

**Forum:** Asia-Pacific Council

**Student Officers:** Marie Sheets, Jiho Kwon, Joaquin Renck, Gloria Park

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## **TOPIC 1: The Question of Unreported and Clandestine Fishing Operations**

### **I. Introduction**

Illegal, Unregulated, and Unreported (IUU) Fishing is defined as fishing acts that violate national, regional, and international fishing regulations. Due to the subtle nuances between the meaning of these words, the term IUU fishing refers to a wide variety of activities, including obtaining illegal fishing licenses, using prohibited methods of catching, fishing outside of authorized areas, forging catch records, falsely labeling product, and participating in bribery to transport IUU-caught fish.

IUU fishing is thought to account for 11-19% of international fishing production, equating to up to 50% of total catches in some major ports, and leading to a global loss of approximately \$10-23.5 billion in fish value (“Illegal, Unreported and Unregulated Fishing”). However, given the clandestine nature of the industry, the aforementioned numbers are thought to be a relatively low estimate compared to true rates. IUU fishing is considered a low-risk, high-return activity; due to a general lack of regulations, weak governance, and poor Monitoring, Control, and Surveillance (MCS) capabilities, greed-driven fishing is allowed to flourish. IUU fishing has a significant impact on many factors, primarily environmental, social, and economic. More specifically, IUU fishing has been known to degrade marine ecosystems, damage fish populations, pose threats to global food security, harm legitimate fishers, and cripple domestic fisheries and economies. Moreover, the industry has been associated with other illegal activity, such as human trafficking and the abuse of human rights. The notable presence of IUU fishing within the fishing industry poses a significant threat to the progress of the United Nations Sustainable Development Goal (SDG) 14, pertaining to the conservation and sustainable use of oceans, seas, and other maritime resources (Environment). As such, due to the detrimental effects of IUU fishing, there has been a growing push to reframe the act as not only a violation of domestic and international regulations, but as a form of transnational organized crime.

The Asia-Pacific region provides over 60% of the global marine capture production, with an estimated 3.5 million fishing vessels being active in the region (“Assessment of Impacts of Illegal, Unreported and Unregulated (IUU) Fishing in the Asia-Pacific”). These high values unfortunately make the region easily susceptible to illegal maritime activity, and as such, the Asia-Pacific region has some of the highest IUU fishing rates in the world. A 2015 draft report by the Asia Pacific Fishery Commission (APFIC) estimated that 2.1 to 2.5 million tonnes of fish are illegally caught annually, leading to a regional economic loss of \$3.7 to 5.2 billion in fish value. Within the region, States within Southeast Asia and the Northern Pacific typically have higher rates of IUU fishing, with the regional IUU fishing hotspots including the Southeast Bay of Bengal, around the border of the Vietnamese Exclusive Economic Zone (EEZ), and the high seas of the Celebes Sea between the Philippines and Indonesia. The Asia-Pacific region is home to 12 LEDC States, contributing to regional issues of corruption, poverty, unstable economies, and underdeveloped industries. As such, given its low-risk high-reward status, IUU fishing consists primarily of low-class individuals hoping to self-sustain.

As the implications of IUU fishing have grown more socially detrimental, there has been an increasing global concern about the industry, and thus, more attempts to curb the impacts and spread awareness. Such attempts include the United Nations Convention on the Law of the Sea (1982), the legally binding Agreement on Port State Measures (PSMA), and the recent ASEAN-Southeast Asian Fisheries Development Center (SEAFDEC) regional cooperation forum. Despite these attempts, IUU fishing remains a significant issue in both regional and international affairs, and as such, should be urgently addressed.

## **II. Definition of Key Terms**

**Illegal, Unregulated, and Unreported (IUU) Fishing:** Fishing acts that violate national, regional, and international laws and regulations, often resulting in the weakening of economies, depletion of fish stocks, and threats to marine biodiversity conservation efforts (“What Is IUU Fishing”). Illegal fishing specifically refers to fishing without the permission of a State or whilst contravening regulations, unreported fishing specifically refers to the failure to report or

misreport of fishing activities, and unregulated fishing refers to activities conducted by vessels without a nationality or fishing without regard for applicable conservation measures.

