

Preventing the Entry of IUU Fish and Fishery Products into the Supply Chain: the Regional Guidelines

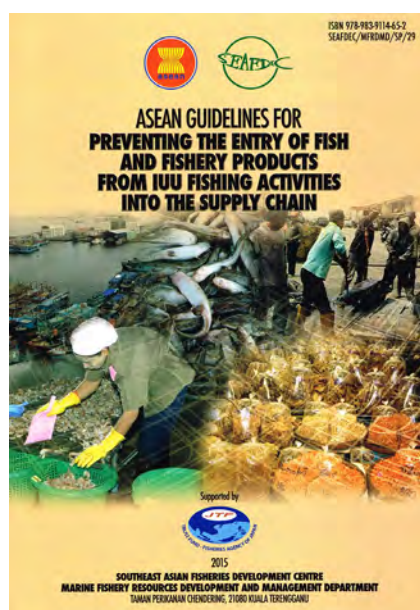
Abdul Razak Latun, Mazalina Ali, Raja Bidin Raja Hassan, and Virgilia T. Sulit

The increasing demand for fish has driven fishers to catch more fish, to the extent of practicing illegal, unreported and unregulated (IUU) fishing. IUU fishing not only contributes to overexploitation of the stocks but also hindering the recovery of fish populations and the ecosystems; and damaging the marine habitats and putting those fishers who operate legally at a disadvantage, adversely affecting the economic and social well-being of fishing communities. A serious global concern, IUU fishing is difficult to quantify as it can occur in virtually any fisheries from inland waters, shallow coastal or even in offshore areas. It is a particular issue in developing countries, especially in Southeast Asia where fisheries management strategies need to be strengthened, resources for landing controls and vessel inspections are inadequate, and the number of patrol vessels is limited to enforce the necessary regulations. Nevertheless, most countries in the Southeast Asian region have developed and/or enhanced their respective regulations in fisheries management in accordance with the Regional Guidelines for Responsible Fisheries in Southeast Asia and taking into consideration the EC Regulation 1005/2008 to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing. Therefore, the Southeast Asian countries are able to support any efforts that make use of trade measures to combat IUU fishing in the region. However, the countries should be willing to take on the primary responsibility of adopting the countermeasures to combat IUU fishing in the region.

The SEAFDEC Marine Fishery Resources Development and Management Department (MFRDMD) collaborated with the ASEAN Member States (AMSs) for the implementation of the JTF-funded project “Combating IUU Fishing in the Southeast Asian Region through Application of Catch Certification for International Trade in Fish and Fishery Products” which was launched in 2013. Implemented through core experts meetings and regional technical consultations, the project involves identification of existing trade practices and mechanisms in small-scale fisheries, and the associated problems encountered by the AMSs in complying with the EC Regulation No.1005/2008 for large-scale capture fisheries in the regions, anchoring on the provisions indicated in Resolution No. 8 and Plan of Action No. 67 of the ASEAN-SEAFDEC Resolution and Plan of Action on Sustainable Fisheries for Food Security for the ASEAN Region Towards 2020 that were adopted in 2011 (SEAFDEC, 2011). The information gathered from the AMSs were analyzed to provide a basis for the development of a catch documentation system for combating IUU fishing in the Southeast Asian region with possible expansion and/or modification of the

relevant regulations on international trade in fish and fishery products within the region.

Through the series of meetings and consultations in from 2013 to 2015, MFRDMD was able to analyze the information compiled from the AMSs on the issues, processes and procedures in exporting fish and fishery products from the Southeast Asian region, and harmonized such information for the development of the necessary regional guidelines that aim to prevent the export of IUU fish and fishery products (Latun *et al.*, 2013), which is now known as the “ASEAN Guidelines for Preventing the Entry of Fish and Fishery Products from IUU Fishing Activities into the Supply Chain.” While providing full support to the development of such Guidelines that was spearheaded by MFRDMD and promoting the implementation of the Guidelines in the region, the AMSs also recognized that regional cooperation should be strengthened to address the various issues, concerns, and anticipated difficulties that the countries encounter in the implementation of the Guidelines.



