

EXECUTIVE SUMMARY

Illegal, unreported and unregulated (IUU) fishing 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 billion 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.

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.

Towards a solution – the High Seas Task Force

Recognising these problems, a small group of fisheries ministers¹ and directors-general of international non-governmental organisations (NGOs)² decided to take the lead in actively promoting practical solutions. In 2003 they decided to establish the High Seas Task Force 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 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.

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.

Introduction to the proposals for action

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.

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**.

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.

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.

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 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 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 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.

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 High Seas Task Force) 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 that its members would lend their collective weight to those processes by taking a common advocacy position wherever possible.

In summary, therefore, the proposals represent a menu from which like-minded partners may chose. 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.