





# Introduction



- ❑ Regardless of where we live, the food we eat, and the language we speak, we all rely on the Oceans to keep us alive. Illegal, Unreported, and Unregulated (IUU) fishing threatens this vital resource
- ❑ IUU is a collection of dishonest fishing practices, both on the high seas and in areas within national jurisdiction, that threatens global geo-political security and prosperity and weakens rules-based order; especially as the worldwide demand for fish as a protein source continues to grow
- ❑ According to the United Nations' Food and Agriculture Organization (FAO), IUU fishing accounts for as much as 20 to 30 per cent of the fisheries sector, with an estimated annual turnover of between US\$10 and 23 billion
- ❑ IUU fishing remains one of the major threats to sustainable fisheries in Africa
- ❑ **Negatively** affects the livelihoods of people who depend on fisheries in the African coastal countries
- ❑ Weak MCS lead many African Coastal countries to pay the highest price for IUU
- ❑ Lack of knowledge and capacity to effectively monitor territorial waters and fishing vessels contribute to expansion of this illegal activity



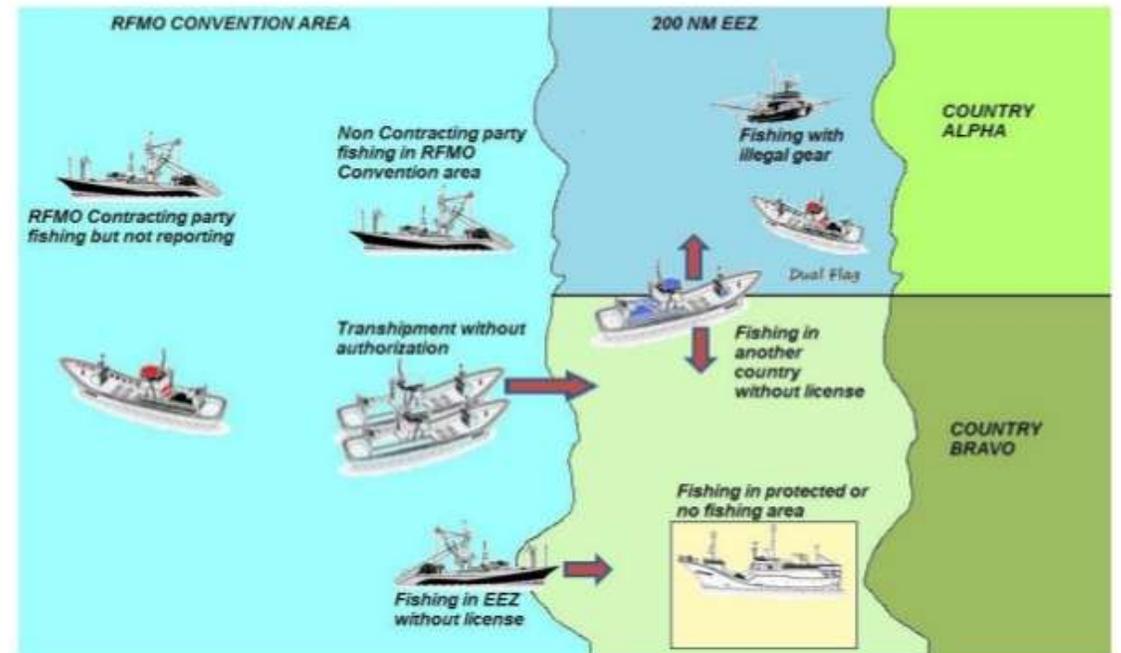


# The definition of IUU fishing



- ❑ Illegal, unreported and unregulated (IUU) fishing is a broad term originally defined in 2001, within the context of the IPOA-IUU, and includes:
  - ❑ Fishing and fishing-related activities conducted in contravention of national, regional and international laws. **(illegal)**
  - ❑ Non-reporting, misreporting or under-reporting of information on fishing operations and their catches. **(unreported)**
  - ❑ Fishing by "Stateless" vessels. **(unregulated)**
  - ❑ Fishing in convention areas of RFMOs by non-party vessels. **(unregulated)**
  - ❑ Fishing activities which are not regulated by States and cannot be easily monitored and accounted for. **(unregulated)**
  - ❑ Fishing in areas or for fish stocks for which there are no conservation or management measures. **(unregulated)**