**Exclusive Economic Zone (EEZ):** An area encompassing 200 nautical miles from the shore or coast of a State, giving said State “jurisdiction over the exploration and exploitation of marine resources” in the area. IUU fishing in the Asia-Pacific region often occurs within EEZs, as there are limited opportunities to fish in the high seas otherwise.

**Flag State/Flag of Convenience:** The State under which a vessel is registered or licensed, thus deeming the vessel's nationality and subjecting it to the jurisdiction of the State. A flag of convenience is the act of registering a vessel to a State other than that of the vessel’s owners, often to one that lacks the will or means to uphold international maritime law. Operating under a flag of convenience allows IUU fishers to take advantage of weakened regulation enforcement, allowing IUU fishing activities to occur with minimal threat.

**Port State Control (PSC):** The inspection of foreign vessels in national ports to ensure the conditions and equipment of a ship comply with national and international maritime regulations. To combat IUU fishing, nine regional agreements on PCS have been signed.

**Overfishing:** The act of catching fish at a larger quantity and faster pace than can be naturally replenished, resulting in decreased fish populations and environmental degradation. Attempts to regulate overfishing include the establishment of regulatory quotas, a set quantity of fish stocks that cannot be surpassed by fisheries in a given region.

**Traceability:** The ability to retrace a product from point of sale to the point of origin. Given that fish and shellfish is the most traded animal product worldwide, seafood traceability allows for increased transparency and diligence to promote sustainable fishing practices.

### III. Key Stakeholders

#### **Food and Agriculture Organization (FAO):**

The FAO recognizes the severity of global IUU fishing, with Manuel Barange, director of FAO’s Fisheries and Aquaculture Division, stating that “we have a responsibility to manage and

use all aquatic resources sustainably” (“New Milestone in Battle against Illegal, Unregulated Fishing”). As such, the organization has become one of the most prominent figures in fighting IUU fishing, aiding over 50 countries in strengthening maritime legislations and Monitoring, Control, and Surveillance (MCS) capabilities. One notable initiative is the Agreement on Port State Measures (PSMA) of 2009, the first binding international agreement regarding the prevention and elimination of IUU fishing passed. The agreement was brokered between 92 nations, and specifically prevents IUU-engaged vessels from entering and using State ports, reducing the initiative for IUU fishing.

### **International Maritime Organization (IMO):**

Founded in 1948, the IMO has established and participated in several efforts to promote maritime safety, security, and regulations, as well as to reduce the regional detrimental implications of IUU fishing both environmentally and socially. In 2000, the IMO, in partnership with the FAO and the International Labor Organization (ILO), established the Joint FAO/IMO/ILO ad hoc Working Group on IUU Fishing and Related Matters (JWG) (“Illegal, Unreported, and Unregulated (IUU) Fishing”). The JWG aims to unite representatives from national fishery administrations to develop a collaborative approach to IUU fishing. The IMO also recently concluded the Marine Environment Protection of the South-East Asian Seas (MEPSEAS) initiative, imploring participating Member States to “ratify and implement key IMO environmental treaties” (“MEPSEAS South-East Asian Marine Protection Project Concludes”).

### **China:**

The People’s Republic of China is one of the largest contributors to IUU fishing worldwide, having an IUU index of 3.86, the globe’s highest, in 2021 (“IUU Fishing Index”). Due to recent domestic issues in the fishing sector, namely overfishing and habitat degradation, China has taken to expanding their marine sector in foreign EEZs, increasing their contribution to IUU fishing. The Chinese government has participated in numerous efforts to address this issue, such as the Measures for the Supervision and Location Monitoring of Distant Ocean Fishing Vessels (the Measures), requiring Chinese fishing vessels to install location-tracking technology. Moreover, the China Fisheries Association is in the process of developing mobile application single-species data platforms, allowing companies and authorities to monitor ocean fishery populations (*China’s Role in the Exploitation of Global Fisheries: Issues for Congress*).

