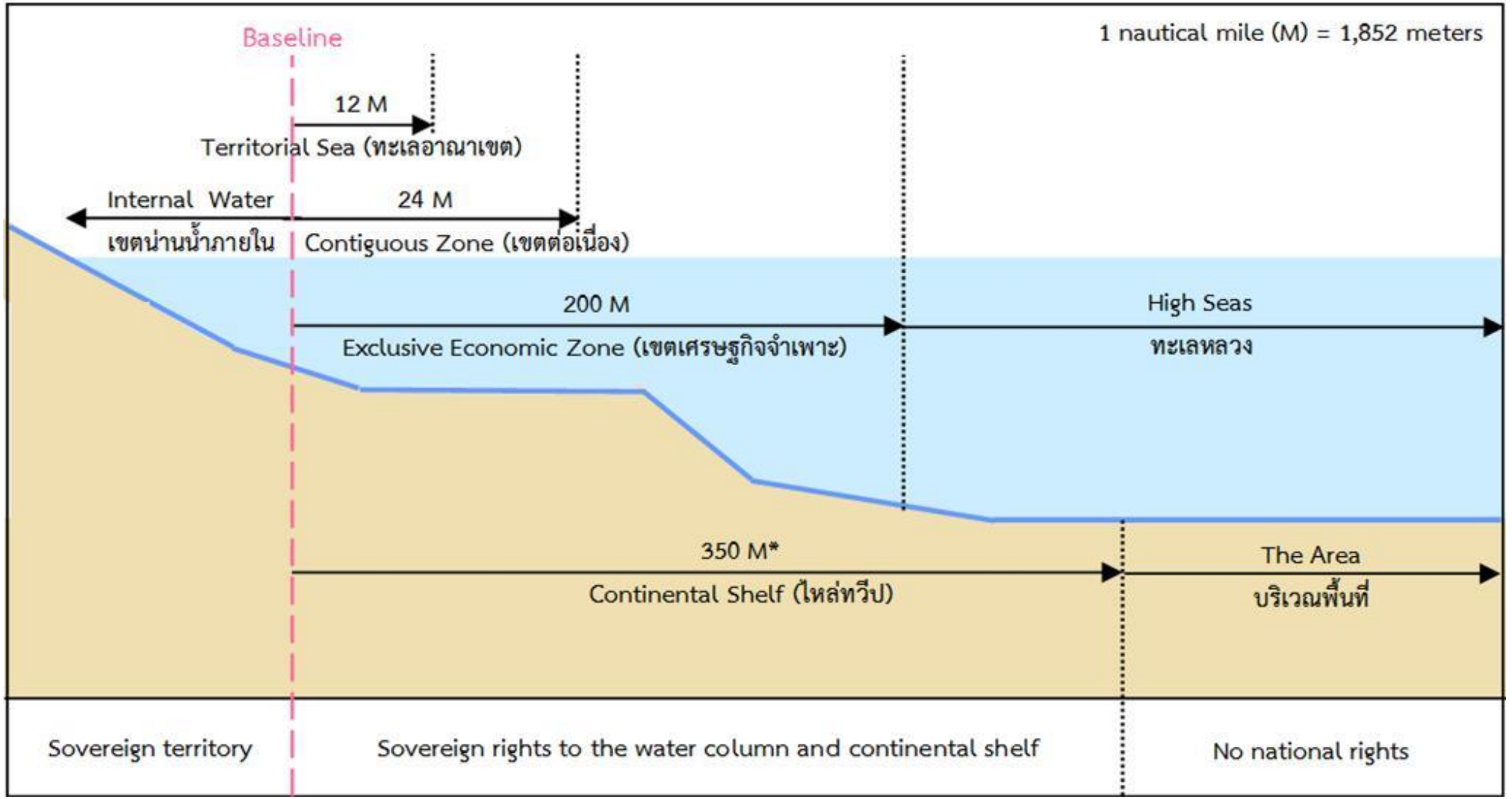


FISHERIES PERSPECTIVE

Maritime Zone

Baselines	Internal waters	Territorial sea	Contiguous zone
Exclusive economic zone	Continental shelf	High seas	The Area

