



联合国  
粮食及  
农业组织

Food and Agriculture  
Organization of the  
United Nations

Organisation des Nations  
Unies pour l'alimentation  
et l'agriculture

Продовольственная и  
сельскохозяйственная организация  
Объединенных Наций

Organización de las  
Naciones Unidas para la  
Alimentación y la Agricultura

منظمة  
الغذية والزراعة  
للأمم المتحدة

E

# FAO REGIONAL CONFERENCE FOR ASIA AND THE PACIFIC

## Thirty-fifth Session

Thimphu, Bhutan, 17-20 February 2020

### Report on work in the Fight against Illegal, Unreported and Unregulated Fishing in Asia and the Pacific

#### Executive summary

Asia and the Pacific region accounts for well over 70 percent of the catch in marine fisheries worldwide.<sup>1</sup> The large volume of annual landings in capture fisheries provides significant benefits to the region in terms of food security and economic and cultural value. The region's commercial fisheries provide significant employment in the fishing industry, port and provisioning services, and the post-harvest processing sector. Over 14 million people are estimated to participate or be employed in the marine fisheries sector throughout the region.<sup>2</sup>

Illegal, unreported and unregulated (IUU) fishing is a serious challenge in Asia and the Pacific region. An increasing percentage of fisheries resources are estimated to be overexploited in many areas. Efforts to combat IUU fishing are integral to ensuring the food security and well-being of coastal communities, where small-scale fisheries constitute 50 to 80 percent of the marine capture fisheries sector.<sup>3</sup> IUU fishing undermines sustainable fisheries management, poses a serious threat for marine ecosystems, leads to the loss of short- and long-term social and economic opportunities, and has negative impacts on the livelihoods of legitimate fishers. In some cases, it is also associated with other forms of fraudulent activities, such as document fraud, tax evasion and money laundering, and systematic IUU fishing is associated with serious violations of labour laws and human rights or smuggling activities. Traceability of products from capture to end-use is important to support sustainable fisheries management and trade and to permit the maximization of economic returns to those commercial fishers who can demonstrate that they are harvesting marine resources in a sustainable and responsible manner, in accordance with applicable laws and regulations.

<sup>1</sup> FAO. 2018. The State of World Fisheries and Aquaculture. [<http://www.fao.org/3/I9540EN/i9540en.pdf>].

<sup>2</sup> Asia-Pacific Fishery Commission. Status of Fisheries (forthcoming)

<sup>3</sup> Ibid

*This document may be printed on demand following an FAO initiative to minimize its environmental impact and promote greener communications. This and other documents can be consulted at [www.fao.org](http://www.fao.org)*

A range of organizations and initiatives support activities to combat IUU fishing, among them the Regional Plan of Action to Promote Responsible Fishing Practices including IUU fishing; the Southeast Asian Fisheries Development Center; the Association of Southeast Asian Nations Guidelines for Preventing the Entry of Fish and Fishery Products from IUU Fishing Activities into the Supply Chain; the Asia-Pacific Economic Cooperation and regional fisheries management organizations in the region (Western and Central Pacific Fisheries Commission, South Pacific Regional Fisheries Management Organisation, NPFO, Indian Ocean Tuna Commission, Southern Indian Ocean Fisheries Agreement, Commission for the Conservation of Southern Bluefin Tuna). FAO has provided support to countries in the region through its Global Capacity Development Programme to support the implementation of the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (PSMA) and complementary international instruments to combat IUU fishing. This programme provides a range of capacity-development activities to strengthen recipient countries' legal and policy frameworks, institutional set-up, and monitoring, control, surveillance and enforcement systems.

### **Suggested action by the Regional Conference**

The APRC is invited to consider the work of FAO to combat IUU fishing in the region and to:

- recognize that a broad understanding of the impacts that IUU fishing has on the sector and its supporting ecosystems is an important motivator for implementing actions to combat IUU fishing;
- recognize that cooperation among countries is essential, and therefore encourage regional information-sharing and cooperation to develop practical tools to better fight IUU fishing in line with the PSMA (e.g. common standards for inspection or platforms to share knowledge) and undertake any other actions that assist in combating IUU fishing;
- welcome the growing regional commitment towards the 2009 FAO PSMA, and urge all FAO Members to become Parties to the Agreement;
- welcome ongoing capacity-development efforts to meet the needs of developing states in the effective implementation of the PSMA and complementary international instruments;
- encourage Members to formally engage with FAO as donors or recipients of FAO's Global Programme to support the implementation of the PSMA and complementary international instruments;
- recall the important role that regional fishery bodies continue to play in combating IUU fishing and encourage the adoption, effective implementation and enforcement of relevant conservation and management measures to combat IUU fishing; and
- comment on this information paper under "any other matters".