## **Indonesia:**

The Republic of Indonesia has the second longest coastline worldwide, 17% of the globe's coral reefs, and the largest territorial waters and EEZ in the Asia-Pacific. Despite this, between 2013-2018, the State lost \$201 billion to IUU fishing, primarily through the loss of monetary fish value to illegal activity ("IUU Fishing as an Evolving Threat to Southeast Asia's Maritime Security"). As such, the Indonesian government has developed numerous initiatives to limit this loss. One such initiative being the 2015 establishment of a Presidential Task Force to Combat IUU Fishing (Task Force 115). Furthermore, Article 69 of the Fisheries Law (31/2004 jo. 45/2009), approved in 2009, authorizes the sinking of IUU-partaking vessels in the hopes of deterring future IUU fishing in the region (*Combating IUU Fishing and Fisheries Crime*).

## **Asia-Pacific Economic Cooperation (APEC)'s Oceans and Fisheries Working Group (OFWG):**

Established in 2011, the OFWG aims to both promote sustainability and encourage free and fair trade within the regional Asia-Pacific aquaculture and fishery sectors, all whilst adhering to APEC's overall mission of cultivating economic growth and collaboration between Asia-Pacific States. From August 17-18, 2022, the 19th OFWG meeting was held to amend the 2019 APEC Roadmap on Marine Debris Management and the 2019 Roadmap on Combatting IUU Fishing ("Ocean and Fisheries"). The OFWG also emphasizes the responsibilities of Asia-Pacific economies in eliminating regional IUU fishing and its negative implications, leading to the increased ratification of maritime preservation-related legislations. For example, 13 members of APEC's OFWG ratified the Agreement on Port State Measures (PSMA) in 2009.

## **IV. Key Issues including Background Information**

### **Lack of Regulation:**

Difficulties that come with regulating the high seas and persecution of illegal activity often encourage IUU fishing in the Asia-Pacific region. A 2005 study conducted by the Marine Resources Assessment Group (MRAG) found that there was a strong correlation between the governance of a State and susceptibility to IUU fishing; 12 States in the Asia-Pacific region are Least Economically Developed Countries (LEDCs), indicating a low state of governance and a

consequent high vulnerability to IUU fishing. IUU fishing prospers in these nations as their governments, regional fisheries management organizations (RFMOs), and industries often lack the capabilities and/or MCS to regulate and monitor domestic fisheries. LEDCs are also commonly faced with high corruption rates, with individuals partaking in a range of high-risk illegal activities in order to self-sustain; the lack of persecution within the IUU fishing industry further incentivizes individuals in these States to participate in lower-risk IUU fishing. Moreover, the issue of poor IUU fishing regulations and persecution is made larger simply by the vast area requiring monitoring. Covering around 30% of the world's surface, the Pacific Ocean and States within it require high numbers of MCS technology, patrol officers, and transportation equipment to regulate illegal maritime activity (“Assessment of Impacts of Illegal, Unreported and Unregulated (IUU) Fishing in the Asia-Pacific”). However, as LEDCs in the Asia-Pacific region commonly lack funding and resources to supply the aforementioned requirements, IUU fishing is allowed to run rampant.

### **Economic Impacts:**

IUU Fishing has also had an undoubtedly negative impact on both domestic and international economies. Whilst the true revenue loss of IUU fishing is unknown due to unreported fishing, it is estimated that the economic cost of IUU fishing is in the billions of dollars (Fisheries). IUU fishing operations frequently bypass conservation measurements, regulatory legislations, and operational costs, all while still having access to selling products in the primary market. As such, an unfair competition is established within the seafood marketplace for law-abiding fishermen, placing downward pressure on market prices and increasing financial losses. These already occurring losses, along with those caused by reduced catches, have culminated in a negative impact on the livelihoods of legitimate suppliers, the industry itself, and the economy of coastal states through the reduction of revenue sources.

