



Committee Secretariat  
Foreign Affairs, Defence and Trade Committee  
Department of the Senate  
PO Box 6100  
Parliament House  
Canberra ACT 2600

*Submission provided via internet*

1 July 2014

**RE: Australia's future activities and responsibilities in the Southern Ocean and Antarctic waters**

**Background**

Austral Fisheries Pty Ltd (Austral)<sup>1</sup> is an Australian commercial fishing company operating in the Southern Ocean and Antarctic waters, based in Perth, Western Australia. We have three boats currently fishing in the region under licenses granted by the Australian Fisheries Management Authority (AFMA).

We are the Australian fishing company responsible for exploration, development and commercialisation of the Australian toothfish fisheries in our Australian Exclusive Economic Zones (EEZ) around both Macquarie Island, and Heard Island and McDonald Island (HIMI), as well as the Mackerel Icefish fishery in the HIMI fishery. We have also undertaken research and exploratory fishing activities in the Australian Antarctic Territory waters in past years.

Austral has been integrally involved with all aspects of the industry, science, management and conservation at national and international levels for these fisheries since their inception in 1994. This has included collaborative work with other commercial fishing industry participants both nationally and internationally, as well as conservation non-government organisations such as the Antarctic Southern Ocean Coalition (ASOC) in our efforts to ensure sustainable, effective, management and conservation of our fisheries resources in the Southern Ocean and Antarctic waters.

An Austral senior executive has participated at every international meeting of the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) since 1994, either as an observer, or as part of the official Australian Delegation.

Austral were joint founders, along with ASOC, of a unique collaborative group called ISOFISH (International Southern Ocean Fisheries Information Clearing House) which existed from 1996 – 2000 inclusive. ISOFISH produced a number of reports<sup>2</sup> on IUU fishing for the use of Australian

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<sup>1</sup> <http://www.australfisheries.com.au/>

<sup>2</sup> <http://www.colto.org/news-archive/isofish-reports/>

agencies, as well as CCAMLR and other governments, to help eliminate IUU from the Southern Ocean fisheries, and reduce the incidental bycatch of seabirds at the same time.

In response to a second wave of IUU threat to toothfish fisheries, Austral later founded COLTO<sup>3</sup>, Inc. (Coalition of Legal Toothfish Operators) in 2003 with other industry members, and has been Chair and providing administrative support to that group ever since.

COLTO is an industry-only coalition created to help eliminate IUU fishing, to reduce the bycatch of seabirds, and to ensure sustainable fisheries for toothfish in the Southern Oceans. It represents 37 companies globally, from 11 countries (Argentina, Australia, Chile, Falkland Islands, France, Japan, New Zealand, Norway, Spain, South Africa, and United States of America). Combined, COLTO members catch around 80% of the global toothfish landings from legal operations.

From an Australian perspective, Austral has worked closely with scientists, managers, conservation groups and Governments to ensure sustainable fisheries in the Southern Oceans, to eliminate IUU fishing, and to promote effective and cost efficient management of Australian resources. We were integrally involved with development of the marine reserves at both Macquarie Island and HIMI EEZs – each of which are amongst the largest marine reserves in the world – and continue to be directly involved in the management and protection of those reserves.

We led the process to have our Australian fisheries independently certified by the Marine Stewardship Council (MSC) as sustainable and well managed fisheries<sup>4</sup>. We similarly led the global process to have toothfish fisheries (aka Chilean Seabass in USA and Canada) reviewed by the Monterey Bay Aquarium Seafood Watch Program<sup>5</sup>. That resulted in the two Australian toothfish fisheries being rated as “Best Choice” under the program review – the highest category awarded for seafood in that program.

We are keenly interested in this Inquiry, and are seeking to ensure sustainable commitment to conservation and management of our fisheries, along with effective resourcing of research and governance activities in the Southern Ocean and Antarctic regions. In addition, we believe there is scope for opportunities to develop further Australia's capacity to benefit from research, science and conservation given some of our unique attributes as a nation so closely situated to Antarctica.

