

Closing the Net



Stopping illegal fishing on the high seas

**Summary proposals of the Ministerially-Led Task Force
on IUU Fishing on the High Seas**

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This publication presents a synthesis of the proposals put forward by the High Seas Task Force in its main report, *Closing the Net:*

Stopping illegal fishing on the high seas. Final report of the Ministerially-led Task Force on IUU Fishing on the High Seas.

See page ii for details of how to obtain the report.

March 2006



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The Ministerially-led Task Force on IUU Fishing on the High Seas comprises fisheries ministers of Australia, Canada, Chile, Namibia, New Zealand and the United Kingdom, and the Directors-General of the Worldwide Fund for Nature, IUCN – the World Conservation Union, and the Earth Institute at Columbia University.

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FOREWORD

We should be in no doubt that Illegal, Unreported and Unregulated (IUU) fishing is a serious global problem. Recent reports put the worldwide value of IUU catches at between \$4bn and \$9bn per year, including at least \$1bn/yr for sub-Saharan Africa. IUU fishing does not respect national boundaries. It puts unsustainable pressure on fish stocks, marine wildlife and habitats, undermines labour standards and distorts markets. It imposes significant economic costs on some of the poorest countries in the world and undermines the governance structures. There are enormous societal pressures linked to these economic costs. We are all affected by IUU fishing, even if we don't realise it.

IUU fishing has proved stubbornly resistant to a number of recent international attempts to control it. On paper these international initiatives should easily be able to eliminate IUU fishing. But one of the key difficulties has been to gather the necessary political leadership needed to carry internationally agreed targets and declarations into effect. Recognising this, a small group of fisheries Ministers¹ and directors-general of international conservation² organisations decided in 2003 to take the lead in actively promoting some practical solutions. They created the High Seas Task Force, which I have the honour to chair. Our aim is not to undercut multilateral processes but rather to provide additional impetus to existing initiatives.

After two years' work by a wide range of international legal, scientific, economic and enforcement experts the High Seas Task Force has identified a number of specific initiatives that are designed to *expose* IUU fishing activities, *deter* them and *improve enforcement* against those responsible. These initiatives can be very rapidly implemented by Task Force members and like-minded states, which will support existing processes and which will have a significant impact on IUU fishing.

¹ Fisheries Ministers from Australia, Canada, Chile, Namibia, New Zealand and the UK.

² The Earth Institute, IUCN-World Conservation Union, WWF International.

I would particularly like to acknowledge the input and support of my ministerial and other colleagues on the Task Force. They are: Elliott Morley MP (United Kingdom), the first chair of the Task Force, Hon Jim Anderton (New Zealand), Senator the Hon Eric Abetz (Australia), Hon David Benson-Pope (New Zealand), Hon Pete Hodgson (New Zealand), Dr Abraham Iyambo (Namibia), Senator the Hon Ian Macdonald (Australia), Dr Claude Martin (Director-General, WWF), Hon Geoff Regan (Canada), Dr Jeffrey Sachs (Director, Earth Institute at Columbia University), H.E. Undersecretary Felipe Sandoval (Chile) and Dr Achim Steiner (Director-General, IUCN). While there have been changes in individual membership over the two-year life of the Task Force, I am grateful for the continued strong support shown by all my colleagues.

We are now moving from a period of analysis to a time of action. This report provides a plan for action, describing the proposals and the impact that they will have on IUU fishing.

I commend the report to you as essential background to understanding the various recommendations of the Task Force.

I invite and urge you, whether or not your Minister has been a member of the Task Force, to join us in implementing some or all of the initiatives now, and help in the fight against IUU fishing.

Ben Bradshaw MP

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THE PROBLEM – WHY ACTION IS NEEDED

Illegal, Unreported and Unregulated (IUU) fishing³ is a serious global problem. It is increasingly seen as one of the main obstacles to the achievement of sustainable world fisheries. Recent studies put the worldwide value of IUU catches at between USD 4 billion and USD 9 billion a year. While USD 1.25 billion of this comes from the high seas, the remainder is taken from the exclusive economic zones (EEZs) of coastal states.

IUU losses are borne particularly by developing countries that provide over 50 per cent of all internationally traded fishery products. Significantly, losses from the waters of sub-Saharan Africa amount to USD 1 billion⁴ a year – roughly equivalent to a quarter of Africa's total annual fisheries exports. IUU fishing therefore imposes significant economic costs on some of the poorest countries in the world where dependency on fisheries for food, livelihoods and revenues is high. Moreover, it effectively undermines recent efforts by these countries to manage natural resources as a contribution to growth and welfare.

