

The Fisheries and Resource Monitoring System (FIRMS)
Technical Working Group
Seventh Session
Online consultation on terminology
Report
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Summary

The objective of the online consultation on FIRMS terminology was to agree among members of the FIRMS Technical Working Group on definitions for jurisdictional distribution of fish stocks and types of maritime areas relevant to the Marine Resource and Fishery information domains.

At the FSC11, the definitions for “Highly Migratory” and “Straddling between high seas and EEZ” were revised. Other definitions related to stock’s jurisdictions were referred to the FIRMS TWG for further review.

The extract of the FSC 11 report (<http://www.fao.org/3/ca5247en/ca5247en.pdf>) can be found below:

"With this clarification, FSC11 endorsed the revised definitions ('Highly Migratory' and 'Straddling between high seas and EEZ'), and referred the other definitions related to stocks' jurisdictions (paragraph 108) to TWG for further review (FSC11/D9.2)".

- *National*
- *Shared between nations*
- *Highly migratory*
- *High Seas purely*
- *Straddling between High Seas and EEZ*

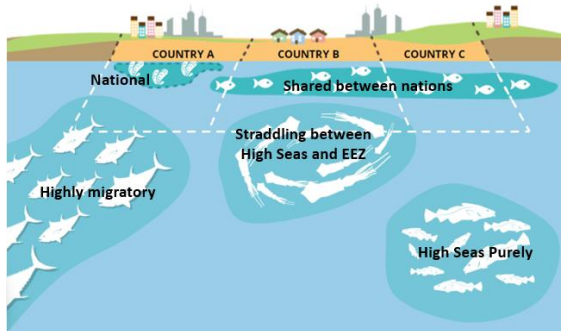
The consultation counted with fourteen questions, with a total of 11 respondents that shared their views on the suggested terminology.

The following FIRMS Partners participated: CCSBT, FCWC, IATTC, ICES, IOTC, RECOFI, SEAFDEC (2), SEAFO, SIOFA, SPRFMO.

Results and proposed terms adoptions

1. Jurisdictional Distribution of fish stocks

Note that the possible values for Jurisdictional distribution are the terms presented in par. 2 to 6., and illustrated on the figure below.



Source: FAO, 2020. eLearning course on SDG14.4.1. e-learning Academy

Proposed definitions		Ranking	
■ A) "Describes where and how a fish stock distribution overlaps a maritime jurisdiction."	6		
■ B) "Typology of fish stocks distribution against maritime jurisdiction."	0		
■ C) "Jurisdictional qualifier (e.g. "shared", "shared - highly migratory") of the aquatic resource related with its spatial distribution."	4		
■ D) Other: " <i>Jurisdictional qualifier</i> " (e.g. <i>under national jurisdiction; straddling; high seas discrete stocks; highly migratory</i>) of the fish stock related with its spatial distribution"	1		
Proposal for endorsement	As C) and D) (a reworked variant of C) represent nearly half of the respondents while A) represents the other half, it is suggested to further discuss during FSC12.		

2. National

Definition options		Ranking	
<p>A) "Marine resource distributed exclusively within one EEZ and/or territorial waters." (Adapted from e-course SDG 14.4.1)</p> <p>■</p>	10		
<p>B) Other: "Marine resource whose distribution is exclusively within one EEZ and/or associated territorial waters"</p> <p>■</p>	1		
Proposal for endorsement	<p>Marine resource whose distribution is exclusively within one EEZ and/or associated territorial waters</p>		

3. Shared between nations


Definition options		Ranking	
<p>A) "Marine resource whose distribution overlaps EEZs and/or territorial waters of two or more adjacent nations."</p> <p>■</p>	10		
<p>B) Other: "Marine resource whose distribution overlaps the EEZs and/or the associated territorial waters of two or more adjacent nations"</p> <p>■</p>	1		
Proposal for endorsement	<p>Marine resource whose distribution overlaps the EEZs and/or the associated territorial waters of two or more adjacent nations</p>		

4. Highly migratory

This definition was endorsed at the FSC11, 2019.

"Marine Resource capable of migrating relatively long distances, which is likely to occur both within EEZs and high seas. These are technically straddling stocks, but given their peculiar characteristics they are often managed by specific management bodies, and are here kept as a separate category." (FIRMS FSC11, 2019)

5. High Seas purely

Proposed definitions		Ranking	
■ A) "Marine resource whose distribution is exclusively within high seas."		8	
■ Other: <ul style="list-style-type: none"> • B) "Marine resource purely in Area Beyond National Jurisdictions" • C) "Marine resource whose distribution is exclusively outside EEZs" • D) "Marine resource whose distribution is exclusively within high seas areas and not EEZs or territorial waters" 		3	
Proposal for endorsement	As there are different options, it is suggested to further discuss during FSC12		

6. Straddling between High Seas and EEZ

This definition was endorsed at the FSC11, 2019.

"Marine Resource whose distribution overlaps EEZ(s) and areas beyond national jurisdiction." (FIRMS FSC11, 2019)

Note: the e-course SDG14.4.1 indicates: *"Straddling stocks are those found in EEZ waters and on the High Seas in areas beyond national jurisdictions (mostly tuna stocks), and that are caught by multiple nations."*

7. Comments about Jurisdictional Distribution concept

In this section, respondents share doubts about the relation between "Jurisdictional Distribution" and "Management Area".

