



# The Central Arctic Ocean Fisheries Negotiations

**Erik J. Molenaar**

Deputy Director, Netherlands Institute for the Law  
of the Sea (NILOS), Utrecht University &  
Professor, K.G. Jebsen Centre for the Law of the  
Sea (JCLOS), UiT The Arctic University of Norway.  
[e.j.molenaar@uu.nl](mailto:e.j.molenaar@uu.nl)



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# Overview presentation

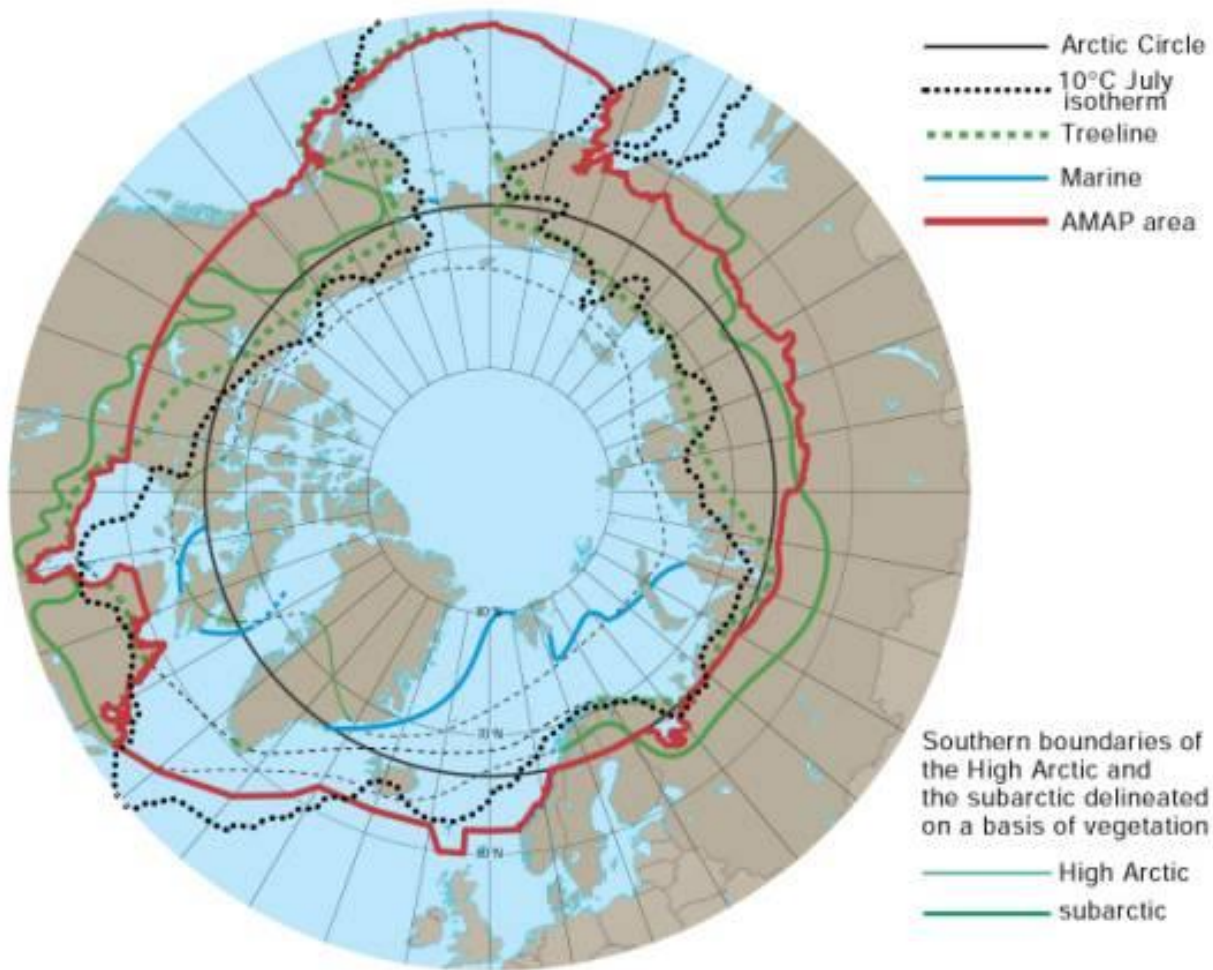
- Introduction
- International Fisheries Law
- A5 Process on High Seas Fishing in the Central Arctic Ocean
- Five-plus-Five Process on High Seas Fishing in the Central Arctic Ocean



