

IUU Fishing

IUU: Overview

- Introduction
- Trends in Fisheries
- Fishing Fleet & Fishers
- Impacts of IUU Fishing
- The Way Forward
- Conclusion

International Day against IUU fishing

- The General Assembly of the United Nations (UNGA) declared 5 June the International Day for the Fight against IUU Fishing at its seventy-second session in November 2017.
- This is the day that the Agreement on Port State Measures entered into force.
- The purpose of this day is to draw attention to the threats posed by IUU fishing activities
- To the sustainable use of fisheries resources as well as to ongoing efforts to fight these activities.
- The International Day for the fight against IUU fishing was celebrated for the first time on 5 June 2018.

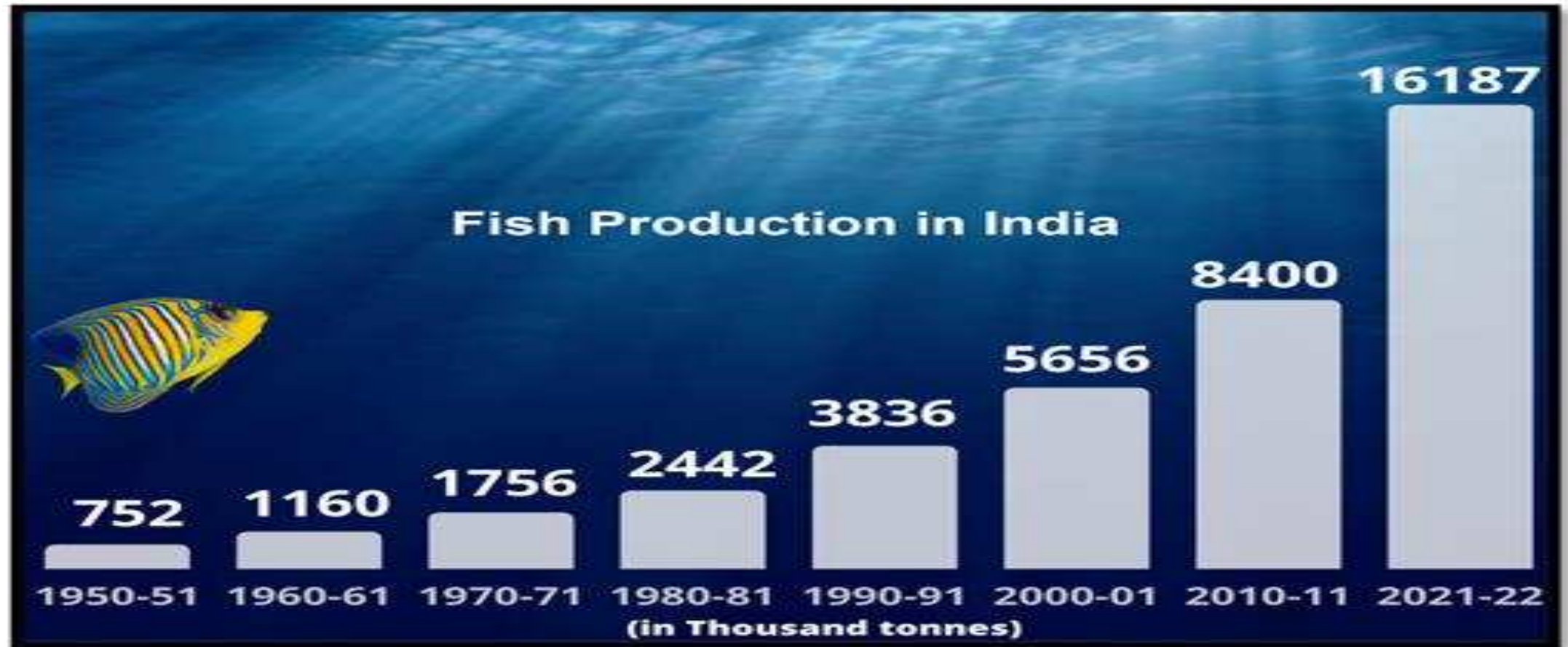
Indian Fisheries

- India is a maritime country
- It has wide water resources lying both in inland and marine sectors
- Utilized for capture and culture fisheries.
- The Indian fisheries sector is set in a unique and diverse set of ecosystems ranging from the pristine waters of the Himalayas to the sprawling Indian Ocean.
- The fisheries biodiversity of the country encompasses a wide spectrum of physical and biological components that support the livelihoods of millions of people.