IUU fishing respects neither national boundaries nor international attempts to manage high seas resources. It thrives where weak governance arrangements prevail and is further encouraged by the failure of countries to meet their international responsibilities. It puts unsustainable pressure on fish stocks, marine wildlife and habitats, subverts labour standards and distorts markets.

IUU fishing has proved stubbornly resistant to recent international attempts to control it. Its persistence is due both to economic incentives (fuelled by demand, overcapacity and weak governance) and by the lack of global political resolve to tackle its root causes (**Box 1** overleaf).

³ At its broadest, illegal fishing takes place where vessels operate in violation of the laws of a fishery. This can apply to fisheries that are under the jurisdiction of a coastal state or to high seas fisheries regulated by regional organisations. Unreported fishing is fishing that has been unreported or misreported to the relevant national authority or regional organisation, in contravention of applicable laws and regulations. Unregulated fishing generally refers to fishing by vessels without nationality, or vessels flying the flag of a country not party to the regional organisation governing that fishing area or species. Unregulated fishing can also relate to fishing in areas or for fish stocks where there are no conservation and management measures in place.

⁴ For example, value of illegally caught fish in Guinea amounts to USD 105 million a year; Liberia, USD 33.5 million a year; Sierra Leone, USD 97 million a year; Somalia, USD 94 million a year (Marine Resources Assessment Group – MRAG – 2005).

An extensive framework of international measures has emerged with the aim of resolving IUU fishing, but a central difficulty has been to garner the political resolve to carry forward targets and declarations already agreed. Many states remain reluctant to adopt measures aimed at controlling their fishing vessels on the high seas. Even where they have adopted such measures, enforcement is patchy.

Box 1: The causes

Many factors contribute to circumstances where IUU fishing flourishes. Principally IUU fishing arises as a result of economic incentives and where enforcement of responsible fishing behaviour is ineffective. Some of the key motivators of IUU fishing are:

- high value of catch relative to low capital and running costs of IUU vessels;
- higher cost of legitimate business compared with the ease of IUU;
- association with other illegal activities such as smuggling and money laundering;
- limited access to often overcrowded legitimate fisheries;
- extreme remoteness of resources where policing is difficult;
- flag states are not party to or ignore international agreements;
- flag states unwilling to control their own vessels;
- ineffective policing and fisheries management institutions;
- ineffective inspection of fish landings and poor traceability; and
- penalties that are insufficient and often fail to deter.

Towards a solution – the High Seas Task Force

Recognising these problems, a small group of fisheries Ministers⁵ and directors-general of international conservation organisations⁶ decided to take the lead in actively promoting practical solutions. In 2003 they decided to establish the High Seas Task Force (HSTF) to advise them and finalise an action plan. The aim was to provide political leadership to drive forward much-needed practical initiatives that could be implemented immediately. The proposals reflect the collective views of the Task Force members. Inevitably, however, given the breadth of Task Force membership and the diversity of views, it should not be assumed that every Task Force member has an equal level of commitment to each proposal. These differences will be reflected in the implementation plan. The solutions proposed are designed to complement international multilateral initiatives on IUU fishing.

The focus of the Task Force's attention has first been on fishing activity on the high seas – *outside* EEZs – where IUU fishing undermines international agreements on the management of common property resources. A second key area of attention has been on IUU fishing *within* EEZs, including incursions by foreign vessels from adjacent high seas waters into EEZs where they are not licensed to fish. Although IUU fishing by licensed domestic vessels within EEZs is also a major problem, solutions to the latter are more dependent upon domestic fisheries management arrangements rather than international governance.

⁵ Fisheries Ministers from Australia, Canada, Chile, Namibia, New Zealand and the UK.

⁶ The Earth Institute, IUCN-World Conservation Union, WWF International.

THE SOLUTION

It is a fact that IUU fishing will persist unless immediate action is taken. The Task Force has therefore devised a set of practical proposals intended to tackle the root causes of IUU fishing. Each of the major proposals is intended to have one or both of the following effects:

- It will enhance enforcement, sharply increasing the risk of exposure of IUU operations and the potential for successful prohibition.
- It will make IUU operations less profitable, increasing the capital and operating costs and reducing the revenues from IUU fishing.

