

Ten minutes presentation providing the perspective of an RFMO developing contracting party on ways and means of further enhancing the effectiveness of performance reviews through the resumed review conference on the Agreement and other intergovernmental process, including with reference to Sri Lanka.

I listened with interest to the rich presentation made by parties to the UNFSA yesterday and today and thank them for their valuable insights.

The Democratic Socialist Republic of Sri Lanka has become a Contracting Party to the Indian Ocean Tuna Commission(IOTC) in 1994 and to the agreement on Conservation and Management of Straddling fish stocks and Highly migratory fish stocks in 1996.

Due to the prevailed ethnic conflicts in the country from early eighties to 2009, our attention on implementation of the Agreement and the active participation at the meetings of the Indian Ocean Tuna Commission have not been regular.

However, after restoration of peace in the year of 2009, the country recapped the functions of fisheries sector. Since 2011, Sri Lanka is actively participating in the annual sessions in IOTC and we had been working with the parties to the convention with the financial assistance of the IOTC and the Part VII of the UNFSA as well. It is therefore worth to mention here that without the said funding assistance, Sri Lanka would not have been able to achieve the present progress.

Before the year 2013, Sri Lanka did not have legal provisions for high seas fishing. The flag vessels were fishing in high seas without complying to the high seas obligations. This was mainly due to the ignorance and the lack of exposure to the modern developments of fishery management principles and the provisions of the Convention and the Agreements ratified. Sri Lanka faced many hardships during the period of resuming the ideal state for fishing in high seas. We found that it requires a robust legal system, political will to develop binding conservation and management measures and a legal system capable of successfully prosecuting offenders.

In 2013, the Fisheries Laws have been amended to incorporate the high seas obligations in complying with the Convention and the Agreements. This covered the United Nations Straddling fish stock and Highly Migratory Fish Stock Agreement, FAO Compliance Agreement, Port State Measures Agreement and the resolutions of IOTC.

At present Sri Lanka supports long-term conservation and sustainable use of living marine resources through effective implementation of the provisions of the United Nations Fish Stock Agreement. This has been achieved mainly by complying with the Conservation and Management Measures and the recommendations of Indian Ocean Tuna Commission .

IOTC has adopted a range of Conservation and Management Measures recalling the articles of the Convention and Agreement on which the member countries are bound to implement those by incorporating in to the national legislation.

The contracting parties are assessed annually within the frame work of the IOTC for the implementation of conservation and management measures and the feedback is produced. This tends the member States to improve the management systems.

All nations do not have the capacity required to enforce adopted Conservation and Management measures. Sri Lanka as a developing State still lacks in sophisticated fisheries management systems and therefore, need assistance in the areas of human resource development, training, technology transfer, infrastructure to conduct scientific stock assessment and research, domestic implementation of compliance and enforcement measures.

IOTC has sent several compliance assistance missions to Sri Lanka to assist data collection process and reporting systems and implementation of port state measures. Due to the inability of deploying of human observers onboard in the small vessels

operate in high seas a pilot project on electronic monitoring system is being implemented to collect scientific data under technical assistance of IOTC.

It is understood that a mix of expertise need to be involve in RFMO activities, such as a legal expert, a fisheries manager and other relevant technical expertise which Sri Lanka feels lacking in some of the fields.

Majority of contacting parties of IOTC are developing coastal states those who engage in high seas fishing only in the Indian Ocean. Therefore most of the members, do not have broad knowledge in protocol and the application of international conventions. Some members, especially the developed distant water fishing nations bring in the experience and expertise from other tuna RFMOs to the discussions of IOTC which enlighten the others on global scale application.

Precautionary measures and ecosystem based fishery management measures are operating under the frame work of IOTC, to maintain the stocks at healthy status. However this modern fisheries managements principles are not included to the text of IOTC Agreement and therefore currently the Agreement is being amended to incorporate those principles.

Being a developing coastal state with large native fisher population those depend on fisheries for livelihoods, food security, and foreign exchange earnings, Sri Lanka face many socio-economic issues when the conservation and management measures come in to the implementation.

It is not so simple to enforce limitations and capping of the efforts in fisheries sector of developing countries like Sri Lanka, which having significant number of small size artisanal and semi industrial fleet. Sri Lanka sustainable fisheries framework noted a number of challenges in adopting a defined ecosystem-approach. These challenges

included the incorporation and development of practical tools for multispecies management and environmentally sound fishing practices.

However the decisions arrived on scientific base does not affect all nations equally. The tropical coastal countries, those with are rich in bio diversity, face the issue of high incidental catch rates of non-target species. It takes time and cost for apply remedies, mitigation measures or gear conversions. Enforcement of Conservation and Management measures in a legally-binding manner within a short period of time, matters upon creating social issues.

This is where the Disproportionate Burden comes into the picture. It is very important to ensure that the conservation and management measures do not result in transfer directly or indirectly, a disproportionate burden onto developing States. The Code of Conduct for Responsible Fisheries also recommends taking into account the interests of the coastal developing countries on their development of fisheries.

Fisheries managers are not there only to manage the resource but also to manage socio-economic background of the fisher community. In the case where the Social unrest arise it is complicated to implement any of the management measures.

The IOTC has initiated integrating and engaging on social science elements with tuna fisheries which we believe that it will help to resolve the issues to some extent. This will lead to analyze the social impacts of the decisions arrived based on scientific studies and to minimize the adverse impacts to the developing nations.

Although most of elements of the Convention and Agreement are being implemented, six fish stocks are subjected to overfishing in the Indian Ocean. While applying rebuilding plans for such stocks several technical meetings are being conducted heading for catch quota allocation. As per the IOTC scientific committee lack of reliable data, provision of substandard data, the gaps in data collection systems and

reporting has affected stock calculations. Further it has been identified that the lenient nature of compliance assessments, lack of penalties has further intensified situation. Therefore Stringent compliance assessment measures to be applied to overcome this issue.

In this scenario Sri Lanka also face difficulties of collecting coastal data due to multispecies, multi-gear nature and occurrence of multi landing centers which leads lack of reliable estimates of related catch and effort. Therefore, The need for scientific and technical assistance with regard to scientific data collection , analysis and reporting is emphasized .

The effectiveness of the conservation and management measures dependent on the the effective interaction of science and policy-makers. The managers and policy-makers still feel difficult to understand the management procedures put forward by the scientists .

In conclusion, The informal consultation of state parties to Agreement and the resumed review conference are important forums to share experiences and challenges, and to reflect the obligation under the agreement and to further strengthen implementation of the Agreement in smooth manner.

Finally I would like to thank the Division for Ocean Affairs and the Law of the Sea (DOALOS) for inviting Sri Lanka to be a panelist in the 4th segment of the 14th informal consultation. I wish to reiterate that Sri Lanka stands ready to work closely with all our international partners to develop our fisheries sector and also to contribute to the work of this committee.

Thank you