

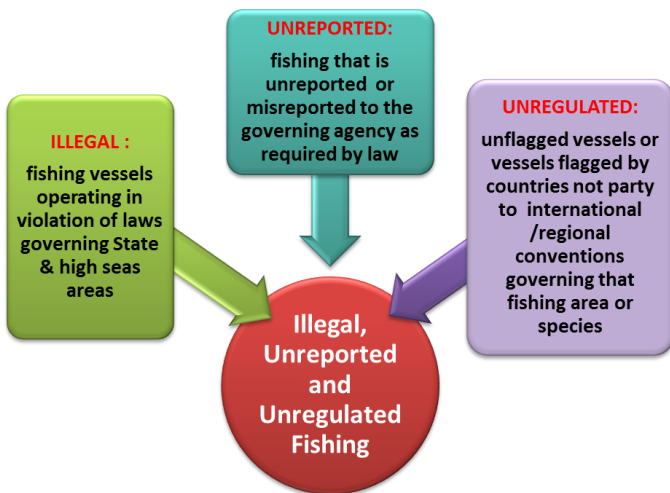


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Illegal, Unreported and Unregulated Fishing: The Caribbean Context

THE PURPOSE

This paper is intended to highlight the seriousness of Illegal, Unreported and Unregulated (IUU) fishing and the threat to the fisheries industry for individual CARICOM Member States and the CARICOM fisheries region as a unit.



It also seeks to emphasize the importance of regional cooperation in the fight against IUU fishing, through harmonization of fisheries management strategies and cooperation in monitoring, control and surveillance.

The diagram below provides a summary definition of the three elements; Illegal, Unreported and Unregulated fishing and is based on the definition proposed by FAO.

(Adapted from FAO 2001)



THE PROBLEM

It is estimated that mismanagement of fisheries globally, costs countries US\$50 billion a year. This includes US\$10 to US\$24 billion worth of fish that are caught illegally worldwide: equivalent to 11 to 25 million tons of fish. (Source: World Bank – FAO, 2008)

The CARICOM/CARIFORUM region, consisting primarily of Small Island Developing States, is especially challenged, as our regional fisheries industry continues to be weakened by the prevalence of Illegal, Unreported and Unregulated (IUU) fishing.

Illegal, Unreported and Unregulated Fishing

The fight against IUU fishing in the Caribbean remains a challenge for several reasons including the following:-

1. IUU fishing is a High Income Source of Undeclared Money
2. The fight against IUU fishing is High Risk
3. Some EEZs not delimited, making Enforcement More Difficult
4. EEZs not contiguous: region interspersed with other Jurisdictions
5. Inadequate Capacity of Individual Countries to Monitor Fishing Zones

Representatives of CRFM Member States, identified the top eight (8) IUU fishing problems as follows:-



1. Fishing Unauthorized & Undersized Species
2. Inadequate Monitoring, Control & Surveillance
3. Encroachment by Foreign Fishing Vessels
4. Unauthorized Fishing in Closed Seasons/Areas
5. Use of Prohibited Gears & Fishing Methods
6. Inadequate Legislation for IUU Fishing
7. Unreporting & Misreporting of Catches
8. Lack of Coordination/Communication b/n Agencies

International Pressure for Increased Administrative and Monitoring Measures

As the regions of the world, which represent major markets for the Caribbean fishing industry continue to develop and implement a range of Fisheries Management Regulations (eg. European Commission's (EC) IUU Regulations and Rules of Origin Regulation) geared toward the identification, prevention and elimination of IUU fishing, the CARICOM member States will need to position themselves to implement the additional administrative (fishing authorization and data collection systems) and monitoring requirements (vessel monitoring systems and observer programmes), in order to maintain market access, avoid trade sanctions and minimize the impact of non-tariff barriers.

BACKGROUND

IUU Fishing: A Global Reality

A report, 'Estimating the Worldwide Extent of Illegal Fishing' by Agnew et al, 2009, estimates global illegal and unreported catches across 15 high seas regions and places the *Eastern Central Atlantic* with

the highest IUU catch and the *Southwest Pacific* with the lowest over the period 2000-2003. Generally, the study indicates that there are significant differences in the level and trends of IUU fishing across global regions.

Regional trends also reflect a relationship between the quality of fisheries management within the regions



and the level of illegal fishing. In West Central Atlantic there is evidence of steady improvements in control by both South American coastal States and ICCAT. While, the East Central Atlantic region, a large area with many states of varied levels of fisheries governance, shows a steady increase in IUU fishing. The decline in Western Indian Ocean reflects gradual increasing control by coastal States, while the increase in North West Pacific is almost entirely due to the influence of China and Russia.

The data indicates that developing countries are most at risk, with total estimated catches in West Africa being 40% higher than reported catches.