# Introduction

- Definitions
  - No generally accepted definitions for Arctic, marine Arctic, Arctic Ocean and central Arctic Ocean (three Oceans...)
  - Arctic States (8): Canada, Denmark, Finland, Iceland, Norway, Russia, Sweden and the United States
  - Arctic coastal States (6) and central Arctic Ocean coastal States (5)
- Climate change
  - Key findings SWIPA 2017 Assessment are alarming, e.g.
    - “The Arctic’s climate is shifting to a new state”
    - Rapid decrease in [sea-ice extent and thickness](#) (access to un-exploited species); Arctic Ocean could be ice-free in late 2030s
  - Fish stocks shift towards polar regions



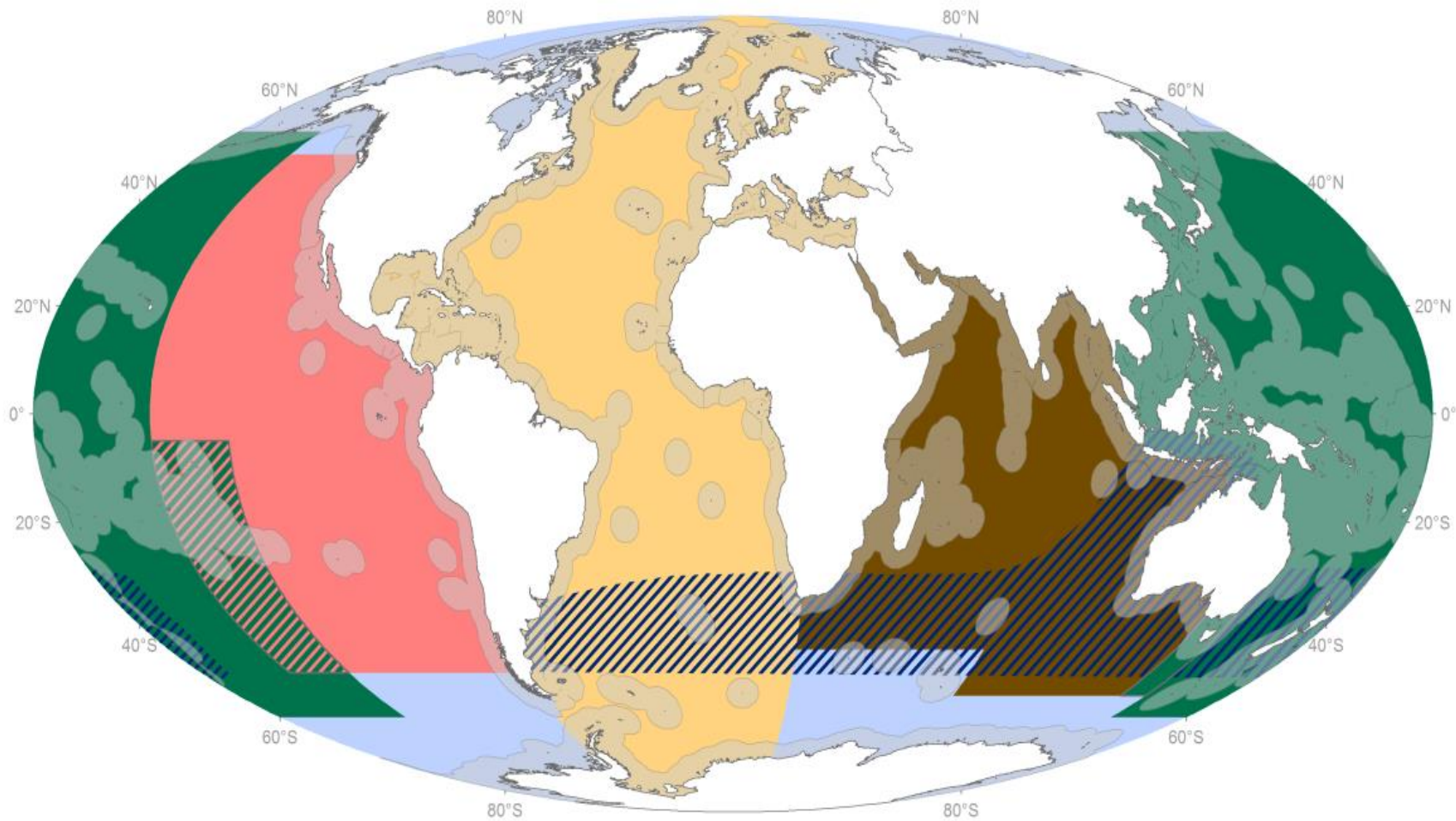


# International Fisheries Law

- Global vs regional component
- Actual fisheries regulation by States individually and collectively, in particular through Regional Fisheries Management Organizations (RFMOs)
- Ensuring full high seas coverage with RFMOs as part of objective of avoiding unregulated high seas fishing
- Many RFMOs relevant to the marine Arctic but only a few (potentially) also to the central Arctic Ocean
  - North-East Atlantic Fisheries Commission (NEAFC)
  - Joint Norwegian-Russian Fisheries Commission (Joint Commission)
    - Is this an RFMO, an RFMA or neither?