Each measure is thus designed in some way to **expose** IUU fishing activities, **deter** them and **improve enforcement** against those responsible.

Action must be underpinned by corresponding political determination. The weight of the proposals is therefore on measures that can be implemented immediately by Task Force members and by like-minded states that, together, wish to demonstrate such commitment in a coherent international push against IUU fishing.

A summary of the proposals is shown in on page 7. This is followed by a summarised implementation plan.

Introduction to the proposals for action

Proposal 1

As a first priority, swift and concerted action is required to stem the worst abuses. As a precondition to this, the *international community needs radically to improve the quality of information and intelligence on IUU fishing activity and access to it*. The first two proposals focus on ways of better exchanging knowledge derived from monitoring, control and surveillance activities, thus increasing the likelihood of exposure of IUU operators. Proposal 1 is to commit resources to the existing voluntary **International Monitoring, Control and Surveillance (MCS) Network** to enable it to become an international network with dedicated resources, analytical capacity and the ability to provide training and support to developing countries.

Proposal 2

Closely associated with the MCS Network and potentially contributing valuable intelligence on offenders, *Proposal 2* is to develop a **global information system on high seas fishing vessels**.

Proposal 3

Existing international fishery instruments such as the 1995 UN Fish Stocks Agreement are of critical importance to ensuring effective high seas governance. *Proposal 3* will ensure Task Force members work together in **encouraging countries to become parties to relevant instruments** and collaborate in an international effort to foster better implementation of these.

Proposal 4

There has been growing recognition of the need for Regional Fisheries Management Organisations (RFMOs) to perform better both individually and collectively, as well as the need for increased cooperation between them on issues of common concern. International consensus is already forming around the need to reform RFMOs and to initiate processes for improving their performance. This consensus recognises the crucial role played by RFMOs in effecting governance of high seas fishing in a world where fisheries are rapidly – and often uncontrollably – expanding into these regions. *Proposal 4* is to identify where the Task Force might bring leverage to bear and provide added impetus to existing initiatives. As an initial step, the Task Force **recommends guidance for RFMOs**. The guidance is not comprehensive, but is intended to be reflective of best practices in the implementation of international fishery instruments. It is offered with a view to encouraging self-evaluation by RFMOs and to aid internal discussions of reform by RFMOs in the near term. The objective is to encourage change from within.

Task Force members will actively promote the application of this guidance through the RFMOs of which they are members and through other multilateral discussions. Immediately following the launch of this report, to enable the guidelines to be further developed, the Task Force also proposes to commission an **independent high-level panel to develop a model RFMO** based on a more comprehensive assessment of best practices worldwide. *Proposal 4* also recognises the need for greater coordination, cooperation and information sharing. It notes that key gaps remain in high seas governance in several regions and need to be closed.

Proposal 5

Task Force members recognise that responsible flag state and port state behaviour is central to strong deterrence of IUU fishing. To help tackle the problem of flag states that fail to live up to their international obligations, *Proposal 5* is a preliminary set of **guidelines on flag state performance**.

Proposal 6

Proposal 6 sets out a range of measures aimed at improving **port state controls** over IUU. These include promoting the broad application of regional port state controls, reviewing domestic port state measures and suggestions for strengthening domestic legislation controlling the import of IUU product. Targets may include, for example, enterprises attempting to import IUU fish, or those that can be shown to be blatantly jeopardising the resource management measures adopted by a third state or RFMO.

Proposals 7 and 8

Proposals 7 and 8 address two further areas of major importance – how to secure good information on IUU activity, and how to address the specific needs of developing countries in overcoming IUU fishing. Because IUU is a covert activity, much information on it is of necessity anecdotal. However, the weight of evidence currently emerging is such that calls for mechanisms to fill critical gaps in scientific knowledge and assessment, and to monitor IUU activity and inform remedial policy, can no longer be ignored. *Proposal 7* therefore suggests some approaches for improving methods of assessing and monitoring **IUU fishing activity** and **bycatch**, and incorporating these into stock assessments. *Proposal 8* is to initiate a process to evaluate and then **support vulnerable developing countries** to adopt relevant Task Force measures.

Proposal 9

Proposal 9 recognises the significant advances in information technology that could be brought to bear on exposing, deterring and enforcing IUU fishing, but also takes account of several weaknesses in the application of existing systems. The proposal will focus on the **role of remote vessel monitoring systems** in tackling IUU fishing and includes the development of internationally accepted codes of practice for its correct application, with particular concern for security, reliability and data sharing.