*Queries on the content of this document may be addressed to:*

APRC Secretariat

APRC@fao.org

## Introduction

1. IUU fishing is one of many interrelated factors that harms the sustainability and profitability of fisheries activities in this region. It is estimated that from 3.4 to 8.1 million tonnes of fish could be taken by IUU fishing each year in Asia and the Pacific region.<sup>4</sup> In addition, the region's economy is affected by other factors such as under-reported, misreported and non-reported catches; the value of these within the Pacific tuna fisheries is estimated at over USD 600 million.<sup>5</sup>
2. The impact of IUU fishing on the region's economy is direct, indirect, short-term and long-term. From an economic angle, IUU fishing directly affects the incomes of commercial fishers. Moreover, it hinders the capacity of those countries' economies, which are heavily dependent on fishing as a source of revenue, and hampers their ability to maximize their development potential and alleviate poverty and disadvantage in large sections of their populations. Socially, it can compromise the livelihoods and nutritional status of subsistence fishers and other low-income sectors of the population. Furthermore, and perhaps most importantly, IUU fishing threatens the sustainability of fisheries resources, depleting stocks to overfished levels and undermining national, regional and global fisheries management efforts.
3. The key to success in reducing and eventually eliminating IUU fishing is the adoption, application and enforcement of strong flag, coastal, port and market state regulation. A flag state shall effectively exercise its jurisdiction and control in administrative, technical and social matters over vessels flying its flag. Flag states are responsible to ensure that their legal frameworks and institutional set-up are sufficient to regulate vessel activities, monitor their compliance and prosecute offenders when they break the rules. Coastal state responsibilities focus on ensuring that appropriate rules are in place to sustainably manage and conserve living resources in a state's exclusive economic zone and that this state has sufficient capacity for monitoring, control and surveillance (MCS), allowing it to detect and discourage IUU fishing in its waters if and when these activities occur. Effectively implemented port-state measures ensure that only foreign vessels, which have not been engaged in IUU fishing, or activities in support of IUU fishing, can enter into or use ports. Finally, market states have a responsibility to establish regulations and mechanisms, particularly through regional fisheries management organizations, that deter the importation of products derived from IUU fishing activities (e.g. through catch-documentation schemes).
4. Actions that support strong and effective flag, coastal, port and market state control include the active development and implementation of national laws, regulations and plans of action to combat IUU fishing; international agreements; regional strategies; and capacity-development in countries to sustainably manage fisheries and identify IUU fishing, implement effective controls and enforce deterrent sanctions. This includes better regulatory framework and MCS measures during harvesting and transportation to ports, as well as from the first point of sale through the whole trade chain, so that consumers and value chains also are motivated to accept only legally caught fish products. A strong regional community founded on cooperation, effective information-sharing, open dialogue and sharing of experiences is necessary. Regional information-sharing and cooperation are critical because fisheries comprise the region's largest shared natural resource, and this has important implications for food security and poverty alleviation in a sector in which regional cooperation has already provided real results in the fight against IUU fishing.

## Current activities in the region to prevent, deter and eliminate IUU fishing

5. The Regional Plan of Action to Promote Responsible Fishing Practices including Combating

---

<sup>4</sup> Agnew, D., Pearce, J., Peatman, T., Pitcher, T.J. and Pramod, G. 2008. *The Global Extent of Illegal Fishing*. MRAG, London, U.K., and FERR, Fisheries Centre, UBC, Vancouver. 32p.

<sup>5</sup> MRAG Asia Pacific. 2016. *Towards the Quantification of Illegal, Unreported and Unregulated (IUU Fishing the Pacific Islands Region*. Toowong, Queensland.p. 36. Report available at: <https://www.ffa.int/system/files/FFA%20Quantifying%20IUU%20Report%20-%20Final.pdf>

Illegal, Unreported and Unregulated Fishing (RPOA-IUU) was endorsed for implementation in 2007 by Australia, Brunei Darussalam, Cambodia, Indonesia, Malaysia, Papua New Guinea, the Philippines, Singapore, Thailand, Timor-Leste and Viet Nam. The RPOA-IUU specifies actions in the areas of:

(1) subregional Southern and Eastern Area of the South China Sea and Sulu-Sulawesi Seas; (2) subregional Gulf of Thailand; and (3) subregional Arafura-Timor Seas. The RPOA-IUU brings the parties together to report on their progress in implementation and to discuss further regional cooperation. The implementation of port-state measures is considered a priority within the RPOA-IUU.

6. The Southeast Asian Fisheries Development Center (SEAFDEC) is a technical organization mandated to develop the fisheries potential of the Southeast Asia region with no management authority as such. Among its initiatives to combat IUU fishing is a Regional Fishing Vessel Record, a tool to support regional sharing of vessel information.