Furthermore, IUU fishing has had a negative cascading effect on domestic industries unrelated to fishing, notably ecotourism. Some States in the Asia-Pacific region heavily rely on tourism as a main source of income, such as Thailand and the Bahamas, where marine tourism contributed roughly \$110 million and \$800 million to the economy respectively. Marine ecosystem destruction caused by IUU fishing significantly lowers tourist rates, and subsequently, domestic revenue.

## **Social Impacts:**

In the Asia-Pacific region, due to a lack of opportunities for civilians to undergo training or acquire work-related skills, fishing is a key source of employment for many. Moreover, high unemployment rates in LEDC Asia-Pacific States make desperate civilians increasingly susceptible to IUU fishing operations, as is the case in the Philippines ("Assessment of Impacts of Illegal, Unreported and Unregulated (IUU) Fishing in the Asia-Pacific "). However, IUU fishing operations have been known to defy the International Labor Standards adopted by the International Labor Organization in June of 2007, developing an inhumane working environment for said civilians. According to a 2019 Greenpeace study, fishers were forced to work up to 30 hour long shifts, drink sea water, and on occasion conduct physical abuse, sexual abuse, and withhold wages.

In addition to impacting fishers, IUU fishing has had negative implications on civilian life in the Member States. Globally, 2.9 billion people rely on fish for 20% of their animal protein consumption. In States such as Malaysia, however, the fish stock depletion caused by IUU fishing has led to an increase in fish prices, gradually decreasing accessibility to fish protein to lower-class civilians. To add, IUU fishing operations are notorious for their lack of adherence to international regulations, some of which regard basic food hygiene standards. The selling of IUU-caught fish, which have not been caught nor inspected under international food hygiene standards, may pose threats to human health following consumption.

## **Environmental Damage:**

Large IUU fishing operations often employ destructive and internationally prohibited methods to increase catch loads, such as dynamite fishing and the use of driftnets. Due to limited funding and fuel supply, smaller-scale IUU fishers commonly resort to cyanide and electrofishing, particularly in shallow waters to catch fish amongst coral reefs. As such, significant, irreversible damage is placed on these sea ecosystems, destroying coral reefs used to breed and nursery fish and subsequently altering marine food chains. Additionally, IUU fishing operations often operate without regard to regulatory measures intended to protect threatened species: in Hong Kong, an estimated \$292 to \$476 million worth of shark fin sales were produced, with the number of threatened sharks killed being 3-4 times more than official reports

stated (*THE ILLEGAL FISHING and ORGANIZED CRIME NEXUS*). As such, the ignorance of international maritime protection standards from IUU fishing operations for economic reasons pose a threat to many marine species, often leading to near-extinction.

## V. Timeline of Resolutions, Treaties, and Events

<b>Date</b>	<b>Description of event</b>
1977	The Torremolinos International Convention for the Safety of Fishing Vessels, the first international convention to standardize safety regulations of fishing vessels, takes place.
1982	The United Nations Convention on the Law of the Sea (UNCLOS), also described as the “Constitution for the Oceans,” is adopted. UNCLOS provided a foundational set of regulations regarding the governing of oceans and their resources.
November 1993	The FAO Compliance Agreement, regarding the roles of Flag States in maritime regulation, is approved by the FAO Conference at its 27th session.
2 March 2001	The International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (IPOA-IUU) is adopted by the FAO Committee on Fisheries (COFI).
14 June 2007	The ILO’s Convention C188, dedicated to establishing standardized labor regulations and protocols within the fishing industry, takes place.
22 November 2009	The Agreement on Port State Measures (PSMA), the first binding international agreement to specifically target IUU fishing, is passed by the FAO.
2015	ASEAN Guidelines for Preventing the Entry of Fish and Fishery Products from IUU Fishing Activities into the Supply Chain is passed.