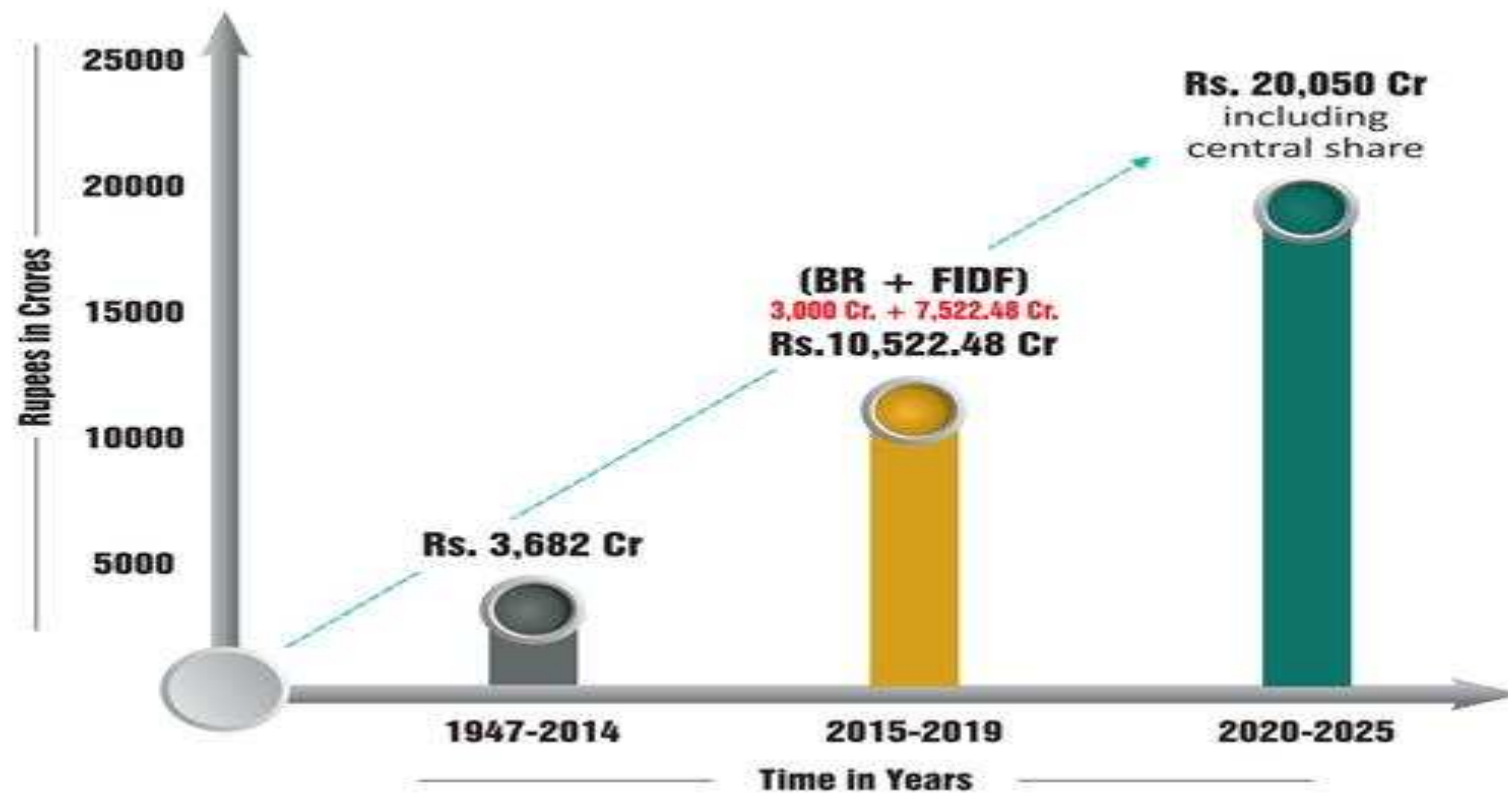
The Fisheries Sector: ‘Local to Global’.

- The fisheries sector plays an important role in the Indian economy.
- It contributes to the national income, exports, food, nutritional security, and employment generation.
- Is also a principal source of livelihood for a large section of population of the country, especially in the coastal areas.
- India has become the **3rd largest fish producer** and the **4th largest exporter of fish and fisheries products**.

Production



Blue Revolution in the country



Notable

- The Government is committed to a national target to increase fish production to 22 million metric tons by 2024-2025
- Which will have a positive impact on 2.80 crore fishers and fish farmers and almost twice that number along fish-related value chains
- The Central government has announced the **highest-ever investment of Rs. 30,572 crores** in the fisheries (2015-2025)

Schemes and Programmes

- Blue Revolution Scheme
- Fishery and Aquaculture Infrastructure Development Fund (FIDF) and
- Pradhan Mantri Matsya Sampada Yojana (PMMSY).
- The development of modern fishing harbours and fish landing centres has also been envisioned, beginning with five major fishing harbours that will be developed as hubs of economic activity.
- The fish production reached an **all-time high of 16.25 MMT during FY 2021-22 with marine exports touching Rs. 57,586 Crores.**

What is IUU Fishing?