### **Comments on the Inquiry Terms of Reference**

I would like to provide the following inputs for consideration of the Committee

- (a) Australia's management and monitoring of the Southern Ocean in relation to illegal, unreported and unregulated fishing*

We would like to congratulate the Australian government for its efforts at managing and monitoring IUU fishing in the Australian EEZ around HIMI and Macquarie Island territories. There has been zero IUU fishing in those EEZ regions since 2007, which is a substantial improvement over the late 1990's and early 2000's (see Table 1 below).

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<sup>3</sup> <http://www.colto.org/>

<sup>4</sup> <http://www.msc.org/track-a-fishery/fisheries-in-the-program/certified/southern-ocean>

<sup>5</sup> <http://www.seafoodwatch.org/cr/seafoodwatch.aspx>

**Table 1:** Toothfish catch limits, reported catch for random stratified trawl survey (RSTS) and the trawl, longline and trap sub-fisheries, estimated IUU catch and total removals in tonnes by calendar year for the HIMI fishery. Data extracted from AAD and CCAMLR information and papers.

Year	Catch limits <sup>a</sup>	Reported catch					Estimate	Total
		RSTS	Trawl	Longline	Trap	Total	IUU catch	removals
1996	297	0	0	0	0	0	3000	3000
1997	3800	0	1866	0	0	1866	7117	8983
1998	3700	1	3784	0	0	3785	4150	7935
1999	3690	93	3452	0	0	3545	427	3972
2000	3585	9	3556	0	0	3565	1154	4719
2001	2995	45	2933	0	0	2978	2004	4982
2002	2815	35	2717	0	0	2752	3489	6241
2003	2879	13	2580	270	0	2862	1274	4136
2004	2873	65	2218	566	0	2849	531	3380
2005	2787	21	2040	635	0	2701	265	2966
2006	2584	12	1785	659	72	2528	112	2640
2007	2427	12	1775	625	0	2412	0	2412
2008	2500	4	1612	824	0	2441	0	2441
2009	2500	20	1268	1173	13	2474	0	2474
2010	2550	28	1239	1216	32	2515	0	2515
2011	2550	6	1142	1316	33	2497	0	2497
2012	2730	42	1322	1355	0	2719	0	2719
2013	2730	8	555	2116	0	2671	0	2671

<sup>a</sup> Catch limits for fishing seasons with (1 December - 30 November) do not completely overlap with calendar years.

To ensure we continue to retain this level of zero IUU fishing in our Australian EEZ regions we believe it is important for the Committee to recommend:

- **There should be continued Government appropriation to fund the existing Southern Oceans Patrol program.** This has recently been altered as part of the review of the Border Protection Command group via the Commonwealth government budgetary process, and funds that have previously been provided to the Australian Fisheries Management Authority for the patrol program have been directed elsewhere. This could potentially result in the loss of over \$2.0 million towards patrol work in the southern ocean and Antarctic region and should be confirmed as remaining available for 2014/15 and onwards;
- **Australia must continue to meet patrol commitments with France** under the Treaty on compliance in the Southern Ocean (see later).
- **That we applaud the recent efforts of Australian agencies (notably AFMA and the previous Border Protection Command)** working internationally to disrupt IUU toothfish product flows and operations on land. This includes support for the Interpol work under the Fisheries division of the Interpol Environmental Crimes Unit