200nm limit

#### Tuna Regional Fisheries Management Organizations

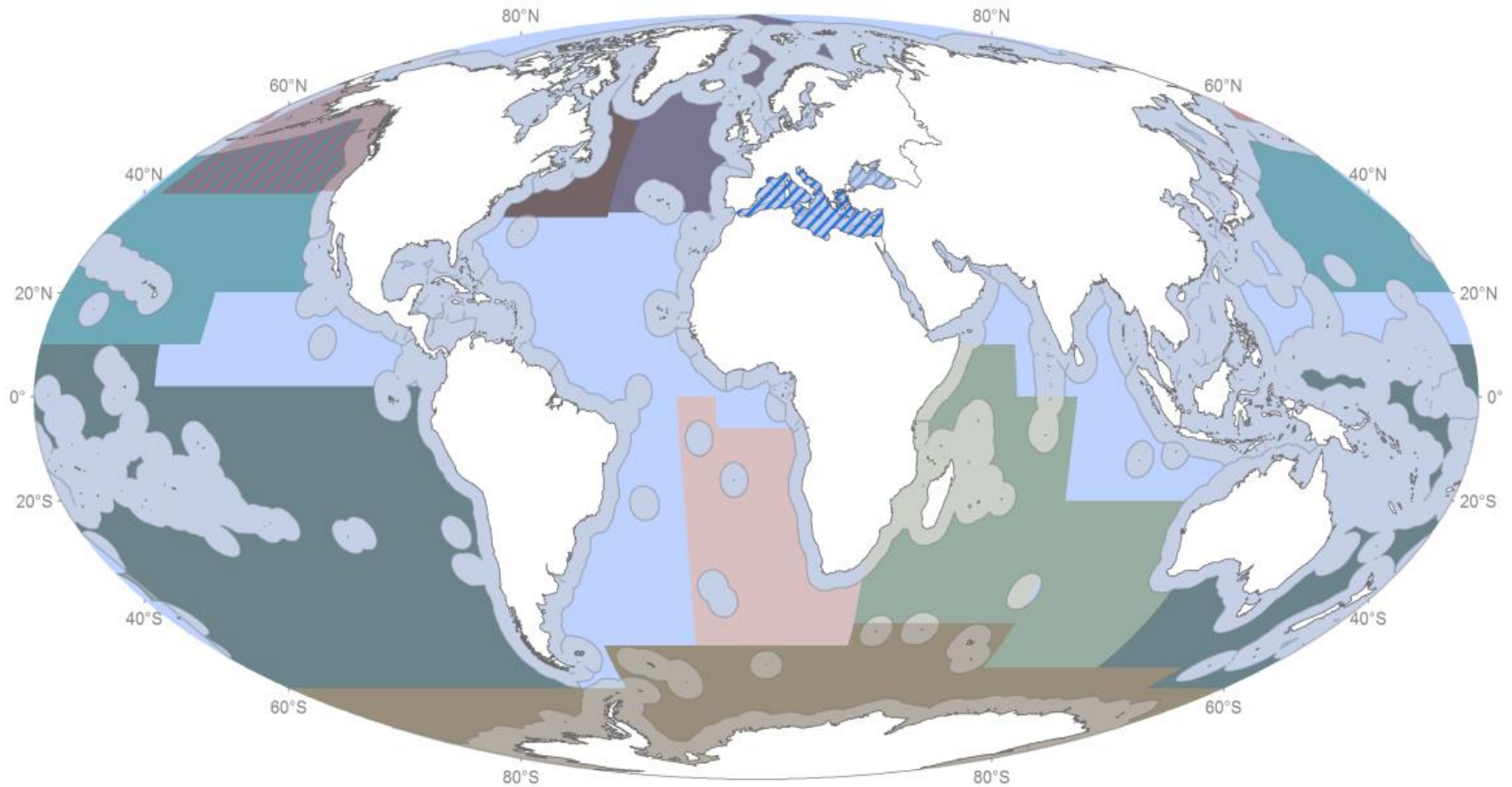
Commission for the Conservation of Southern Bluefin Tuna

Inter-American Tropical Tuna Commission (IATTC)

International Convention for the Conservation of Atlantic Tunas (ICCAT)

Indian Ocean Tuna Commission (IOTC)

Western and Central Pacific Fisheries Commission (WCPFC)



200nm limit

#### Non-Tuna Regional Fisheries Management Organizations

Conv. on Cons. of Antarctic Marine Living Resources

Conv. on Cons. & Mgmt of Pollock Resources in the Central Bering Sea

General Fisheries Council for the Mediterranean

International Pacific Halibut Commission

Northwest Atlantic Fisheries Organization (NAFO)

North East Atlantic Fisheries Commission (NEAFC)

North Pacific Anadromous Fish Commission

South East Atlantic Fisheries Organization (SEAFO)

South Indian Ocean Fisheries Agreement (SIOFA)