7. The ASEAN [The Association of Southeast Asian Nations] Guidelines for Preventing the Entry of Fish and Fishery Products from IUU Fishing Activities into the Supply Chain were endorsed by ASEAN members in 2015 and provide tools for the ASEAN Member States to ensure that fish and fishery products from the region entering the global supply chain do not come from IUU fishing activities. More recently in 2019, ASEAN members established an ASEAN IUU Fishing Network to enhance regional cooperation by setting up a practical and operational tool to exchange information and intelligence in real time. The ASEAN IUU Fishing Network brings together ASEAN countries through this regional exchange platform to enhance collaboration on the adoption and implementation of IUU actions as well as to share information, coordinate law enforcement and draw up measures for sustainable fishing in the region.

8. Representatives of Asia-Pacific Economic Cooperation (APEC) economies are committed to raising global public awareness and action on IUU fishing. The APEC Roadmap to Prevent, Deter and Eliminate IUU Fishing was endorsed in August 2019. The Roadmap includes important commitments to combat IUU fishing, such as the implementation of the PSMA; improving MSC activities; increasing the coordination among APEC economies; promoting research to support the development of technical indicators; improving the participation of APEC economies in relevant international fora; and strengthening public-private cooperation and fisheries management systems.

9. The purpose of Pacific Islands Forum Fisheries Agency's (FFA) Regional Monitoring, Control, and Surveillance Strategy (2018-2023) is to guide FFA members on compliance and enforcement with fisheries management frameworks and associated measures at national, subregional and regional levels to ensure they enjoy the highest level of social and economic benefit from the sustainable use of shared offshore fishery resources. In addition to promoting regional cooperation among the FFA members, the strategy advocates the adoption of national MCS strategies that integrate into the regional framework.

10. The regional fisheries management organizations in the region – the Western and Central Pacific Fisheries Commission, the South Pacific Regional Fisheries Management Organization, the North Pacific Fisheries Commission, the Indian Ocean Tuna Commission, the Commission for the Conservation of Southern Bluefin Tuna, and the Southern Indian Ocean Fisheries Agreement, have adopted conservation and management measures designed to prevent, deter and eliminate IUU fishing. These measures include descriptions of flag, coastal, port and market state responsibilities, MCS-related measures, and measures for records of fishing and carrier vessels, for IUU fishing vessel lists and on transshipment.

### **FAO's current activities to strengthen countries in their efforts to combat IUU fishing**

11. Countries in Asia and the Pacific region have shown remarkable progress in strengthening efforts

to combat IUU fishing. Many countries have become parties to important international instruments, foremost among them the FAO PSMA (18 countries in the region are party to the agreement), and have participated in international meetings to strengthen the global response on IUU fishing (see Annex 1). Countries also have participated in capacity-development to strengthen the implementation of the PSMA, complementary international instruments and regional mechanisms to combat IUU fishing and have worked on the policy and legal frameworks, institutional arrangements and operational procedures to effectively fulfil their international obligations as port, flag, coastal and market states.

12. FAO's work programme to prevent, deter and eliminate IUU fishing is coordinated by FAO-Rome. FAO's *Global Capacity Development Programme to support the implementation of the PSMA and complementary international instruments and regional mechanisms to combat IUU* focuses on strengthening the implementation of the PSMA, complementary international instruments and regional mechanisms to combat IUU fishing. A growing number of countries (12 countries in the region to date, see Annex 1) have participated in the programme focusing on the policy and legal frameworks, institutional arrangements and operational procedures to effectively fulfil their international obligations as port, flag, coastal and market states. The Global Programme also emphasizes the importance of regional information-sharing and cooperation and supports existing regional mechanisms in this regard.

13. The Global Record of Fishing Vessels, Refrigerated Transport Vessels and Supply Vessels constitutes an important tool in combating IUU fishing. The Global Record is an FAO global initiative, aiming to rapidly make available certified up-to-date data from state authorities about vessels and vessel-related activities. This single access point is meant to be used for dissemination of information, verification of information and risk assessment on a vessel-by-vessel basis. To this end, the Global Record includes authorization, compliance and historical data, all of which are in the public domain. SEAFDEC's Regional Fishing Vessel Record is a system, which allows Asia and Pacific region countries to exchange information on vessels flagged to SEAFDEC Member States. A linkage between the SEAFDEC Regional Record system and the Global Record system through an application programming interface could be used as a way to facilitate the exchange of information and reduce the reporting burden upon states.

14. In addition, FAO has initiated a technical cooperation programme, with the global environment facility, and member-country initiatives to strengthen regional cooperation in addressing IUU, review fisheries laws (e.g. Cambodia, Malaysia), prepare national plans of action and assist with fisheries inspection procedures and MCS networks (e.g. FFA member countries). All activities are coordinated with the activities of FAO's Global Programme to support the countries in the most effective way.

