

# SPECIAL REPORT

## THE ASEAN GUIDELINES FOR PREVENTING THE ENTRY OF FISH AND FISHERY PRODUCTS FROM IUU FISHING ACTIVITIES INTO THE SUPPLY CHAIN

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*IUU fishing has been identified as biggest threat to the sustainable development of fisheries and aquaculture in the Asia-Pacific region (29<sup>th</sup> Session of APFIC). To combat IUU fishing, countries had been asked to take actions among others to adopt sub-regional cooperation in deterring IUU fishing in the region. In response, the ASEAN has been seriously addressing the issue on management of fishing capacity and combating IUU fishing together with ASEAN, SEAFDEC and the RPOA initiative to combat IUU fishing, adhering to the "Resolution and Plan of Action on Sustainable Fisheries for Food Security for the ASEAN Region Towards 2020" adopted by the Ministers and Senior Officials during the ASEAN-SEAFDEC Conference in 2011.*

The ASEAN-SEAFDEC Member Countries have recognized the need to foster cooperation among the countries as well as with international and regional organizations in order to combat IUU fishing in the Southeast Asian region, as clearly stipulated in the ASEAN-SEAFDEC Resolution and Plan of Action on Sustainable Fisheries for Food Security for the ASEAN Region Towards 2020. In an effort to respond to such mandate, SEAFDEC has been implementing various activities that aim to control IUU fishing in the region, one of which is the activity on Preventing the Export of IUU Fishing Products from the Southeast Asian Region. With financial support from the Japanese Trust Fund (JTF), this activity being carried out by MFRDMD aimed at collecting and sharing information on the export of fishery products from the region, and developing the regional guidelines that would set one's sight on preventing IUU fishing and its products from being imported/exported. The said guidelines would take into consideration the relevant international trade-related measures that prohibit the marketing of fish and fishery products derived through unsustainable means and from unsustainable sources.

The efforts of SEAFDEC to combat IUU fishing in the Southeast Asian region is being spearheaded by the Government of Japan through the JTF Project on "Assistance for Capacity Building in the Region to Address International Fish Trade-related Issues", as well as by the Government of Sweden through the SEAFDEC-Sweden project which aims to promote the management of fishing capacity and to combat IUU fishing in the region. While also working closely with the Indonesian-based Regional Plan of Action to Promote Responsible Fishing

including Combating IUU Fishing (RPOA-IUU). SEAFDEC also encourages and assists the Southeast Asian countries in the development of their respective National Plans of Action on Combating IUU Fishing (NPOA-IUU).



*Core Expert Meeting in Thailand in 2011*

International organizations such as the FAO which reviewed the requirements of developing countries in combating IUU fishing recognized that lack of effective fishery management and regulation in developing countries have made it difficult for these countries to implement measures to curb IUU fishing. In addition, these organizations also recognized that IUU fishing should be clearly defined and concretely identifiable.

As a matter of fact the shapeless and structure-less term "IUU Fishing" should be made very precise and clearly elaborated on so that an international consensus to adopt the FAO International Plan of Action to combat IUU fishing could be obtained. If left with unclear definition, IUU fishing which could not be controlled as problems could arise in the implementation of countermeasures in many countries, leading to discontentment and unwillingness to take on steps to combat IUU fishing. This means that there should be some forms of clear agreement concerning the range of fishing activities that are being targeted and classified as IUU fishing. Furthermore, the absence of concrete and clear definition of "IUU fishing" could also insinuate that this form of fishing is not in accordance with international consensus on the practices targeted by trade-related measures. In order that these issues and concerns would be addressed, the need for

clear definition of IUU fishing which would have the greatest possible precision, should be considered a priority by relevant agencies and organizations including the concerned RFMOs.

### Development of the Regional Guidelines (2011-2014)

In 2011, SEAFDEC more particularly TD and MFRDMD initiated a project on the promotion of fishing license, boats registration and port State measures to combat IUU fishing in the Southeast Asian region. The project carried out under JTF support had three main activities: 1) promotion of fishing license, boats registration and port State measures; 2) promotion of Monitoring, Control and Surveillance (MCS) in Southeast Asia; and 3) preventing the export of products from IUU fishing products. While the first two activities are being implemented by TD, the last activity is under the responsibility of MFRDMD. The activities conducted by MFRDMD include gathering of information regarding export of fisheries products in AMS and organizing a Core Expert Meeting for information gathering regarding export of fisheries products and recommendation on information required for development of a regional guidelines. The output from the meeting included the structure and format of the regional guidelines to prevent the export of products from IUU fishing activities.



(Top) Information gathering during the visit to Indonesia in 2012; and (Below) Information gathering during the visit to Viet Nam in 2012

In 2012, MFRDMD developed a set of questionnaires to collect information regarding issues, processes and procedures on the export of fish and fishery products of SEAFDEC Member Countries. Information gathering through visits to some ASEAN Member States were undertaken. Series of core experts meetings were held from 2012 to 2013. In 2014, final draft of guidelines was prepared by MFRDMD and the Secretariat, and the regional guidelines known as the “ASEAN Guidelines for Preventing the Entry of Fish and Fishery Products from IUU Fishing Activities into the Supply Chain” (**Box 1**) was finalized at the RTC on

<b>Box 1 Outline of the ASEAN Guidelines for Preventing the Entry of Fish and Fishery Products from IUU Fishing Activities into the Supply Chain</b>
Abbreviations And Acronyms
Preface
<b>PART I: Introduction</b>
1. Goals and Objectives
2. Nature and Scope
3. Guiding Principle
4. Definition of Terminologies
<b>PART II: Forms of IUU Fishing Activities Occurring in the Southeast Asian Region</b>
5. Common Issues
6. Various Forms of IUU Fishing Activities
i) Illegal fishing activities within country
ii) Unauthorized transshipment and landing of fish/catch across borders
iii) Poaching in the EEZs of other countries
iv) Illegal fishing and trading practices of live reef food fish, reef-based ornamentals and endangered aquatic species
v) IUU fishing in the high seas and RFMO areas
<b>PART III: National, Bilateral/Multi-lateral, Regional Initiatives to Combat IUU Fishing</b>
7. National Initiatives
8. Bilateral/Multi-lateral Enforcement Activities
9. Regional and RFMOs Initiatives
i) ASEAN-WEN
ii) CTI-CFF
iii) MRC
iv) RPOA-IUU
v) SSME
vi) RFMOs Initiatives
<b>PART IV: Preventing the Entry of Fish and Fishery Products from IUU Activities into the Supply Chain</b>
10. Managing Fishing Activities within a Country
11. Regulating Transshipment and Landing of Fish/Catch Across Borders
12. Preventing Poaching in the EEZs of Other Countries
13. Controlling Illegal Fishing and Trading Practices of Live Reef Food Fish, Reef-based Ornamentals, and Endangered Aquatic Species
14. Strengthening the Management of Fishing in the High Seas and RFMOs Areas
<b>Review of the Guidelines</b>
<b>Annexes</b>
1. Meeting under the JTF IUU Project 2011-2014 for the Development of this Guidelines
2. Example of Vessel Identification and Licensing System of Malaysia
3. Basic Requirements for the Database of RFVR 24 m. in Length and Over

Regional Guidelines for Preventing the Entry of Fish and Fishery Products from IUU Fishing Activities into the Supply Chain in Kota Kinabalu, Malaysia.

The Regional Guidelines need to be endorsed by the 47<sup>th</sup> Meeting of the SEAFDEC Council, and subsequently by the ASWGFi and the SOM-AMAF before these could be implemented. 