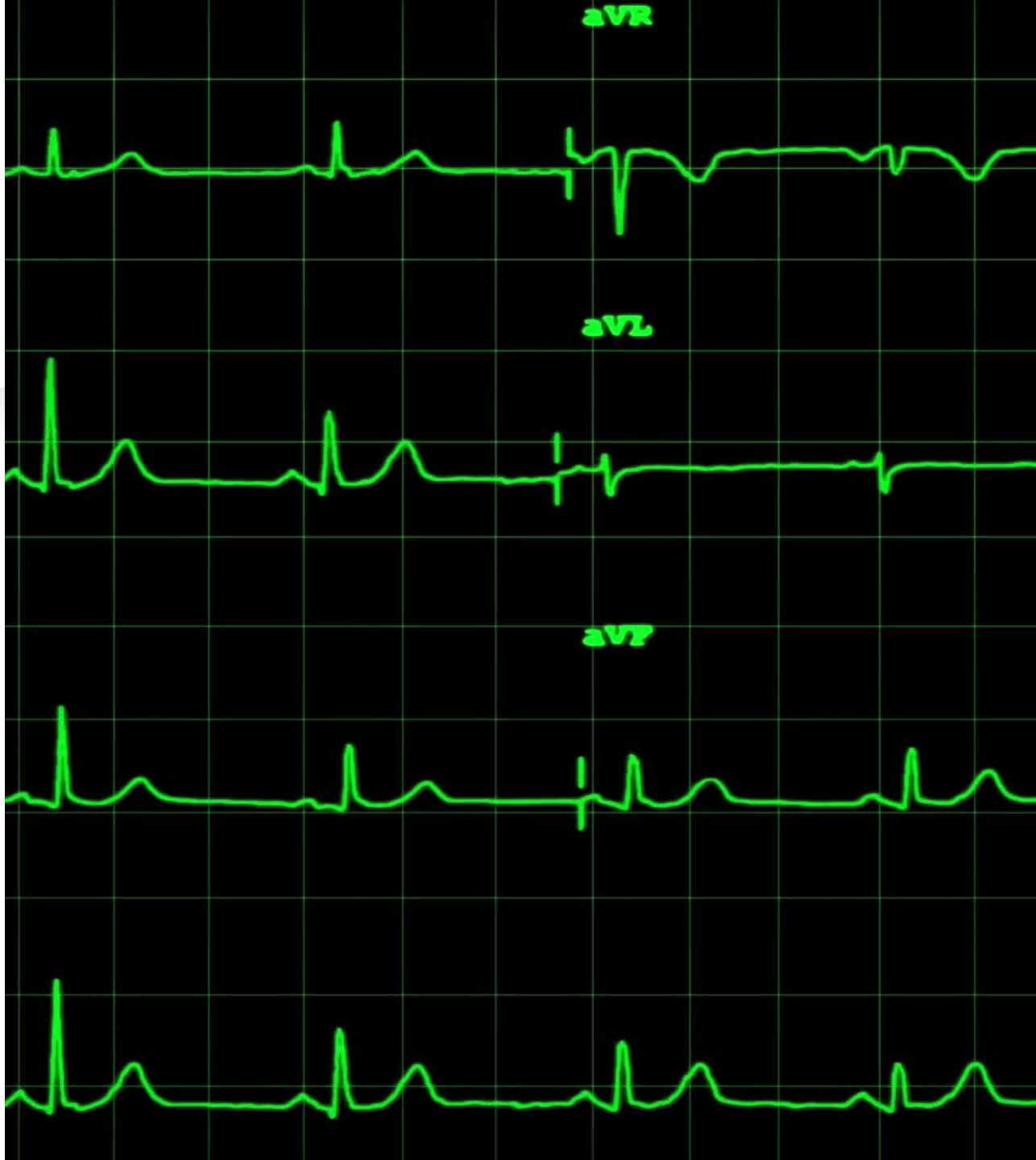
UNCLOS 1982



Credit: Marine Knowledge Hub

Baselines

- Normal baseline (Art.5)
- Reef (Art.6)
- Straight baselines (Art.7)
- Mouths of rivers (Art.9)
- Bays (Art.10)
- Ports (Art.11)
- Low – tide elevations (Art.13)
- Archipelagic baselines (Art.47)



