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[Senator SIEWERT](#)—Can I move on to deep sea **trawling**. I have quite a few questions. Some of these you might need to take on notice; I am aware of that. In 2004-05, as I understand it, there were about five Australian vessels that were undertaking deep sea **trawling**.

Mr Hurry—There would not have been any more than that. I would be a bit surprised if it was five, but around that number would be right.

[Senator SIEWERT](#)—That was in 2004-05. Can you tell me what those figures are now?

Mr Hurry—I do not think it would have changed very much for deep ocean **trawling**. We have vessels **trawling** for patagonian toothfish off Heard and McDonald Islands. There is a bit of fishing on the Indian Ocean ridges on the way back by those vessels. I think that is about all.

Mr McLoughlin—That is correct.

[Senator SIEWERT](#)—So you do not think there would have been any change since then?

Mr Hurry—No.

Mr McLoughlin—I think the number has reduced to three vessels, but I can confirm that.

[Senator SIEWERT](#)—Do you know what the catch was?

Mr McLoughlin—We certainly record what catches come in. We have observers on those vessels as well, so they are very well monitored operations. I do not have those figures with me. I cannot provide those figure if there are less than five vessels because of confidentiality issues around identifying which boats have been fishing where and have caught what. We try and merge that.

[Senator SIEWERT](#)—If there are more than three, can you give it to me?

Mr Hurry—No. It has to be more than five for us to give you the data.

[Senator SIEWERT](#)—Can you check if there was? If there was, can I have that information and also the bycatch figures, please.

Mr McLoughlin—Yes.

[Senator SIEWERT](#)—Do you have any ideas about the future of the industry in Australia—where it is going?

Mr Hurry—No, but it is a discussion we probably need to have with industry. I guess it is one that we do talk to them about at times, but deep sea **trawling** is a legitimate industry and there are only a handful of us in the world who are very good at it: the Namibians, us, the New Zealanders and the Newfoundlanders. We are good at deep sea **trawling**. We probably pioneered some of it here in Australia. I think we trawl very well. We trawl in the Heard and McDonald Islands area because we see it as a better way of avoiding bycatch in that fishery and it is a legitimate method of fishing. We see the Southern Ocean as our ocean. It may well become another industry for us, but there are costs associated with this, and the cost of oil going up will probably limit the amount of deep sea **trawling** that is done in the future anyway. But, when Australia deep sea trawls, we do it under fairly strict regulations. As Richard mentioned, we have observers on our vessels and we intend to keep them there.

[Senator SIEWERT](#)—I will come back to the damage that is caused. I am not casting aspersions on Australian fishers but New Zealand claims—and you will have seen the photos around—that massive corals are coming up from boats that are claiming they are doing it in an appropriate, sustainable manner. You will have seen that orange coral postcard that Greenpeace is showing. That is taken from a boat that was supposedly doing it properly. I think there is some dispute over whether it is being done in a non-damaging manner.

Mr Hurry—I still do not see the mileage in paying the costs for the high sea **trawling** and then trying to hang a net on the **bottom** when nets cost \$200,000 each.

[Senator SIEWERT](#)—Sorry, I did not hear you.

Mr Hurry—Trawl nets are very expensive things and you do not want to tear the bottoms out of them and you do not want to hang them up on beds of coral and lose them. Modern **trawling** is fairly well organised. You have got cameras on your nets, you know where to place your fish trawls. I think it is a bit like prawn farming in Asia in the old days: it was a pretty ordinary process, probably, but you learn as you go along. I would think that modern **trawling** was a fairly responsible way of conducting business. But I know those postcards are around. I have seen the ones of the weddings and the shark fins all over the brides as well. There is a whole range of them around. I am sure they do not accurately reflect what the Australian trawl or other industries do. I am happy that the postcards are there but I am also happy that we are a serious and responsible industry in Australia—and we would intend as regulators to keep it that way.

[Senator SIEWERT](#)—The point at the moment with the campaign is to get as strong regulations and as good practice across the globe as we can.

Mr Hurry—We would be more than happy that our practices were accepted across the globe as being a benchmark for high seas **trawling**.

[Senator SIEWERT](#)—Do you have any figures on the economic value of that particular fishery at the moment?