## Different forms of IUU in marine fisheries



# Threats of IUU fishing

## IUU AND GHOST GEAR: A THREAT TO FOOD SECURITY AND SUSTAINABLE FISHERIES

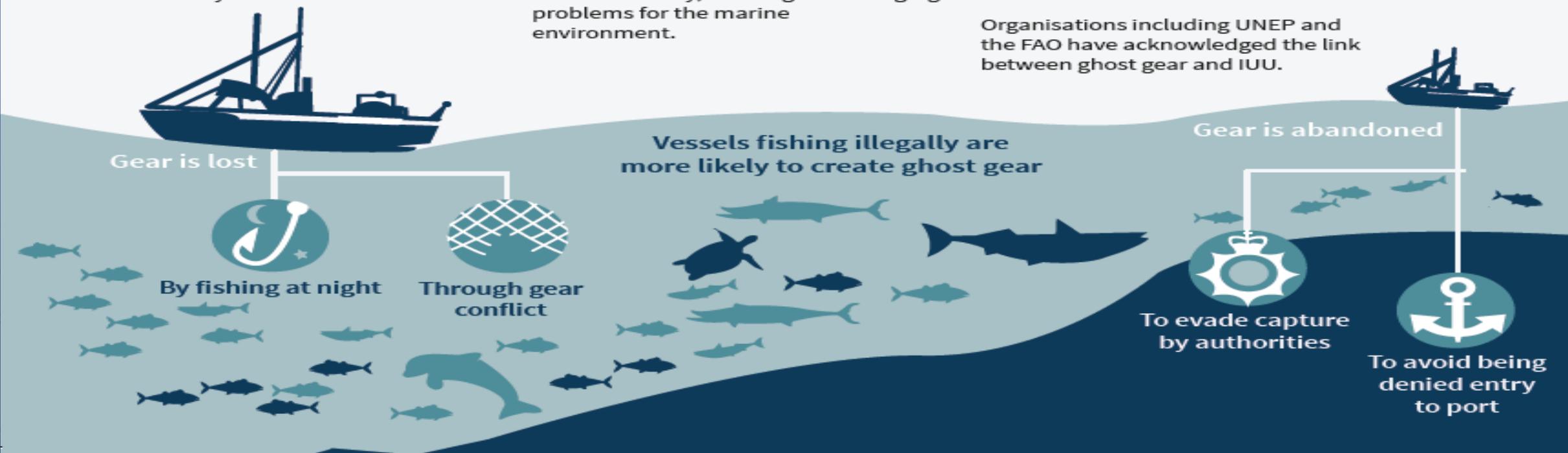


**IUU:** Illegal, Unreported and Unregulated fishing has many negative environmental, economic and social impacts. It is a major contributor to overfishing and impacts on the sustainability of fisheries.

**GHOST GEAR:** 640,000 tonnes of fishing gear are **lost** or **abandoned** in our oceans each year, making up around one tenth of all marine litter. This 'ghost gear' has increased as fishing efforts intensify, creating wide-ranging problems for the marine environment.

**THE LINK:** Hotspot areas for IUU can lead to higher amounts of ghost gear as vessels fishing illegal are more likely to abandon or lose their gear. This has an impact on fish stocks, wildlife and livelihoods.