June 5 2018      The first annual International Day for the Fight Against IUU Fishing, which was promoted and approved by the UN General Assembly in December of 2017.

4 December 2019      Resolution A.1155(32), regarding procedures for PSC, is adopted by the IMO.

2022      Declared the International Year of Artisanal Fisheries and Aquaculture in A/RES/72/72, in order to shed light on small-scale fishermen in the fishing sector.

## VI. Possible Challenges & Solutions

**Strengthening International Regulations:** A current lack of regional and international legislation regarding IUU fishing contributes to the fragmented and unsuccessful domestic attempts at solving the issue. As such, States in the Asia-Pacific region can collaborate at maritime-focused conventions to establish uniform standards across the region, ensuring that both legislation and persecution measures are equivalent to prevent the transfer of IUU fishing from one State to another.

**Creating Domestic Legislation:** Whilst international regulations provide general suggestions for managing IUU fishing, State-specific scenarios often contribute to the issue not being fully addressed. As such, Member States should use domestic data and historical trends to ensure that all contributors to IUU fishing are being addressed proportionate to their domestic significance.

**Increasing Persecution:** The lack of adequate IUU fishing persecution measures often incentivize civilians to engage in the industry, thus increasing IUU fishing rates and its negative implications economically, socially, and environmentally. Consequently, many agree that the issue IUU fishing should not be treated as something to merely be regulated, but instead, as a harsh crime with heftier fines, prison sentences, and other legislative punishments associated to deter participation.

**Improving MCS Capabilities:** A major hindrance to the regulation of IUU fishing is the lack of MCS equipment in the Asia-Pacific region, particularly with LEDC States. One way to combat this is through the development of MCS technologies, including fish population data collection technologies, vessels with updated location tracking devices to limit fishing in prohibited areas, and more vessels to patrol EEZs or areas prone to IUU fishing. This data could later be shared with neighboring States, further promoting collaboration and a joint approach towards the issue IUU fishing.

## **VII. Recommendations for Resolution Writing including Research**

Delegates should first begin with general research on IUU fishing, with a specific focus on activity within the Asia-Pacific region and their State's stance on the issue. As LEDCs often are faced with higher levels of corruption, LEDC delegation should ensure that they know of how their country may be participating in IUU fishing at higher rates. On the contrary, while MEDC nations may not directly participate in IUU fishing, indirect or secondary support may be provided, thus still contributing to the rise of global IUU fishing. Delegations outside of the Asia-Pacific region should be aware of how IUU fishing occurs in their region, as well as how their delegation may indirectly support the industry within the Asia-Pacific. Based on the aforementioned information, delegates can build a profile around how their State may approach IUU fishing in accordance with their values and gains.

## **VIII. Bibliography**

“Assessment of Impacts of Illegal, Unreported and Unregulated (IUU) Fishing in the

Asia-Pacific.” *APEC*,

[www.apec.org/publications/2008/11/assessment-of-impacts-of-illegal-unreported-and-unregulated-iuu-fishing-in-the-asiapacific](http://www.apec.org/publications/2008/11/assessment-of-impacts-of-illegal-unreported-and-unregulated-iuu-fishing-in-the-asiapacific). Accessed 14 Dec. 2022.

*Assessment of Impacts of Illegal, Unreported and Unregulated (IUU) Fishing in the Asia-Pacific*  
*Asia-Pacific Economic Cooperation Fisheries Working Group*. 2008.

*China's Role in the Exploitation of Global Fisheries: Issues for Congress*. 2022.

*Combating IUU Fishing and Fisheries Crime*.

“Convention C188 - Work in Fishing Convention, 2007 (No. 188).” *W*[www.ilo.org](http://www.ilo.org),

[www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:C188](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C188).

