



**Asia-Pacific
Economic Cooperation**

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Illegal, Unreported and Unregulated Fishing - Background and Historical Context

Submitted by: Western and Central Pacific Fisheries Commission



**Experts' Workshop on Illegal, Unreported
and Unregulated Fishing
Singapore
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Australian approach

- One of sovereignty we have a large claim and an historical contribution in Antarctica
- A number of different but coordinated approaches
- Government contributed \$50 million annually
- Initially used naval assets to patrol
- Then moved to assets better equipped for the southern waters
- Started a global campaign on IUU fishing to raise the profile of the problem
- Test International Law (UNCLOS)

IUU approach

- 1999 went to COFI and said we have a problem and we want to head down the path of an IPOA on IUU fishing to help us deal with it
- Told initially to go and read the Compliance Agreement
- But we persisted and managed to get support for an Expert Consultation in Sydney and then by 2001 COFI had support to get IUU passed
- COFI 2001 strong help from Japanese Chair or may never have made it

Why did it get broad appeal

- We began to realize through the process that a lot of other countries also had problems with illegal and IUU type fishing
- This illegal activity needed to be dealt with and required information to be shared, and countries needed updated and strong legislation
- No one understood how it worked globally
- There were problems with RFMOs and the application of international law “beneficial ownership” “real interest” “flags of convenience”

What did we learn?

- Not only about IUU boats - to stop the trade you needed to stop the product getting in to the market
- Markets and buyers were central to the problem - very complex chains
- Almost impossible to identify the owners and middle men who benefitted?
- Some countries could help and others couldn't
- Tracking the trade became a real task
- A lot of the countries involved had little structure to exchange information

Global developments

- IPOA and NPOAs developed
- FAO established MCS network
- RPOA's
- OECD IUU Taskforce
- WCPFC developed a regulation that meant to fish in the WCPO you had to be flagged to a member or co-operating non member of the WCPFC
- The original MRAG report on lost value
- Strong focus by NGOs on IUU – lead to a better understanding but sometimes seen as the solution to all issues
- A lot of so called “experts” in IUU have emerged from the shadows – an industry in its own right

Testing international law examples

- The Volga arrested in February 2002
- Issues of hot pursuit and bonding
- Bond set at \$1.9 mill AUD included more than just the value of the vessel...a new approach
- Challenged in ITLOS
- Wins and losses
- The Maya 5
- The Viarsa
- Recent arrest of a vessel on the high seas.

Indonesia and the RPOA-IUU

- A very different approach to a shared problem
- A shared problem and no blame
- Again all countries in Asia had a similar problem
- From concept to agreement inside of 12 months
- The concept may provide a good base for APEC to move forward

Where are we today...the good

- Market pressure for traceability ..where does my fish come from...certification was the fishery sustainable?
- Far better technology...Observers, electronic monitoring, VMS, RFMO IUU lists,
- Port State Measures
- Fisheries Unit in INTERPOL
- Improved domestic legislation and awareness
- Pressure from civil society and NGOs driving improved transparency and awareness
- There is still a global focus on IUU
- Some improvements in data collection....maybe
- Sharing of information has improved e.g. RPOA

Where are we today.....the not so good

- Like climate change, IUU is a trigger word to attract funding
- The focus today is pretty much just on "illegal"
- Little has been done to progress the I and the U – the forgotten bit of IUU - do we need to change focus?
- The original IUU figures are still being used - but the world has changed and this needs a re-work to maintain credibility.
- Improvements in industry technology improve catchability, effects data and CPUE
- The "IUU" concept is poorly understood and is used selectively by different people for different purposes
- Where will we stand when we add another 2.5 billion people by 2050 - 60% in the Asia Pacific region where the most traded product in APEC is fish?

Moving on to APEC

- Is it time to rethink and re-evaluate this global concept of "IUU" fishing?
- Has the nature of IUU fishing changed in the last 20 years?
- How should IUU fishing best be described as we move forward?
- What do we do with the concepts of Unregulated and Unreported fishing?
- Whatever APEC does needs to add value in an already crowded market place. How can it really help?
- Annual reporting to APECFWG

The end

"IUU might stand for illegal, unregulated and unreported fishing but it should stand for what I, U (you) and U (you) should do about it"
(Masayuki Komatsu) 2002