Box 2: Proposals for action by the High Seas Task Force

1	Strengthen the International MCS Network.
2	Establish a global information system on high seas fishing vessels.
3	Promote broader participation in the United Nations Fish Stocks Agreement (UNFSA) and the Food and Agriculture Organization of the United Nations (FAO) Compliance Agreement.
4	Promote better high seas governance by: <ul style="list-style-type: none"> A. developing a model for improved governance by RFMOs; B. independent review of RFMO performance; C. encouraging RFMOs to work more effectively through better coordination; and D. supporting initiatives to bring all unregulated high seas fisheries under effective governance.
5	Adopt and promote guidelines on flag state performance.
6	Support greater use of port and trade measures by: <ul style="list-style-type: none"> A. promoting the concept of responsible port states; promoting the FAO Model Port State Scheme as the international minimum standard for regional port state controls and supporting FAO’s proposal to develop an electronic database of port state measures; B. reviewing domestic port state measures to ensure they meet international minimum standards; and C. strengthening domestic legislation controlling import of IUU product.
7	Fill critical gaps in scientific knowledge and assessment.
8	Address the needs of developing countries.
9	Promote better use of technological solutions.

THE IMPLEMENTATION PLAN

Task Force members will work together to advance the proposals. It is hoped that within the range of specific measures proposed, there are some that like-minded countries and organisations may also wish to support. The Task Force will welcome participation and assistance from others in the implementation of the proposals. With this in mind, the Task Force will actively seek to engage an ever-widening group of like-minded countries and organisations.

From March 2006, the UK (on behalf of the HSTF) will establish an **international coordination unit** with responsibility to facilitate this process. Instrumental to this will be a targeted strategy that will

- encourage and promote broader acceptance and participation in the adoption of measures proposed
- seek agreement on implementation arrangements through regular consultation with Task Force member states and like-minded partners, and
- establish a monitoring unit to review and evaluate progress.

Task Force members have, from the outset, recognised that their wish to take the lead in a number of areas should support broader multilateral efforts. Thus the initiatives that Task Force members commit to implement are not promoted as solutions in isolation from more broadly-based activities. Indeed, it is recognised that some measures can only be achieved effectively through concerted multilateral action.

Clearly, it is beyond the Task Force members alone to secure such an outcome. With this in mind, the Task Force set out to ensure its recommendations would be fully compatible with multilateral processes and its members would lend their collective weight to those processes by taking a common advocacy position wherever possible.

These recommendations are therefore couched as *positions that Task Force members will advocate by way of a clear, united position in regional organisations and multilateral discussions.*

In summary, therefore, the proposals represent a menu from which like-minded partners may choose. Those interested in pushing ahead on tackling IUU fishing with practical solutions, either unilaterally or in concert with other processes, can select from a set of priority actions to support as part of this new global effort to expose, deter and enforce IUU fishing.

Proposal 1

International MCS Network

Problem: IUU activity is global in nature and thrives where there is a low risk of being caught. It is often beyond the capacity of individual states to create an effective surveillance presence that increases the likelihood of detection of IUU activity. A more coordinated and comprehensive approach to MCS that makes use of international and regional information networks is necessary.

Objective: To enhance the existing voluntary International MCS Network by providing the resources to improve its effectiveness, give it a dedicated analytical capability and give it the capacity to provide training and technical support to fisheries enforcement agencies in developing countries. The fully resourced Network would undertake the following functions:

- act as an information hub for MCS professionals from Network members worldwide, with dedicated libraries and databases on prosecutions, sanctions, vessels and other data;
- provide a dedicated analytical capability for fisheries and non-fisheries data, analyse IUU problems and create solutions that can be implemented; and
- provide training and support, especially to personnel from developing countries, creating active linkages with MCS agencies and research organisations developing new techniques and technologies for surveillance and enforcement.

Benefits: The enhanced MCS Network will significantly improve the information available to enforcement organisations, **exposing** IUU operations, and will strengthen national and regional capacity to **improve enforcement** against IUU.

Proposed implementation: **Task Force** members, working together with authorities of the United States Government and like-minded states, will contribute the resources to enhance the existing MCS Network. This will involve a three-year commitment, with the ultimate objective that the Network becomes free-standing. Consultations will be held with current members of the MCS Network in order to obtain their support for this proposal.

