

PERATURAN PRESIDEN REPUBLIK INDONESIA
NOMOR 109 TAHUN 2007
TENTANG
PENGESEHAN CONVENTION FOR THE CONSERVATION OF SOUTHERN BLUEFIN
TUNA (KONVENSI TENTANG KONSERVASI TUNA SIRIP BIRU SELATAN)

DENGAN RAHMAT TUHAN YANG MAHA ESA

PRESIDEN REPUBLIK INDONESIA,

Menimbang :

- a. bahwa dalam rangka menjamin dan mendukung konservasi dan pengelolaan secara tepat sumberdaya perikanan tuna sirip biru selatan untuk pemanfaatan secara optimal dan berkelanjutan, di Canberra, Australia, pada tanggal 10 Mei 1993 telah ditandatangani Convention for the Conservation of Southern Bluefin Tuna (Konvensi tentang Konservasi Tuna Sirip Biru Selatan);
- b. bahwa Indonesia sebagai Negara pantai memiliki potensi sumberdaya ikan tuna sirip biru selatan, yang perlu dikelola dan dimanfaatkan bagi kepentingan nasional;
- c. bahwa berdasarkan pertimbangan sebagaimana dimaksud dalam huruf a dan huruf b, perlu mengesahkan Konvensi tersebut dengan Peraturan Presiden;

Mengingat:

1. Pasal 4 ayat (1) dan Pasal 11 Undang-Undang Dasar Negara Republik Indonesia Tahun 1945;
2. Undang-Undang Nomor 17 Tahun 1985 tentang Pengesahan United Nations Convention on the Law of the Sea (Konvensi Perserikatan Bangsa-Bangsa tentang Hukum Laut) (Lembaran Negara Republik Indonesia Tahun 1985 Nomor 76, Tambahan Lembaran Negara Republik Indonesia Nomor 3319);
3. Undang-Undang Nomor 24 Tahun 2000 tentang Perjanjian Internasional (Lembaran Negara Republik Indonesia Tahun 2000 Nomor 185, Tambahan Lembaran Negara Republik Indonesia Nomor 4012);
4. Undang-Undang Nomor 10 Tahun 2004 tentang Pembentukan Peraturan Perundang-undangan (Lembaran Negara Republik Indonesia Tahun 2004 Nomor 53, Tambahan Lembaran Negara Republik Indonesia Nomor 4389);
5. Undang-Undang Nomor 31 Tahun 2004 tentang Perikanan (Lembaran Negara Republik Indonesia Tahun 2004 Nomor 118, Tambahan Lembaran Negara Republik Indonesia Nomor 4433);

MEMUTUSKAN :

Menetapkan:

PERATURAN PRESIDEN TENTANG PENGESEHAN CONVENTION FOR THE CONSERVATION OF SOUTHERN BLUEFIN TUNA (KONVENSI TENTANG KONSERVASI TUNA SIRIP BIRU SELATAN).

Pasal 1

Mengesahkan Convention for the Conservation of Southern Bluefin Tuna (Konvensi tentang Konservasi Tuna Sirip Biru Selatan) yang naskah aslinya dalam Bahasa Inggris dan terjemahannya dalam Bahasa Indonesia sebagaimana terlampir dan merupakan bagian yang tidak terpisahkan dari Peraturan Presiden ini.

Pasal 2

Apabila terjadi perbedaan penafsiran antara naskah terjemahan Konvensi dalam Bahasa Indonesia dengan naskah aslinya dalam Bahasa Inggris sebagaimana dimaksud dalam Pasal 1, maka yang berlaku adalah naskah aslinya dalam Bahasa Inggris.

Pasal 3

Peraturan Presiden ini mulai berlaku pada tanggal ditetapkan.

Agar setiap orang mengetahuinya, memerintahkan pengundangan Peraturan Presiden ini dengan penempatannya dalam Lembaran Negara Republik Indonesia.

Ditetapkan di Jakarta
pada tanggal 6 Desember 2007
PRESIDEN REPUBLIK INDONESIA,

ttd.

DR. H. SUSILO BAMBANG YUDHOYONO

Diundangkan di Jakarta
pada tanggal 6 Desember 2007
MENTERI HUKUM DAN HAK ASASI MANUSIA
REPUBLIK INDONESIA,

ttd.