South Pacific Regional Fisheries Mgmt Org

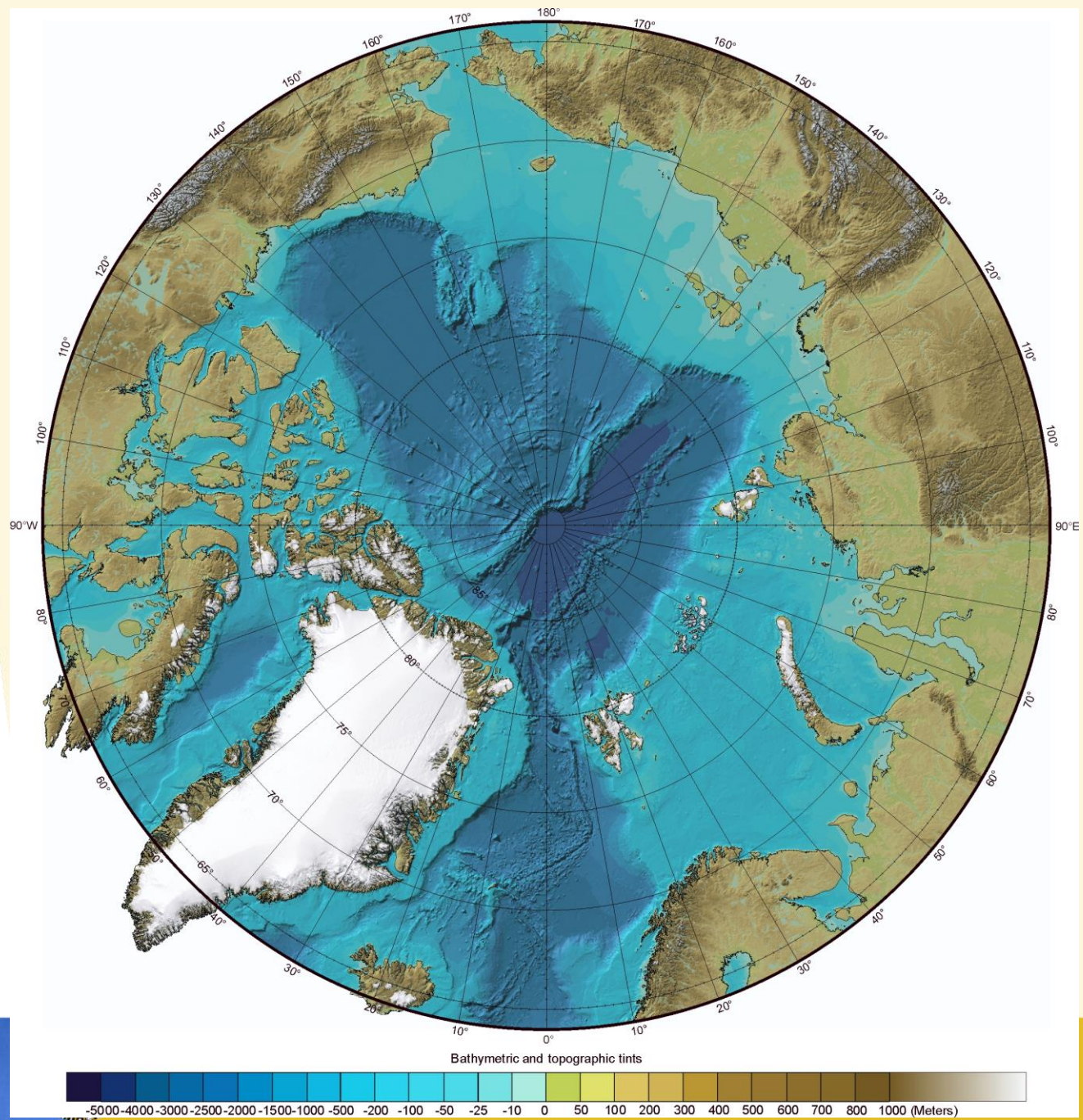
Southwest Indian Ocean Fisheries Commission



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## **RFMOs also relevant to marine Arctic but not central Arctic Ocean**

