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Submission to the Productivity Commission inquiry into regulation of the marine fisheries and aquaculture sectors

The Productivity Commission's inquiry into regulation of the Australian marine fisheries and aquaculture sectors sought to identify opportunities to improve fisheries regulations without compromising fishery policy and environmental objectives. The terms of reference included the extent to which fisheries management regimes align with and protect the interests of the wider community, including Indigenous fishing interests, and the extent to which fisheries management regimes support greater participation of Indigenous Australians, incentivise Indigenous communities to manage their fisheries, and incorporate traditional management practices.

The AIATSIS submission responds to the Commission's draft findings, providing advice on recognising Indigenous customary fishing as a sector in its own right, and recommending that Indigenous peoples are made active partners in the regulation and management of marine fisheries, rather than just being consulted.

The submission notes that while any changes to the regulation of these sectors must be consistent with native title rights, customary fishing as a recognised sector should not be confined to Indigenous groups which have recognised native title. New regulatory definitions of customary fishing also do not necessarily need to exclude commercial fishing activities.

Management of fisheries must be done in partnership with Indigenous peoples, and requires greater understanding of the diverse benefits that customary fishing brings to Indigenous communities, the historical processes which have led to the exclusion of Indigenous fishers, and the capacity of Indigenous land and sea management organisations to play a direct role in fisheries management with appropriate support.

The submission also recommends greater regulatory support for increasing Indigenous participation in the commercial fishing sector, as a means of creating sustainable livelihoods for many Indigenous communities.

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