

South Pacific Regional Fisheries Management Organisation



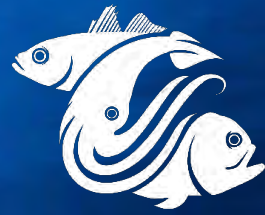
RFMOs and IUU Fishing in the High Seas.

Our Ocean Conference
Viña del Mar, 5-6 October 2015

by Johanne Fischer, SPRFMO Executive Secretary



Definition of Illegal, Unreported and Unregulated (IUU) Fishing (from the IPOA IUU)

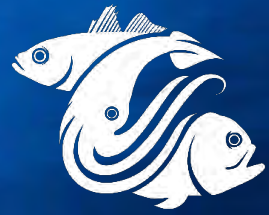


Illegal fishing refers to activities conducted without the permission of the coastal State or responsible RFMO, or in contravention of national laws or international obligations.

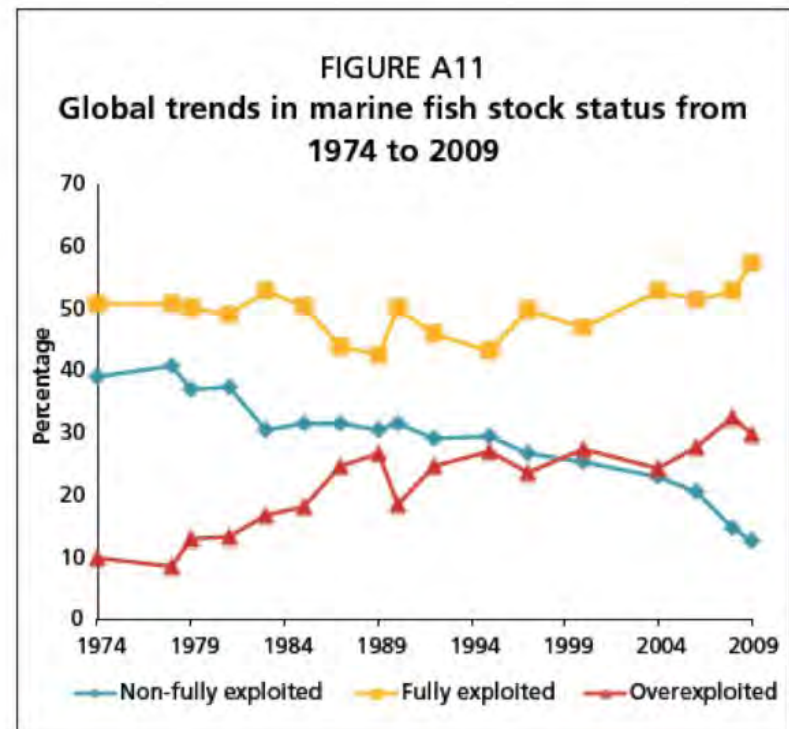
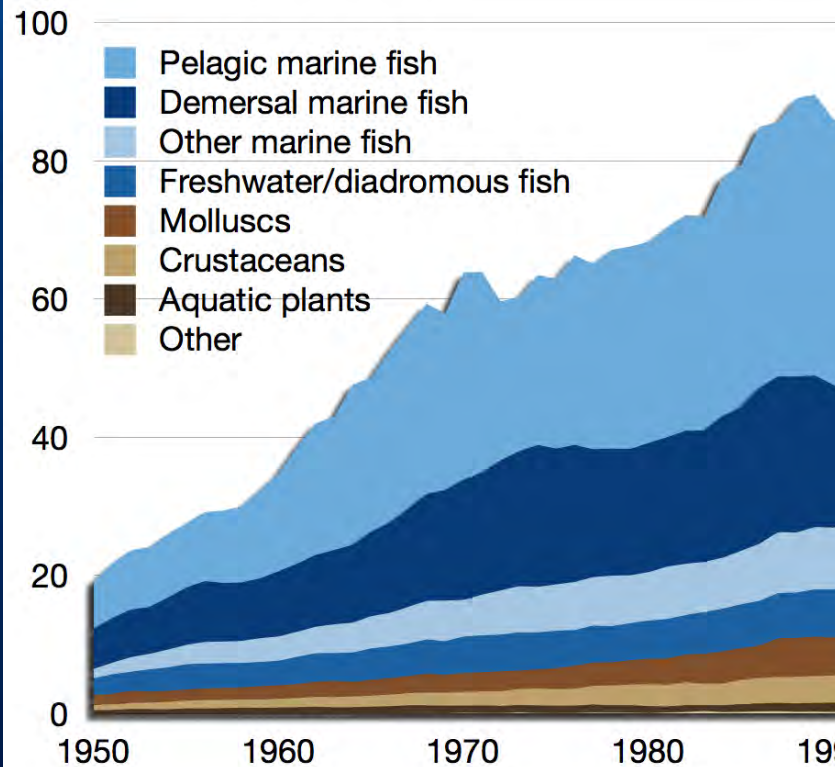
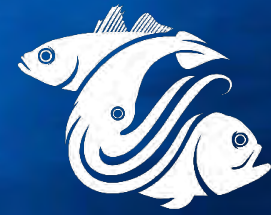
Unreported fishing refers to fishing activities which have not been reported, or have been misreported, in contravention of national and regional laws and regulations.

Unregulated fishing refers to fishing activities that are conducted by non-member vessels in a manner that is not consistent with or contravenes the conservation and management measures of an RFMO or international law.

