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**Scoping Meeting on Collaboration between  
Regional Seas Programmes and Regional Fisheries Bodies  
In Southwest Indian Ocean**  
Mahé, Seychelles, 13-14 June 2016

**Background paper on the Regional Seas Convention and Regional Fisheries Bodies in the Southwest  
Indian Ocean**

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## **1. Background**

The coastal zone of the Southwest Indian Ocean region supports over 60 million people<sup>1</sup>. Although the ocean is relatively pristine compared to other regions and known for its rich biodiversity, depletion of marine resources and degradation of marine and coastal ecosystems are serious concerns. Illegal, unreported and unregulated (IUU) fishing undermines existing efforts to support long term sustainability of marine resources. Basic scientific data on marine resource is also insufficient to fully understand the natural resources and environmental pressures<sup>2</sup>.

However, existing regional ocean governance mechanisms, namely Nairobi Convention, Southwest Indian Ocean Fisheries Commission, Indian Ocean Tuna Commission, and South Indian Ocean Fisheries Agreement, strive to address these challenges in the region. These regional platforms support cooperation between neighboring countries as well as fishing countries on issues related to the environment and fisheries. The regional mechanisms thus are key institutions for long-term sustainability of the Southwest Indian Ocean. However, it has been pointed out that the approach has traditionally been sectoral and the potential for synergies between the two types of regional ocean governance mechanism has not been fully explored. Therefore, this scoping meeting aims to identify common grounds and objectives for strengthening cooperation between the regional mechanisms. Both environment and fisheries sectors are becoming increasingly aware that cooperation is crucial for long-term sustainability of ecosystem services. Ecosystem services including food production are underpinned by resilient and healthy marine and coastal ecosystems and thus activities undertaken or impacting on an ecosystem need to be managed in a sustainable manner in order for humans to continue receiving benefits.

## **2. Overview of the RSCAP and RFBs in the Southwest Indian Ocean**

### **Nairobi Convention**

UNEP's Governing Council decision 8/13C of 29 April 1980 established the Eastern African Regional Seas Programme. Following the establishment of the programme, the Eastern African Action Plan and the Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region (Nairobi Convention) were adopted by the member states in 1985. Under the conventions, there are three protocols: (1) Protocol for the Protection of the Marine and Coastal Environment of the Western Indian Ocean from Land-Based Sources and Activities; (2) Protocol concerning Protected Areas and Wild Fauna and Flora in the Eastern African Region; and (3) Protocol Concerning Co-operation in Combating Marine Pollution in Cases of Emergency in the Eastern African Region. Its member states are Comoros, France, Kenya, Madagascar, Mauritius, Mozambique, Seychelles, Somalia, South Africa and Tanzania.

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<sup>1</sup> UNEP/Nairobi Convention Secretariat (2009)

<sup>2</sup> SOMER

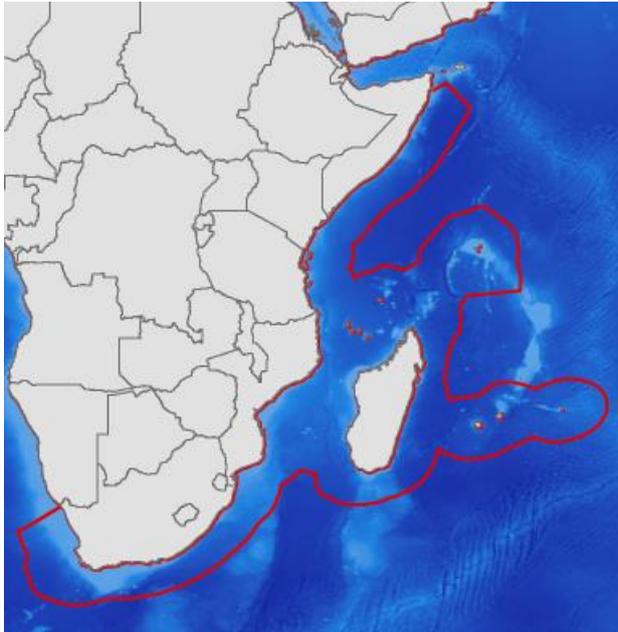


Figure 1 Area of competence of Nairobi Convention (Source: UNEP)

### Southwest Indian Ocean Fisheries Commission

The Southwest Indian Ocean Fisheries Commission (SWIOFC) was established in 2004 by Resolution 1/127 of the FAO Council under Article VI.1 of the FAO Constitution. Thus, SWIOFC is a fisheries advisory body. Its member States are: Comoros, France, Kenya, Madagascar, Maldives, Mauritius, Mozambique, Seychelles, Somalia, South Africa, United Republic of Tanzania and Yemen.