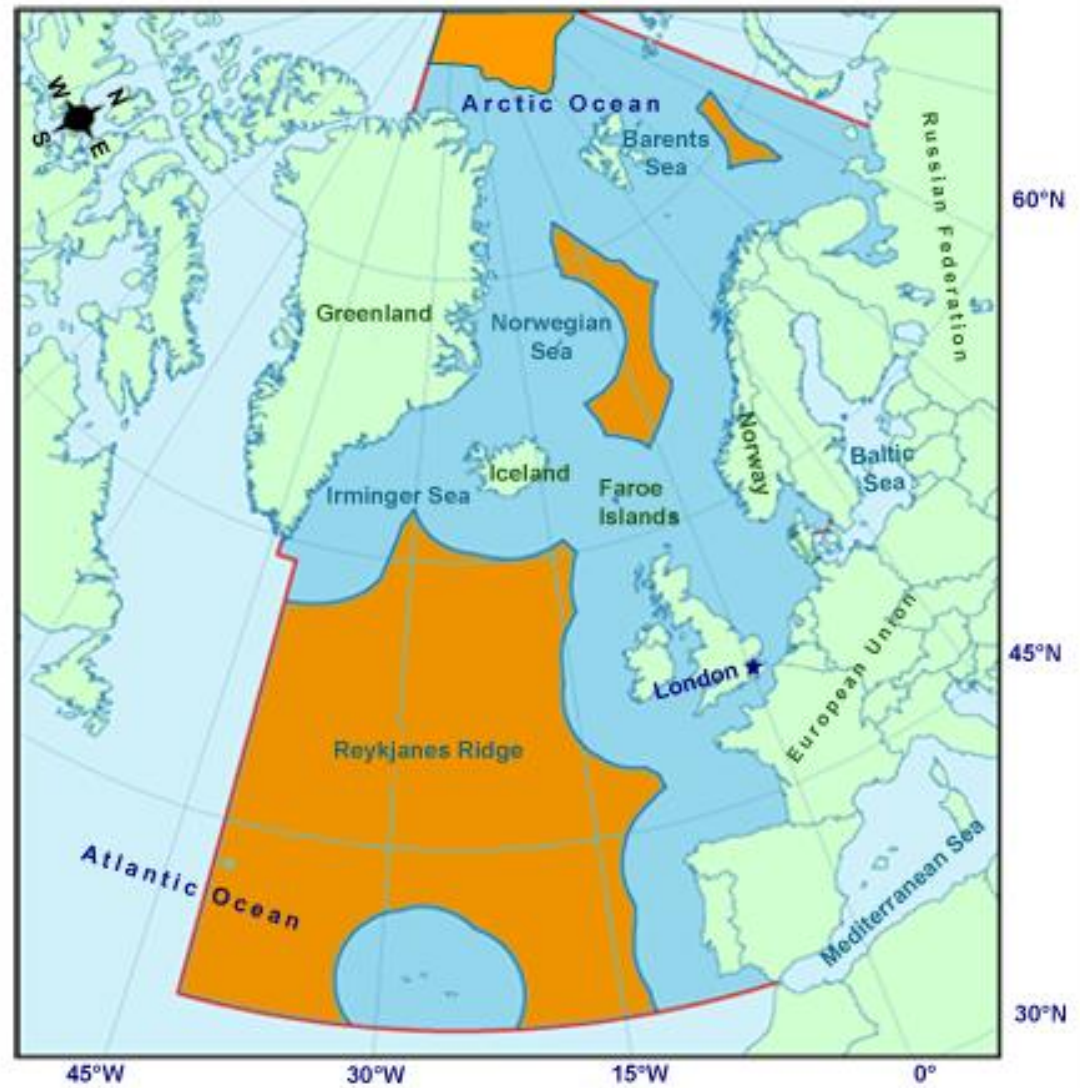
- Central Bering Sea (CBS) Convention
- International Pacific Halibut Commission (IPHC)
- North Pacific Anadromous Fish Commission (NPAFC)
- Yukon River Panel to Pacific Salmon Treaty
- Intergovernmental Consultative Committee (ICC)
- Western and Central Pacific Fisheries Commission (WCPFC)
- Northwest Atlantic Fisheries Organization (NAFO)
- Loophole Agreement

## **RFMOs also (potentially) relevant to central Arctic Ocean**

- North-East Atlantic Fisheries Commission (NEAFC)
- Joint Norwegian-Russian Fisheries Commission
- North Atlantic Salmon Conservation Organization (NASCO)
- International Commission for the Conservation of Atlantic Tunas (ICCAT)