IUU fishing is a real threat to sustainable resource use



The Problem

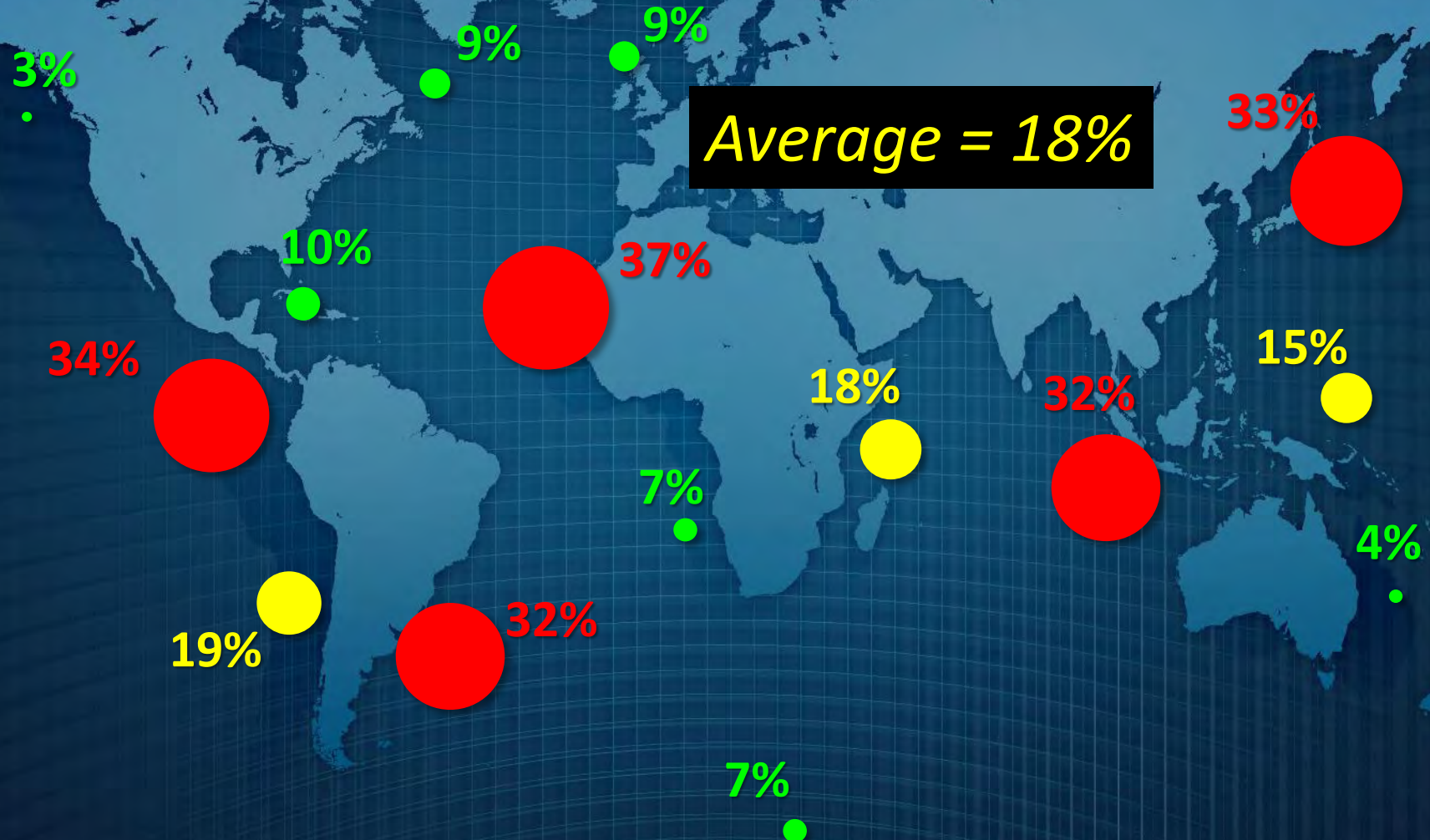


The Problem



IUU fishing estimates 2000-2003

Data from Agnew et al 2009

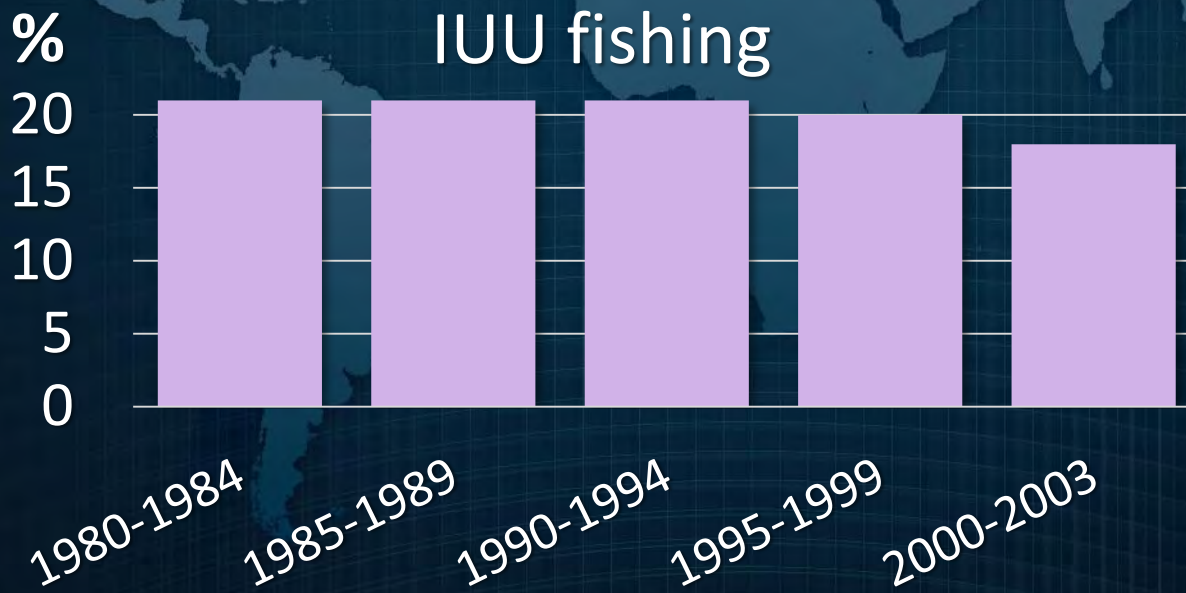


The Problem



Estimated global IUU fishing 2003
(Agnew et al, 2009)

10 – 23.5 billion USD
11 – 26 million tonnes



The Problem



Causes for weak prevention of IUU fishing

(based on a compilation by the Sub-Regional Fisheries Commission [SRFC, seven West African member States])

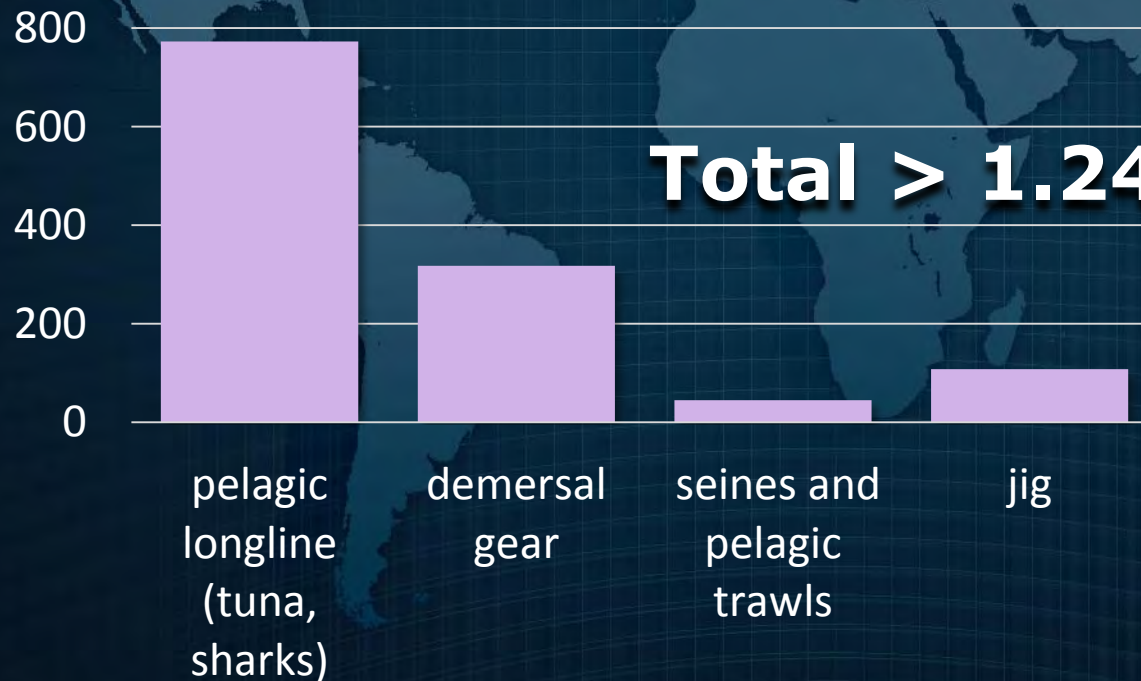
- Insufficient and inadequately trained fisheries personnel
- Fight against IUU not a high priority in poor countries
- Low salaries, bribery of fishery officers by companies
- Purchase, maintenance and operational costs of patrol boats and aircraft very high
- Logistical and financial problems to operate vessels, e.g. lack of fuel, inadequate maintenance regime

The Problem



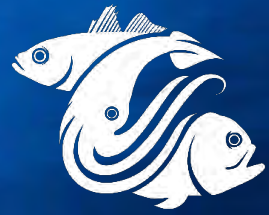
Estimate of IUU fishing in the High Seas
(*High Seas Task Force (2006). Closing the net: Stopping illegal fishing on the high seas.*)

IUU value in Mill US\$ (2003)