Proposal 2

Global information system on high seas fishing vessels

Problem: One of the greatest obstacles faced by enforcement organisations is the lack of access to transparent and authoritative information about ownership and control of fishing vessels. Without such information MCS analysts cannot accurately assess the risk of IUU fishing in national or regional waters.

Objective: To establish a publicly available international database of information relating to the global high seas fishing fleet by compiling existing fisheries-related information on high seas fishing vessels and making it available on the internet. Sources would include shipping registries, national and regional registers and commercial records.

Benefits: Publicly available information on vessel histories and behaviour will expose and **deter** IUU by making it more difficult for such vessels and companies to do business. Information on the global presence and behaviour of fishing vessels will **improve enforcement** by making it easier for enforcement authorities and RFMOs to target their activities to greatest effect.

Proposed implementation: Task Force members will take the initiative to develop the database. A potential model for this work is the existing European Quality Shipping Information System (Equasis). In the long term the global information system could be fully integrated both with the enhanced MCS Network and any future evolution of the FAO register of high seas fishing authorisations.

Proposal 3

Participation in UNFSA and FAO compliance agreement

Problem: Of the 149 parties to the United Nations Convention on the Law of the Seas (UNCLOS) (1982) only 56 have ratified its implementing agreement relating to high seas fisheries, UNFSA (1995). Many key high seas fishing states have not signed UNFSA. Some signatories appear to exert limited control over their flag vessels with regard to compliance with the high seas provisions of UNFSA. IUU flourishes in situations where flag states do not exert effective control over their vessels outside their own waters.

Objective: To encourage all high seas fishing nations, especially those which have a history of relationships with IUU fishing and those operating high seas fishing fleets, to ratify or accede to UNFSA and the FAO Compliance Agreement and implement their provisions.

Benefits: Increasing the number of states which are actively implementing the provisions of UNFSA will reduce the number of flag states that will tolerate IUU activities and increase the compliance of vessels with RFMO conservation and management measures, effectively **detering** IUU fishing.

Proposed implementation: Over the next year, Task Force members, and like-minded states, will make special efforts, including through joint diplomatic representations, to encourage key countries with high seas fishing interests to ratify or accede to UNFSA and the Compliance Agreement.

Proposal 4

Promote better high seas governance

Notwithstanding the critical role allocated to them, in practice there is great diversity in the mandates and effectiveness of implementation of regulations by the international bodies set up to undertake high seas fisheries management – the RFMOs. In part this is because, although UNFSA relies for its effectiveness on a network of RFMOs, and sets out minimum requirements for RFMOs, many RFMOs were established prior to UNFSA and do not necessarily possess the mandates to carry out all the functions ascribed to them. A more systematic approach is needed if international actions aimed at curbing IUU fishing are to achieve their full effect.

A Develop a model for improved governance by RFMOs

Objective: The objective is to promote and encourage progressive reform of RFMOs based on a process of internal self-evaluation against objective and broad-based criteria consistent with the principles set out in international fisheries instruments.

Benefits: Raising the standards of all RFMOs will reduce the opportunities available for IUU vessels on the high seas, effectively **detering** IUU fishing.

Proposed implementation: As an initial step, the Task Force recommends guidance for assessing the performance of RFMOs. The guidance is intended to be reflective of best practices in the implementation of international fishery instruments. Task Force members will actively promote the application of this guidance through the RFMOs of which they are members and through other multilateral discussions. They will encourage the RFMOs of which they are members to conclude an initial self-assessment no later than July 2007. To enable the guidelines to be further developed, the Task Force will commission, immediately following the launch of the report, an independent high-level panel to develop a model RFMO based on a more comprehensive assessment of best practices worldwide.

B Independent review of RFMO performance

Objective: To promote a more systematic approach to the review of RFMO performance.

Benefits: Regular review of an evolving model RFMO would enable the international community to identify clearly the areas in which RFMOs fall short of the standards required by the Fish Stocks Agreement and other relevant international fishery instruments, the obstacles to be overcome and how to remedy the situation.

Proposed implementation: The Task Force will encourage the launch of an independent review and evaluation process for RFMOs aimed at producing critical assessments of their performance against the developing model. To be effective, such a process would need to have sufficient credibility to draw attention at the political level to trends and gaps in effective conservation and management of high seas resources.