Through the series of consultations, MFRDMD established that such constraints could include: inadequate legal frameworks for implementing some parts of the Guidelines, *e.g.* installation of vessel monitoring systems in large-scale fishing vessels; inadequate resources, both human and financial; and insufficient knowledge and awareness on the benefits and advantages of adopting a traceability system in fisheries operations (Latun *et al.*, 2016). The intention the

Box 1. Recommended Actions to implement the “ASEAN Guidelines for Preventing the Entry of Fish and Fishery Products from IUU Fishing Activities into the Supply Chain”

Action 1: Managing fishing activities within an ASEAN Member State (AMS)	
1.1 Control of fishing access	<ul style="list-style-type: none"> Evaluate existing systems that control fishing access Conduct capacity building to share/exchange experiences among the AMSs in controlling fishing access Revise policy, fisheries regulation, legal framework and procedures when and where appropriate Request SEAFDEC for capacity building on electronic database system Encourage AMS to share their experiences to help other member states in developing their national electronic database system including that of fishing license
1.2 Promotion of responsible fishing practices/methods	<ul style="list-style-type: none"> Promote responsible fishing practices/methods in the region in accordance with the CCRF Consider developing and implementing NPOA-IUU and NPOA-Capacity Review and strengthen capacity building on MCS Promote awareness program on responsible fishing practices and methods
1.3 Strengthening efforts to attain sustainable fisheries	<ul style="list-style-type: none"> Update related laws and regulations as well as systems of reporting catch and compiling appropriate logbook information by evaluating and strengthening regulations on catch declaration, and developing, implementing, and improving a systematic catch declaration through logbook/e-logbook Monitor all fishing vessels by maintaining records and their performance with respect to compliance to national laws and regulations, and strengthening fishing vessels inspection and enforcement program Promote MCS through the implementation of VMS, and by considering the development of national strategic plans for monitoring movement and activities of fishing vessels; equipping appropriate fishing vessels with suitable fishing vessels monitoring system; and seeking the advice of SEAFDEC on the principles of fishing vessel monitoring systems Intensify efforts to address IUU fishing including destructive fishing by promoting co-management approach for fisheries management, and strengthening the capability of fisheries enforcement staff and agency to combat IUU fishing
1.4 Intensifying surveillance during fishing operations and port state control at designated landing ports	<ul style="list-style-type: none"> Enhance capacity building on MCS, and consider intensifying surveillance during fishing operations by increasing the frequency of inspection at sea Consider the implementation of relevant port state measures
Action 2: Regulating transshipment and landing of fish/catch across borders	
2.1 Establishing formal arrangements with respect to landings between bordering countries	<ul style="list-style-type: none"> Strengthen cooperation and collaboration between bordering countries with respect to landing Request assistance from SEAFDEC to facilitate formal arrangement with respect to landing between bordering countries
2.2 Conduct of regular bilateral/multi-lateral meetings to agree on licensing system/data recording and to share relevant information and fishing vessel registration database	<ul style="list-style-type: none"> Consider active participation in bilateral/multi-lateral meetings with bordering countries in licensing system/data recording and sharing of relevant information Consider sharing relevant information among AMSs especially with the RFVR Database, including vessels less than 24 meters in length
2.3 Ensure that port States should strengthen measures to regulate fishing vessels accessing their ports for trans-shipment and/or landing catch and collect and exchange relevant information including origin of catch, among neighbouring countries	<ul style="list-style-type: none"> Consider developing and implementing an appropriate regional catch documentation scheme (ACDS) including an electronic system Conduct capacity building on port state measures and catch documentation scheme Consider formulating SOPs/manuals for better understanding and implementation of FSM, PSM and CSM Consider strengthening effective monitoring at landing sites including preventing entry of fish and fishery product from IUU fishing
Action 3: Preventing poaching in the EEZs of ASEAN Member States	
3.1 Enforce actions against fishing vessels operating illegally beyond their designated areas, for example by using some system of vessel monitoring system (VMS), implementation and strengthening of flag States measures, port State measures and coastal State measures	<ul style="list-style-type: none"> Encourage cooperation with other AMSs on VMS data sharing upon request Strengthen inspection and surveillance against fishing vessels operating illegally beyond their designated areas Enhance cooperation among national management and enforcement agencies
3.2 Compile record of blacklisted illegal vessels operating beyond their respective EEZs and share record among the AMSs	<ul style="list-style-type: none"> Share information among AMSs on the blacklisted vessels engaged in IUU fishing
3.3 Ensure regular updating of information for the regional fishing vessels record (RFVR)	<ul style="list-style-type: none"> Share and update regularly the information on fishing vessels 24 meters in length and over, with the RFVR Database Request SEAFDEC to consider developing the RFVR Database System for fishing vessels less than 24 meters in length
3.4 Establish bilateral/multilateral agreements for permission to fish in each other’s fishing areas	<ul style="list-style-type: none"> Consider establishing bilateral/multilateral agreements for permission to fish in AMSs waters
Action 4: Controlling illegal fishing and trading practices of live reef food fish (LRFF), reef-based ornamentals and endangered aquatic species	
4.1 Conduct regular inter- and intra-meetings among relevant authorities (including Customs Departments) and exporting companies for establishing agreements on harvesting practices and data reporting of LRFF, reef-based ornamentals, and endangered aquatic species	<ul style="list-style-type: none"> Strengthen collaboration among relevant agencies and stakeholders including exporting companies to establish agreements on harvesting practices and data reporting of LRFF, reef-based ornamentals, and endangered aquatic species