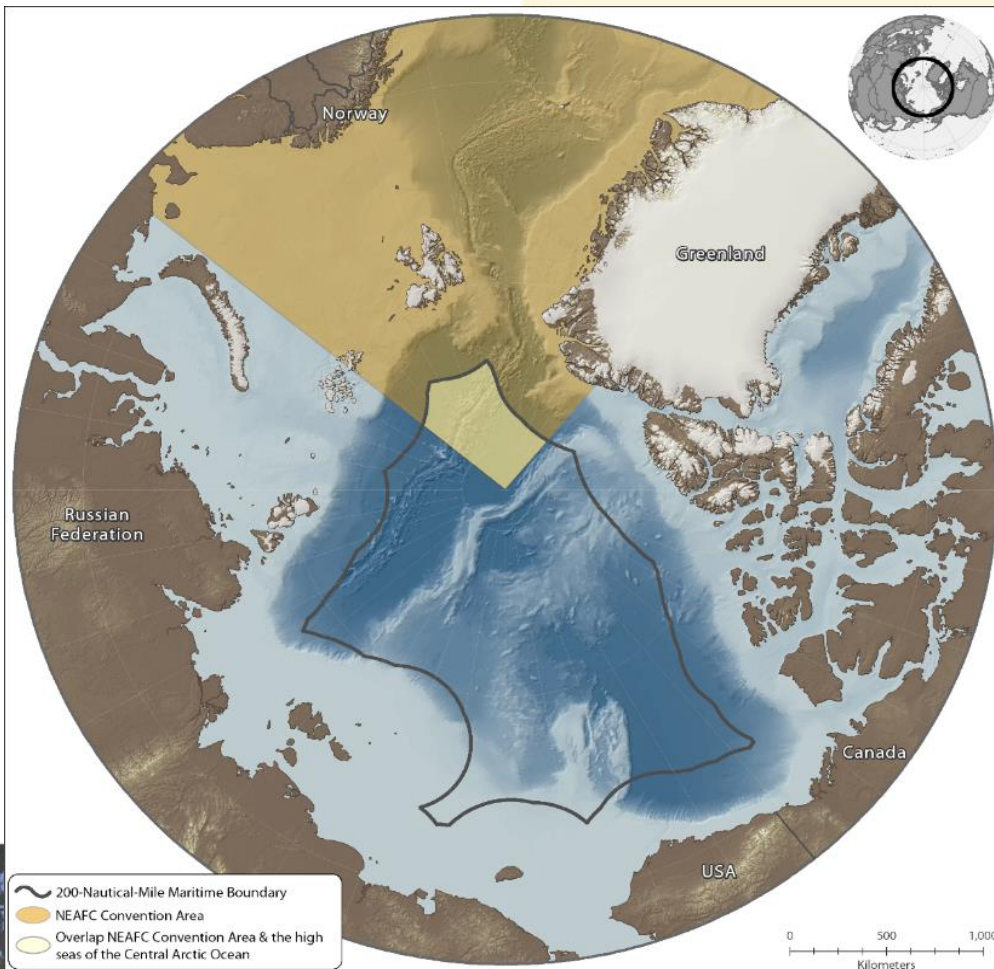
# A5 Process on High Seas Fishing in the Central Arctic Ocean

- Policy/governance meetings
  - Oslo (June 2010)
  - Washington D.C. (April-May 2013)
  - Nuuk (Feb 2014)
  - Oslo, 16 July 2015: Declaration Concerning the Prevention of Unregulated High Seas Fishing in the Central Arctic Ocean
    - Key commitment
    - Spatial scope (overlap with NEAFC Regulatory Area)
- Science meetings
  - Anchorage (June 2011)
  - Tromsø (Oct 2013)
  - Seattle (July 2015); with scientists from China, Iceland, Japan and South Korea





We will authorize our vessels to conduct commercial fishing in this high seas area only pursuant to one or more regional or subregional fisheries management organizations or arrangements that are or may be established to manage such fishing in accordance with recognized international standards



