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Threats from Illegal Fishing

Ian MacDonald

Paper prepared for presentation at the “Fish, Aquaculture and Food Security: Sustaining Fish as Food Supply” conference conducted by the Crawford Fund for International Agricultural Research, Parliament House, Canberra, Australia, August 11, 2004

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Threats from Illegal Fishing

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Before I start my presentation on the very important subject of illegal fishing, I do want to congratulate Dr Meryl Williams on her appointment to the Chair of the Board of Management of the Australian Centre for International Agricultural Research and President of its Policy Advisory Council. I am very pleased to note that for the first time we have in the position someone who does have a very distinguished background in fisheries. I also am delighted to have someone there who lived in the same small country town as I did in Queensland.

Fish, fisheries, fisheries management, oceans and seas are particularly important for a country like Australia where our marine jurisdiction is about twice the size of the nation's landmass.

One of the major differences between the Australian fisheries and those of many other countries is that our marine jurisdictions don't enjoy the same level of productivity as many others around the world, due to the lack of significant upwelling of cold water. Thankfully, however, we do have one of the world's best fisheries management regimes.

SENATOR IAN MACDONALD is the Commonwealth Minister for Fisheries, Forestry & Conservation. He was first elected as a Liberal Senator for Queensland in 1990. In the second Howard Government, he was the Minister for Regional Services, Territories and Local Government and prior to that was the Parliamentary Secretary to the Minister for the Environment. He was first sworn in as an Executive Councillor in November 1996. In Opposition, Senator Macdonald was at various times the Shadow Minister for Infrastructure, Local Government, the ACT, and Regional Development. He is a member of the Murray Darling Basin Ministerial Council, National Ocean's Ministerial Board, and the Natural Heritage Trust Ministerial Board. He chairs the Forest and Wood Products Council and is a member of the Primary Industries Ministerial Council and the Natural Resource Management Ministerial Council. Senator Macdonald has served on many parliamentary committees.

Fish is a very important, healthy food throughout the world, and particularly in those parts that are developing or facing severe food deprivation. Forty percent of the world's population, or about 2.4 billion people, rely on seafood as their primary source of protein.

As this conference clearly illustrates, global fish stocks are under threat, and so too is food security for these 2.4 billion people. The threat to the future of fish as food comes from many sources, but one of the most insidious is illegal, unregulated and unreported fishing — IUU fishing — on an industrial scale. This principally occurs on the high seas and in the remoter oceans of the world, where the coastal state simply does not have the resources, the money or the political will to address the problem. In our sphere of influence, however, IUU fishing is being attacked. Our fight against it focuses on marine border incursions.

Illegal fishing in Australian jurisdictions

In our northern waters the illegal fishermen principally emanate from Indonesia. They mainly seek sharks for fins, for which there is a very lucrative market throughout Asia.

In Australia's south, in the sub-Antarctic convergence, our Exclusive Economic Zone around the territorial islands of Heard and McDonald Islands is the focus of very organised criminal gangs targeting the Patagonian toothfish.

In the last 12 months Australia has apprehended 143 foreign fishing vessels, 141 in the north and 2 in the Southern Ocean including the Uruguayan-flagged *Viarsa*, which we chased for 21 days across three oceans before it was finally detained. We were assisted by the United Kingdom and South Africa, who provided some armed forces to

*This is an edited version of the Senator's speech

help bring that chase to a successful conclusion. The Australian Customs and Fisheries patrol vessel involved was completely unarmed. Since then Australia has adopted initiatives which will enable us to apprehend vessels like the *Viarsa* without having to follow them for 21 days.

Inducements for illegal fishing

The drivers behind IUU fishing on the high seas and in remote oceans are clear:

- There is overcapacity in the world's fleet — there are too many boats and not enough fish. Thus overfishing is a significant driver, particularly in the northern hemisphere.
- The price of fish is rising, due to Asian countries becoming wealthier and increased demand.
- There are boat-building and scrapping subsidies in many European/northern hemisphere countries, as well as other subsidies for the fishing industry in many countries.
- Effective compliance regimes are commonly lacking, so there is a low risk of detection and a low risk of consequent prosecution.
- In many countries penalties for IUU fishing are too low to deter the activity. Weak international law is mixed with a lack of political will to tackle the problem in both developed and developing countries, and both on the water and diplomatically.
- Flags of Convenience states are willing to register vessels without requiring them to abide by either their own domestic laws or international laws and conventions.

Distant Water Fishing Nations, usually the developed nations of the northern hemisphere, are able to buy their way into the fisheries of developing countries. In many instances these developing nations don't have the capacity to manage their fisheries adequately, leading to a strong likelihood of over-fishing. This approach to disposal of their national resources, often for a pittance, also removes the ability of these nations to develop fisheries management capacity, to create jobs and develop much-needed land-based and port infrastructure.

Consequences of illegal fishing

IUU fishing impacts on world food security in three ways:

- The first is that IUU fishing has the potential to seriously deplete global fish stocks.

One example of this has occurred with the Patagonian toothfish fisheries in the sub-Antarctic, where we have seen the fisheries around Prince Edward Island, Marion Island and Crozet Island in the South Atlantic commercially decimated one after the other by the pirate fleet. South Africa was keen to help us with the *Viarsa* because that ship ravaged South African Patagonian toothfish stocks around Prince Edward and Marion Islands.

Fish stocks have also been decimated in the Northern Hemisphere.

In the Indian Ocean, tuna stocks are under pressure in spite of the Indian Ocean Tuna Commission (IOTC) supposedly doing something about it. The Commission is a dysfunctional organisation incapable of speedily making and enforcing decisions. As a result, I am told, the annual tuna catch in the Indian Ocean is about 50 000 t more than is sustainable.