Total > 1.24 Billion USD

International Instruments



1982 United Nations Convention on the Law of the Sea
(UNCLOS)

1993 FAO Compliance Agreement

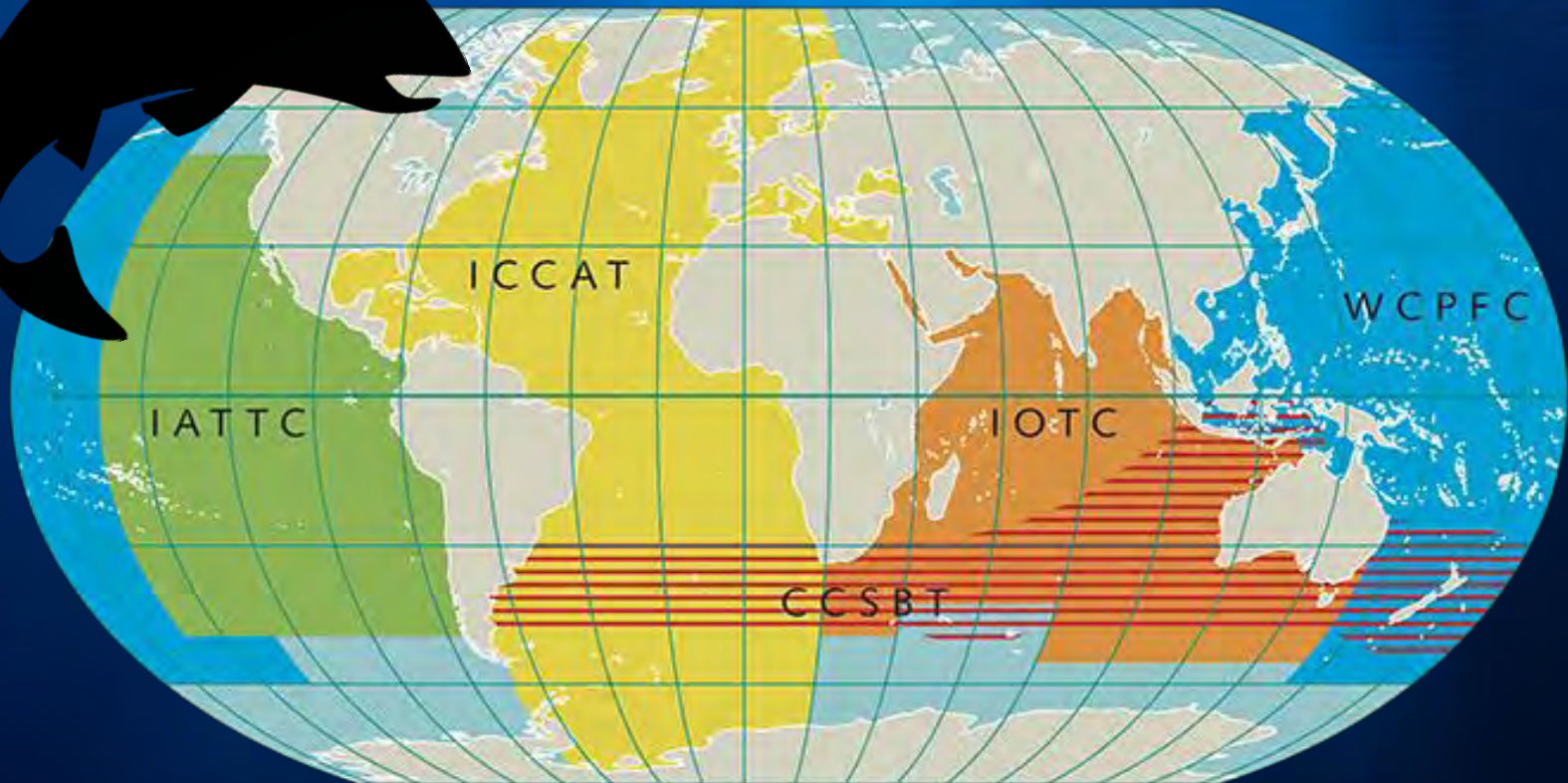
(1995 FAO Code of Conduct for Responsible Fisheries)

1995 UN Fish Stock Agreement

*(2000 FAO International Plan of Action to prevent, deter
and eliminate IUU)*

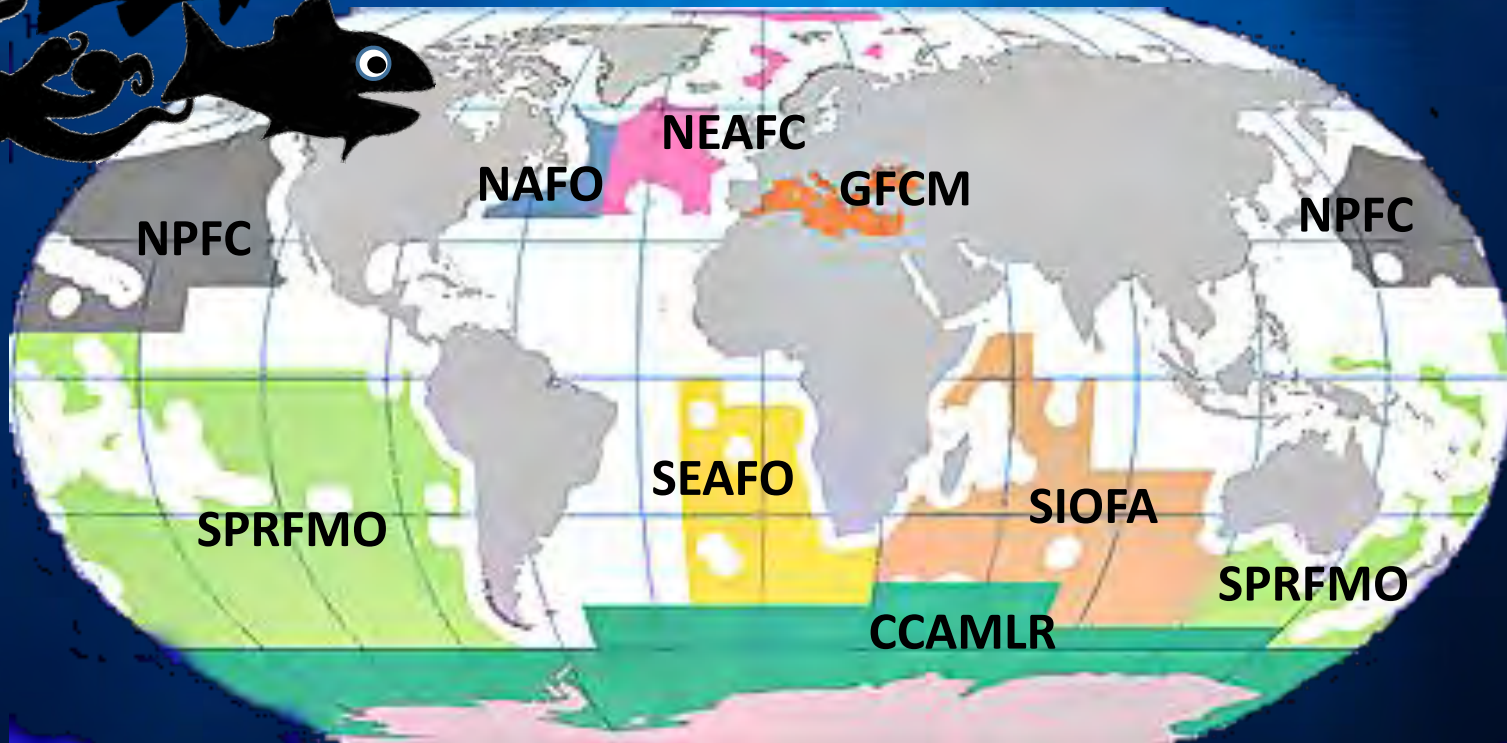
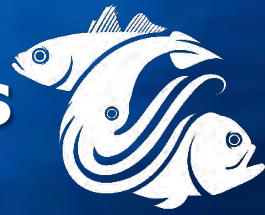
2009 FAO Port State Measures Agreement (12 plus EU)