Environment, U. N. “GOAL 14: Life below Water.” *UNEP - UN Environment Programme*, 2

Oct. 2017,

[www.unep.org/explore-topics/sustainable-development-goals/why-do-sustainable-development-goals-matter/goal-14](http://www.unep.org/explore-topics/sustainable-development-goals/why-do-sustainable-development-goals-matter/goal-14).

Fisheries, NOAA. “Understanding Illegal, Unreported, and Unregulated Fishing | NOAA

Fisheries.” *NOAA*, 6 Aug. 2022,

[www.fisheries.noaa.gov/insight/understanding-illegal-unreported-and-unregulated-fishing#what-are-the-economic-losses-caused-by-iuu-fishing](http://www.fisheries.noaa.gov/insight/understanding-illegal-unreported-and-unregulated-fishing#what-are-the-economic-losses-caused-by-iuu-fishing). Accessed 14 Dec. 2022.

“Illegal, Unreported, and Unregulated (IUU) Fishing.” *W*[www.imo.org](http://www.imo.org),

[www.imo.org/en/OurWork/IIIS/Pages/IUU-FISHING.aspx](http://www.imo.org/en/OurWork/IIIS/Pages/IUU-FISHING.aspx).

“Illegal, Unreported and Unregulated Fishing.” *WWF*,

[www.wwf.org.uk/what-we-do/illegal-unreported-unregulated-fishing](http://www.wwf.org.uk/what-we-do/illegal-unreported-unregulated-fishing).

*Important Overfishing Terms to Know | Eschooltoday*. 27 Oct. 2020,

[www.google.com/url?q=eschooltoday.com/learn/overfishing-terminology/&sa=D&source=docs&ust=1672734873047741&usg=AOvVaw0OCJxcPjWHERC551vChsXW](http://www.google.com/url?q=eschooltoday.com/learn/overfishing-terminology/&sa=D&source=docs&ust=1672734873047741&usg=AOvVaw0OCJxcPjWHERC551vChsXW).

Accessed 3 Jan. 2023.

“IUU Fishing as an Evolving Threat to Southeast Asia's Maritime Security.” *Asia Maritime*

*Transparency Initiative*, 16 Nov. 2022,

[anti.csis.org/iuu-fishing-as-an-evolving-threat-to-southeast-asias-maritime-security/](https://anti.csis.org/iuu-fishing-as-an-evolving-threat-to-southeast-asias-maritime-security/).  
Accessed 12 Dec. 2022.

“IUU Fishing Index.” *Iuufishingindex.net*, [iuufishingindex.net/ranking#profiles](https://iuufishingindex.net/ranking#profiles). Accessed 12 Dec. 2022.

“MEPSEAS South-East Asian Marine Protection Project Concludes.”

*Imopublicsite.azurewebsites.net*,

[www.imo.org/en/MediaCentre/PressBriefings/pages/MEPSEAS.aspx](https://www.imo.org/en/MediaCentre/PressBriefings/pages/MEPSEAS.aspx). Accessed 12 Dec. 2022.

“New Milestone in Battle against Illegal, Unregulated Fishing.” *UN News*, 7 Nov. 2022,  
[news.un.org/en/story/2022/11/1130257](https://news.un.org/en/story/2022/11/1130257).

“Ocean and Fisheries.” *APEC*,

[www.apec.org/Groups/SOM-Steering-Committee-on-Economic-and-Technical-Cooperation/Working-Groups/Ocean-and-Fisheries](https://www.apec.org/Groups/SOM-Steering-Committee-on-Economic-and-Technical-Cooperation/Working-Groups/Ocean-and-Fisheries).

*THE ILLEGAL FISHING and ORGANIZED CRIME NEXUS*. 2015.

