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# SOUTH WEST INDIAN OCEAN (SWIO) FISHERIES ACCORD FOR SHARED MARINE FISH STOCKS

## International cooperation for managing shared fish stocks

International legislation obliges coastal states and fishing nations to cooperate for effective conservation and sustainable use of shared fish stocks. This includes several articles of the United Nations Convention on the Law of the Seas (UNCLOS), among others Art. 63 (1 and 2) and Art. 64.

## Regional framework for managing shared fish stocks

This is ensured by the United Nations Fish Stocks Agreement (UNFSA), which addresses long-term conservation and sustainable use of straddling and highly migratory fish stocks. In the case of tuna fisheries, the Indian Ocean Tuna Commission (IOTC) - an FAO, Article XIV Body - is responsible for adopting conservation and management measures to ensure the long-term sustainability of tuna stocks. Fisheries-related protocols from Regional Economic Communities, like East Africa Community (EAF), Indian Ocean Commission (IOC), Southern Africa Development Community (SADC), and the recently adopted Africa Fisheries and Aquaculture Policy Framework and Reform Strategy (PFRS), also provide the framework for promoting regional fisheries management for shared fish stocks.



## Challenges of managing shared fish resources:

Some important challenges include:

- a) States having different fisheries resources management goals;
- b) Existence of apparent conflicts between economic necessity and ecological responsibility;
- c) Costs related to establishing cooperative management;
- d) Perceived loss of sovereignty by the coastal states;
- e) Ensuring that the agreement will be stable;
- f) The fact that some countries have not ratified/acceded relevant international agreements which provide background framework.

## At the sub - regional level, there are some specific challenges that should be addressed, including:

- a) The fact that the South West Indian Ocean region has some of the world's poorest countries;
- b) Weak or ineffective institutional and legal framework;
- c) Weak control and enforcement capabilities with insufficient monitoring, control and surveillance of fishing activities;
- d) Weak scientific research strategies;
- e) Lack of reliable, relevant and timely information in fisheries management;
- f) Minimal return of benefits to domestic economies;
- g) Challenges to maintain regional cooperation and solidarity in light of different national interests.

## Why have a mutual agreement?

The agreement would be important in facilitating cooperation in

- a) Promoting a common approach in engaging with RFMOs/RFBs, including common/harmonised implementation of adopted conservation and management measures;
- b) Securing national, regional and international information gathering and sharing;
- c) Promoting regionally harmonised scientific research;
- d) Addressing maritime boundaries;
- e) Ensuring mutually compatible fisheries access arrangements with Distant Water Fishing Nations (DWFN);
- f) Promoting common and cost-effective monitoring control and surveillance.

## Rationale and guiding principles of the SWIO Fisheries Accord

The guiding principles would include:

- a) Overseeing and protecting the integrity of regional initiatives;
- b) Commitment of SWIO States to develop coherent national and regional fisheries policies;
- c) Ensuring harmonisation with the African Fisheries and Aquaculture Policy Framework and Reform Strategy and other fisheries-related protocols from Regional Economic Communities.
- d) Acting as a framework for an enhanced relationship and funding stability among SWIO states;
- e) Implementing conservation and management measures established by the RFMOs/RFBs for the SWIO region.





## Actions implemented

- The African Union Inter-African Bureau for Animal Resources (AU-IBAR) conducted an international consultancy, with WWF support, to produce a discussion document, which was submitted through SWIOFC to all SWIO states for national consultations;
- The SWIOFC, through its Working Party for Coordination and Cooperation in Tuna Fisheries (WPCCTF), and in close collaboration with AU-IBAR, promoted regional level discussions of the same;
- The third SWIOFC WPCCTF, held in Maputo, in November 2014, recommended the member states to conduct internal discussions and transmit the outcomes to the SWIOFC Secretariat and AU-IBAR, to be formally submitted to SWIOFC Session for consideration and adoption.

## Recommendations

To encourage SWIO member states to agree on the relevance of the accord and ensure its adoption at the regional level, under the SWIOFC framework, and promote its subsequent implementation.

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