Illegal, Unreported, and Unregulated (IUU) fishing

- Illegal, unreported, and unregulated (IUU) fishing is a broad term that captures a wide variety of fishing activities.
- IUU fishing is found in all types and dimensions of fisheries;
- It occurs both on the high seas and in areas within national jurisdiction.
- It concerns all aspects and stages of the capture and utilisation of fish, and
- It may sometimes be associated with organized crime.



Impact of IUU Fishing

- One of the main threats to fisheries resources
- Not just an ecological problem
- Threat to the economic and food security
- Major factor for the economic vulnerability of fishers

Why IUU Fishing Persists

- Vast areas of the ocean to monitor
- Limited capacity for fisheries monitoring, control, and surveillance (MCS)
- Weak or nonexistent laws
- Easy to conceal the identity
- Lack of consistent port controls
- Nations unwilling or unable to control fleets
- IUU = High profit / Low risk

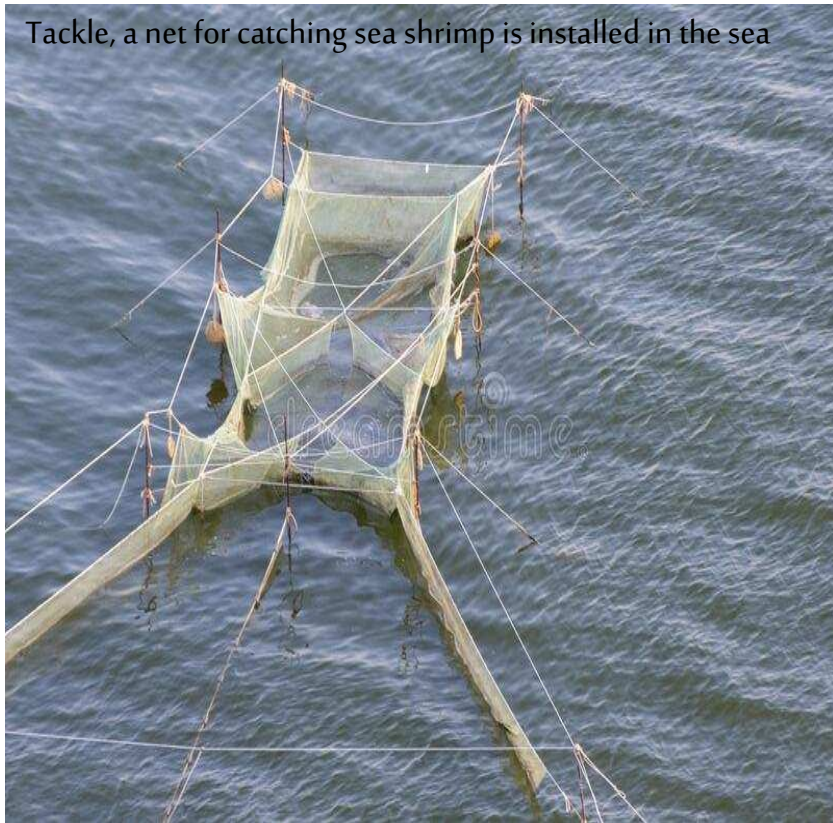
Illegal, Unreported and Unregulated (IUU) Fishing

Fishing in contravention of national, regional, and international laws

- Misreporting or non-reporting of information on fishing
- Fishing by stateless vessels
- Fishing by vessels, not party to or in contravention of RFMO
- Fishing in areas or for fish stock where there are no conservation or management measures

(FAO, 2011)

Reference to broad activities classified as IUU fishing is included in the IPOA-IUU as follows:



- **Illegal fishing**
- **Unreported fishing**
- **Unregulated fishing**

Illegal fishing

- Conducted by national or foreign vessels in waters under the jurisdiction of a State, **without the permission** of that State, or in contravention of its laws and regulations;
- Conducted by vessels flying the flag of States that are parties to a relevant regional fisheries management organisation but **operate in contravention** of the conservation and management measures adopted by that organisation and by which the States are bound, or relevant provisions of the applicable international law; or
- In violation of national laws or international obligations, including those undertaken by cooperating States to a relevant regional fisheries management organization.



