

CHAPTER EIGHT

IMPORTANT CURRENT ISSUES

There are two issues that I think we need to be familiar with when discussing about the development of the tuna industry in Malaysia. Both relate to conservation.

They are :

- 1) dolphin - tuna issue
- 2) tuna conservation

8.1 DOLPHINE-TUNA ISSUE

As recently as 1986, over 100,000 dolphins a year were dying in fishing nets used to catch Yellowfin tuna in the Eastern Tropical Pacific (ETP). For unexplained reasons dolphins and mature Yellowfin tuna have developed an association primarily in the ETP. The deaths of dolphins occurred when fishing boats set their nets

around schools of dolphins to catch the tuna underneath. Fortunately, new technology, better training for captains, and strict fishing regulations have helped in reducing the unintended deaths in dolphins drastically. Last year, the tuna fishery recorded only 3,300 dolphins deaths.

In the USA there is the “Marine Mammal Protection Act (MMPA) of 1972” which was passed to address the problem of dolphin destruction in the tuna fishery in the ETP. There have been several amendments to the MMPA but they have not been successful in providing total protection to dolphins.

Many of the improvements made to better protect the dolphins were outcomes of a voluntary and non-binding agreement known as the La Jolla Agreement. This pact provides guidelines for reducing dolphin mortality. The results have been a tremendous success in enhancing the protection of dolphins.

Over the last year, National Wildlife Foundation (NWF), Greenpeace and other organisations concerned with such issues have been working to secure the progress made in the La Jolla Agreement and to ensure that rules for future protection of dolphins and other marine-life of the ETP are binding on all fishing nations in that region. The result of the joint efforts is a new international fisheries

agreement, the Panama Declaration, signed by the USA and 11 other fishing nations in October, 1995.

One of the efforts made in protecting the dolphin was to allow tuna canners to use the words "dolphin-safe" on their labels. This was allowed only when it was observed (compulsory on-board observer) that there was no encirclement of dolphins in the ETP in order for that tuna to be labeled as "dolphin-safe."

The dolphin/tuna issue however, was not resolved with the "dolphin-safe" labeling of canned tuna. USA consumers can now buy tuna harvested from other oceans which do not require on-board observers. Therefore, current USA standards cannot guarantee the safety of dolphins during tuna fishing outside of the ETP. Meanwhile, dolphins continue to be encircled during tuna fishing in the ETP despite USA embargo and the ruling on "dolphin-safe" label. Moreover tuna is being sold in the growing market outside the USA.

NWF wants to change the criteria for the "dolphin-safe" label to mean zero dolphin death in the catching of tuna. Rather than banning a fishing technique, by focussing on the desired outcome for dolphin protection, NWF believes that consumers are given the appropriate information to make their purchase decisions

and fishing fleets are offered the best incentives to reduce dolphin deaths. NWF also considers the protection of dolphins in international waters to be necessary.

The "dolphin-safe" label, by definition, was intended to discourage the practice of encircling dolphins to catch tuna. However it has failed to do so.

While the La Jolla Agreement has reduced dolphin deaths by more than 90 percent since 1990, the "dolphin-safe" law has only reduced encirclement by just over 25 percent. Moreover, this reduction in encirclement is attributed to the mass exodus of the USA tuna fleet who left the ETP to avoid the "dolphin-safe" laws. Unfortunately, other fishing fleets continue to encircle dolphins with impunity.

Many transnational corporations involved in tuna fishing moved their tuna boats and processing facilities to areas where there is less regulation than in the ETP. Some sold their tuna boats to other countries. Thus there has been a shift in tuna canning production from USA territories in the South Pacific to Southeast Asia where the enforcement of these USA based policies is almost impossible.

Finally, it is also important to note that in the ETP and elsewhere, dolphins are not the only creatures killed by vessels purse-seining for mature tuna. Millions

of juvenile tuna, shark, sea turtles and billfish are taken as well. No effort has been made to reduce the full impact of this bycatch on the marine environment. It is clear that even the "dolphin-safe" tuna do not eliminate totally the environmental damage caused. There needs to be an international agreement, binding on all fishing countries, that will protect not only dolphins, but also other marine species including the long-term sustainability of tuna stocks.

8.2 TUNA CONSERVATION

Another issue that needs some consideration is the question of conservation. In view of the growing interest in harvesting tuna, two obvious questions are how abundant are the tuna stocks, and can they continue to support increasing yields? The answer to the second question depends, of course, on how these resources are managed.

Tuna are a renewable resource, and the rate at which they are harvested affects the rate at which they replace themselves. If the rate of removal is greater than the rate of replacement, stock abundance declines, and if it is less, stock abundance increases. If they are harvested at the same rate as they are naturally replaced, their abundance will, theoretically, remain constant. Of course, the ocean

is constantly changing, and this can affect the rates of increase. Population growth is therefore dependent not only on population size, but also on natural fluctuations in the ocean. Because of our ability to deplete the abundance of natural populations, we must be concerned with the conservation of these resources. We have to maintain the stocks at levels at which the rate of natural increase is maximal.

Tuna are highly migratory. Therefore conservation measures must be applicable internationally to be effective. The most appropriate way to achieve effective conservation is for all nations with an interest in the tuna resources to cooperate through some form of international institution. Most of the nations of the world already subscribe to this belief, as evidenced by the new Convention on the Law of the Sea.

There are currently organisations dedicated specifically to tuna conservation: the inter-American Tropical Tuna Commission (IATTC), established in 1949 and responsible for tunas in the eastern Pacific Ocean, the International Commission for the Conservation of Atlantic Tuna (ICCAT), established in 1970 and responsible for all tunas in the Atlantic Ocean and adjacent seas and just very recently, March 1996, the Indian Ocean Tuna Commission (IOTC). This new international body will be responsible for the management of tuna and tuna-like species in the Indian Ocean.

The ten founding members are Eritrea, the European Union, India, Korea, Madagascar, Mauritius, Pakistan, Seychelles, Sri Lanka, and the United Kingdom. The operations of the IOTC, which will take over and expand upon the responsibilities of the Indo-Pacific Tuna Development and Management Program (IPTP), will start as soon as the members finalize arrangements regarding the host country, budget levels and a formula for the allocation of individual contributions. (IPTP Release)

These organisations recommend conservation measures which once implemented by the nations involved in the fisheries, will result in restrictions on the fishermen in the form of catch quotas or size limits.

Today all the parties involved are confronted with fresh challenges and new opportunities to develop an important model of cooperation for conservation and sustainable fishing. If achieved, such an approach would benefit dolphins, other marine wildlife, the intrinsic values of marine biodiversity, as well as the economic stability for fishermen and societies of many nations involved in the fishery.

Malaysia too will have to ensure that adequate policies on the conservation of tuna are in place. We must take up measures that will provide sufficient controls and

restrictions in the catching of tuna so as to ensure the sustainable healthy tuna population.