Highly Migratory Species RFMOs (tuna)



<http://worldoceanreview.com/>

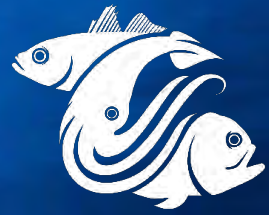
Straddling stock and deep sea RFMOs



© FAO 2015.

<http://www.fao.org/fishery/topic/166304/en>

Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean



Article 2 - Objective

The **objective** of this Convention is, through the application of the precautionary approach and an ecosystem approach to fisheries management, to **ensure the long-term conservation and sustainable use of fishery resources** and, in so doing, to safeguard the marine ecosystems in which these resources occur.





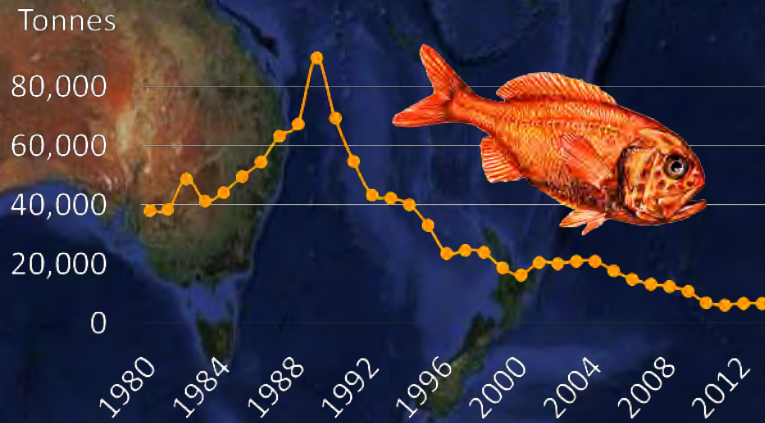
South Pacific Regional Fisheries Management Organisation (SPRFMO)

Entered into force: 24 August 2012

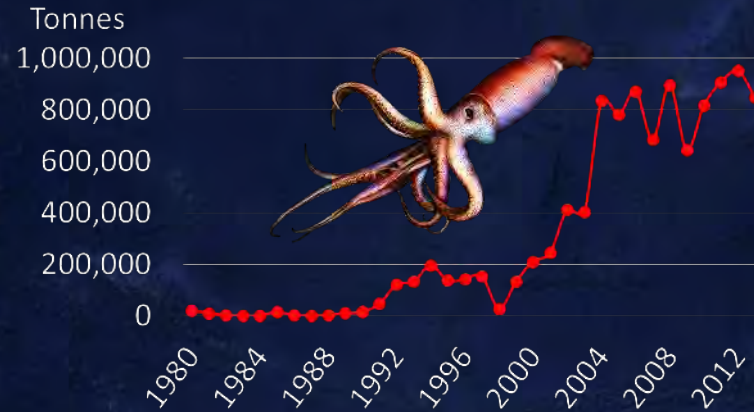
SPRFMO Fishery Resources



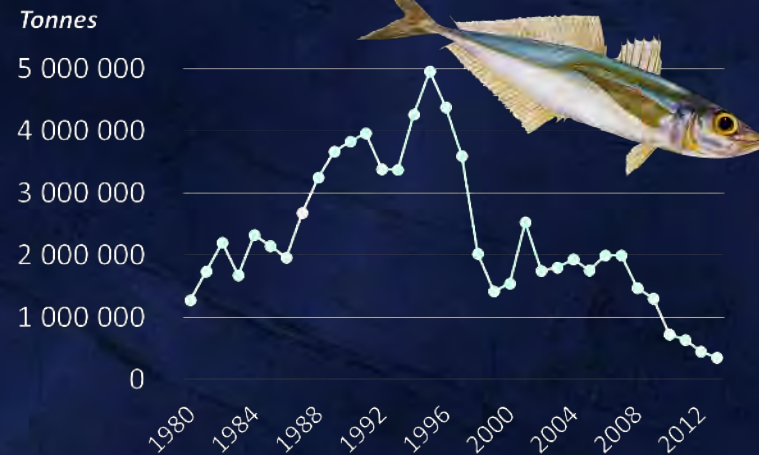
Catches of orange roughy in the South Pacific (FAO 2015)