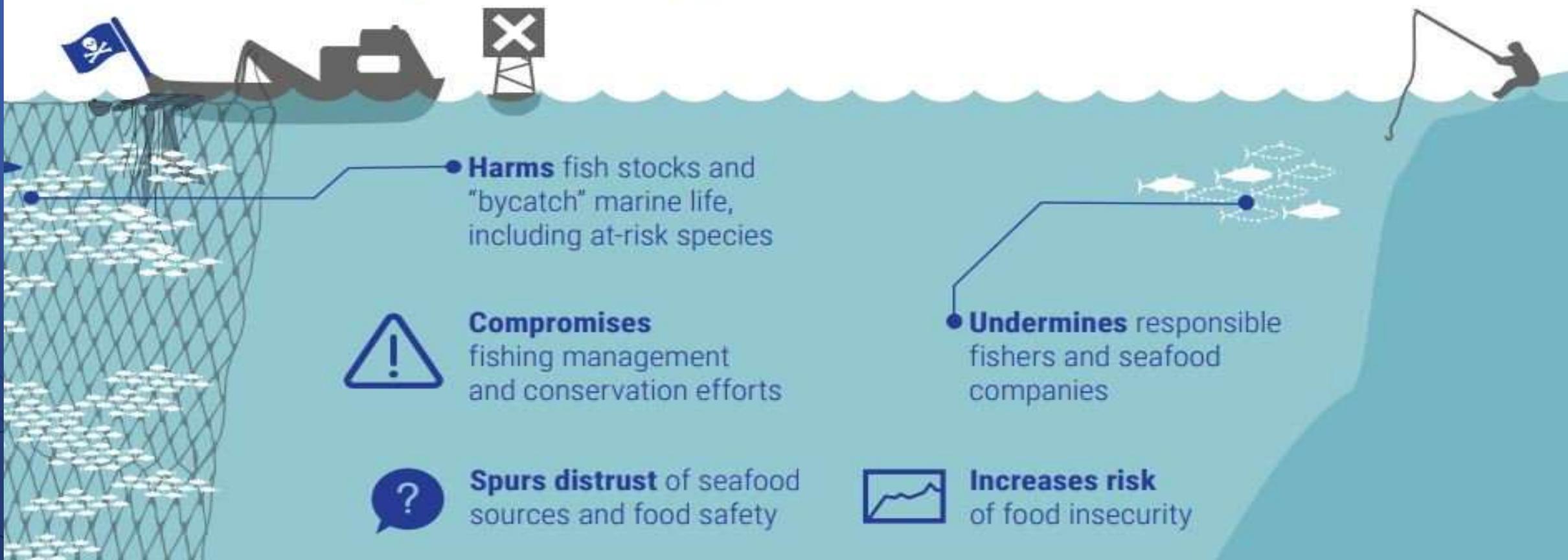
Organisations including UNEP and the FAO have acknowledged the link between ghost gear and IUU.



# Threats of IUU fishing

On both a local and global scale,

## IUU damages ecosystems and economies





# Fighting IUU fishing



Strong political will and concerted action, including through RFMOs, by:

- ✓ Flag States
- ✓ Port States
- ✓ Coastal States
- ✓ Market States

Capacity and resources to

- ✓ Detect IUU fishing
- ✓ Enforce regulations
- ✓ Take action and prosecute





# Legal measures to combat IUU fishing



- The issue now features prominently on the international political agenda, particularly following the adoption of the Sustainable Development Goal (SDG) targets 14.4 and 14.6, which set **the objective of ending IUU fishing** and subsidies contributing to IUU fishing by 2020
- Legal measures, such as introducing **monitoring and surveillance systems** or **denying services to vessels engaged in IUU fishing**, are often implemented at national and international levels to combat such practices