The main objective of SWIOFC is “to promote the sustainable utilization of the living marine resources of the Southwest Indian Ocean region, by the proper management and development of the living marine resources, and to address common problems of fisheries management and development faced by the Members of SWIOFC, without prejudice to the sovereign rights of coastal States<sup>3</sup>”. SWIOFC promotes application of the precautionary approach and the ecosystem approach to fisheries management.

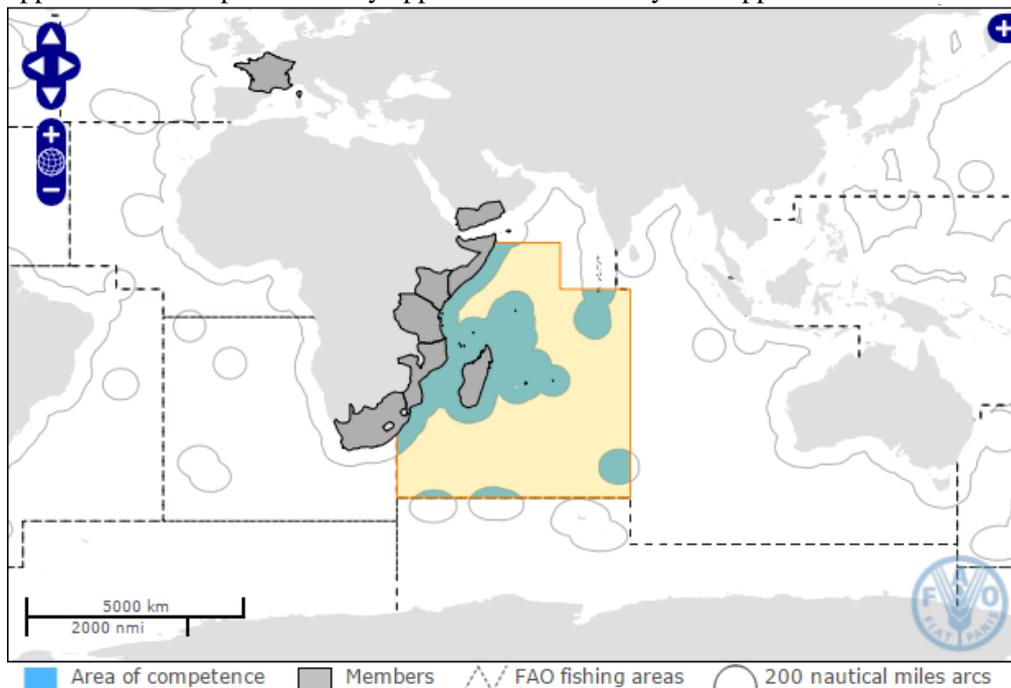


Figure 2 Area of competence of SWIOFC (Source: FAO<sup>4</sup>)

<sup>3</sup> FAO (2015) Regional Fishery Bodies summary descriptions. Southwest Indian Ocean Fisheries Commission (SWIOFC). Fishery Governance Fact Sheets. In: FAO Fisheries and Aquaculture Department [online] Available at: <http://www.fao.org/fishery/rfb/swiofc/en>

<sup>4</sup> FAO (2015) Regional Fishery Bodies summary descriptions. Southwest Indian Ocean Fisheries Commission (SWIOFC). Fishery Governance Fact Sheets. In: FAO Fisheries and Aquaculture Department [online] Available at: <http://www.fao.org/fishery/rfb/swiofc/en>

### Indian Ocean Tuna Commission

The Indian Ocean Tuna Commission (IOTC) is an intergovernmental organization established under Article XIV of the FAO constitution. The constituent instrument of the IOTC, the *Agreement for the Establishment of the Indian Ocean Tuna Commission*, was approved by the FAO Council on 25 November 1993 and entered into force on 27 March 1996.<sup>5</sup> The target species are tuna and tuna-like species while the secretariat also collects data on species that are affected by tuna fishing activities such as shark and sea-birds. The members are: Australia, Belize, China, Comoros, Eritrea, European Union, France, Guinea, India, Indonesia, Iran (Islamic Rep. of), Japan, Kenya, Madagascar, Malaysia, Maldives, Mauritius, Mozambique, Oman, Pakistan, Philippines, Republic of Korea, Seychelles, Sierra Leone, Somalia, Sri Lanka, Sudan, Thailand, United Kingdom, United Rep. of Tanzania, Vanuatu and Yemen. The IOTC Cooperating Non Contracting Parties are Bangladesh, Djibouti, Liberia and Senegal.