ANDI MATTALATTA

LEMBARAN NEGARA REPUBLIK INDONESIA TAHUN 2007 NOMOR 148

CONVENTION FOR THE CONSERVATION OF SOUTHERN BLUEFIN TUNA

The Parties to this Convention:

Considering their mutual interest in southern bluefin tuna;

Recalling that Australia, Japan and New Zealand have already taken certain measures for the conservation and management of southern bluefin tuna;

Paying due regard to the rights and obligations of the Parties under relevant principles of international law;

Noting the adoption of the United Nations Convention on the Law of The Sea in 1982;

Noting that States have established exclusive economic or fishery zones within which they exercise, in accordance with international law, sovereign rights or jurisdiction for the purpose of exploring and exploiting, conserving and managing the living resources;

Recognising that southern bluefin tuna is a highly migratory species which migrates through such zones;

Noting that the coastal States through whose exclusive economic or fishery zones southern bluefin tuna migrates exercise sovereign rights within such zones for the purpose of exploring and exploiting, conserving and managing the living resources including southern bluefin tuna;

Acknowledging the importance of scientific research for the conservation and management of southern bluefin tuna and the importance of collecting scientific information relating to southern bluefin tuna and ecologically related species;

Recognising that it is essential that they cooperate to ensure the conservation and optimum utilisation of southern bluefin tuna;

Have agreed as follows:

Article 1

This Convention shall apply to southern bluefin tuna (*Thunnus maccoyii*).

Article 2

For the purposes of this Convention:

- (a) "ecologically related species" means living marine species which are associated with southern bluefin tuna, including but not restricted to both predators; and prey of southern bluefin tuna;
- (b) "fishing" means:
 - (i) the catching, taking or harvesting of fish, or any other activity which can reasonably be expected to result in the catching, taking or harvesting of

- fish; or
- (ii) any operation at sea in preparation for or in direct support of any activity described in sub-paragraph (i) above.

Article 3

The objective of this Convention is to ensure, through appropriate management, the conservation and optimum utilisation of southern blue fin tuna.

Article 4

Nothing in this Convention nor any measures adopted pursuant to it shall be deemed to prejudice the positions or views of any Party with respect to its rights and obligations under treaties and other international agreements to which it is party or its positions or views with respect to the law of the sea.

Article 5

1. Each Party shall take all action necessary to ensure the enforcement of this Convention and compliance with measures which become binding under paragraph 7 of Article 8.
2. The Parties shall expeditiously provide to the Commission for the Conservation of Southern Bluefin Tuna scientific Information, fishing catch and effort statistics and other data relevant to the conservation of southern bluefin tuna and, as appropriate, ecologically related species.
3. The Parties shall cooperate in collection and direct exchange, when appropriate, of fisheries data, ecological samples and other information relevant for scientific research on southern bluefin tuna and ecologically related species.
4. The Parties shall cooperate in the exchange of information regarding any fishing for southern bluefin tuna by nationals, residents and vessels of any State or entity not party to this Convention.

Article 6

1. The Parties hereby establish and agree to maintain the Commission for the Conservation of Southern Bluefin Tuna (hereinafter referred to as "the Commission").
2. Each Party shall be represented on the Commission by not more than three delegates who may be accompanied by experts and advisers.
3. The Commission shall hold an annual meeting before 1 August each year or at such other time as it may determine.

4. At each annual meeting the Commission shall elect from among the delegates a Chair and a Vice-Chair. The Chair and the Vice-Chair shall be elected from different Parties and shall remain in office until the election of their successors at the next annual meeting. A delegate, when acting as Chair, shall not vote.
5. Special meetings of the Commission shall be convened by the Chair at the request of a Party supported by at least two other Parties.
6. A special meeting may consider any matter of relevance to this Convention.
7. Two-thirds of the Parties shall constitute a quorum.
8. The rules of procedure of the Commission and other internal administrative regulations as may be necessary to carry out its functions shall be decided upon at the first meeting of the Commission and may be amended by the Commission as occasion may require.
9. The Commission shall have legal personality and shall enjoy in its relations with other international organisations and in the territories of the Parties such legal capacity as may be necessary to perform its functions and achieve its ends. The immunities and privileges which the Commission and its officers shall enjoy in the territory of a Party shall be subject to agreement between the Commission and the Party concerned.
10. The Commission shall determine the location of its headquarters at such time as a Secretariat is established pursuant to paragraph 1 of Article 10.
11. The official languages of the Commission shall be Japanese and English. Proposals and data may be submitted to the Commission in either language.

Article 7

Each Party shall have one vote in the Commission. Decisions of the Commission shall be taken by a unanimous vote of the Parties present at the Commission meeting.

Article 8

1. The Commission shall collect and accumulate information described below:
 - (a) scientific information, statistical data and other information relating to southern bluefin tuna and ecologically related species;
 - (b) information relating to laws, regulations and administrative measures on southern bluefin tuna fisheries;
 - (c) any other information relating to southern bluefin tuna.
2. The Commission shall consider matters described below:
 - (a) interpretation or implementation of this Convention and measures adopted