Catches of giant squid in the South Pacific (FAO 2015)

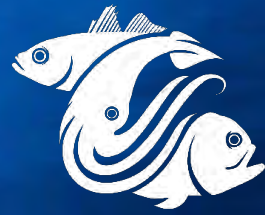


Catches of Jack mackerel in the South Pacific (FAO 2015)



Members of the Commission





Article 8

Functions of the Commission

The Commission shall ...

- (i) adopt measures to prevent, deter and eliminate IUU fishing

Article 24

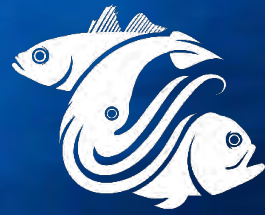
Obligations of the Members of the Commission

Each member of the Commission shall ... take all necessary measures to support efforts to prevent, deter and eliminate IUU fishing

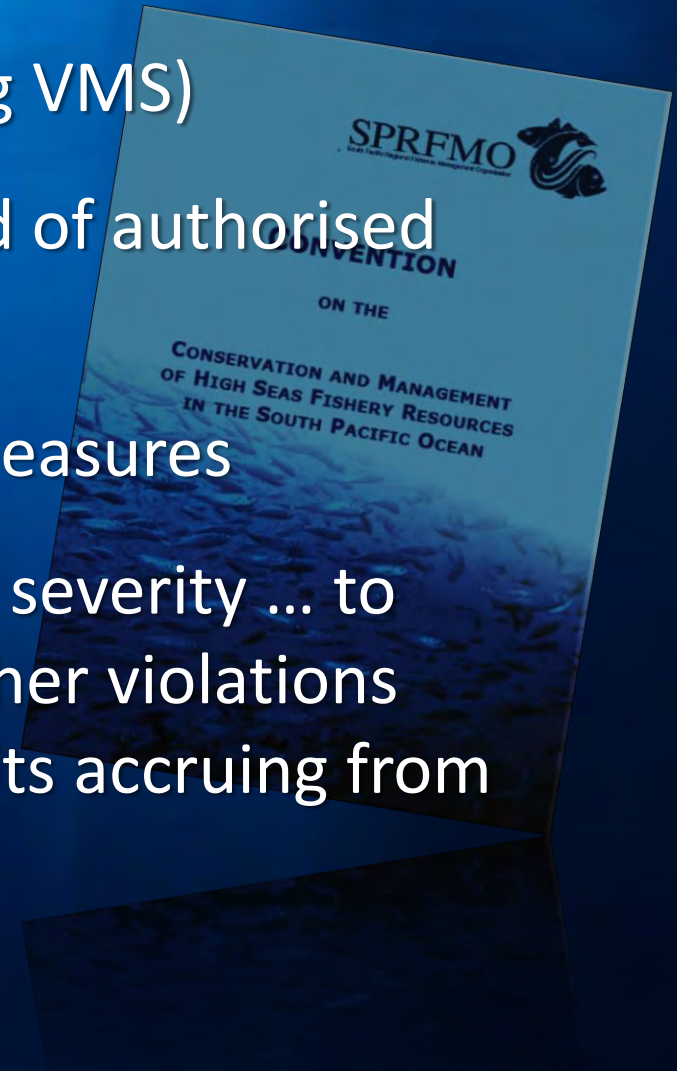


Article 25

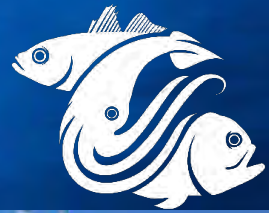
Flag State Duties



- Ensure vessel compliance (including VMS)
- Authorise vessels and keep a record of authorised vessels
- Investigate violations of SPRFMO measures
- Impose penalties of an appropriate severity ... to secure compliance, discourage further violations and deprive offenders of the benefits accruing from their illegal activities



Flag State responsibilities



Flag states can be held liable for violations of fishing vessels abroad, international tribunal rules

19th May 2015 / **Melati Kaye**

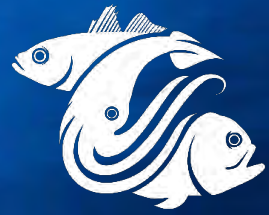
The International Tribunal for the Law of the Sea ruled in April that countries have responsibility for the actions of the fishing vessels they license, even when those boats operate abroad. The ruling, made in response to a request by West African nations, may be used to curb illegal, underreported, or unregulated (IUU) fishing.