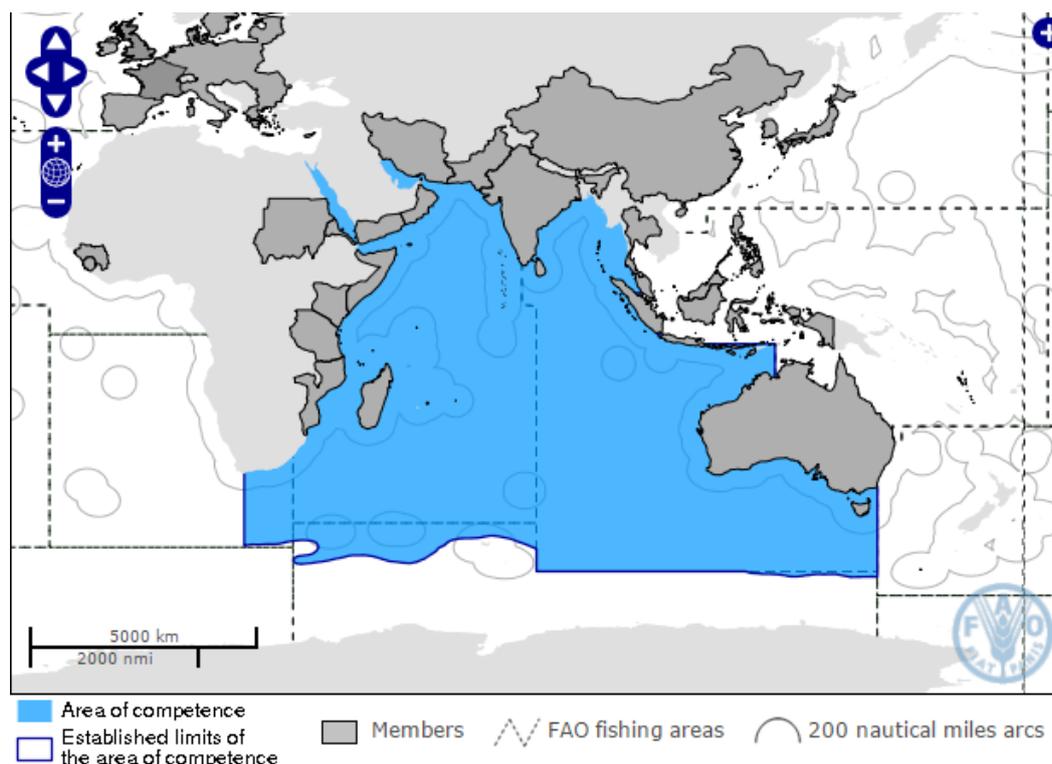


Figure 3 Area of competence of IOTC (Source: FAO<sup>6</sup>)

### SIOFA

The *Southern Indian Ocean Fisheries Agreement* was opened for signature on 7 July 2006 and entered into force on 21 June 2012.<sup>7</sup> The objective of SIOFA is to “ensure the long-term conservation and sustainable use of the fishery resources in the area of competence through cooperation among the Contracting Parties, and to promote the sustainable development of fisheries, taking into account the needs of developing States bordering the competence area, and in particular the least-developed among them and small island developing States”<sup>8</sup>. SIOFA’s area of competence is the high seas. Australia, Cook Islands, European Union, France, Japan, Republic of Korea, Mauritius and Seychelles are the members.

<sup>5</sup> Available at: <http://www.iotc.org/sites/default/files/documents/2012/5/25/IOTC%20Agreement.pdf>

<sup>6</sup> FAO (2015) Regional Fishery Bodies summary descriptions. Indian Ocean Tuna Commission (IOTC). Fishery Governance Fact Sheets. In: FAO Fisheries and Aquaculture Department [online] Available at: <http://www.fao.org/fishery/rfb/iotc/en>

<sup>7</sup> Available at: [http://www.fao.org/fileadmin/user\\_upload/legal/docs/035s-e.pdf](http://www.fao.org/fileadmin/user_upload/legal/docs/035s-e.pdf)