Box 1. Recommended Actions to implement the “ASEAN Guidelines for Preventing the Entry of Fish and Fishery Products from IUU Fishing Activities into the Supply Chain” (Cont’d)

4.2	<p>Develop appropriate mechanisms for the monitoring and data collection of LRFF and reef-based ornamentals trades</p> <ul style="list-style-type: none"> • Apply co-management mechanisms for collecting information on LRFF and reef-based ornamentals trades • Strengthen data collection and analysis of trading of LRFF, and reef-based ornamentals
4.3	<p>Ensure that export of endangered aquatic species is avoided, except for research and experimental purposes for which such export should be accompanied by appropriate documents</p> <ul style="list-style-type: none"> • Strengthen regular monitoring and surveillance on the export of endangered aquatic species • Encourage AMSs to review respective existing regulations to comply with CITES and strengthen awareness building program for stakeholders • Enhance collaboration among relevant agencies monitoring and surveillance on the export of endangered aquatic species
4.4	<p>Enhancing the participation of small-scale/artisanal fishers who account for majority of LRFF production, in co-management and enhancing their awareness of the impacts of IUU fishing and trading of such aquatic species</p> <ul style="list-style-type: none"> • Encourage development of co-management program for participation of small-scale or artisanal fishers in LRFF production • Create, promote and implement the awareness program on the impact of IUU fishing and trading of such aquatic species
4.5	<p>Establishing a network between LRFF importing and exporting countries, and strengthening LRFF management at the regional level</p> <ul style="list-style-type: none"> • Seek the assistance of SEAFDEC in facilitating the establishment of the regional LRFF network • Encourage AMSs to join and actively participate in the regional LRFF network once it has been established
Action 5: Strengthening the management of fishing in the high seas and RFMO areas	
5.1	<p>Strengthening Port State Measures (PSM)</p> <ul style="list-style-type: none"> • Promote capacity building for relevant AMS officials to better understand and implement PSM
5.2	<p>Implement where appropriate, Observer Programs in accordance with relevant national, regional or international regulations with respect to high seas fisheries</p> <ul style="list-style-type: none"> • Encourage AMSs to develop and implement Observer Programs in accordance with relevant national, regional or international regulations with respect to high seas fisheries • Enhance capacity building for the implementation of Observer Programs
5.3	<p>Cooperate with relevant RFMOs in complying with their Catch Documentation Schemes to prevent the landing of fish and fishery products from IUU fishing in RFMO areas</p> <ul style="list-style-type: none"> • Encourage AMSs to cooperate with the relevant RFMOs in complying with the RFMOs Catch Documentation Schemes • Explore the possibility of harmonizing the Catch Documentation Schemes

AMSs and SEAFDEC through MFRDMD, is for the ASEAN Guidelines to serve as the foundation in formulating the relevant policies at national level as well as in developing clear direction and understanding of the need to prevent the entry of IUU fish and fishery products into the supply chain (Ali *et al.*, 2015). Since its printing in 2015, the ASEAN Guidelines has been promoted by MFRDMD for implementation in the AMSs, and the extent of such implementation was analyzed.

