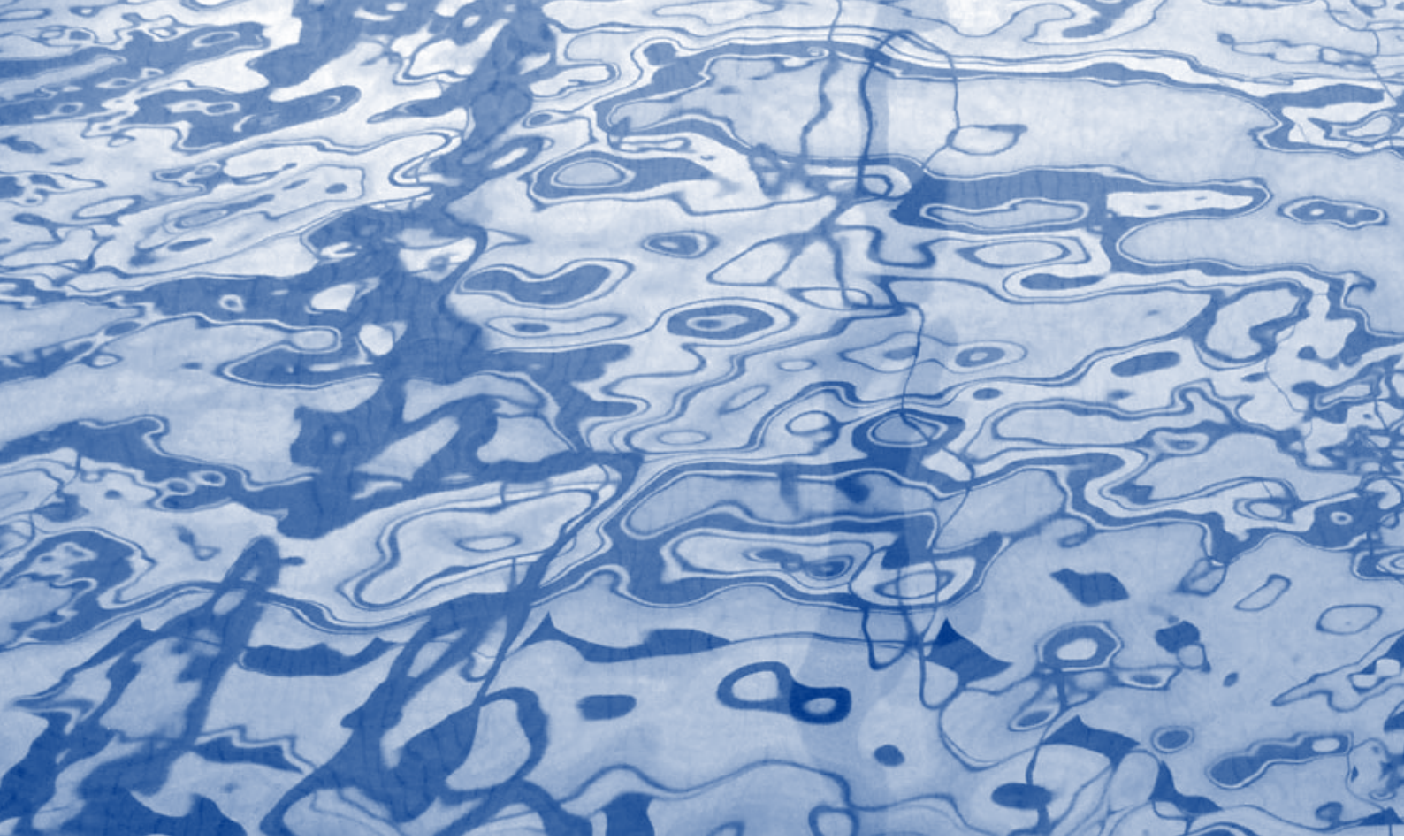
Reallocation in Torres Strait

Re-allocating resources between fishing sectors in torres strait commercial fisheries. Commercial sectoral views on long term implementation of protected zone joint authority resource allocation decisions.