Unreported fishing

- Which have not been reported, or have been misreported, to the relevant national authority, in contravention of national laws and regulations; or
- Are undertaken in the area of competence of a relevant regional fisheries management organisation which have not been reported or has been misreported, in contravention of the reporting procedures of that organisation.



Unregulated fishing



- In the area of application of a relevant regional fisheries management organization that are conducted by vessels without nationality, or by those flying the flag of a State not party to that organization, or by a fishing entity, in a manner that is not consistent with or **contravenes the conservation and management measures of that organization**; or
- In areas or for fish stocks in relation to which there are no applicable conservation or management measures and where such fishing activities are conducted in a manner inconsistent with State responsibilities for the conservation of living marine resources under international law.

Impacts of IUU Fishing

- **Environmental Impacts**

- Destructive fishing practices
- Destruction of habitats
- Overfishing of high-value species
- Reduction in fish stock

- **Food Security**

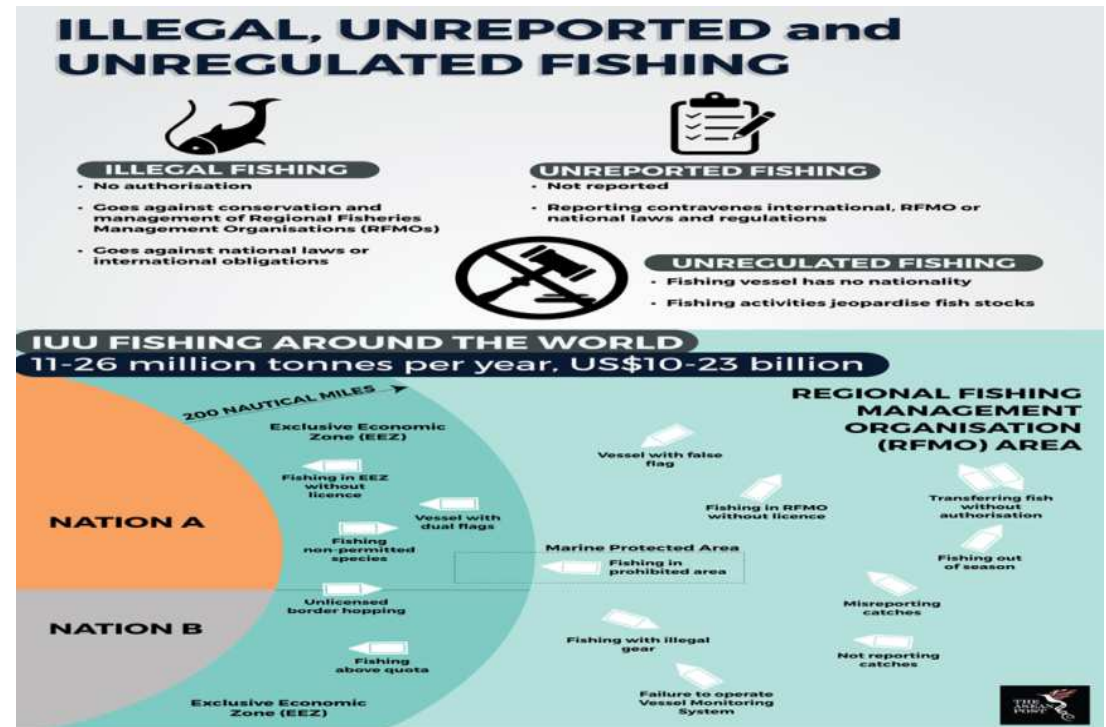
- **Socio-Economic**

- Tax Revenues
- Tourism

Impact

- IUU fishing undermines national and regional efforts to conserve and manage fish stocks and, as a consequence, inhibits progress towards achieving the goals of long-term sustainability and responsibility.
- IUU fishing greatly disadvantages and discriminates against those fishers that act responsibly, honestly, and in accordance with the terms of their fishing authorizations.
- If IUU fishers target vulnerable stocks that are subject to strict management controls or moratoria, efforts to rebuild those stocks to healthy levels will not be achieved, threatening marine biodiversity, food security for communities who rely on fisheries resources for protein and the livelihoods of those involved in the sector.