Internal waters

Waters on the landward side of the baseline of the territorial sea form part of the internal waters of the State. (Art.8)



Territorial sea

- Breadth of the territorial sea (Art.3)

Every State has the right to establish the breadth of its territorial sea up to a limit not exceeding 12 nautical miles, measured from baselines determined in accordance with this Convention

- Scope: Sea, Air space, seabed and subsoil
- Innocent Passage in the Territorial Sea



Innocent Passage in the Territorial Sea

Subsection A. Rules applicable to all ships (Art. 17 - 26)

- Article17 Right of innocent passage
- Article 18 Meaning of passage
- Article 19 Meaning of innocent passage
- Article 21 Laws and regulations of the coastal State relating to innocent passage
- Article 24 Duties of the coastal State
- Article 25 Rights of protection of the coastal State



Contiguous zone

- Contiguous zone (Art. 33)
- State may exercise the control necessary to prevent infringement of its customs, fiscal, immigration or sanitary laws and regulations
- not extend beyond 24 nautical miles from the baselines
- Scope: Sea and seabed

Exclusive economic zone (EEZ)

- Article 56 Rights, jurisdiction and duties of the coastal State in the exclusive economic zone

  - sovereign rights for the purpose of exploring and exploiting, conserving and managing the natural resources, whether living or non-living, of the waters superjacent to the seabed and of the seabed and its subsoil

- Article. 57 Breadth of the exclusive economic zone

  - not extend beyond 200 nautical miles from the baselines

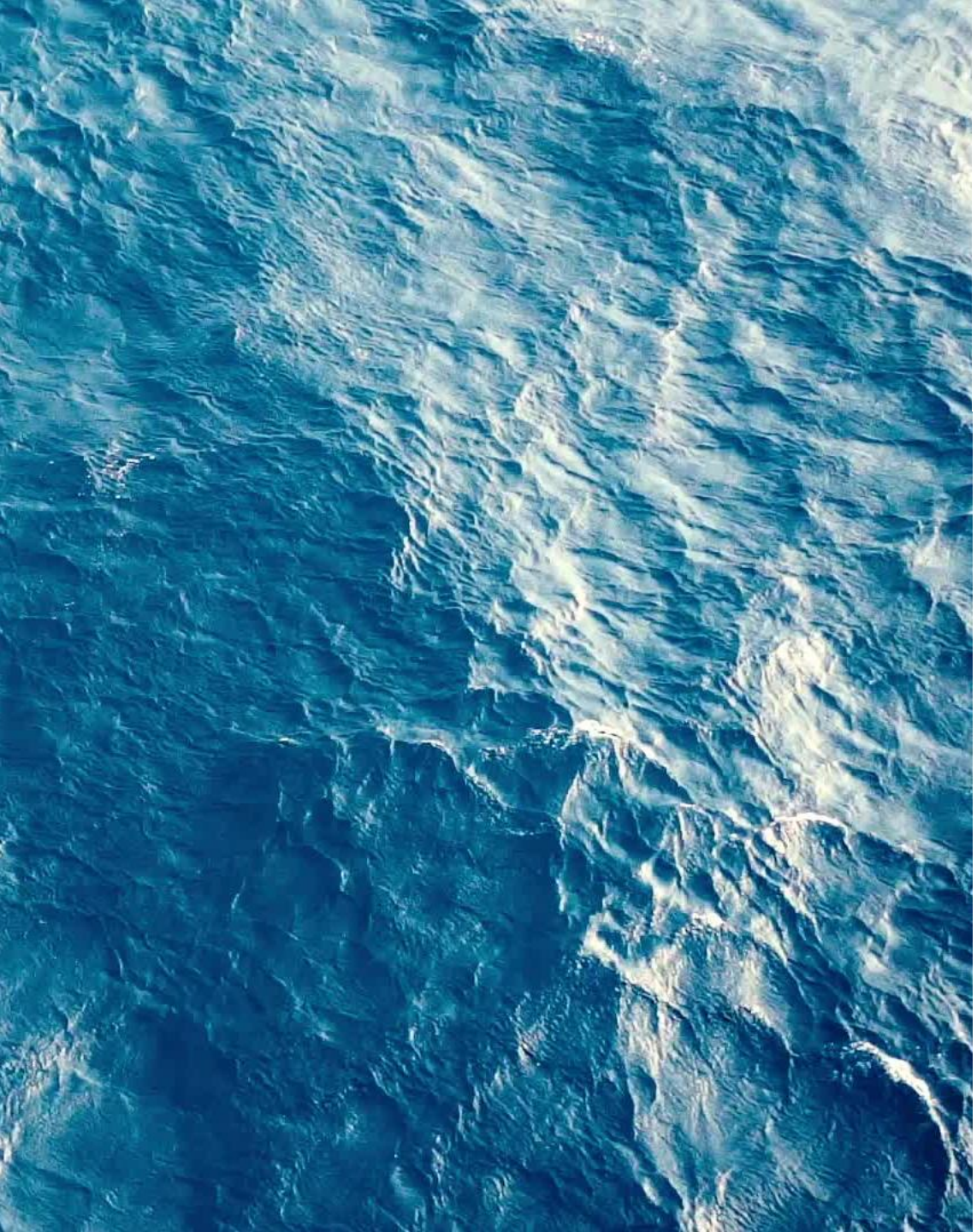
- Article 58 Rights and duties of other States in the exclusive economic zone
- Article 69 Right of land-locked States

