Working together to end illegal, unreported and unregulated fishing in the Southern Ocean

Submitted by ASOC and COLTO
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Background

The Antarctic and Southern Ocean Coalition (ASOC) and the Coalition of Legal Toothfish Operators (COLTO) have been cooperating since 1996 with respect to the control of Illegal, Unreported and Unregulated (IUU) fishing in the Southern Ocean. Over the past few months, we have written several joint letters congratulating Interpol, the European Union, and the government of Spain for undertaking enforcement actions against those involved in IUU fishing\(^1\). In this joint paper, we congratulate CCAMLR and its Members for their increasingly successful response to this important global issue. We also highlight some of the most important enforcement actions and provide suggestions for ways CCAMLR could continue to constrain IUU fishing in the Convention Area.

Important IUU enforcement actions over the past year

- **Spanish sanction of crew members of the Thunder**, vessel with flag currently unknown. We congratulate Spain on this successful enforcement action against a Spanish crew operating illegally in the CCAMLR Area, as well as on their announced intention to pursue further reform of their national fisheries laws to deal with IUU fishing.

- **INTERPOL and Project Scale issuance of Purple Notices for the Thunder and Snake.** ASOC and COLTO are particularly pleased to see that the world's largest international police organization has incorporated IUU fishing, and its links to transnational organized crime, into its Environmental Crime work and has focused on cases of IUU fishing in the Southern Ocean in its first calls for international concerted action.

- **Arrest of the Thunder and Chang Bai by Malaysia.** In May 2014, Malaysian Maritime Enforcement Agency arrested the Thunder and the Chang Bai for illegal anchoring and subsequently discovered that the ships had obtained illegal catches from the CCAMLR Area. ASOC and COLTO are especially pleased that the notorious Thunder has been seized.

- **Refusal by the Republic of Korea to issue DCD documentation to its flagged vessel Insung 7, and refusal by Uruguay to allow unloading of product from the same vessel.** The joint actions of the Korean and Uruguayan governments to prevent the unloading and sale of allegedly illegal toothfish catches highlight and demonstrate the success of the DCD/VMS system linkages, and the CCAMLR measures already in place.

\(^1\)Joint letters were sent by ASOC and COLTO to: Bradley Soule, INTERPOL/Project Scale; Minister Miguel Arias Cañete, Spanish Ministry of Agriculture, Food and Environment; and Commissioner Maria Damanaki, the European Commission for Maritime Affairs and Fisheries.
Further suggested CCAMLR actions

- **Review and strengthen CCAMLR’s VMS**

  CCAMLR’s VMS has proven to be an indispensable tool to monitor fishing activities, as well as for validation of CDS documentation. It also assists in surveillance and inspection activities, at sea and in port. However, the current system could be improved, not only to enhance its technical features but also to ensure comprehensive coverage of all CCAMLR fisheries by VMS and that VMS data is used effectively for both fisheries management and enforcement purposes.

  ASOC and COLTO welcome efforts initiated in 2012 to review the VMS, and in particular the engagement by the VMS Technical Working Group in making technical and operational recommendations to improve the VMS and the sharing of VMS data2. As part of this process, ASOC and COLTO call on CCAMLR Members to introduce the following improvements into VMS requirements:

  - Ensure that VMS data is effectively used for search and rescue activities and surveillance and/or inspection actions.
  - Support the recommendations from the Independent Review of CCAMLR’s Catch Documentation System (CCAMLR XXXIII/09) including VMS recommendations:
    - “Develop and implement an automated process for vessels and/or Flag State Authorities to verify VMS reporting with respect to a DCD; and
    - Provide a mechanism for Flag States to check the VMS reporting status of their vessels to the Secretariat at any time.”
  - Consider requiring that VMS data be provided for the entire duration of a fishing voyage, from “port to port”, to minimize the opportunity for fraud to occur.

- **Intensify action on nationals of CCAMLR Members potentially involved in IUU fishing**

  Operators involved in IUU fishing are known to act through transnational networks, with corporate connections in countries different from that of their nationality. To identify the nature of fishing operations and allow States to effectively enforce their measures against nationals involved in IUU fishing, operators should be required by Flag States to disclose with full transparency any of their activities conducted outside their national jurisdiction. This could be done by amending Conservation Measure 10-08 so as to require the nationality of individuals and corporations and to disclose all information to their Flag State regarding fishing and fisheries-related operations conducted under foreign flags and/or outside national jurisdictions. This is consistent with and would usefully complement paragraphs 1 (i) and (ii) of CM 10-083.

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2Report of the Thirty-Second Meeting of the Commission, 23 October-1 November 2013, paras. 3.6-3.8.

3A new paragraph 1(i) could be inserted in Conservation Measure 10-08 (2009), Scheme to promote compliance by Contracting Party nationals with CCAMLR conservation measures.
ASOC and COLTO call on CCAMLR Members to support and implement similar actions to those taken by Spain against a number of its nationals found to have been involved as crew members in IUU activities.

- **Review of the DCD system by CCAMLR**

ASOC and COLTO supported the Independent Review of CCAMLR’s Catch Documentation Scheme, and look forward to working with Members to implement those recommendations as effectively and promptly as possible.

- **Enhance the effectiveness of the IUU vessel lists**

Placing a vessel on CCAMLR’s IUU vessel lists is a necessary step to highlight and hence deter unacceptable practices in the Convention Area. ASOC and COLTO welcome the efforts by the Secretariat to maintain up-to-date lists, but consider that more could be done to render these lists more effective and further deter this activity. Currently, IUU vessels can only be included on the list once a year. As a result, IUU vessels are able to operate unhindered until the Commission meets and agrees to place them on the list.

ASOC and COLTO call on CCAMLR members to establish a procedure whereby IUU vessels can be listed and delisted from CCAMLR IUU vessel lists intersessionally. A number of regional fishery management bodies have already adopted systems to de-list IUU vessels via decision taken by Members by correspondence, which could be considered when reviewing Conservation Measures 10-06 and 10-07.

- **Intensify efforts to detect IUU fishing activity.**

As the Scientific Committee and SCIC have recently pointed out, the capacity of the Commission to accurately detect and assess IUU fishing activity is still limited. Although the level of IUU fishing in the Convention Area has decreased, IUU fishing remains a potential threat and it is important to ensure that the apparent decrease in IUU fishing does not just reflect a decrease in surveillance effort, resulting in fewer sightings.

ASOC and COLTO support the initiative of France and the Secretariat to assess IUU fishing presence in high seas in the Convention Area through the use of satellite-

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4 IUU fishing in the CAMLR Convention Area: a new initiative to assess IUU fishing vessel presence. CCAMLR-XXXIII/07.
derived data. We encourage other CCAMLR Members to support this initiative and to contribute funding and data as appropriate to ensure the effectiveness of this project\textsuperscript{5}.

**Summary of recommendations**

In summary, ASOC and COLTO recommend a number of actions that would contribute to the continued decrease of IUU fishing in the CCAMLR area.

- Review and strengthen the VMS system by enhancing data provision requirements.
- Intensify action on nationals of CCAMLR Members potentially involved in IUU fishing.
- Enhance the effectiveness of IUU lists by developing a mechanism for listing vessels intersessionally.
- Intensify efforts to identify IUU fishing activity by supporting the initiative by France and the CCAMLR Secretariat to assess IUU presence through the use of satellite data.

\textsuperscript{5} IUU fishing in the CAMLR Convention Area: a new initiative to assess IUU fishing vessel presence. CCAMLR-XXXIII/07.