This file photo shows Indonesian authorities destroying seven of 75 foreign illegal fishing vessels in the waters off Belawan in Medan, North Sumatra province, on 1 April, 2017, as scuttling of fishing vessels took place in 11 different locations at the same time. (Gatha Ginting / AFP Photo)



ILLEGAL, UNREPORTED and UNREGULATED FISHING



ILLEGAL FISHING

- No authorisation
- Goes against conservation and management of Regional Fisheries Management Organisations (RFMOs)
- Goes against national laws or international obligations



UNREPORTED FISHING

- Not reported
- Reporting contravenes international, RFMO or national laws and regulations

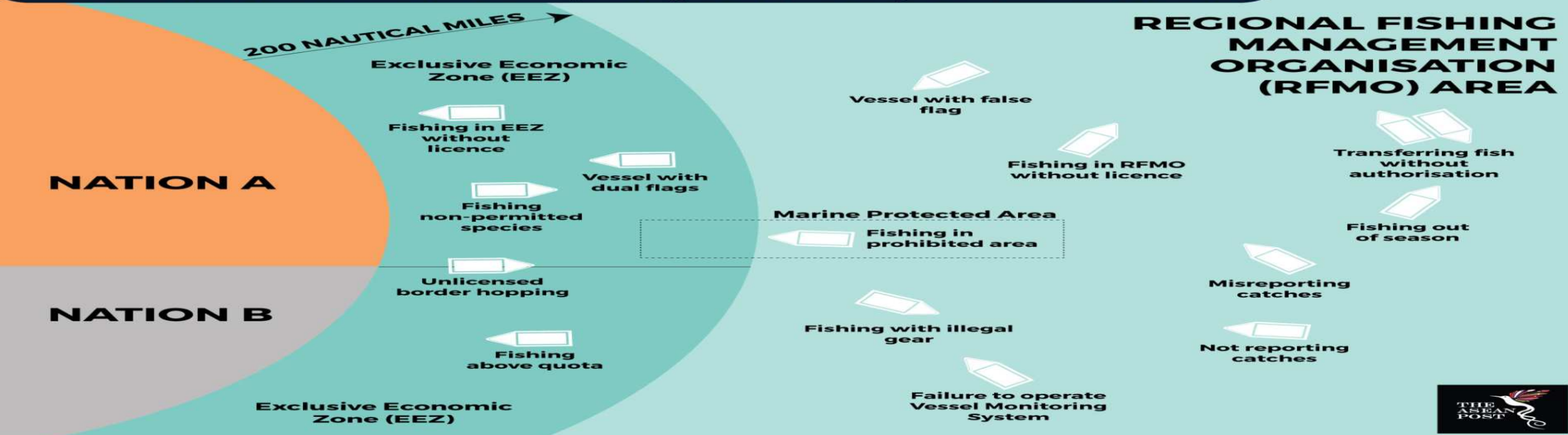


UNREGULATED FISHING

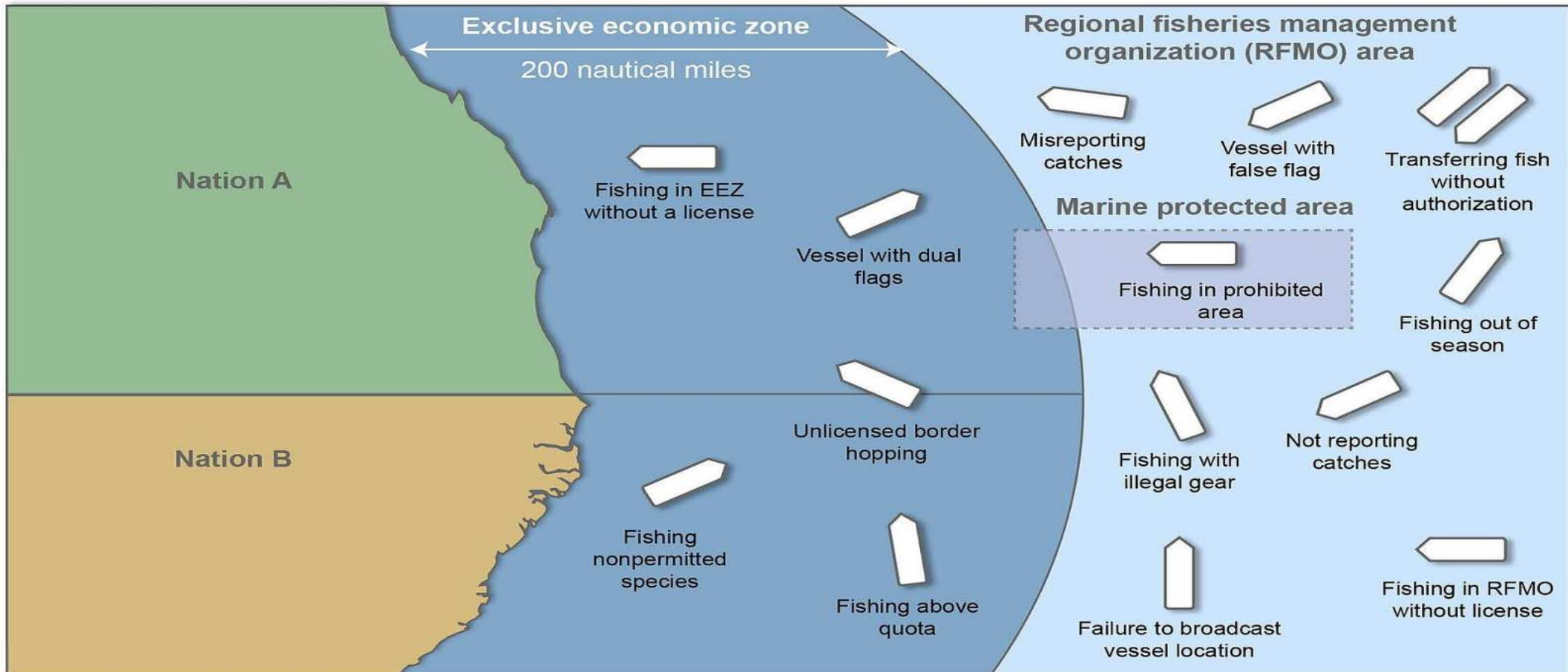
- Fishing vessel has no nationality
- Fishing activities jeopardise fish stocks