Mr Hurry—No. As Richard said, they are bound up in the stats and the limited amount of vessels that we have got, but we would be happy to provide you with whatever data we have got. It would be caught up in the ABARE publications on Australian fisheries each year, and I am reasonably sure some of this information is available. We would be happy to share it with you.

Mr McLoughlin—I can say that we have aggregated the catch in value data across the whole Heard and McDonald Islands fishery, as one of our Antarctic fisheries, and it is about \$30 million per annum.

[Senator SIEWERT](#)—Thanks. Do you have any data on monitoring the impact of the Australian fishery?

Mr McLoughlin—Very substantial and extensive data. We put two observers on every boat that goes into the Heard and McDonald Islands fishery and the Macquarie Island fishery, in addition to those Australian boats that fish in CCAMLR territory. We record catch and bycatch data routinely on every trip. We have a management advisory committee with the Department of the Environment and Heritage and conservation NGO members on that. As Mr Hurry has indicated, it is almost certainly the most closely monitored high seas fishery in the world, and the costs of that monitoring are met by the industry participants, not the taxpayer.

[Senator SIEWERT](#)—Can that information be provided?

Mr McLoughlin—I think there is a substantial amount of information that is already in the public domain, and we are happy to provide that which is there.

[Senator SIEWERT](#)—I am trying to follow up some questions that have been asked before. I refer to one of the questions that were asked last year, and I can provide the details to you if you need them. The answer to question No. 1183 was:

... all Australian fishing vessels fishing on the high seas are required to meet a range of regulations in line with the United Nations Fish Stocks Agreement. These include: mandated use of ... integrated computer vessel monitoring— gear, being the stuff that we have been talking about, data— a ban on the use of driftnets; implementation of a range of bycatch measures ... logbooks ...

How do you know that there is no under-reporting of catches? Is that because you have got people on the boats?

Mr McLoughlin—That is correct.

[Senator SIEWERT](#)—So you do not believe it is possible to under-report catch at all?

Mr McLoughlin—We also monitor at unloading as well, but we have observers on board who are monitoring the catch on a daily basis. In fact, it is on an around the clock basis.

[Senator SIEWERT](#)—I have asked questions before about the United Nations General Assembly process, so I wish to follow this matter up. As you are aware, there are

provisions for urgent measures in the resolution that came out of that assembly. What measures is Australia taking as part of that?

Mr McLoughlin—It was ‘urgent measures on a case-by-case basis’, and I do not think there is a justifiable case-by-case basis against the Australian fishing industry—and there is an UNGA meeting on at the moment. To us this issue of high-seas **bottom trawling** has always had a bit of a question to it. I do not see where banning high-seas **bottom trawling** gets at the fundamental problem of trying to improve broader oceans governance to make sure that the law as it is developed applies.

[Senator SIEWERT](#)—You would be aware that at the moment the call is not for a ban. The call is for a moratorium while we get international regulations in place, and that is what the UN process is about. Not every nation is as rigorous as Australia is on this issue.

Mr Hurry—Why do we get caught up in these types of things? We are a responsible **trawling** nation. As Richard said, we monitor our fishing activity, we monitor our unloading, we are responsible and we would be more than happy if our standards were adopted around the world as good **trawling** practice on the high seas.

[Senator Abetz](#)—Why would you punish Australia and Australian activities?

[Senator SIEWERT](#)—Because we are looking to Australia’s ocean leadership to get the moratorium in place while we get in place regulations and a regulatory system that enable fisheries to be adequately managed everywhere.

[Senator Abetz](#)—But then you would punish those that are behaving responsibly.

Mr McLoughlin—I can give an example. As I indicated earlier, Australian flagged vessels go down to the Southern Ocean fishery to catch fish legally under quotas provided for Australia from CCAMLR. When those vessels get down there, they meet vessels flagged to Belize, Russia, Cambodia, Panama and a whole range of other countries that in fact have no quota given to them by CCAMLR. They are flagged to countries that are not signatories to CCAMLR yet they are still fishing down there. They are not fishing with any of the controls that the Australian vessels are, they are not meeting any of the costs that the Australian vessels are and in fact there is a significant price disparity around what those vessels can produce fish for compared to that of the Australian boats, yet they sell the same product into the same markets, thus putting Australian companies at a disadvantage.