<sup>8</sup> FAO (2015) Regional Fishery Bodies summary descriptions. South Indian Ocean Fisheries Agreement (SIOFA). Fishery Governance Fact Sheets. In: FAO Fisheries and Aquaculture Department [online] Available at: <http://www.fao.org/fishery/rfb/siofa/en>

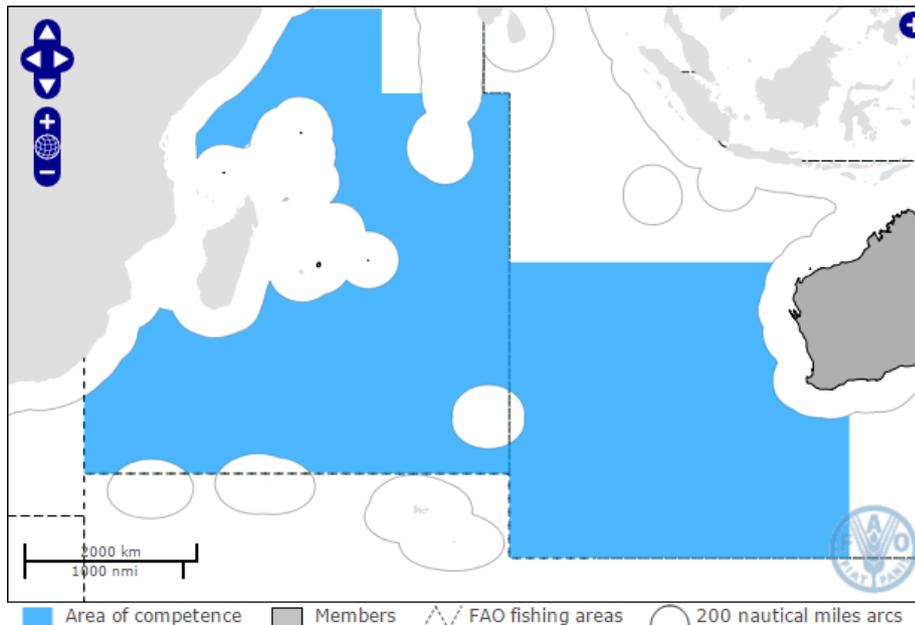


Figure 4 Area of competence of SIOFA (Source: FAO<sup>9</sup>)

### 3. Potential basis for cooperation

Cooperation between Regional Seas Conventions and Action Plans (RSCAPs) and Regional Fisheries Bodies (RFBs) is a topic of global significance particularly in the context of the 2030 Agenda and implementation of Aichi Targets. The Sustainable Development Goal 14 “*Conserve and sustainably use the oceans, seas and marine resources for sustainable development*” requires involvement of all the sectors working in the oceans and seas to cooperate since all the human activities in shared ecosystems are interlinked and impact on each other. No single sector could achieve this goal on its own and thus cooperation is essential. SDG Target 14.2 for instance provides: “*By 2020, sustainably manage and protect marine and coastal ecosystems to avoid significant adverse impacts, including by strengthening their resilience, and take action for their restoration in order to achieve healthy and productive oceans*”. Other targets such as Targets 14.4 and 14.7 also emphasize the importance of managing marine and coastal ecosystems for productivity, which includes food production.<sup>10</sup>

Sustainable use of marine species is also stressed in the Aichi Targets. Target 6 states “*By 2020, all fish and invertebrate stocks and aquatic plants are managed and harvested sustainably, legally and applying ecosystem based approaches, so that overfishing is avoided, recovery plans and measures are in place for all depleted species, fisheries have no significant adverse impacts on threatened species and vulnerable ecosystems and the impacts of fisheries on stocks, species and ecosystems are within safe ecological limits.*” As stated, this target highlights the importance of taking a broad and holistic approach to management to ensure sustainable use of marine resources.

Ecosystem approaches highlights the importance of inter sectoral collaboration. Ideally, all sectors performing functions in the same ocean or sea could benefit from having an integrated policy that guides subsequent sectoral policies. However, for practical purposes it is reasonable to start with few sectors that operate in a same region, with the potential for an incremental approach towards improved collaboration to achieve common goals. In this sense, cooperation of the RSCAPs and RFBs could be a beginning of a shift towards improved dialogue between sectors in support of improved management of the Southwest Indian Ocean.

