

**Western  
Pacific  
Regional  
Fishery  
Management  
Council**

March 18, 2004

Hon. Daniel K. Akaka  
US Senator  
SH-141 Hart Senate Office Building  
Washington, DC  
20510-1103

Dear Senator Akaka:

I would like to express the support of Western Pacific Fishery Management Council for the ratification of the United Nations Convention on the Law of the Sea by the United States. This Council, by virtue of its geography, is the most internationally focused of the eight Regional Fishery Management Councils in the USA, and international fishery management is an integral part of our Pelagic Fishery Management Plan. Thus, the provisions of UNCLOS as they apply to the exploitation of natural resources are of key interest to the Council, quite apart from the important security aspects and key rights of navigation enshrined within the treaty.

Many of the provisions of UNCLOS, and international instruments that have stemmed therefrom, have been incorporated into this Council's management of highly migratory pelagic fish. In the 1980s, even before the UN ban, the Western Pacific Council was aware of the controversy surrounding this gear and banned its use within the EEZ of the US Flag Pacific Islands. This Council was also among those agencies and individuals who supported you and your colleagues in having tuna included within the Magnuson Act, an initiative which recognized the rights of individual countries to manage pelagic fishery resources within their EEZs as outlined within UNCLOS.

More recently, the Western Pacific Council has actively supported the development of an international convention for managing tuna fisheries in the Central and Western Pacific, hosting four out of the seven seminal meetings through which this new management initiative was crafted. This new fishery commission developed by the convention will come into force some time in 2004. This is the first international fishery management arrangement that fully incorporates UNCLOS principles in the articles of the convention, and will assume responsibility for the largest tuna fishery grounds on the globe. Such a development is timely due to the need to limit unconstrained expansion of fishing effort on these important shared economic resources.

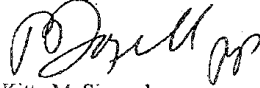
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A Council Authorized by the Magnuson Fishery Conservation and Management Act of 1976

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As pointed out by your colleagues Senator Lugar and Senator Stevens in recent correspondence with Senate members, the failure to ratify UNCLOS would mean that the US would be unable to participate in the amendment to the Convention and safeguard aspects of concern to this country, including international fishery agreements such as the new fishery commission in the Central and Western Pacific. Naturally this is of paramount concern to this Council, embedded as it is within Micronesia and Polynesia, and with economies reliant to a large degree on ocean resources. The Council therefore hopes that the Senate will recognize the importance of ratifying UNCLOS, both from a strategic and security perspective, and also from our perspective in the US Pacific Islands, where the US voice needs to be heard in the management of shared fishery resources in the Pacific.

Sincerely,



Kitty M. Simonds