



Australian Government

Department of Agriculture, Fisheries and Forestry

ACTING SECRETARY

REF: EXEC2013-00051

Dr Kathleen Dermody
Secretary
Senate Foreign Affairs, Defence and Trade Committee
PO Box 6100 Parliament House
CANBERRA ACT 2600

Dear Dr Dermody

Thank you for your correspondence of 19 December 2012 inviting the Australian Government Department of Agriculture, Fisheries and Forestry to provide information on fisheries engagement, related to regional fisheries management organisations and the Indian Ocean Rim Association for Regional Cooperation, to the inquiry into the significance of the Indian Ocean rim for Australia's foreign, defence and trade policy.

The department's fisheries engagement in the Indian Ocean region is primarily undertaken through regional fisheries management organisations: Australia is a party to the Indian Ocean Tuna Commission and the Southern Indian Ocean Fisheries Agreement. Australia is also a party to the Commission for the Conservation of Southern Bluefin Tuna which is mandated to manage southern bluefin tuna throughout its range, including the Indian Ocean. The department also engages on fisheries issues through the Indian Ocean Rim Association for Regional Cooperation, specifically through the Fisheries Support Unit.

Information on the department's engagement in these organisations is provided in the enclosed Attachment.

Thank you for your letter.

Yours sincerely

Mark Tucker

24 January 2013

Enc.

Inquiry into the significance of the Indian Ocean rim for Australia's foreign, defence and trade policy

Fisheries Engagement in the Indian Ocean rim

Historical Engagement

Australia's engagement in international fisheries is governed by the international legal framework for the law of the sea. In particular, the 1982 *United Nations Convention on the Law of the Sea*, which establishes the general rights and obligations of States with respect to the conservation and management of living marine resources, and the 1995 *United Nations Fish Stocks Agreement*, which gives more detailed practical effect to the framework established in the UN Convention on the Law of the Sea.

To meet these international obligations, the Department of Agriculture, Fisheries and Forestry (the department) engages in a number of regional fora to support effective fisheries management arrangements for highly migratory, straddling and shared fisheries resources, and to combat illegal, unreported and unregulated (IUU) fishing in our region. Through this engagement, Australia seeks to protect and enhance Australian industry access to these resources and to build the capacity of developing countries in our region to manage their marine and fisheries interests, which is important for economic development, regional security and food security in both the Indian and Pacific oceans.

In the Indian Ocean rim, Australia's fisheries engagement has historically been centred on the Indian Ocean Tuna Commission (IOTC). However, in 2012 Australia also ratified the Southern Indian Ocean Fisheries Agreement (SIOFA) following our participation in the international negotiations for the establishment of this multilateral treaty. The department is also increasingly engaging through the Fisheries Support Unit of the Indian Ocean Rim Association for Regional Cooperation (IOR-ARC).

The Commission for the Conservation of Southern Bluefin Tuna (CCSBT) manages the highly valuable southern bluefin tuna (SBT) stock. SBT is a highly migratory species of pelagic (i.e. living in the mid- to upper-water column) fish, which ranges widely across the high seas regions of the southern hemisphere, including the Indian and Pacific oceans and the exclusive economic zones of countries including Australia, Indonesia and South Africa.

Indian Ocean Tuna Commission (IOTC)

The department leads Australia's engagement into the Indian Ocean Tuna Commission (the Commission), which is responsible for the conservation and long-term sustainable use of highly migratory fish stocks, tuna and tuna-like species, in the Indian Ocean and adjacent seas. The tuna resources in the Indian Ocean are the third largest in the world and make a significant contribution to food security throughout the region. The value of total Indian Ocean tuna resources is estimated to be three billion dollars annually¹.

The Commission is established under the auspice of the Food and Agriculture Organization of the United Nations, which limits membership to countries recognised by the United Nations, consequently the Fishing Entity of Taiwan, who has a significant interest in the resources managed by the Commission, is unable to participate in Commission meetings.

Sustainable use of the tuna and tuna-like resources of the Indian Ocean is one of the key economic growth prospects for developing coastal States in the region as well as being a

¹ Anon, (2009) *Tuna fisheries in the Indian Ocean*. IOTC Secretariat www.iotc.org

crucial source of animal protein. The Commission currently has 31 members and two cooperating non-Contracting Parties. A list of the Commission's membership is provided in Annex A.