As Mr Hurry says, and I have been in fisheries management a long time, the great source of frustration here is that under the current world rules—and those are what are being discussed at the UN this week—countries do not have to sign up to these agreements but they can still send their vessels there fishing. It is the governance arrangements that have to be dealt with first if we are going to have effective fisheries management around high seas, seamounts and **trawling** activities and other destructive fishing activities as they might be defined for a particular type of habitat. Getting the governance issues right and fixing up those loopholes really has to be the primary task and from there, once you have the governance powers to do a good job so that

countries do not ignore the rules, then you can move on to the appropriate measures for the circumstances.

[Senator SIEWERT](#)—So the approach that Australia is taking is to focus on governance?

Mr Hurry—As I said to Senator O'Brien earlier, we actually started this push on illegal fishing internationally, in 1998 or 1999, and we have been one of the key players in it ever since. We do not intend to drop our intensity on it until we have finished it. Dealing with illegal fishing is part of dealing with governance. In some of the broader ocean management documents that we have got in front of us, **bottom trawling** is a very small subset of fishing activity on the world's oceans. Fixing up the governance and the holes in the laws of the sea, being able to get at things like beneficial ownership of vessels and being able to prove a genuine link between a vessel and its flag so that you can force flag states to take control are all part of the types of things we have been dealing with and trying to deal with effectively around the globe for seven or eight years. It is a difficult issue.

[Senator SIEWERT](#)—I was trying to refine my question in terms of governance. When you are participating in discussions that are specifically around deep sea fishing and deep sea **trawling**, are you specifically focussing on governance?

Mr Hurry—Very much so. We think the nub of the problem is to try and improve the broader governance issues in the world's oceans.

[Senator SIEWERT](#)—It is my understanding that you are also involved in the discussions on developing an approach to regional management in the Pacific.

Mr Hurry—There are three lots of discussions in the Pacific. There is the forum fisheries agency, there is the Western and Central Pacific Fisheries Commission and there are currently discussions with New Zealand, Chile and Peru over the development of the South-West Pacific nation agreement, which would look principally at trawl fisheries.

[Senator SIEWERT](#)—So the approach being taken there is 'let's look at governance'?

Mr Hurry—You have to have in place a regime under which you can build a management arrangement for your fisheries. If you want to ban or eliminate an activity, or put in place a marine national park on the high seas, you have to have a legal framework; you have to be able to do surveillance and you have to be able to enforce it. You do not want to build an enclave for illegal fishing activity. You have to have rules that apply equally to everybody who is fishing on the high seas. That is the type of approach we are taking more broadly. That is why we want to build this southern oceans agreement—so we have a regional fisheries management arrangement in place that is agreed to and ratified by a number of countries. That gives us a legal arrangement under which we can take action against irresponsible countries. That is what we are aiming for and that seems to be the general approach taken by Australia, Peru and others who want to fish in this fishery.

[Senator SIEWERT](#)—My understanding is that there have been a couple of meetings. Is that correct?

Mr Hurry—There was an initial meeting which was a discussion about how we move forward. The main meeting was held in New Zealand last year and the second meeting is intended to be in Australia in, I think, November.

[Senator SIEWERT](#)—I appreciate that these things take a long time to negotiate. What is the time frame for the development of these arrangements?

Mr Hurry—In practical terms, three to five years is probably the type of framework we are working in. The western and central Pacific convention, which is the latest convention we have developed, took a long time to get in place. But that dealt with all the Pacific island countries and about 27 countries all up. I think this one is shorter. There is a bit of a model for this one in a couple of the African agreements: the south-west Indian Ocean agreement and SEAFO, which is the arrangement in the southern part of the Atlantic Ocean. The text for both of those conventions is probably applicable to the one we are trying to build in the south-west Pacific Ocean, and some of the players are the same. So I think it will be a shorter process to get the convention agreed. Then it depends on whether we just have an agreement that the countries are parties to under which we meet at our own cost every year and discuss how we are going in managing the fishery. That will be dictated in part by the size of the fishery. Alternatively, we might look at what we have done in some of the other commissions. We can build a commission headquarters and staff it with scientists and compliance officers. The final approach we take is usually dependent on the size of the fishery and the number of countries involved.