- **That we encourage continuation of Australian agency efforts to work closely with other nations in an extension role, facilitating improvements in port state control to reduce IUU product flow opportunities** in particular 'high risk' regions for toothfish IUU product shipments including Malaysia, Vietnam, Hong Kong, Singapore, and Thailand. Best recent example of successes from this program include:
  - o Malaysian authorities detaining a known IUU toothfish reefer "Tiantai" for 8 months (since sank off Antarctic continent)
  - o Spain authorities prosecuting 6 Spain nationals for participating in IUU fishing, with much of the ground work provided from Australian agencies; and
  - o Malaysian authorities arresting two known IUU toothfish fishing boats when they returned to port, with additional information provided from Australian agencies to assist this investigation.
- **That the Committee recognise the extensive funding provided by the fishing industry towards existing collaborative programs** aimed at achieving clear goals to eliminate IUU fishing for toothfish, improving understanding of stock biology and assessments, as well as research on oceanographic conditions, acoustic recording, bureau of meteorology, trawl and longline surveys and much more;
- **That we support international efforts by Australia and others to get nations to implement the Port State Measures Agreement**, which imposes controls by port states to avoid IUU products and facilitates port states to take actions against vessels known to be carrying IUU products;
- **That we support international efforts by the Food and Agriculture Organisation (FAO) to have a Register of legal fishing vessels**, through the IMO numbers on vessels, so that IUU boats can be readily identified even if they continue to "flag hop" from nation to nation to avoid being tracked
- **That we support revisions to the existing electronic CCAMLR *Dissostichus* (Toothfish) Catch Documentation System to track toothfish products, and further limit scope for any fraudulent sales of IUU product.** Australian agencies participated in a recent CCAMLR review of the scheme, which is currently very tight, but can always improve, and we are keen to support any changes which enhance the traceability of toothfish products, both legal and IUU.
- **That we investigate enhanced means to monitor and analyse data from known IUU boats on aspects such as where they are operating**, for how long they are on the grounds, and where they unload products, to gain increased understanding of catch levels, catch rates, regions being targeted, and options for disrupting those practices.

*(b) Cooperation with international partners on management and research under international treaties and agreements.*

We recommend that the Committee:

- **Ensure the Treaty with France on Compliance and Scientific exchange in the southern ocean and Antarctic regions is being adequately resourced from Australia.** Recent years have seen an increased dependence on French patrol vessels, while scientific cooperation has been significant from Australia to France. Ensuring the correct 'balance' between these two aspects is critical to retaining positive relationships and interaction with French authorities and scientists working on their toothfish fishery (the Kerguelen Island toothfish fishery abuts the HIMI fishery);
- **Encourage continuation of the positive progress on the Kerguelen Plateau research work**, involving post-doctorate researchers from Australia and France working

cooperatively, funded by the Australian industry, the Fisheries Research and Development Corporation (FRDC), the Institute of Antarctic and Marine Science (IMAS), and the Australian Antarctic Division (AAD) and with support from the Commonwealth Scientific and Industrial Research Organisation (CSIRO) Marine Division.

- **Recommend a regular (tri-annual?) scientific symposium with those involved in research on the Kerguelen Plateau**, such as the inaugural symposium held in Concarneau, France, in April 2010 (A hard copy of the symposium outcomes will be forwarded separately to the Committee Secretariat for information of members). This facilitated the exchange of information, contacts, linkages between industry, managers, conservation groups and scientists, and promoted positive improvements in the scientific programs of Australia and France on all aspects from Oceanography through to fisheries, marine mammal and seabird research. It would also provide an ideal opportunity to showcase to French agencies and industry the extensive Southern Ocean and Antarctic expertise and national facilities that Australia has in Hobart, Tasmania with CSIRO, AAD, IMAS buildings and experts; the national facility the *RV Investigator*, the French Antarctic supply and research vessel *L'Astrolabe*, and the Australian Antarctic supply and research vessel *RV Aurora Australis*.
- **Investigate more cost efficient and effective linkages between operational and technical arms of CSIRO, AAD and IMAS in Hobart, along with the Tasmanian Department of State Growth (TDSG) to ensure the most efficient use of funds to operate our southern ocean and Antarctic research vessel programs.** This could involve, for example, greater exchange and sharing of expertise amongst the organisations and greater linkages for such aspects as gear storage and supply, equipment purchase and distribution, improved logistics arrangements, and so forth.
- **Encourage regular (annual?) meetings between New Zealand and Australian scientists,** managers, conservation groups and industry to improve linkages with our close neighbours in southern ocean and Antarctic matters.
- **Investigate mechanisms to encourage other nations to utilise Hobart as a gateway to Antarctica and the Southern Ocean.** This could provide advancement of science, management and conservation of the region but, also, could provide opportunities for Australian expertise development, tourism and many other benefits. These could come via for example, linkages to IMAS and the University of Tasmania (as the profile can encourage overseas students and researchers to study and work in Hobart); or via researchers and scientific exchanges with groups such as AAD, CSIRO, IMAS; or via linkages to other nationally and internationally recognised groups involved with the Southern Ocean and Antarctic region which are based in Hobart, such as the Antarctic Climate and Ecosystem Cooperative Research Centre (ACE-CRC)<sup>6</sup> and the Integrated Marine Observing System (IMOS)<sup>7</sup>. Together, there is a formidable gathering of Australian expertise, facilities, and opportunities in Hobart that can provide benefits for Australia in the Southern Ocean and Antarctic region.
- **Retain commitment to the provision of Secretariat base for CCAMLR by the Australian Government.** In the same way as encouraging greater exchange with various organisations in Hobart can provide benefits, the annual meetings of CCAMLR held at the Secretariat (with location provided by Australia) has significant benefits to Tasmania, Australia, and the broader Southern Ocean and Antarctic program. The Committee should continue to support that funding and building commitment from Australia.