IUU FISHING AROUND THE WORLD

11-26 million tonnes per year, US\$10-23 billion



Types Of Illegal, Unreported and Unregulated Fishing



International Framework

- An international framework has been developing to address fisheries management since the adoption of [UNCLOS](#) in 1982, with an increasing number of fisheries management instruments beginning in the 1990s.
- This framework is comprised of both binding agreements and voluntary instruments which facilitate the management of fisheries at the global, regional, and national levels.

International Framework

- Within this framework, a number of provisions and requirements specifically address IUU fishing, with provisions and guidance relating to port State measures, flag State performance, coastal State responsibilities, market State measures, or a combination of all or some of these.
- More recently, instruments have been formulated and agreed upon which specifically address IUU fishing.
- Together, these instruments comprise a powerful suite of tools to combat IUU fishing, and IUU fishing can only be eliminated when States fulfill their responsibilities under this framework.

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FAO Compliance Agreement

- *The Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas (The Compliance Agreement),*
- Aims to enhance the role of flag States and ensure that a State strengthens its control over its vessels to ensure compliance with international conservation and management measures.

Compliance Agreement

- It notes the special responsibility of flag States to ensure that none of their vessels are fishing on the high seas unless authorized and
- They can effectively exercise their responsibilities to ensure their vessels comply with international measures.

Compliance Agreement

- *The Compliance Agreement* also seeks to prevent the “re-flagging” of vessels fishing on the high seas under the flags of States that are unable or unwilling to enforce international fisheries conservation and management measures.
- The maintenance of records of fishing vessels, international cooperation, and enforcement are covered extensively by the provisions of the Agreement.
- *The Compliance Agreement* was approved by the FAO Conference at its 27th session in November 1993 and entered into force on 24 April 2003, after the twenty-fifth instrument of acceptance was deposited with the FAO Director-General.

Sustainable Development Goal 14: Conserve and sustainably use the oceans, seas and marine resources for sustainable development

- 14.4 By 2020, effectively regulate harvesting and **end overfishing, illegal, unreported, and unregulated fishing**, and destructive fishing practices and implement science-based management plans, in order to restore fish stocks in the shortest time feasible, at least to levels that can produce maximum sustainable yield as determined by their biological characteristics
- 14.6 By 2020, prohibit certain forms of fisheries subsidies that contribute to overcapacity and overfishing, **eliminate subsidies that contribute to illegal, unreported and unregulated fishing** and refrain from introducing new such subsidies, recognizing that appropriate and effective special and differential treatment for developing and least developed countries should be an integral part of the World Trade Organization fisheries subsidies negotiation
- [FN: Taking into account ongoing World Trade Organization negotiations, the Doha Development Agenda and the Hong Kong ministerial mandate.]

Multilateral Efforts

- **FAO**

- International Plan of Action to Prevent, Deter and Eliminate (IUU) Fishing
- Port State Measures Agreement (1 ratification required for entry into force)
- Guidelines on Catch Documentation Schemes (in development)

- CITES for endangered species Annexes I and II

Regional efforts

Regional Fisheries Management Organisations

- Trade documentation schemes and import bans
- Catch Documentation Schemes

Multilateral Efforts

- Trans-Pacific Partnership Agreement
 - Prohibits subsidies provided to any fishing vessel listed by its flag state or an RFMO for IUU fishing.
 - Establishes commitments to address IUU fishing e.g. implement port state measures, support MCS and enforcement mechanisms to deter flagged vessels and nationals from IUU fishing, and address transshipment...