### Nairobi Convention

At the Eighth Conference of Parties Meeting for the Nairobi Convention, 22-24 June 2015, Seychelles, the member states adopted the decisions, which include a decision to enhance cooperation, Decision CP8/13: Enhancing Cooperation, Collaboration and Support with Partners, which states “*to agree to establish additional partnerships, including with regional economic communities, such as the East Africa Community,*

<sup>9</sup> FAO (2015) Regional Fishery Bodies summary descriptions. South Indian Ocean Fisheries Agreement (SIOFA). Fishery Governance Fact Sheets. In: FAO Fisheries and Aquaculture Department [online] Available at: <http://www.fao.org/fishery/rfb/siofa/en>

<sup>10</sup> See the targets of SDG14 at: <https://sustainabledevelopment.un.org/sdg14>

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*Common Market for Eastern and Southern Africa, Southern Africa Development Community, Indian Ocean Commission and United Nations agencies; Regional Fisheries Management Organisations, such as the Indian Ocean Tuna Commission, South West Indian Fisheries Commission on sustainable fisheries management; West Indian Ocean Challenge on matters of environmental assessment, the Food and Agriculture Organization of the United Nations, Convention on Migratory Species (CMS) and Convention on International Trade in Endangered Species on Wild Flora and Fauna (CITES) on conservation and trade of sharks and rays, ecologically or biologically significant marine areas as well as sustainable ocean initiative on capacity building of the Convention on Biological Diversity (CBD)*". This serves as a base for Nairobi Convention to cooperate with Regional Fisheries Bodies in the region.

## **SWIOFC**

The importance of close collaboration with other regional organisations and programmes was clearly stated that it is *"a duty for all regional organizations, programmes and projects because of the shortage of human and financial resources"*.<sup>11</sup> The reasons for SWIOFC collaboration with other organisations identified in the SWIOFC Performance Review Report are:

- *To prevent duplication and consequently wastage of human and financial resources;*
- *To reduce costs and increase effectiveness;*
- *To ensure broad stakeholder involvement and endorsement;*
- *To improve decision-making and consensus;*
- *To increase transparency; and*
- *To provide a better regional product.*

At the Sixth Session of the South West Indian Ocean Fisheries Commission, 8-11 October 2012, Mauritius, the member states agreed on the Programme of Work of SWIOFC including cooperation with Nairobi Convention:

*" 104. To continue to liaise and collaborate with SWIOFCP (Kenya Marine Fisheries Research Institute [KMFRRI]), IOTC, the Nairobi Convention (UNEP), IOC as well as the African Union (AU-IBAR) in relation to the RFB policy preparation for the Conference of African Ministers of Fisheries and Aquaculture (CAMFA).*

*105. The Secretariat to proceed to finalize an MOU between SWIOFC and the Nairobi Convention.*

*106. The Secretariat to continue to liaise in relation to an MOU on the collaboration between the SWIOFC and IOC. "*<sup>12</sup>

SWIOFC also has a good working relationship with IOTC. For example, at the Third Session of the SWIOFC, SWIOFC and IOTC exchanged ideas and experiences to foster greater regional cooperation particularly with regards to illegal, unreported and unregulated (IUU) fishing<sup>13</sup>. The session also identified that collaboration for improved fisheries statistics would be beneficial for both SWIOFC and IOTC. The performance review also recognised that SWIOFC has improved cooperation with IOTC over time.

## **IOTC**

The IOTC Agreement provides that: *"The Commission shall cooperate and make appropriate arrangements therefore with other intergovernmental organizations and institutions, especially those active in the fisheries sector, which might contribute to the work and further the objectives of the Commission in particular with any intergovernmental organization or institution dealing with tuna in the Area. The Commission may enter into agreements with such organizations and institutions. Such agreements shall seek to promote complementarity and, subject to paragraph 2, to avoid duplication in and conflict with the activities of the Commission and such organizations."*<sup>14</sup> This provision has been used as a basis for cooperation with relevant regional organisations.

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<sup>11</sup> FAO (2013) SWIOFC Performance Review, [ftp://ftp.fao.org/fi/DOCUMENT/SWIOFC/PerformanceReview\\_Report.pdf](ftp://ftp.fao.org/fi/DOCUMENT/SWIOFC/PerformanceReview_Report.pdf)

<sup>12</sup> SWIOFC (2012) Report of the Sixth Session of the South West Indian Ocean Fisheries Commission, <http://www.fao.org/docrep/018/i3179b/i3179b.pdf>

<sup>13</sup> SWIOFC (2007) Report of the Third Session of the South West Indian Ocean Fisheries Commission, <ftp://ftp.fao.org/docrep/fao/011/i0807b/i0807b00.pdf>

<sup>14</sup> IOTC Agreement, article XV.1.