SUSTAINABLE DEVELOPMENT GOALS



SDG Indicators

14.4.1, 14.6.1,  
14.7.1, 14.b.1

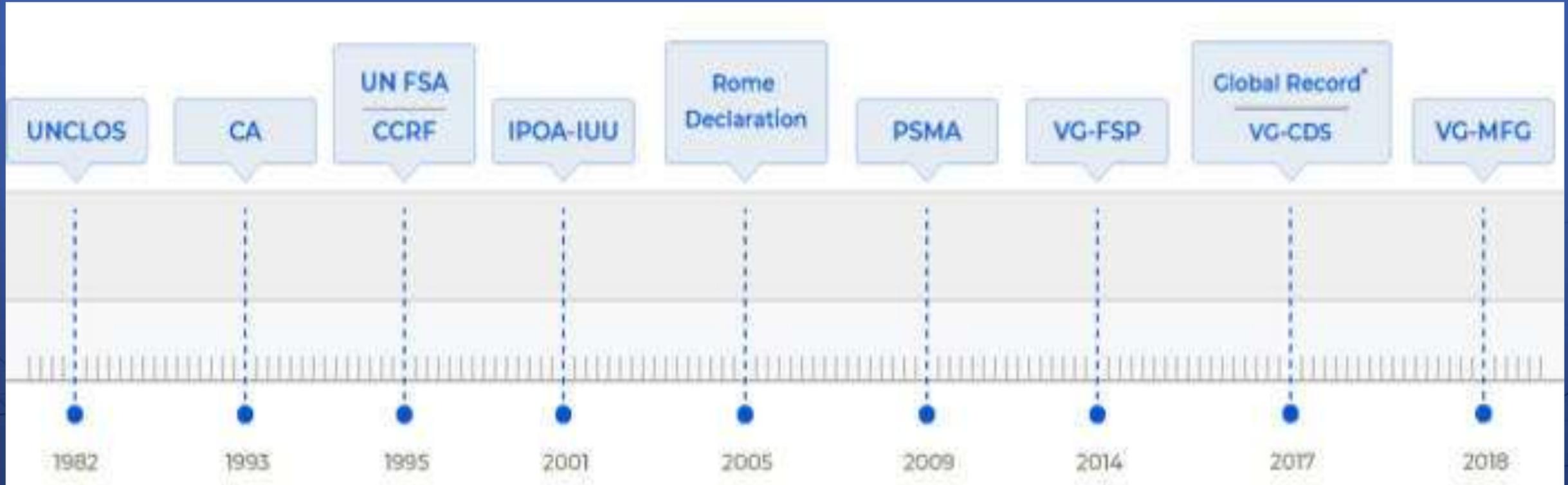
Measuring

**FISH STOCKS,  
SUSTAINABILITY  
OF FISHERIES,  
ILLEGAL FISHING  
AND ACCESS RIGHTS  
FOR SMALL-SCALE  
FISHERS**





# Chronology of international instruments relevant to combating IUU fishing





# International fisheries instruments and... tools

**UNCLOS (1982)\***



**FAO Compliance Agreement (1993)\***



**FAO Code of Conduct for Responsible Fisheries (1995)**



**UN Fish Stocks Agreement (1995)\***



**FAO Port State Measures Agreement (2009)\***



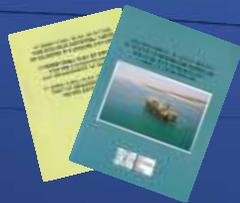
**FAO Global Record of Fishing Vessels, Refrigerated Transport Vessels, And Supply Vessels**



**International Plans of Action  
Sharks, Seabirds, Capacity, IUU  
(1999-2001)**

**International Guidelines  
FSP, SSF, BC/DC, DSF, CDS  
(2009-2014)**

**Strategies on information  
STF, STA  
(2003-2008)**



\* Binding

○ Contain relevant provisions to combat IUU fishing



# United Nations Fish Stock Agreement

## For the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks



### Straddling fish stocks

Migrate across or "straddle" more than one exclusive economic zone (EEZ) and the high seas.

Species like:



### Highly migratory fish stocks

Migrate long distances across international waters.

Species like:



### United Nations Convention on the Law of the Sea (UNCLOS)

Gave coastal nations the right to manage fisheries within their Exclusive Economic Zones (EEZ).

1982



**ISSUE:** How to manage highly migratory and straddling fish stocks?

1995

### United Nations Fish Stocks Agreement (UNFSA)

International treaty that set out principles for the conservation and sustainable use of straddling and highly migratory fish stocks.

Review Conference of UN Fish Stocks Agreement

2006

Review Conference of UN Fish Stocks Agreement

2010

Review Conference of UN Fish Stocks Agreement

2016

### CURRENT ISSUES INCLUDE:

- data management
- illegal, unreported and unregulated (IUU) fishing
- fishing subsidies
- shark fishing
- bycatch



# New momentum to fight illegal fishing



## □ [FAO Port State Measures Agreement \(2016\)](#)

Prevents illegally caught fish from entering international markets through ports

## □ [FAO Catch Documentation Schemes \(2017\)](#)

Provides better and more harmonized traceability of fish along the value chain

## □ [FAO Voluntary Guidelines on Marking Fishing Gear \(2018\)](#)

International guidelines for the marking of fishing gear, aimed at eliminating abandoned, lost or discarded gear

## □ [Global Record of Fishing Vessels, Refrigerated Transport Vessels and Supply Vessels \(2014\)](#)

State-certified repository of vessels involved in fishing operations





# How can We address Illegal Fishing?



- ❑ Several United Nations Agencies have together created a solid framework to end IUU fishing and its related human rights abuses
- ❑ The U.N. Food and Agriculture Organization's [Port State Measures Agreement \(PSMA\)](#), in force since 2016, strengthens port controls to prevent illegally caught fish from entering the global market
- ❑ The International Labor Organization's [Work in Fishing Convention No. 188 \(C188\)](#), in force since 2017, sets basic standards for decent work conditions in the commercial fishing industry
- ❑ The International Maritime Organization's [Cape Town Agreement \(CTA\)](#), that was adopted in 2012, will enter into force once 22 States have ratified with a total of 3,600 fishing vessels 24 meters or longer, outlines safety standards for commercial fishing vessels and details regulations that countries party to the agreement must adopt to protect fishing crews and their observers
- ❑ All three U.N. agencies have recognized the benefits of the **mentioned instruments in IUU fishing and associated social issues**
- ❑ **When applied together effectively, these three treaties provide for a solid legal framework to protect countries and their citizens from threats to food security and environmental sustainability, human trafficking and forced labor.**