Unilateral efforts

United States

- Identification: Magnuson-Stevens Reauthorisation Act (2006) e.g.
 - Colombia
 - Ecuador
 - Nicaragua
 - Portugal
- Certification: Traceability requirements for imports of at-risk fish

European Union

- Identification: Yellow / Red / Green card system (2010) e.g.
 - Cambodia
 - Thailand
 - Sri Lanka
- Certification: catch documentation requirement covers all fish imported into the EU

E15 Initiative Oceans and Fisheries Expert Group

Policy Options Work Package 1: Market access conditions to Prevent, Deter and Eliminate IUU Fishing

- Build consultative, effective, and coordinated unilateral import measures
- Create a network of regional measures to address the IUU fish trade
- Develop a system of multilateral instruments on trade in IUU fish products
- Support the expansion of private-sector schemes

Inclusiveness – Transparency – Policy coherence – Capacity-building

UNCTAD-Commonwealth Secretariat Ad Hoc Expert Group Meeting on Trade in Sustainable Fisheries (2015)

Chairman's Conclusions

- Achieve full transparency of fisheries subsidies
- Need to quantify evidence on IUU, its market effects, and the cost of inaction, provide options to track trade in fish, and assess companies' control over seafood value chains.
- Political will to promote implementation and practical application of international instruments like the FAO Port State Measures Agreement.
- National IUU schemes should be based on international law so they are not discriminatory, arbitrary, or obstacles to trade, and should be focused on incentivising action to address IUU, not sanctioning.
- Capacity-building to help developing countries address IUU fishing. Lack of capacity to present appropriate documentation should not imply illegal origin.

Reflect

- Role of disciplines on subsidies to IUU fishing (SDG 14.6)
- Effectiveness and development implications of multilateral vs unilateral schemes
- Incentives vs sanctions to improve compliance



Key indicators - Transition from Fishing to Transnational Crimes

- IUU fishing from national and international fleets
- Dwindling fish stock, the collapse of shrimp industry, and fledgling aquaculture industry
- International competition from imported seafood
- Reduction in the value of fish

Fishing to Transnational Crimes

- Increasing number of fishers & fishing vessels
- Lack of deterrence – inadequate penalties
- Inadequate Monitor, control & surveillance (MCS), and Maritime Law Enforcement (MLE) Operations
- Some fishers and boat operators are lured into drugs and arms trafficking

The Way Forward

- Diversification training programs for fishers
- Increased operations and maritime trafficking routes
- Public awareness programs on the impacts of IUU fishing & links to transnational crimes

Action to be taken

- Full Implementation of regional instruments
- Revitalize the fledgling aquaculture industry
- Increased fines & penalties for fishers and boat operators engaged in transnational crimes
- Stricter fines and penalties for large-scale IUU fishing
- Mandatory forfeiture of vessels engaged in large-scale IUU fishing

In concluding

- Blue Justice initiative
 - Fishers and boat operators are being targeted by criminals
 - IUU fishing is a gateway to drugs and arms trafficking
 - Socio-economic programs required to deter fishers from transnational crimes
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- Greater regional cooperation is needed to deter IUU fishing and maritime transnational crimes

International Framework Legal Framework

International framework Legal framework-

- 1982 United Nations Convention on the Law of the Sea (UNCLOS)- 1995 UN Convention Agreement on Straddling Fish Stocks and Highly Migratory Fish Stocks
- Institutional framework- 1995 FAO CCRF- 1993 FAO Compliance Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas- 1993 FAO IPOAs
- Political framework- Agenda 21 of 1992 United Nations Conference on Environment Development (UNCED)- Johannesburg Summit 2002 – World Summit on Sustainable Development (WSSD)

Regional framework RFMO

Regional framework RFMO/As-

- Indian Ocean Tuna Commission (IOTC)- Asia-Pacific Fishery Commission (APFIC)- Bay of Bengal Programme – Inter Governmental Organisation (BOBP-IGO)- Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR)- INFOFISH
- Environmental Organizations- Bay of Bengal Large Marine Ecosystem (BOBLME)- South Asia Co-operative Environment Programme (SACEP)- Coastal Oceans Research and Development in the Indian Ocean (CORDIO)- The World Wide Fund for Nature (WWF) Projects- Technical Cooperation Group (TCG) of Indian Ocean Marine Affairs Commission (IOMAC)

Political Organizations & National Framework

Political Organizations

- - Indian Ocean Rim Association for Regional Cooperation (IOR-ARC)
- - South Asian Association for Regional Cooperation (SAARC)
- - Association of South East Asian Nations (ASEAN) East Asia Summit (EAS) and ASEAN Regional Forum (ARF)
- - Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation (BIMSTEC)
- - Global Environment Facility (GEF)