C Encourage RFMOs to work more effectively together through better coordination and use of port and trade-related measures

Problem: Lack of coordination between RFMOs is exploited by IUU vessels, which are not restricted to any one RFMO area and move between them at will. This lack of coordination also leads to a lack of effective management of IUU or other fishing that has an impact on ecosystems. This is because the borders of RFMOs, whether based on species groups or geographical areas, rarely completely coincide with ecosystem and biogeographical areas.

Objective: To encourage strengthened cooperation between RFMOs. Specific opportunities exist through the use of shared vessel registers, real-time information exchange, common statistical catch documentation schemes and consultation on straddling stock issues⁷.

Benefits: Increasing cooperation between RFMOs will reduce the opportunities available for IUU vessels on the high seas, effectively **detering** IUU fishing and mitigating its effects on marine ecosystems.

Proposed implementation: Task Force members will actively promote increased levels of cooperation between the RFMOs of which they are members.

⁷ When a fish stock may exist in, or migrate between, areas managed by two different RFMOs.

D Support initiatives to bring all unregulated high seas fisheries under effective governance

Problem: There are significant gaps in the coverage of high seas waters by RFMOs. Some high seas fisheries (species and areas) are completely unregulated. Even if it does not contravene the regulatory measures of an RFMO or any individual state (because none has jurisdiction) fishing in these areas is categorised as IUU. If unchecked, unregulated fishing can lead to serious degradation of the fishery or ecosystem.

Objective: To encourage the development of new RFMOs, or the modification of existing RFMOs, to include all high seas areas and fisheries.

Benefits: A comprehensive RFMO network will bring previously unregulated fisheries under regulation, will halt the unregulated development of new high seas fisheries, and should improve reporting standards. Such fisheries will no longer be unregulated, effectively **detering** IUU fishing.

Proposed implementation: Task Force members will actively promote the inclusion within new or existing RFMOs of all fisheries and areas in which members have an immediate interest.

Proposal 5

Adopt and promote guidelines on flag state performance

Problem: The flag state is the basic legal entity for all high seas fishing vessels. Although there are a number of international fisheries instruments that include details of what is required from a flag state, many flag states fail to live up to their international responsibilities.

Objective: To provide criteria which could be used by Task Force members and by others to independently evaluate the performance of flag states with respect to fisheries. The criteria could be used to determine, objectively and transparently, whether flag state administrations are taking their fisheries-related responsibilities seriously.

Benefits: Encouraging the assessment of flag state performance will not only identify which flag states are performing poorly, but against which criteria they perform worst. This will allow targeted action, such as representations, specific enforcement action or provision of funding to improve performance. This will all expose IUU fishing activities and **improve enforcement** against those responsible.

Proposed implementation: To help tackle the problem of flag states that fail to live up to their international responsibilities, the Task Force proposes a preliminary set of guidelines on flag state performance with respect to high seas fishing vessels. The guidelines are based on the obligations of flag states with respect to fishing vessels set out in international fishery instruments.

Proposal 6

Support greater use of port and import measures

Proactive use of port state controls can be an effective weapon against IUU fishing operations. At present the Law of the Sea emphasises the primacy of flag state jurisdiction, and port state jurisdiction remains optional. This has tempted some port states to attract the business of IUU fishing vessels. Strengthening port state controls will **deter** IUU fishing and **improve enforcement**.

A Promote the concept of responsible port states and support broad application of the FAO Model Port scheme

Problem: Once a vessel is in one of its ports the coastal state needs to have domestic law in place to enable it to act decisively against illegal activity. Cooperative mechanisms also need to be in place to coordinate action with other port states, flag states and market states. Some port states do not have these abilities and IUU vessels take advantage of this.

Objective: To promote the concept of a responsible port state as a state which is committed to making the fullest possible use of its jurisdiction under international law.

Benefits: Strengthening port state jurisdiction will **improve enforcement**.

Proposed implementation: Task Force members will work together and through RFMOs to promote the broad application of FAO's Model Port Scheme. Task Force members also support FAO's proposal to develop a database of port state measures and have already prepared and forwarded to FAO an inventory and analysis of port state measures applied by Task Force members and RFMOs.

B Review Task Force member domestic port state arrangements

Benefits: Strengthening port state jurisdiction will **improve enforcement**.

Proposed implementation: Task force members have published a review of their domestic port state measures, including specific recommendations for reinforcing these measures.