A large white fishing vessel with red and black accents is shown at sea. The vessel has multiple masts, antennas, and a complex superstructure. The hull number '812310' is visible on the side. The background is a dark blue ocean under a clear sky.

due diligence

The obligation of a flag state ... is a **due diligence** of conduct to ensure the vessels flying its flag are not involved in IUU fishing. This may comprise:

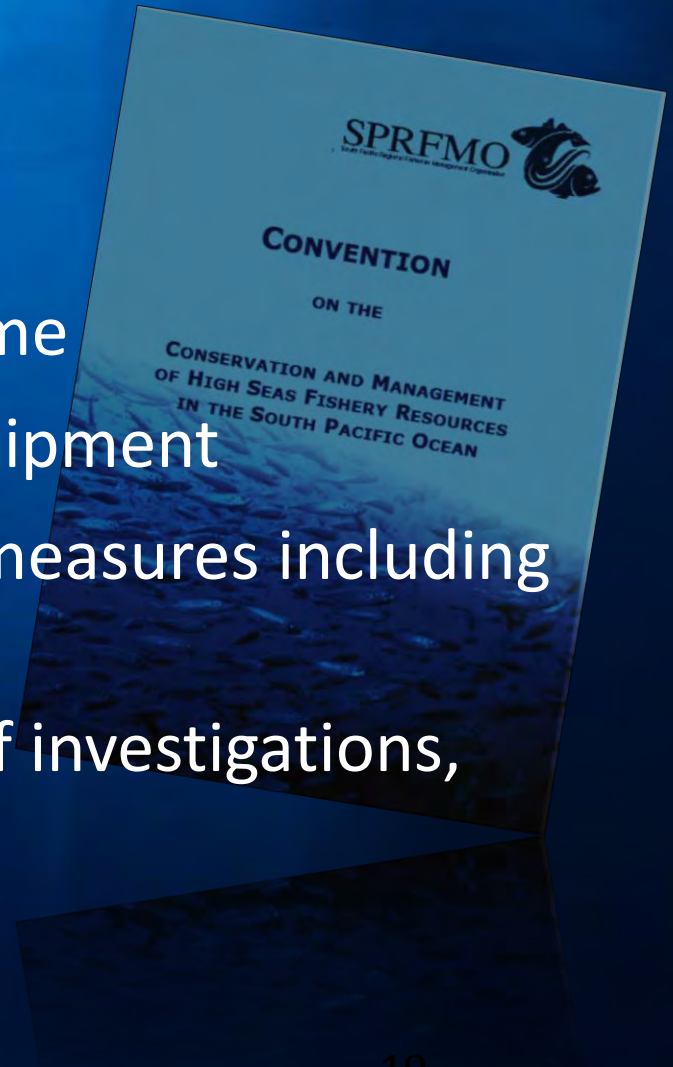
- Having in place enforcement measures to ensure compliance
- Requiring authorisation to fish
- Monitoring the vessels
- Imposing sanctions of sufficient gravity so as to deter violations and deprive offenders of the benefits from IUU fishing
- Investigating alleged IUU fishing and remedy the situation;
- Cooperating in the event of alleged IUU fishing activities



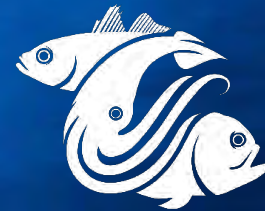
Article 27

Monitoring, Compliance and Enforcement

- Record of authorised vessels
- Vessel Monitoring System
- At-sea and port inspection programme
- Regulation and supervision of transshipment
- Non-discriminatory market-related measures including catch documentation schemes
- Reporting on violations, outcomes of investigations, and enforcement actions taken; and
- IUU vessels list



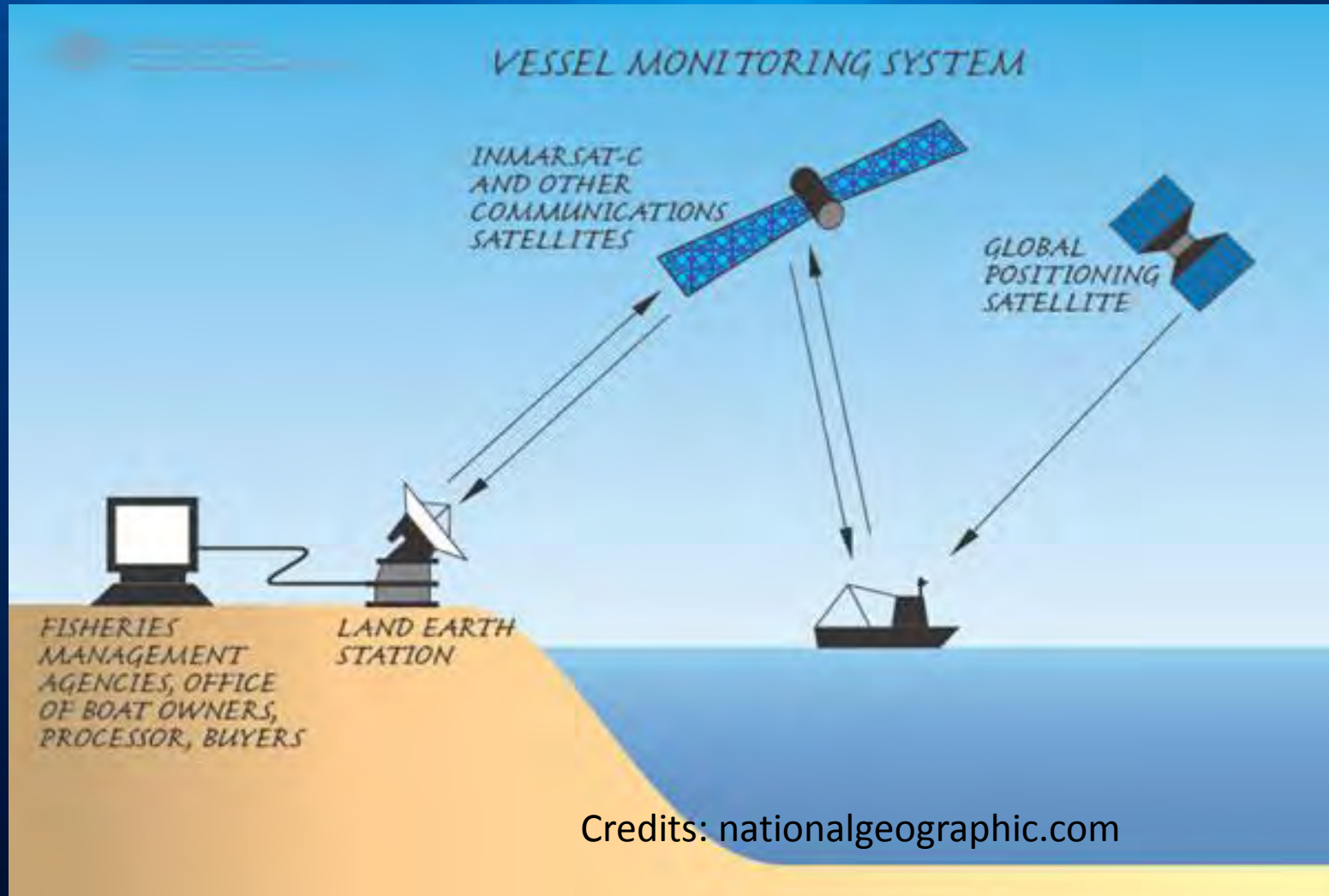
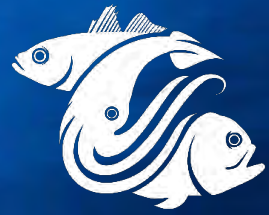
SPRFMO Conservation and Management Measures