# Five-plus-Five Process on High Seas Fishing in the Central Arctic Ocean

- A5 + China, EU, Iceland, Japan and South Korea
- Policy/governance meetings
  - Washington DC (1-3 Dec 2015)
  - Washington DC (19-21 Apr 2016)
  - Iqaluit (6-8 Jul 2016)
  - Tórshavn (29 Nov - 1 Dec 2016)
  - Reykjavik (15-18 Mar 2017)
    - Chairman's Compromise Proposal of 23 March 2017
  - Where & when next; and on the basis of which text?
- Science meetings
  - Tromsø, 26-28 September 2016
  - Scientific workshop(s), sometime in 2017?



# Five-plus-Five Process on High Seas Fishing in the Central Arctic Ocean (cont.)

- Chairman's Compromise Proposal of 23 March 2017
  - Package deal to resolve outstanding issues (rejected)
  - Nothing is agreed until everything is agreed
  - Key features on which consensus seems to exist
    - Treaty????
    - Oslo Commitment
    - Exploratory fishing only pursuant to conservation and management measures established by the Meeting of the Parties (MoP)
    - Joint Program of Scientific Research and Monitoring
    - Accession of States with real interest by invitation



# Five-plus-Five Process on High Seas Fishing in the Central Arctic Ocean (cont.)

- Chairman's Compromise Proposal of 23 March 2017 (cont.)
  - Features on which consensus is absent
    - Spatial scope of the Agreement (due to dispute on spatial scope Spitsbergen Treaty)
    - Decision-making
      - In the absence of consensus: qualified majority + minimum # coastal States
    - 'Trigger' to commence negotiations to establish RFMO or RFMA
      - Complex package of criteria, decision-making and so-called 'Reykjavik Compromise'
    - Entry into force

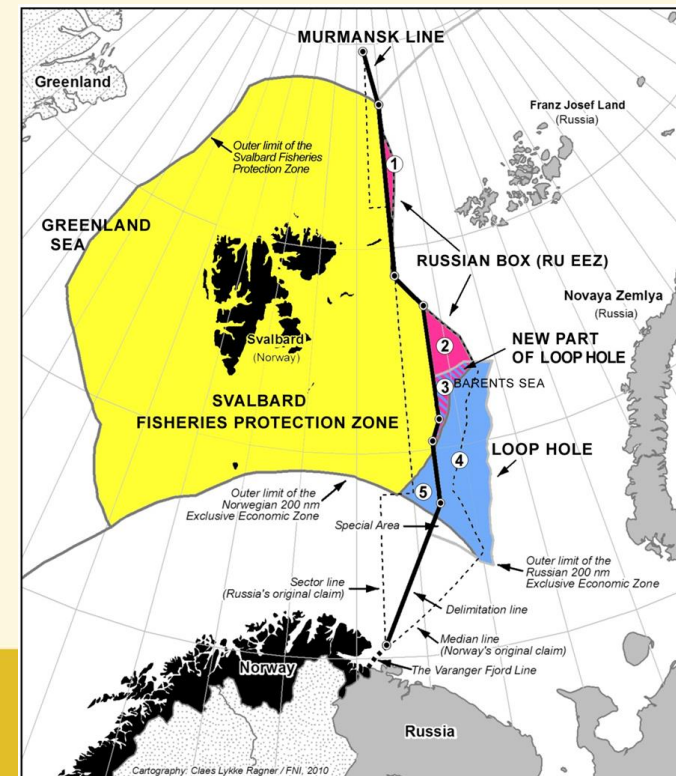




# Spatial scope Oslo Declaration

the single high seas portion of the central Arctic Ocean that is entirely surrounded by waters under the fisheries jurisdiction of Canada, the Kingdom of Denmark in respect of Greenland, the Kingdom of Norway, the Russian Federation and the United States of America

the single high seas portion of the central Arctic Ocean that surrounds the geographical North Pole





# Thanks!

Questions?



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