Implementation of the ASEAN Guidelines

At the onset of the promotion of the implementation of the ASEAN Guidelines, MFRDMD consulted with authorities in selected countries of the AMSs. The countries agreed that the AMSs should formulate their respective national action plans for the smooth and total implementation of the Guidelines, taking into consideration the recommended actions to implement the Guidelines, agreed upon during the series of consultations among the AMSs (**Box 1**).

Extent of Implementation of the “ASEAN Guidelines for Preventing the Entry of Fish and Fishery Products from IUU Fishing Activities into the Supply Chain” in the Region

As agreed during the series of consultations to discuss the development of the ASEAN Guidelines, the AMSs agreed

that the implementation of the ASEAN Guidelines would imply that the AMSs undertake all the actions necessary for combating IUU fishing through market measures, *e.g.* illegal fish and fishery products from IUU activities should not be allowed to be traded. This is considering that the ASEAN Guidelines is the central measure which covers not only market measures such as documentation of catches but also incorporates the MCS approaches including registration of fishing vessels, licensing of fishing gears used for fishing operation, recording of catch, and designation of landing areas and control of foreign fishing vessels through the implementation of port State measures.

Moreover, MFRDMD was also able to establish that IUU fishing activities in the region had expanded to include illegal trading of IUU fishes. Results of further consultations indicated that this allegedly emanated from the weak enforcement of regulations and frameworks aimed at combating IUU fishing (Kawamura and Siriraksophon, 2014). For such reason, the AMSs agreed to intensify the promotion of the ASEAN Guidelines in the region (Latun *et al.*, 2016a).

During the recent Regional Technical Consultation convened in 2017, a self-assessment by the AMSs was conducted on the role that the countries play in promoting the Regional Guidelines. The results showed the status of implementation of the Guidelines in AMSs which varies from 46% to 91%. The variation was due to the existence of legal frameworks

Table 1. Extent of implementation of the Regional Guidelines in the AMSs

Recommended Actions to Implement the ASEAN Guidelines		% Implementation of the Guidelines in AMSs									
		BR	KH	ID	LA	MY	MM	PH	SG	TH	VN
Action 1	Managing Fishing Activities within an ASEAN Member State (AMS)										
Action 2	Regulating Transshipment and Landing of Fish/ Catch Across Borders										
Action 3	Preventing Poaching in the EEZs of ASEAN Member States	68.14	65.76	87.80	46.44	88.47	84.07	80.68	70.17	90.85	76.61
Action 4	Controlling Illegal Fishing and Trading Practices of Live Reef Food Fish (LRFF), Reef-based Ornamentals and Endangered Aquatic Species										
Action 5	Strengthening the Management of Fishing in the High Seas and RFMO Areas										

Note: BN: Brunei Darussalam; KH: Cambodia; ID: Indonesia; LA: Lao PDR; MY: Malaysia; MM: Myanmar; PH: Philippines; SG: Singapore; TH: Thailand; VN: Viet Nam

that is already in-place and the management capabilities of the AMSs. Based on the Recommended Actions to implement the “ASEAN Guidelines for Preventing the Entry of Fish and Fishery Products from IUU Fishing Activities into the Supply Chain,” the information provided by the AMSs on the extent of implementation of the Guidelines has been compiled as shown in **Table 1**.

Way Forward

Throughout the duration of the project which is until 2019, MFRDMD would continue to promote implementation the Guidelines in the AMSs. Technical assistance through capacity building activities would also be provided to enable the AMSs to adopt the ASEAN Guidelines, since its total implementation would mean significant reduction in the IUU fishing activities in the Southeast Asian region.

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About the Authors

Abdul Razak Latun is the Head of Fishery Oceanography and Resource Enhancement Section of MFRDMD based at Kuala Terengganu in Malaysia, and SEAFDEC Special Departmental Coordinator for MFRDMD.

Mazalina Ali is the Head of Fishery Resources Management Advisory Section, MFRDMD, Kuala Terengganu, Malaysia.

Raja Bidin Raja Hassan is the Chief of SEAFDEC Marine Fishery Resources Development and Management Department (MFRDMD) at Taman Perikanan, Chendering 21080, Kuala Terengganu, Malaysia (Tel: +60 9617 7867; Fax: +60 9617 5136; website: <http://seafdec.org.my>).

Virgilia T. Sulit is the Managing Editor of the Special Publication *Fish for the People* and based at SEAFDEC Secretariat in Bangkok, Thailand.