National framework

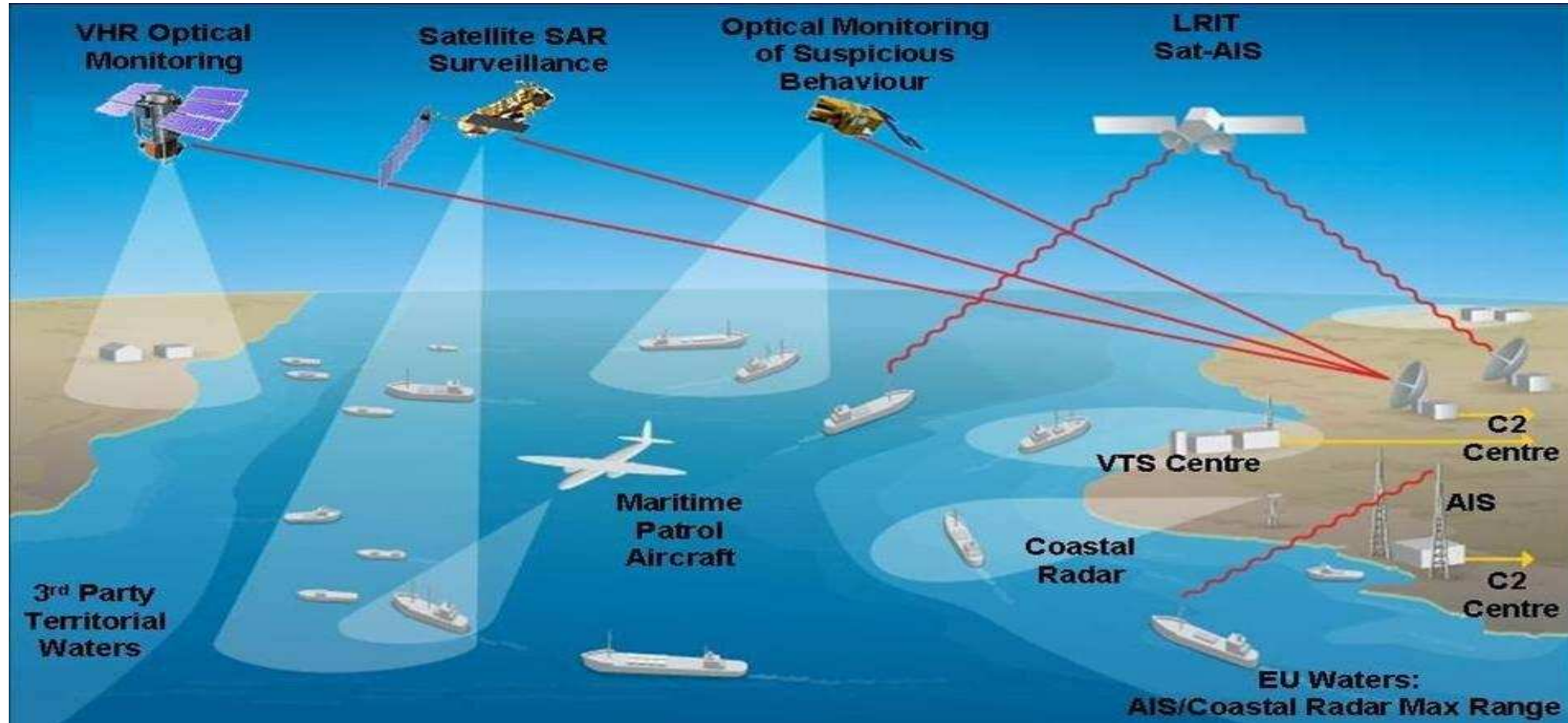
- Mandate and authority Fisheries legislation
- Legal and policy framework
- Institutional structure
- -Role of Central Government
- -Role of the State Governments
- - The National Fisheries Development Board (NFDB)

Ending Illegal Fishing

A comprehensive approach including policy, technology, information sharing, and enforcement:

- Port State Measures Agreement
- Unique Vessel Identifiers (UVIs)
- INTERPOL Project Scale
- Regional collaboration: FISH-i Africa
- Fisheries intelligence analysis unit
- Technology: Project Eyes on the Seas

Satellites for Maritime Surveillance



Ending Illegal Fishing : Information Sources

- Global ship tracking data
- Satellite Imagery
- Environmental data
- Verified fishing vessel databases
- Automated vessel behavior recognition tools
- Expert fisheries analyst