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James Fogarty, MG Kailis Pty Ltd. jamesfogarty@kailis.com.au

Table of contents

History 1
Conflict 3
Resource allocation 5
The future 7

History

Over the last 10 years there has been around 30 primary boat licences operated by non-indigenous fishermen in the Torres Strait Lobster Fishery. These primary boats can have from one to seven dories working from the primary vessel. Collection in the fishery is by divers using hookah gear. Catch is either by looping around the head for live or spearing for tails. Historically the commercial sector has fished the deeper water leaving reef tops to the island inhabitants. Total catch has averaged approx 500 tonnes in the Torres Strait except for a couple of blips in 2001 and 2002 when grave concerns were held for the fishery. New management arrangements such as minimum sizes and a four month closure from October 1 to February 1 were introduced. The fishery has since rebounded to a record year in 2005. The share of the catch over this period has been between 60-70% to the commercial sector and the balance to the indigenous sector. No new commercial licences can be issued but there is basically no limit on traditional inhabitant licences.

Conflict

The traditional inhabitants have a view that under the Torres Strait Treaty they have a priority over all other parties to the lobster resource and therefore commercial fishermen should have no rights to take lobster in the Torres Strait. The commercial sector disagrees with this view and a number of legal opinions have been published that indicate whilst islanders have preference when it comes to traditional fishing there is no preference in the commercial fishing area. Over the last few years, catches have been excellent and fishing effort has risen quite markedly within the commercial sector. Whilst there has been no change in the number of licences in this sector the number of days fished has risen steadily, the abundance on the ground being the major reason for this increase. The increasing presence of commercial vessels at various locations in the Torres Strait has been a source of irritation to some island communities. In 2005 there were a number of incidents where large numbers of islanders approached vessels and suggested in a quite forcible manner that they should depart the area they currently fished. The commercial sector view has always been that they hold licences to fish these waters and therefore they had every right to fish all licensed areas. Numerous discussions with all parties involved in the fishery failed to resolve the conflicts occurring on the fishing grounds and with the probability of real violence occurring at sea a resource allocation suggestion was promulgated.

Resource allocation

The PZJA makes the rules for this fishery. It consists of the Federal Minister for Fisheries, the Queensland Minister for Primary Industries and the Chairman of the Torres Strait Regional Authority. After receiving submissions from interested parties the PZJA decided that after allocating the PNG share required under the treaty the balance of the fishery would be split 50/50 between the iindigenous and non-indigenous sectors of the fishery. The commercial sector disagreed with this outcome, firmly believing that whilst ever they held the requisite authority and input controls existed in a fishery it was a fundamental right to catch whatever they were physically able to take. Nevertheless in the interests of a sense of stability and an end to conflict at sea the commercial sector agreed to become part of the process.

The PZJA advised that the Commonwealth would provide the funds to buy out on a voluntary basis the necessary licences to cover the 25% PNG entitlement under the treaty and any further requirements to achieve 50/50 would be funded by Queensland. The PZJA also advised that the share of the catch should in time become 30% commercial and 70% indigenous. Converting from 50/50 to 30/70 would be done by open market trading. To achieve this outcome the PZJA made the decision to change the management of the fishery from input controls to output controls. To this end a total allowable catch will be calculated and a quota system will be in place in 2007.

The future

It is important to recognise that the development of the Torres Strait Lobster Fishery into a successful industry providing substantial economic benefit to indigenous communities has only occurred because of the vibrant commercial catching sector. It is this commercial industry component that has developed and provided all the essential ingredients to allow a fishery to become a productive industry, including:

- catching techniques and expertise
- product handling systems, particularly live lobster on vessel and on shore
- product handling infrastructure
- markets and customers
- finance
- people and expertise.

There now exists a balance in this fishery that enables an efficient operation of all facets of the infrastructure. Any dramatic change in the current balance will have a negative effect on areas of operation, particularly in the areas of costs of operation and marketing. Markets are now well established in China for live product and the USA for frozen product. Selling prices for live product are the highest of all Australian lobster. If under the new regime the quantity of product available to the market declines the enthusiasm of the commercial sector to be involved will abate with consequent damage to the fishery overall. For this fishery to continue to prosper and provide real economic benefit to the residents of the Torres Strait partnerships need to be developed between both sectors of the fishery.