The definition of Management Unit according to the e-course SDG14.4.1 is the following:

*"The area where the fish was caught and which is **targeted by a unique set of measures**.*

This unit (i.e., one – or more – species in a particular area) has generally been defined at a regional, national or local scale by a management authority, including through stakeholder consultation.


Management units may be used for setting the basis for stock status determination, and may not correspond to the biological stock".

8. Maritime area type


Note that the types of maritime areas are listed in par. 9, 10. 11. 12. 13.

Proposed definitions		Ranking								
<p>A) "Typology of maritime areas according to the type of sovereignty or jurisdictional competence exerted by a state on such area." (Wikipedia)</p> <p>■</p>	4	<table border="1"> <caption>Pie Chart Data</caption> <thead> <tr> <th>Option</th> <th>Ranking</th> </tr> </thead> <tbody> <tr> <td>A</td> <td>4</td> </tr> <tr> <td>B</td> <td>6</td> </tr> <tr> <td>C</td> <td>1</td> </tr> </tbody> </table>	Option	Ranking	A	4	B	6	C	1
Option	Ranking									
A	4									
B	6									
C	1									
<p>B) "Type of maritime areas on which a management body or authority exerts its mandate."</p> <p>■</p>	6									
<p>C) Other: <i>"Typology of maritime areas according to the type of rights and jurisdiction exerted by States in or over these areas"</i></p> <p>■</p>	1									
<p>Proposal for endorsement</p>	<p>As there are different options, it is suggested to further discuss during FSC12</p>									


9. High Seas

Definition options		Ranking	
<p>■ A) "The zones that are not included within the exclusive economic zone, in the territorial sea or in the internal waters of a State, or in the archipelagic waters of an archipelagic State." (UNCLOS).</p>	10		
<p>■ B) Other: "All parts of the sea that are not included within the exclusive economic zone, in the territorial sea or in the internal waters of a State, or in the archipelagic waters of an archipelagic State" (UNCLOS)"</p>	1		
Proposal for endorsement	IATTC is proposing a different UNCLOS definitions.		


10. National waters

Definition options		Ranking	
<p>■ A) "The Territorial sea and the EEZ of a Coastal State."</p>	10		
<p>■ B) Other: "The waters under the sovereignty or national jurisdiction of a coastal State (internal waters, territorial sea, archipelagic waters, exclusive economic zone)"</p>	1		
Proposal for endorsement	FSC12 to discuss		

11. EEZ

Proposed definitions		Ranking	
<p>A) "A zone under national jurisdiction (up to 200-nautical miles wide) declared in line with the provisions of 1982 United Nations Convention of the Law of the Sea, within which the coastal State has the right to explore and exploit, and the responsibility to conserve and manage, the living and non-living resources." (FAO Fisheries and Aquaculture Department, FAO, 2014)</p>	■	9	
<p>B) "An area of the sea in which a sovereign state has special rights regarding the exploration and use of marine resources, including energy production from water and wind." (Wikipedia)</p>	■	2	
<p>C) Other</p>	■	0	
<p>Proposal for endorsement</p>	<p>"A zone The waters under national jurisdiction (up to 200-nautical miles wide) declared in line with the provisions of 1982 United Nations Convention of the Law of the Sea, within which the coastal State has the right to explore and exploit, and the responsibility to conserve and manage, the living and non-living resources." (FAO Fisheries and Aquaculture Department, FAO, 2014)</p>		

12. Territorial sea

Definition options	Ranking	
<p>A) "The zone of coastal waters extending at most 12 nautical miles from the baseline (usually the mean low-water mark) of a coastal state. The territorial sea is regarded as the sovereign territory of the state, although foreign ships (military and civilian) are allowed innocent passage through it, or transit passage for straits; this sovereignty also extends to the airspace over and seabed below."</p> <p>■ (UNCLOS https://www.un.org/depts/los/convention_agreements/texts/unclos/unclos_e.pdf https://www.un.org/depts/los/convention_agreements/texts/unclos/part2.htm and https://www.sciencedirect.com/topics/earth-and-planetary-sciences/territorial-sea)</p>	10	
<p>B) Other: "The zone of coastal waters extending at most 12 nautical miles from the baseline (usually the mean low-water mark) of a coastal state"</p> <p>■</p>	1	
<p>Proposal for endorsement</p>	<p>The zone of coastal waters extending at most 12 nautical miles from the baseline (usually the mean low-water mark) of a coastal state"</p>	

13. Archipelagic zone

Definition options		Ranking	
<p>A) "The zone constituted wholly by one or more archipelagos and may include other islands, where an "archipelago" means a group of islands, including parts of islands, interconnecting waters and other natural features which are so closely interrelated that such islands, waters and other natural features form an intrinsic geographical, economic and political entity, or which historically have been regarded as such." (UNCLOS https://www.un.org/depts/los/convention_agreements/texts/unclos/part4.htm)</p>	<p>10</p>		
<p>B) Other: "Archipelagic waters are the waters enclosed by the archipelagic baselines drawn by an archipelagic State, upon which that State exerts its sovereignty, which extends to the air space and to the bed and subsoil and their resources (UNCLOS)"</p>	<p>1</p>		
<p>Proposal for endorsement</p>	<p>IATTC is suggesting a different UNCLOS definitions. Based on that, the Secretariat is proposing: "The waters enclosed by the archipelagic baselines drawn by an archipelagic State, upon which that State exerts its sovereignty, which extends to the air space and to the bed and subsoil and their resources."</p>		

14. Comments about Maritime Area concept

Respondents had no further comments about the concept of Maritime Area.