“The Torremolinos International Convention for the Safety of Fishing Vessels.” *Www.imo.org*,  
[www.imo.org/en/About/Conventions/Pages/The-Torremolinos-International-Convention-for-the-Safety-of-Fishing-Vessels.aspx](https://www.imo.org/en/About/Conventions/Pages/The-Torremolinos-International-Convention-for-the-Safety-of-Fishing-Vessels.aspx). Accessed 3 Jan. 2023.

“What Is IUU Fishing.” *IUU Watch*, [www.iuuwatch.eu/what-is-iuu-fishing/](https://www.iuuwatch.eu/what-is-iuu-fishing/). Accessed 12 Dec. 2022.

## IX: Additional Resources

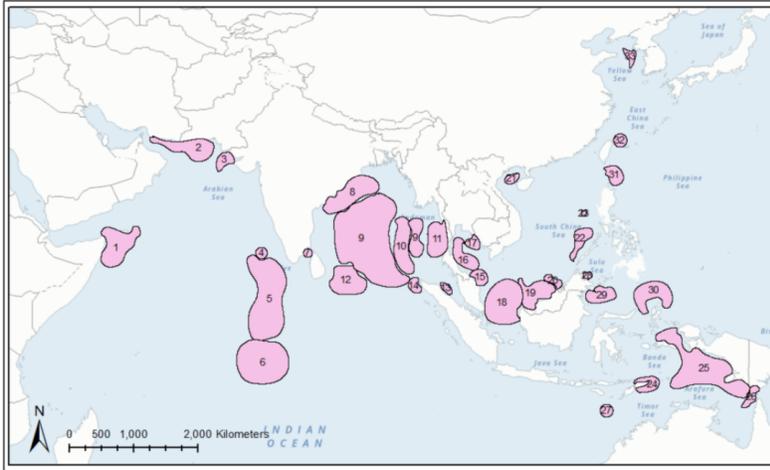


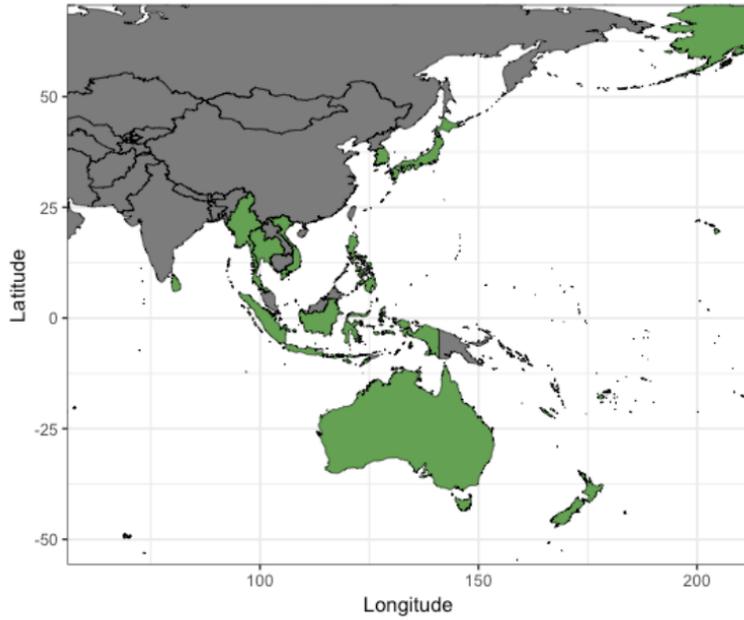
Figure 1.2: IUU-fishing hotspots in the Asian region identified in 2015 (Numbering is identified in Table 2.5)

Base map source: United Nations Geospatial <https://www.un.org/geospatial/mapsgeo/webservices> (January, 2021).

Note: Dotted line represents approximately the Line of Control in Jammu and Kashmir agreed upon by India and Pakistan. The final status of Jammu and Kashmir has not yet been agreed upon by the parties.

Source: Redrawn from FAO (2016a).

### Port State Measures Agreement Parties in Asia and the Pacific



Source: [www.fao.org](http://www.fao.org)