

## **Transcript:**

Australian Parliament

5 December 2005

Senate Hansard

Adjournment Speech

Speaker: Siewert, Sen Rachel (AG, Western Australia, Opposition)

Senator SIEWERT (Western Australia) (11.31 p.m.)—On 11 October of this year the Senate passed a resolution calling for the development and implementation of an effective, legally binding governance framework to protect deep sea biodiversity in the high seas area and to conserve and manage bottom fisheries of the high seas. I have spoken on this issue several times and, again, on November 9, at a time when the United Nations General Assembly was considering the issue of how to protect the life of the deep ocean. In the light of the radically destructive practice of bottom trawling, which is becoming more prevalent, I touched on the subject of the global moratorium that more than a thousand marine scientists from 69 countries called for in February 2004. At this time the minister for fisheries, Senator Ian Macdonald, asked me what I would do about enforcement of such a moratorium, and it is on this subject that I would like to speak tonight, by way of answer.

The general assembly fell short of calling for a moratorium at its November meeting, instead reaffirming its call for nations to take urgent action to protect deep sea corals, seamounts and hydrothermal vent ecosystems from destruction by bottom trawl fishing. We welcome this call for urgent action, but the UN called for urgent action in 2004 and 12 months have elapsed with very little progress. The Director General of IUCN recently said:

... deep sea bottom trawling is an act of insanity and should become subject to prosecution.

I have described previously the destructive impacts of this practice, but just imagine for a moment the Great Barrier Reef or Ningaloo being violated in this way. It is just that these reefs to which I refer are out of sight and out of mind.

I have no doubt that a moratorium will eventually be declared because this practice is economically and ecologically self-defeating. The industry is visibly destroying the asset base that it depends upon, and ecological collapses are following hard on the heels of the trawlers. In fisheries considered to be well managed off Australia, New Zealand and Namibia, orange roughy have been fished down to 15 to 30 per cent of the original biomass within five to ten years. Our technological reach is simply too powerful. Professor Callum Roberts notes that: We must consider deep-sea stocks as non-renewable resources. ...Deep sea industrial fishing is mining ...

While this practice continues unregulated around the world, we are losing the spawning grounds that will be essential if the world's oceans are to ever recover from the onslaught of commercial fishing which is devastating more familiar fisheries. It is no secret that the world's fisheries are in trouble. It makes no sense that a small handful of nations are venturing to the deep oceans seeking to exploit and destroy these hidden ecosystems without the world saying 'enough is enough'.

We all know that most fishing operators know the sea better than anyone and seek to maintain the fish stocks which support their livelihoods. We have seen the relief evident in the government's welcome fisheries buy-out package which will allow some parties to leave the industry with dignity, and the industry, by and large, is adapting and contributing to the move to genuinely sustainable fisheries in Australian waters. The relationship and feedback between social, economic and ecological sustainability is so clear in the fishing industry. This is precisely why a moratorium on deep sea trawling is so important. Without a legally binding and enforceable mechanism in place, the practice is expanding without regard to ecological limits.

Minister Macdonald asked about enforcement—and I take this question in good faith because this is one area in which the Australian government can claim to have made progress. I have read statements by Australian delegates to these conferences and will give credit where it is due: Australia is proving to be a positive influence. The minister asks: how does one enforce a ban on a practice on the international high seas which occurs out of sight, where flags of convenience are common and market forces are proving to be an engine of extinction?

The first thing to note is that the international law of the sea is already on our side. All signatories have an obligation to cooperate in the conservation and management of the living resources of the high seas. The second point is that the equipment used for deep sea trawling is distinctive, has no dual use and that fish caught in these trawls are disfigured by the pressure changes as they are brought to the surface. Each of these factors makes enforcement easier at a local level. A ban on landed catch of this type and on the sale of specialised trawl gear would be enforceable if the right kinds of multilateral agreements were in place. Thirdly, we do not face an entrenched industry with major economic interests at stake. Bottom trawling on the high seas accounts for much less than one per cent of the global fish catch, both by volume and value. We have options for regulation now which we will not have if the industry is allowed to expand unimpeded to new areas as current fishing grounds are destroyed.

I draw the government's and the minister's attention to the Wellington convention, which banned the practice of driftnet fishing in 1992. I am certain the minister is aware of this convention, the evidence of its success and the template it provides for proceeding with utmost urgency. With goodwill and persistence, these walls of death were banned from the open ocean, and no community benefited more than the fishing industry. Enforcement of such a ban on bottom trawling will not be easy, and complete enforcement may be impossible, but this is not an excuse not to try, because the alternative is the ruination of a resource which we barely comprehend and have no right to destroy. A significant crackdown that still misses some operators is vastly better than the lawless state of affairs that prevails today.

Once the political will for the moratorium is strong, history has shown—on ozone, ocean floor mining, exploitation of Antarctica and driftnet fishing—that enforcement can be effective. A global moratorium where researchers are given the time they need to assess the practice will be easier to enforce than a patchwork of local and regional agreements that will be wide open to exploitation. In February and March 2006, the parties will come together again to debate the issue.

I want to see the Australian government in the front row lending its considerable diplomatic influence to an outcome we can all be proud of. In November of this year, the French government announced it would support a global moratorium, stating that biodiversity continues to shrink due to too many parties to the Convention on Biological Diversity not putting their words into action. I hope the minister will consider making the government's position on this issue clear as we move towards a moratorium that must come into force one day, either with foresight or regret.