Tuna stocks in the western and central Pacific are under some pressure too, although we hope that the new *Convention for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean* will enable responsible oversight in those seas.

- Secondly, IUU impacts on world security and on the marine ecosystem, deterioration of which has a progressive impact on biodiversity. In turn, this will mean less food and less food security.

The attacks on sharks in Australia's northern waters impact on and interfere with the balance of the whole marine ecosystem, affecting the food chain and potentially causing irreversible loss.

- Thirdly, but perhaps less conspicuously, IUU fishing may introduce exotic diseases and pests into marine environments that are not able to withstand them; devastating fish stocks and seafood resources.

All of this means that there is a greater likelihood that a portion of those 2.4 billion fish-reliant inhabitants on this planet will go hungry, and of course that creates a domino effect.

There is greater reliance on protein produced on land, and that puts stress on global land resources through tree clearing for agriculture.

There is a greater reliance on governments for food security, adding either to countries' environmental or economic woes, or perhaps both.

The potential for developing the elements of strong, stable and self-sufficient societies that we take for granted in Australia is diminished — potentially adding to the global terrorist threat.

These are just some examples of what happens if future food security, particularly from the oceans, is ineffectually addressed.

This may sound pessimistic, but if people are starving there will be unrest, and our hope for stability in the region and around the globe will remain, unfortunately, just that.

Aquaculture

Aquaculture does provide a solution in so far as aquaculture production is continuing to increase world-wide. It is making some inroads into the supply and demand gap. Dr Naylor (this volume) has raised concerns about that in her presentation.

In Australia, aquaculture is our fastest-growing primary industry, having expanded at a rate of something like 13% annually over the last decade. However, it still yields only 30% of the value of our seafood production, or around \$740 million annually.

Research and development programmes are focusing on improving Australia's aquaculture product, and perhaps more importantly the development of feed that does not rely on fishmeal. The reason that this is so important, as Dr Naylor mentions, is that it can take up to 13 kg of fish for fishmeal to create 1 kg of farmed fish.

We do need to feed and clothe the population in a sustainable way, and this includes ensuring that we maintain the health of the resources of the oceans. Among other things, we need to redouble our efforts to sustainably manage the planet's fish stocks.

We must be clever enough, and resourceful enough, both to harvest sustainably and to farm fish in a manner that is ecologically sustainable.

Fisheries management

Australia has committed real effort to managing and restoring our own and the high seas fisheries.

In response to illegal fishing, particularly in our Southern Ocean, we have allocated some \$90 million to armed patrols which we are confident will mean that a chase like that involving the *Viarsa* never occurs again.

We have signed a cooperative treaty with France, a neighbour in the Southern Ocean, and we are pursuing similar treaties with other nations who have interests in the sub-Antarctic — South Africa, the UK, New Zealand and some South American countries.

We are also adopting a holistic approach — that is, we are pursuing diplomatic and other crime-fighting measures to tackle IUU fishing in the south, and as well we are offering aid such as the alternative livelihoods programme for our neighbours in the north to reduce reliance on the theft of Australian fish for a living.

We are engaging the relevant regional fisheries management organisations (RFMOs). We actively support these structures, and we are agitating for reform where that is required — for example, in the Indian Ocean Tuna Commission. Even the organisation that manages the Antarctica, the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR), really needs to get serious about illegal fishing. Unfortunately a lot of RFMOs rely on a consensus approach. Although nations like Russia, Uruguay and Spain are involved as members, some of their flagged fishing vessels are the worst offenders. When consensus is needed, it is very easy to ensure that there is no consensus.

Australia is very much at the forefront in demanding more proactive management and enforcement of fisheries regimes around the world, but we are only a very small player.

Global action

The world really needs political will in countries such as Spain, Russia and the European Union, and a few others. Some of these countries must

stop masquerading as responsible fishing nations and set about controlling their nationals, their vessels and their companies. If they won't do this themselves, an effective international legal regime which will allow other countries to act is required.

Flags of Convenience are another real problem. Global communities really need to deal with the actions of Flag of Convenience states — if they have no intention of abiding by international standards, they should not be permitted to run a register.

The solutions seem to me to be very simple, perhaps too simple, but we have talked for years, even decades, and never seem to be able to get these issues addressed — but Australia will continue to voice these concerns.

We have to try to get the European Union to stop subsidizing the building of boats in Union countries for fisheries that don't exist, and to exercise appropriate control of their flagged vessels.

We do have to strengthen sound management regimes if we are to conserve world fish stocks and increase global food security. There should be greater world-wide will to enforce fisheries management. The time for fine words and more forums has almost expired. What we really need is action, not more words.

We have to look at the big picture, not just the symptoms. The actions that I propose won't happen on their own, but unless something more is

done we won't put a major dent in global IUU fishing. Only by using the entire 'Anti IUU Package' can nations actively take the battle to the pirates and to the nations which actively or covertly sponsor illegal activity.

We need more world wide cooperation. There is an old adage that two people working together can achieve more than three individually has a particular resonance when it comes to IUU fishing — it is imperative not only for responsible fishing nations to act collectively, but also for other nations with a real interest in improving the lot of the less-well-off on this planet to do the same.

IUU fishing is a serious threat to the food security of a huge portion of the world's population. The effects of IUU fishing are much greater than first meets the eye, and range from additional pressure on the environment to potentially contributing to the failure of a nation state.

We can never give up the fight against IUU fishing, because not only do the commercial pirate operators rape the world's fish stocks to line their own pockets, but they are taking food from the mouths of people who have the least food security and the people who need it most.

The time to act is now. Australia will continue to do whatever it can, not only in its own interests but more importantly in the interests of all on this planet who rely on the bounty of the ocean to survive.