Continental shelf

- Article 76 Definition of the continental shelf

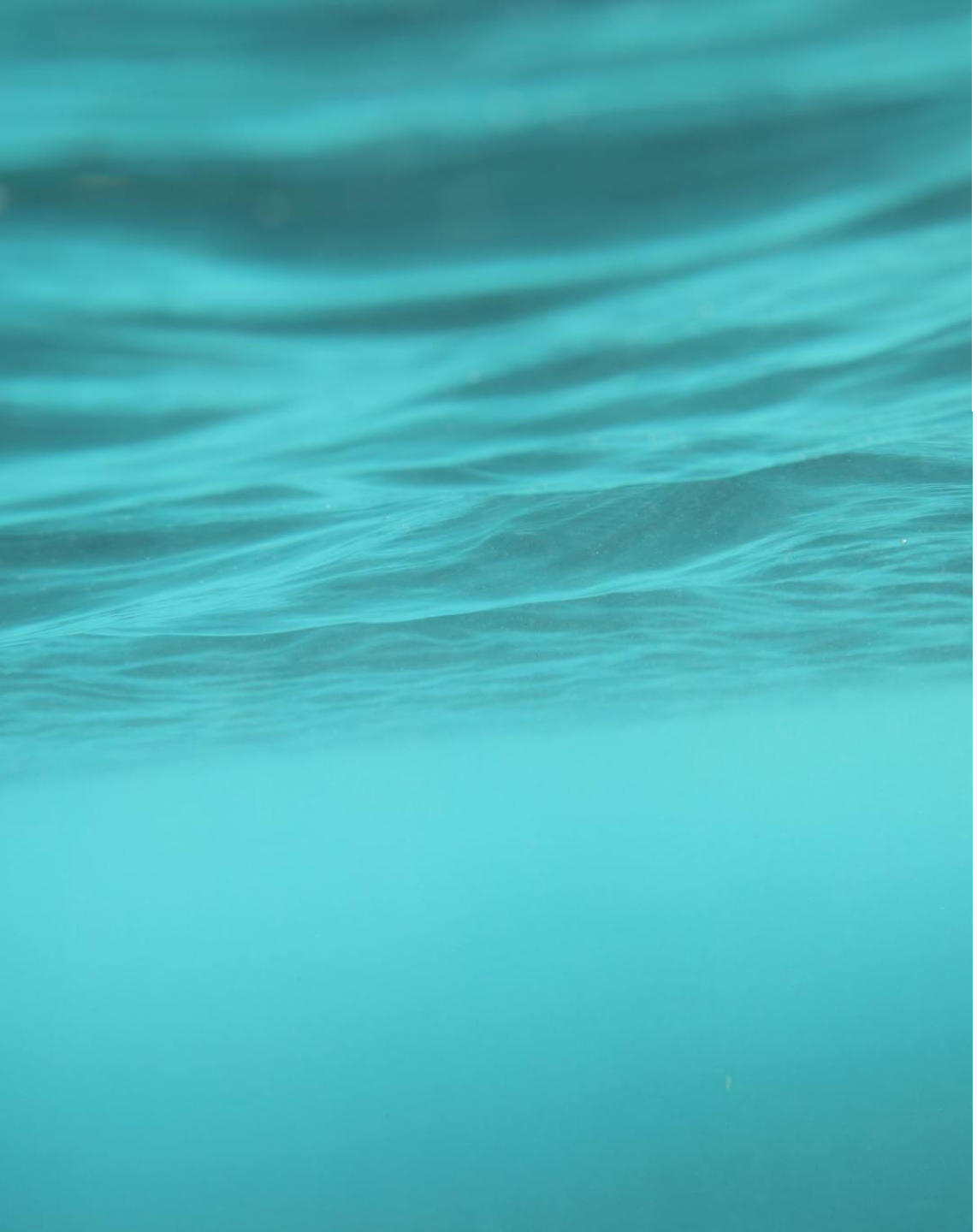
  - The continental shelf of a coastal State comprises the seabed and subsoil of the submarine areas that extend beyond its territorial sea throughout the natural prolongation of its land territory to the outer edge of the continental margin, or to a distance of 200 nautical miles from the baselines from which the breadth of the territorial sea is measured where the outer edge of the continental margin does not extend up to that distance.