# Why do we need 3 treaties?

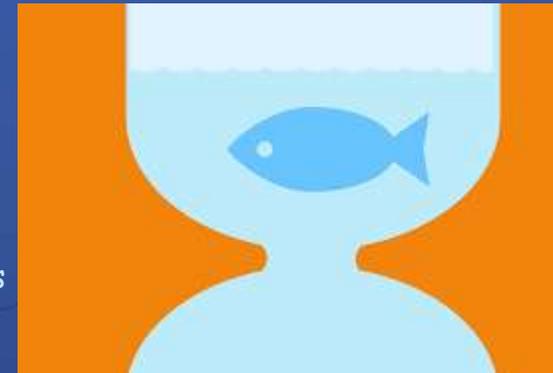
- The **FAO**, **ILO**, and **IMO** have collectively recognized the link between safety, labor and IUU issues



and the need for these issues to be addressed together in order to be effective.

## Together, these treaties:

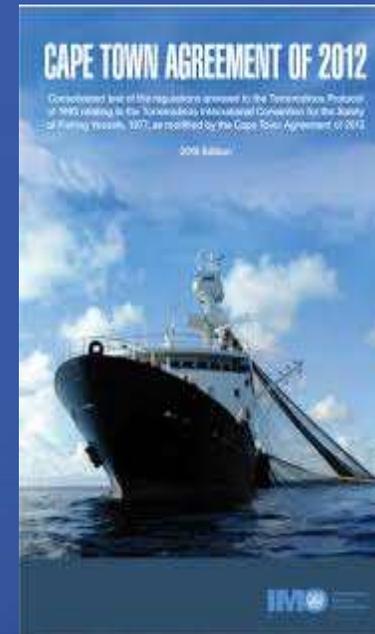
- Help guard against overexploitation of fish stocks
  - Protect the people catching them
- Help ensure that all captains and crews on the ocean and in port are operating under the same set of rules
- Accomplishing that simple goal has always been tricky because of the numerous nations that have regulatory authority over any given fishing voyage, and the varying degrees to which those authorities enforce the rules:
  - **FAO's Port State Measures Agreement addresses legality of catch**
  - **ILO's Work in Fishing Convention addresses decent working conditions.**
  - **IMO's Cape Town Agreement addresses fundamental safety standards**





# How do the 3 treaties address Illegal Fishing?

- ❑ **The CTA is designed to improve safety globally and set a level playing field for industry**
  - ❑ Through the CTA, States that already have fishing vessel safety regulations can demonstrate leadership on an important issue and encourage those that lag behind to create them.
  - ❑ Those without such regulations can raise their standards and provide protection for vulnerable workers.
- ❑ **The PSMA requires parties to strengthen and harmonize port controls for foreign-flagged vessels, and as a result aims to keep IUU fish out of the world's markets.**
  - ❑ Ports known for lax law enforcement or limited inspection capacity are a prime pathway for unethical fishermen to get their catch from ship to shelf
  - ❑ Port States enforcing the treaty will refuse port entry or access to port services, including landing and transshipment of fish, to foreign-flagged vessels known to have engaged in IUU fishing
- ❑ **C188 sets out binding requirements to address the main issues concerning work on-board fishing vessels, including**
  - ❑ occupational safety and health and medical care at sea and ashore, rest periods, written work agreements, and social security protection at the same level as other workers
  - ❑ Until C188, there was no instrument setting international labor standards for workers employed in the sector.



MINISTERIAL  
CONFERENCE  
TORREMOLINOS, SPAIN  
21-23 OCTOBER 2019

**SAFE FISHING**  
**LEGAL FISHING**



# The EU Regulation to prevent, deter and eliminate IUU entered into force on 1 January 2010

- ❑ **Regulation 1005/2008**, last amended by Reg. 86/2010, covers the IUU framework
- ❑ Only **marine fisheries products validated as legal** by the competent flag state or exporting state can be imported to or exported from the EU.
- ❑ An **IUU vessel list** is issued regularly, based on IUU vessels identified by RFMOs
- ❑ The IUU Regulation can **take steps against states** that turn a blind eye to illegal fishing activities (**colour-coded warning schem**)
  - ❑ first it issues a warning
  - ❑ then it can identify and black list them for not fighting IUU fishing
- ❑ EU operators who fish illegally anywhere in the world, under any flag, **face substantial penalties** proportionate to the economic value of their catch, which deprive them of any profit