15. FAO's regional work to combat and eliminate IUU fishing in Asia and the Pacific region is based on:

- promotion of benefits of the effective implementation of the PSMA and complementary international instruments;
- reinforcement of regional cooperation at political and technical levels;
- assistance on the delivery of capacity-development support through the Global Programme; and
- support in the development of other regional initiatives to complement global actions.

16. These FAO actions are designed to:

- guide and assist in the revision of legal frameworks in line with international instruments;
- strengthen the institutional set ups and interagency cooperation in the countries of this region to better fight IUU fishing;

- reinforce the monitoring, control and surveillance tools and protocols and the expertise of the competent authorities to be able to prevent and/or detect IUU fishing activities and fishing-related activities in support of IUU fishing; and
- secure follow-up to identified IUU fishing offences and enforce proportionate and deterrent sanctions to discourage IUU fishing and promote a culture of compliance.

17. Developing capacity in Asia and the Pacific region to prevent, deter and eliminate IUU fishing is an FAO priority which aims to ensure the following outcomes:

- improve the capacity of recipient countries to prevent, deter and eliminate IUU fishing activities under their sovereignty or jurisdiction;
- enhance fruitful cooperation among countries to contribute to the elimination of IUU fishing from Asia and the Pacific region;
- reinforce proper coordination with other United Nations' agencies on actions related to decent working conditions and the protection of migrant workers in fishing vessels;
- ensure FAO investments are used with maximum efficiency and integrated within existing and future national, regional and global initiatives, including those associated with broader maritime security and management.

## Annex 1

State	Party to the PSMA <sup>6</sup>	Support provided through FAO's Global Programme to support the implementation of the PSMA and complementary international instruments <sup>7</sup>	Participation in the First Meeting of the Parties to the PSMA	Participation in the Second Meeting of the Parties to the PSMA	Participation in the first meeting of the TWG-IE <sup>8</sup>	Participation in the second meeting of the TWG-IE
<b>ASIA</b>						
<b>Afghanistan</b>						
<b>Bangladesh</b>						
<b>Bhutan</b>						
<b>Brunei Darussalam</b>						
<b>Cambodia</b>	✓	✓		✓		✓
<b>China</b>			✓			✓
<b>Democratic People's Republic of Korea</b>						
<b>India</b>						
<b>Indonesia</b>	✓	✓	✓	✓	✓	✓
<b>Iran (Islamic Republic of)</b>						

<sup>6</sup> See Official List at: <http://www.fao.org/port-state-measures/background/parties-psma/en/>

<sup>7</sup> Only available for states eligible for Official Development Assistance (ODA). Non-applicable (N/A) is marked for states not eligible for ODA.

<sup>8</sup> TWG-IE: PSMA Open-ended technical working group on information exchange

<b>Japan</b>	✓	N/A	✓	✓	✓	
<b>Lao People's Democratic Republic</b>						✓
<b>Malaysia</b>		✓				
<b>Maldives</b>	✓	✓				
<b>Mongolia</b>						
<b>Myanmar</b>	✓	✓		✓		✓
<b>Nepal</b>						
<b>Pakistan</b>						
<b>Philippines</b>	✓	✓		✓	✓	✓
<b>Republic of Korea</b>	✓	N/A	✓	✓	✓	✓
<b>Russian Federation</b>		N/A	✓			
<b>Singapore</b>		N/A				
<b>Sri Lanka</b>	✓	✓	✓	✓		✓
<b>Thailand</b>	✓	✓	✓	✓		✓
<b>Timor-Leste</b>						
<b>Viet Nam</b>	✓			✓		✓
<b>SOUTH WEST PACIFIC</b>						
<b>Australia</b>	✓	N/A	✓	✓		✓
<b>Cook Islands</b>						
<b>Fiji</b>	✓			✓		
<b>France*</b>	✓	N/A	✓			✓
<b>Kiribati</b>						✓

<b>Marshall Islands</b>						✓
<b>Micronesia (Federated States of)</b>			✓			
<b>Nauru</b>						✓
<b>New Zealand</b>	✓	N/A	✓	✓		
<b>Niue</b>						
<b>Palau</b>	✓	✓	✓	✓		
<b>Papua New Guinea</b>		✓		✓		✓
<b>Samoa</b>						
<b>Solomon Islands</b>						✓
<b>Tonga</b>	✓	✓	✓	✓	✓	✓
<b>Tuvalu</b>						
<b>United States of America*</b>	✓	N/A	✓	✓	✓	✓
<b>Vanuatu</b>	✓	✓	✓	✓	✓	✓

\*Denotes an FAO member country that has administrative territory in Asia and the Pacific region and participates in the biennial FAO Regional Conference for Asia and the Pacific.