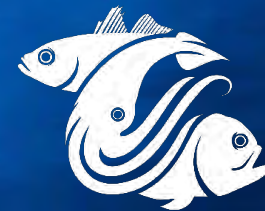
- CMM 1.02 Gillnets
- CMM 1.04 List of IUU Vessels
- CMM 2.03 Bottom Fishing
- CMM 2.04 Minimising Bycatch of Seabirds
- CMM 2.05 Commission Record of Vessels Authorised to Fish
- CMM 2.06 Vessel Monitoring System
- CMM 2.07 Minimum Standards of Inspection in Port
- CMM 3.01 *Trachurus murphyi*
- CMM 3.02 Standards for the Collection, Reporting, Verification and Exchange of Data
- CMM 3.03 Compliance and Monitoring Scheme
- CMM 3.04 Boarding and Inspection Procedures
- CMM 3.05 Regulation of Transshipment and Other Transfer Activities



Vessel Monitoring System



SPRFMO IUU Vessel List



SPRFMO COMM-03 (2015) ANNEX E

South Pacific Regional Fisheries Management Organisation

Final 2015 IUU List

Name of vessel	AURORA (PACIFIC CONQUEROR)	DAMANZAIHAO (LAFAYETTE)
Flag of vessel	Russian Federation (Peru)	Peru (Russian Federation)
Name & Address of Owner	Albatros Company Limited, ul. Portovaya 8, Korsakov 694020, Russian Federation	Sustainable Fishing resource S.A. Calle Amador Merino No. 307 Piso 9 San Isidro,



SPRFMO IUU List 2015

Summary of activities that justifies the inclusion of the vessel on the List, together with reference to all relevant documents informing of and evidencing those activities	Fishing in the SPRFMO Convention Area without authorisation (air photographs from New Zealand) and prolonged unauthorised presence in the SPRFMO Area (evidence from Chile).	Prolonged presence in the SPRFMO Area without authorisation and providing support to five authorised Peruvian trawlers according to evidence provided by Chile and Peru.
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(Indicate former details)

SPRFMO IUU Vessel List



Some measures to be taken by States regarding IUU vessels listed by SPRFMO:

- Remove/not grant SPRFMO fishing authorizations
- Legal vessels will not assist or engage with IUU vessels;
- IUU vessels cannot enter ports, except in case of *force majeure*;
- IUU vessels cannot be chartered;
- IUU vessels will not be granted the flag of a SPRFMO Member/CNCP
- Species from IUU vessels will not be imported, landed, transhipped or processed

COMBINED IUU VESSEL LIST

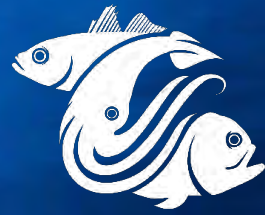
ABOUT

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ABOUT THIS SITE

Welcome to the **online combined IUU vessel list**. To date, nine regional fisheries management organisations (RFMOs) maintain or share lists of vessels that have been found to carry out or support IUU fishing within their own or adjacent convention areas. These RFMOs are the:

- Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR)
- Inter-American Tropical Tuna Commission (IATTC)
- International Commission for the Conservation of Atlantic Tunas (ICCAT)
- Indian Ocean Tuna Commission (IOTC)
- Northwest Atlantic Fisheries Organisation (NAFO)
- North East Atlantic Fisheries Commission (NEAFC)
- South East Atlantic Fisheries Organisation (SEAFO)
- Western and Central Pacific Fisheries Commission (WCPFC)
- South Pacific Regional Fisheries Management Organisation (SPRFMO)



Thank you for your attention
Gracias por su atención