C Strengthen domestic legislation controlling import of IUU product

Problem: The International Plan of Action (IPOA) on IUU recognises that port states should make greater use of their ability to sanction vessels that conduct IUU fishing beyond their jurisdiction. One of the most effective weapons in the fight against IUU fishing has been the US Lacey Act. Lacey-Act-type provisions have been adopted by relatively few other states to date.

Objective: To promote the application of domestic legislation similar to the US Lacey Act. The Lacey Act allows the US (as port or import state) to sanction vessels and individuals that attempt to import fish that has been caught in a manner which undermines the effectiveness of resource management measures adopted by a third state or RFMO.

Benefits: Strengthening port state jurisdiction will limit market access and increase the cost of doing business for IUU operators, **detering** them and **enhancing enforcement**.

Proposed implementation: The Task Force has prepared draft clauses for a Model Port State Fisheries Enforcement Act. Task Force members will consider adopting domestic legislation along these lines to strengthen their existing port state legislation and recommend the draft clauses to others.

Proposal 7

Fill critical gaps in scientific knowledge and assessment

Problem: Estimating the magnitude of IUU fishing effort is a significant problem. Poor, inaccurate or non-existent reporting of IUU catches and by-catch significantly degrades the accuracy of assessments of the impact of all fishing activities. These impacts are equally damaging on target species, other species including fish, turtles, birds and mammals, and the marine environment.

Objective: To encourage increased reporting of bycatch and interaction with other aspects of the marine environment in all high seas fisheries through the widespread use of scientific observer programmes in all RFMOs. To establish a network of IUU monitoring centres around the world, with the remit of developing new methods of assessing IUU activity and conducting regular monitoring of the level of IUU fishing and its impacts. In the long term to establish an expert panel of scientists to advise on high seas fisheries at the global level.

Benefits: Better information will **expose** IUU fishing activities and the damage done by them, and enable better management of marine resources by states and RFMOs and **improved enforcement** opportunities.

Proposed implementation: Task Force members will promote the wider use of international scientific observer schemes in RFMOs to which they are members. The Task Force will initiate an IUU monitoring project as part of its implementation plan.

Proposal 8

Address the needs of developing countries

Problem: IUU fishing is particularly damaging to developing countries, which are often highly dependent upon fishing to generate livelihoods, food security and exports. Losses to IUU fishing in sub-Saharan Africa are estimated to be close to USD 1 billion each year. Developing countries often lack the resources to effectively police their waters, to engage effectively with adjacent RFMOs, or to control the activity of their own vessels throughout the world.

Objective: To assist with creating the institutional, management and technical capacity for developing countries to effectively control their own vessels throughout the world as well as foreign vessels within their own waters. To foster the development of regional management and MCS arrangements.

Benefits: These initiatives will result in an **improved enforcement** capability for developing countries, directed specifically at eliminating IUU activity.

Proposed implementation: Task Force members will actively direct development funding towards improving enforcement capability in key developing countries. Projects over the next two years will focus on particular regions where IUU is currently a major problem.

Proposal 9

Promote better use of technological solutions

Problem: Vessel monitoring system (VMS) equipment is a useful tool but on its own is of limited use in combating IUU fishing. Other measures need to be developed to support it, particularly to combat the tendency of IUU vessels to find technological means to falsify their VMS records, effectively hiding their activities from the authorities.

Objective: To develop norms and standards for fishing vessel VMS equipment, including a code of practice for the implementation and operation of VMS, particularly with a view to developing methods for exposure and elimination of opportunity for falsification of VMS records.

Benefits: These initiatives will result in **exposure** of IUU activities recorded on VMS and **deterrence** of IUU by increasing the difficulty of falsifying data.

Proposed implementation: Task Force members will promote the adoption of codes of practice for the implementation and operation of VMS at international level and within RFMOs.

ANNEX 1: HOW TO CONTACT US

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ANNEX 2: LIST OF ABBREVIATIONS USED

EEZ	exclusive economic zone
FAO	Food and Agriculture Organization of the United Nations
HSTF	High Seas Task Force
IUU	Illegal, Unreported and Unregulated Fishing
IPOA-IUU	International Plan of Action on Illegal, Unreported and Unregulated Fishing
MCS	monitoring control and surveillance
NGO	non-governmental organisation
UNCLOS	United Nations Convention on the Law of the Seas
UNFSA	United Nations Fish Stocks Agreement
RFMO	Regional Fisheries Management Organisation
VMS	vessel monitoring systems