Approximately half the tuna caught in the Indian Ocean region is by small-scale artisanal fishing fleets within exclusive economic zones of coastal States. This contrasts with other tuna management organisations, such as the Western and Central Pacific Fisheries Commission, which are dominated by large industrial fleets. There are 35 coastal States in the Indian Ocean, including around 25 developing States, each with differing levels of development, development aspirations and capacity to effectively engage with the Commission. Given the high number of developing countries among its membership, the Commission is a forum that has struggled to effectively achieve its mandate as members have limited capacity to manage and enforce even simple measures.

Australia ratified the *Agreement for the establishment of the Indian Ocean Tuna Commission* in 1996; as a party to the Agreement, Australia is legally bound to implement the decisions taken by the Commission in the relevant Australian domestic fisheries: the Western Tuna and Billfish Fishery and the Western Skipjack Fishery. Around two-thirds of Australia's exclusive economic zone falls within the area under the competence of the Commission and as such some of the species under the mandate of the IOTC are also very popular for game and recreational fishing.

Australia engages in the Commission as a responsible regional partner to: meet our international obligations to conserve and manage highly migratory fish stocks; ensure continued access and future development opportunities for the Australian fishing industry; and prevent any significant adverse impacts on the marine environment from fishing activity. Engagement in the Commission also enables Australia to maintain cooperative relationships with other coastal States in the Indian Ocean.

Current Engagement and Future Plans

The Commission is currently considering the development of allocation criteria and alternative fisheries management arrangements for the species under the Commission's mandate. This is directing much of the work of the Commission, including coastal States' renewed engagement as a group. The department's 2013 engagement includes participation in a number of meetings:

Fisheries Management Options Workshop – the department has sponsored a fisheries management options workshop to build capacity of coastal States to engage in fisheries management discussions at the Commission, including potentially developing alternative management strategies for the Commission's consideration.

The workshop is taking place on 16-17 February 2013. The department previously provided resources to facilitate the workshop. The objective of the workshop is to provide members with overarching information on possible management arrangements and approaches that could be considered for use in the IOTC to meet its mandate of '*ensuring, through appropriate management, the conservation and optimum utilisation of stocks covered by the Agreement and encouraging sustainable development of fisheries based on such stocks*'.

2nd Technical Meeting on Allocation Criteria – the IOTC is holding a second technical meeting from 18-20 February 2013 in Muscat, Oman. The meeting will continue the 2011 discussions of the development of allocation criteria for key species under the Commission's mandate, including species important to Australia.

Meeting of Indian Ocean Coastal States - in advance of seventeenth session of the IOTC, Australia will work with the host nation to facilitate a meeting of Indian Ocean coastal States

on 30 April and 1 May 2013. As a part of Australia's hosting of the 16th Session in April 2012, Australia hosted the inaugural meeting of the coastal States. A second meeting of coastal States is planned to improve the coordination among Indian Ocean coastal States on issues of mutual interest, including key issues under consideration at the Indian Ocean Tuna Commission.

Southern Indian Ocean Fisheries Agreement (SIOFA)

Australia deposited an instrument of ratification to the *Southern Indian Ocean Fisheries Agreement* (the Agreement) on 23 March 2012. This met the requirements for the treaty's entry into force, which took place on 21 June 2012. The Agreement establishes a mechanism to manage non-highly migratory species (including alfonso and orange roughy) in the southern Indian Ocean region. A list of members is included at [Annex A](#).

The Agreement complements existing regional fisheries management and international agreements in the region, closing the gaps in existing high seas fisheries management, focusing on the sustainable use of non-highly migratory fisheries resources. Fisheries in the Agreement Area tend to concentrate in a few areas with large tracts of very deep water in between.

Unlike other multilateral treaties, the Agreement has not held any preparatory conferences and as such there are no draft foundation documents, including rules of procedure or financial regulations. In July 2012 Australia chaired an informal meeting of parties in the margins of the Food and Agriculture Organization of the United Nations' Committee on Fisheries meeting. At this meeting Australia sought to work with other parties to set a date and agenda for the first meeting of parties, however efforts to agree these elements have not produced results to date.

Current Engagement and Future Plans

The department is seeking to hold a first meeting of parties to the Agreement alongside other meetings in the region. The department's priorities for the Agreement include the development of rigorous foundation documents that give effect to the Agreement and implement international best practice in these matters. In the long term the department would also seek to influence the management of fisheries in the area with the adoption of conservation and management measures that are complementary to the high standards of Australia's domestic fisheries.