- Article 77 Rights of the coastal State over the continental shelf
- Article 78 Legal status of the superjacent waters and air space and the rights and freedoms of other States



High seas

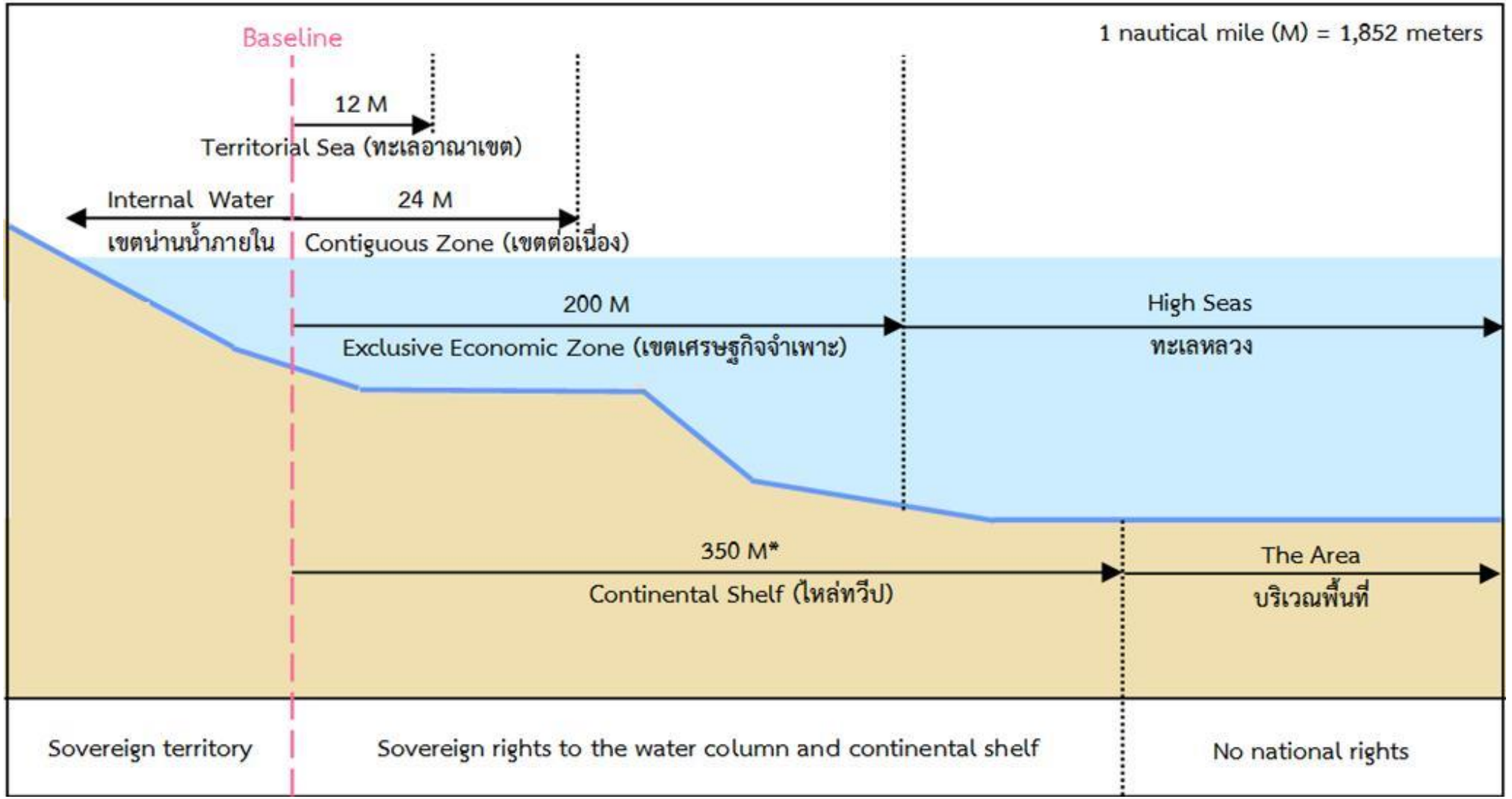
- Art.87 Freedom of High Sea
  - ❖ navigation
  - ❖ overflight
  - ❖ lay submarine cables and pipelines
  - ❖ construct artificial islands and other installations permitted
  - ❖ fishing
  - ❖ scientific research
- Art. 88 Reservation of the high seas for peaceful purposes
- Art. 89 Invalidity of claims of sovereignty over the high seas
- Art. 94 Duties of the flag State