**Tackling illegal, unreported and unregulated (IUU) fishing**

**Fishing is illegal if:**

- no authorization
- against conservation and management measures by RFMOs
- against national laws or international obligations

**Fishing is unreported if:**

- not reported, or the reporting contradicts international, RFMO or national laws and regulations

**Fishing is unregulated if:**

- the fishing vessel has no nationality
- fishing activities jeopardize fish stocks

**IUU fishing practices:**

- €30 billion every year worldwide
- 10% of the worldwide reported value of catches
- serious threat to sustainable fishing
- damages the marine environment
- affects socio-economic conditions

**The EU's fisheries control system:**

1. The "IUU Regulation", establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing - Council Regulation (EC) No 1005/2008
2. The Regulation concerning authorisation for fishing activities - Council Regulation (EC) No 1006/2008
3. The Regulation establishing a Community Control System for ensuring compliance with the rules of the Common Fisheries Policy - Council Regulation (EC) No 1007/2008

**Cooperation between the EU and non-EU countries:**

- The EU works closely with non-EU countries to promote compliance with international rules.
- Why?** IUU fishing affects legitimate operators who are hit by unfair competition and therefore food security and socio-economic conditions.
- Key tool** EU catch certification system for all fisheries products - imports, exports and re-exports to and from the EU.

**If a third country has problems fulfilling international rules:**

**Pre-identification**

- The European Commission issues a formal request to the third country to identify IUU vessels.
- If the identity improves its situation, the 6 month period can be prolonged and ultimately the pre-identification can be reviewed.

**Delisting**

- Continued delisting can lead to restore the access of legally caught fishery products.

**Listing by the EU**

- Illegally products caught by fishing vessels flying the flag of these countries cannot be imported into the EU under the Common Fisheries Policy.
- The Decision triggers further measures, including a fishing ban for EU vessels in these countries' waters.

*Thanks to this cooperation, more than 30 third countries have improved their systems to fight IUU*



# Media and IUU Fishing

- 1 -



- ❑ The region of Atlantic Africa is widely recognized as having some of the highest instances of **overfishing** and **IUU fishing**
- ❑ **Corruption** is a major—often unidentified—actor in IUU fisheries crimes, and is found throughout the supply chain, including at the **processing and distribution points**.
- ❑ It's a problem that consumer countries must address, **not just a problem in source countries**. Moreover, is not a case of a few bad actors - ***it is a systemic, deeply entrenched problem throughout the sector.***
- ❑ Corruption in fisheries is a complex problem with many layers, but the basic solution **is to build transparency and traceability into every stage of the process.**
- ❑ Data-sharing, public access to information, are among important components of a complex, long-term solution
- ❑ **The UNCAC (2003)** acknowledges **the critical role of media in fighting corruption**. Art. 13(d) asks States Parties to strengthen the participation of society in the fight against corruption by "***respecting, promoting and protecting the freedom to seek, receive, publish and disseminate information concerning corruption***"



# Media and IUU Fishing

## -2-



- Publicizing objective and factual information on IUU practices for local fishing communities, the public at large and local, national and international officials **increases awareness of IUU activities** that undermine the sustainable exploitation of living marine resources and have so many **negative consequences for**
  - The environment**
  - The economy**
  - The society**
- By giving journalists and their networks **the tools to overcome the lack of publicly accessible information**, we can help the media raise awareness about the drivers of IUU fishing and their socio-economic impact on coastal communities through regular **broadcast shows, international investigations** and **front-page print media stories**





# CONCLUSION

## IUU threatens our

- ❑ Marine ecosystems,
- ❑ Undermines governments' efforts to manage their marine resources,
- ❑ Endangers food security
- ❑ Exacerbates poverty
- ❑ Serves as a security threat
- ❑ Encourages many human rights violations and social costs that are detrimental to livelihoods

## International fisheries instruments and tools

UNCLOS (1982)

UN Fish Stocks Agreement (1995)

FAO Port State Measures Agreement (2009)

Work in Fishing Convention No. 188

Cape Town Agreement (2012)

Journalists, reporters, communicators and all media players have a vital role in addressing IUU fishing and protecting the Oceans by

- ❑ Dissemination
- ❑ Sensibilization
- ❑ Awareness
- ❑ Education



THANK YOU



*The End*