Fisheries Support Unit (FSU) of the Indian Ocean Rim Association for Regional Cooperation (IOR-ARC)

The Fisheries Support Unit (FSU) was established as a coordinating body under the Indian Ocean Rim Association for Regional Cooperation (IOR-ARC) in 2004 and is hosted by the Sultanate of Oman. The Department of Foreign Affairs and Trade leads Australia's engagement into IOR-ARC. A list of IOR-ARC members is included at [Annex A](#).

The FSU aims to encourage coastal state engagement on fisheries issues, with a particular focus on increasing their capacity to implement responsible conservation and management practices. Fisheries issues continue to be ranked as one of the six priority areas for IOR-ARC.

Despite the lengthy delays in the establishment of the organisation, the department supports the FSU as a possible long term avenue to strengthen regional cooperation and collaboration on fisheries issues of mutual interest.

Current Engagement and Future Plans

Australia and Oman will co-chair a meeting of the FSU on 22-23 February 2013 in Muscat, Oman. The objective of the meeting is to identify fisheries issues of mutual interest to Indian Ocean rim countries and set a strategic work plan for the organisation.

Commission for the Conservation of Southern Bluefin Tuna (CCSBT)

Since 1994, SBT has been managed globally by the Commission for the Conservation of Southern Bluefin Tuna (CCSBT); like the Indian Ocean Tuna Commission, decisions taken by CCSBT are binding on Australia in terms of our domestic management of the Southern Bluefin Tuna Fishery. CCSBT decisions are taken by consensus. A list of members is included at [Annex A](#).

SBT has a single spawning ground in the waters south of Indonesia (northwest of Australia). It is a long-lived species, living up to 40 years or more. It has a lengthy pre-maturity period and virtually life-long exposure to fishing pressure; the stock is slow to recover from depletion relative to other shorter-lived species, including most other species of tuna.

In the past, CCSBT has struggled to effectively conserve and manage the global SBT fishery and, until recently, disputes between its members and disagreement over the status of the stock have impeded its efforts to address overfishing of the resource. Southern bluefin tuna have been heavily fished since the 1950s, including the spawning stock. The current best scientific advice is that the southern bluefin tuna spawning stock biomass is between 3–8 per cent of its unfished level.

In October 2011, the CCSBT committed to sustained action to recover SBT and adopted a rebuilding strategy, known as a management procedure. The management procedure will secure the stability and long-term profitability of the industry in Australia by ensuring effective global management of this commercially important species into the future, with the aim of restoring the spawning stock to an interim rebuilding target of 20 per cent of its unfished levels by 2035.

Current Engagement and Future Plans

The focus of work leading into the 2013 meetings of the CCSBT will include, implementing a trial quality assurance review, a focus on increased compliance with the Commission's conservation and management measures, which will see Australia host a Compliance Workshop in Canberra in early 2013 and continued confidence in the Management Procedure and subsequent setting and allocation of global total allowable catches.

Membership of Indian Ocean Fisheries Fora

Membership of the Indian Ocean Tuna Commission

Australia, Belize, China, Comoros, Eritrea, the EU, France, Guinea, India, Indonesia, Islamic Republic of Iran, Japan, Kenya, Republic of Korea, Madagascar, Malaysia, Maldives, Mauritius, Mozambique, Sultanate of Oman, Pakistan, the Philippines, Seychelles, Sierra Leone, Sri Lanka, Sudan, Tanzania, Thailand, United Kingdom, Vanuatu, Yemen.

Cooperating Non-Contracting Parties: Senegal and South Africa.

Membership of the Southern Indian Ocean Fisheries Commission

Australia, Cook Islands, the EU, Mauritius, Seychelles.

Membership of the Indian Ocean Rim Association for Regional Cooperation

Australia, Bangladesh, India, Indonesia, Islamic Republic of Iran, Kenya, Madagascar, Malaysia, Maldives, Mauritius, Mozambique, Sultanate of Oman, Seychelles, Singapore, South Africa, Sri Lanka, Tanzania, Thailand, the UAE, Yemen.

Dialogue Partners: China, Egypt, France, Japan, United Kingdom.

Membership of the Commission for the Conservation of Southern Bluefin Tuna

Australia, Indonesia, Japan, New Zealand and the Republic of Korea. The Fishing Entity of Taiwan is a member of the Extended Commission.

Cooperating Non-Members: the European Union, the Philippines and South Africa.