The Area

- "Area" means the seabed and ocean floor and subsoil thereof, beyond the
- limits of national jurisdiction; (Article 1 (1))
- "activities in the Area" means all activities of exploration for, and exploitation
- of, the resources of the Area; (Article 1(3))
- Article 136 Common heritage of mankind
- Article 137 Legal status of the Area and its resources

UNCLOS 1982



Credit: Marine Knowledge Hub

Fisheries Perspective



Natural Resources (EEZ), Highly Migratory Species



Natural Resources (High Seas)



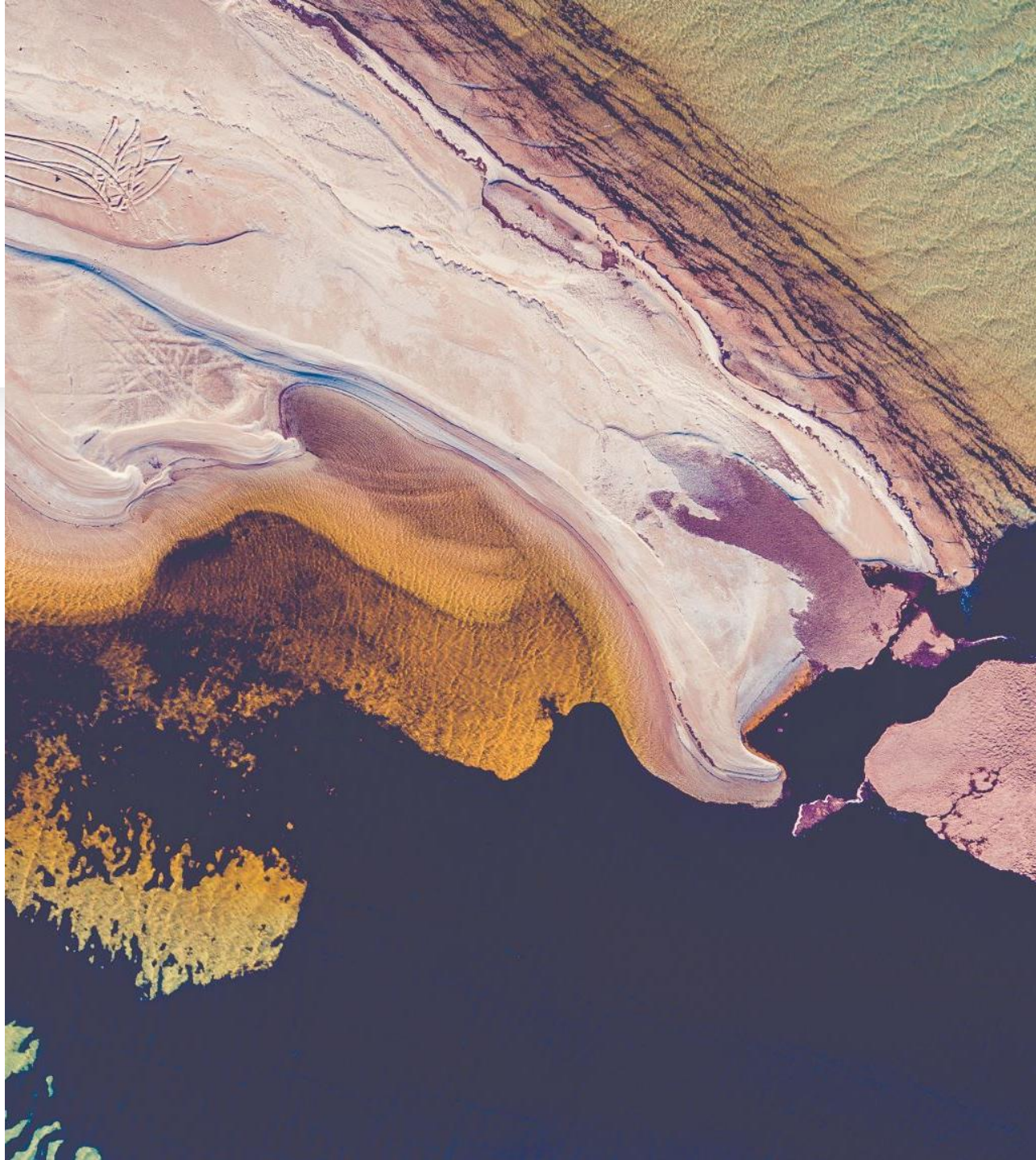
Protection and preservation of the marine environment



Marine scientific research

Natural Resources (EEZ)

- Article 56 Rights, jurisdiction and duties of the coastal State in the exclusive economic zone
- Article 60 Artificial islands, installations and structures in the exclusive economic zone
- Article 61 Conservation of the living resources
- Article 62 Utilization of the living resources



Natural Resources (EEZ)

- Article 63 Stocks occurring within the exclusive economic zones of two or more coastal States or both within the exclusive economic zone and in an area beyond and adjacent to it
- Article 64 Highly migratory species & ANNEX 1



Highly Migratory Species

ANNEX 1 Highly Migratory Species

1. Albacore tuna 2. Bluefin tuna 3. Bigeye tuna 4. Skipjack tuna 5. Yellowfin tuna 6. Blackfin tuna 7. Little tuna 8. Southern bluefin tuna 9. Frigate mackerel 10. Pomfrets 11. Marlins 12. Sail-fishes 13. Swordfish 14. Sauries 15. Dolphin 16. Oceanic sharks 17. Cetaceans

Natural Resources (EEZ)



Article 65 Marine mammals



Article 73 Enforcement of laws and regulations of the coastal State

Natural Resources (High Seas)

- Article 117 Duty of States to adopt with respect to their nationals measures for the conservation of the living resources of the high seas
- Article 119 Conservation of the living resources of the high seas
- Article 120 Marine mammals

Protection and preservation of the marine environment

- Article 193 Sovereign right of States to exploit their natural resources
- Article 194 Measures to prevent, reduce and control pollution of the marine environment
- Article 204 Monitoring of the risks or effects of pollution

Marine scientific research

- Article 245 Marine scientific research in the territorial sea
- Article 246 Marine scientific research in the exclusive economic zone and on the continental shelf
- Article 257 Marine scientific research in the water column beyond the exclusive economic zone