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<sup>6</sup> <http://www.acecrc.org.au/>

<sup>7</sup> <http://www.imos.org.au/>

*(c) Appropriate resourcing in the Southern Ocean and Antarctic territory for research and governance*

We would recommend the Committee:

- **Recognise the limitations of continued government funding of many of the Southern Ocean and Antarctic programs**, and encourage cost-efficiencies within those programs wherever possible;
  - o Eg industry funds are being currently provided via FRDC to IMAS and AAD for ageing studies of toothfish and broader Kerguelen Plateau research being done on toothfish, with 'in kind' provision of support from AAD, CSIRO and IMAS
  - o Eg there could be improved "sharing" of resources between IMAS, AAD, CSIRO, UTAS, ACE-CRC, IMOS, TDSG and creation of enhanced linkages as they are all based in Hobart, with extensive access to expertise and research capacity
  - o Eg evaluate, and recommend implementation where supported, the outcomes of the review under Dr Tony Press for creation of a 20 year Australian Antarctic Strategic Plan<sup>8</sup>
- **Support the announced extension of the Hobart runway** to enable international long haul flights to use Tasmania as a base for operations, research and development in the Southern Ocean and Antarctic regions.
- **Support policy research and development on future resources allocation in the Southern Ocean and Antarctic region** for fisheries, as well as other users of natural resources (eg medical, oil and gas, energy). This should necessarily also involve industry and conservation groups in the discussions and development of positions in a meaningful way.
- **Consider re-alignment in what is often perceived as a 'high moral ground' approach towards Australian actions and other nations in the Southern Ocean and Antarctic region**, and recognise particularly the new international political framework for resources access, conservation and utilisation need to be handled more sensitively than in recent years. As examples, the increasing interest from China, Korea and recent renewed interest from Russia to access fish and krill resources requires development of appropriate policy positions and sensitive dealings. The Committee could recommend reviewing Australian government approaches in CCAMLR as well as the Antarctic Treaty Commission Meetings, and set milestone indicators over perhaps longer time-frames, still with the same end goals in mind;
- **Ensure continued support for all aspects of the broader scientific, policy and research programs in Southern Ocean and Antarctic region** such as Krill research programs and policy involvement, cetacean and pinniped research programs, seabirds, oceanography and the many other aspects of marine research that are underway currently.

I recognise the above issues are complex, and many of the points are broad outlines of programs or directions that may need to be taken. I would be pleased to expand on any of the points made above and, if opportunity is available, to present to the Committee on some or all of the issues.

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<sup>8</sup> <http://20yearplan.antarctica.gov.au/home>

Thank you for the opportunity to provide this submission.

David Carter  
CEO