IUU Fishing: The Caribbean Experience

The full extent of illegal fishing in the Caribbean is not quantified, however, in all member states there is agreement that IUU fishing is a significant problem and specific information related to the top eight (8)

IUU problems identified in the region is presented below.

1. Fishing Unauthorized & Undersized Species

- Poaching of conch and lobster in Jamaica, Bahamas and Belize
- Poaching of shrimp in Guyana and Suriname
- Tuna in Eastern Caribbean islands

2. Inadequate Monitoring, Control & Surveillance

- Lack of trained staff:- fisheries officers, police officers and coast guards
- Lack of equipment in some countries and fisheries officers do not have boats

3. Encroachment by Foreign Vessels

- Jamaica – fishermen from Honduras
- Belize – fishermen from Guatemala & Honduras
- Antigua – fishermen from French territories
- Bahamas – fishermen from Dominican Republic & Haiti

4. Fishing in Closed Season & Closed Areas

- Inability to monitor closed seasons
- Inability to monitor fishing in closed areas.

5. Use of Prohibited Gears & Fishing Methods

- Use of explosives (dynamite)
- Use of toxic chemicals & Plant toxins
- Fishing nets with incorrect mesh size
- Lack of monitoring of prohibited gear

6. Inadequate Legislation for IUU Fishing

- Low levels of fines
- Inadequate forfeiture provisions
- Absence of alternative procedures eg. ticketing, compounding, et al
- Pending new fisheries legislation in Belize, Trinidad and Bahamas: delayed implementation

7. Unreported & Misreporting Catches

- Lack of staff to effectively monitor fish catch
- More data needed on fish catch

8. Lack of Coordination & Communication B/n Agencies

- More coordination needed between Fisheries Department, Coast Guard and Prosecution Units
- Common standardized training needed of all key agency officials



IUU FISHING INITIATIVES

International IUU Fishing Initiatives

The scope and requirements of international initiatives to combat IUU fishing has direct and indirect implications for the Caribbean fisheries industry. It is critical that CARICOM governments and stakeholders in the region's fishing industry understand the implications and move strategically and expeditiously to avoid negative consequences.



- That comprehensive & effective MCS is undertaken, e.g. access to water & resources authorization schemes, maintaining records of all authorized vessels, on-board observer programmes, training & education.

b) *Electronic (Bluefin) Catch Documentation System (E-BDS)*

In 2011, ICCAT, the international body (representing 48 member governments) with responsibility for managing tuna fisheries across 25% of the ocean surface, agreed to fund and begin to implement *an electronic catch documentation system* for bluefin tuna.

E-BDS utilizes existing information technologies to track these high value fish from ocean to the market and involves:-

- fish tagging and bar coding system which allows fish to be easily traced through the supply chain;
- a central secure database;
- information checks and validation by appropriate authorities before fish move through the supply chain;
- Advanced requests for port entry;
- Port entry authority or denial;
- Levels and priority for inspection;
- Conduct of inspections.

ICCAT is considering implementation of a Catch Certification Scheme for tunas and tuna-like species including *skipjack*, *bigeye*, *yellowfin tuna* and *swordfish*, which are important to CRFM member States.

a) *International Plan of Action*

March 2, 2001 - The FAO Committee on Fisheries (COFI) approved and eventually adopted the IPOA and urged all members to take the necessary steps to effectively implement the IPOA.

The IPOA is voluntary and requires:-

- Coordination, consultation and information sharing between among states, regional and global fisheries organizations: Full participation of fishing communities and non-government organizations.
- That National & Regional Plans of Action should be developed and implemented on a phased basis no later than 3 years after adoption.
- That National legislation should address all relevant aspects of IUU fishing effectively, including evidentiary standards, admissibility and use of electronic evidence and new technologies as appropriate.
- That States ensure sanctions for IUU fishing serve as a deterrent/are of sufficiently severe.

- Results and transmission of inspection results
- Role of flag states
- Requirements of Developing States Dispute settlement



c) Agreement on Port State Measures to Prevent, Deter and Eliminate IUU Fishing

Nov 2009 – Agreement on Port State Measures to Prevent, Deter and Eliminate IUU Fishing. This agreement addresses several aspects of Port State responsibilities and processes including:-

- Advanced requests for port entry
- Port entry authority or denial
- Levels and priority for inspection
- Conduct of inspections
- Results and transmission of inspection results
- Role of flag states
- Requirements of Developing States Dispute settlement

d) Publication of ‘Black Listed’ Countries

In November 2012 the European Commission published for the first time a list of eight (8) countries failing to sufficiently fight IUU fishing as per international law. These countries were deemed to be engaged in or trading illegally caught fish. They included the following:- Belize, Cambodia, Fiji, Guinea, Panama, Sri Lanka, Togo and Vanuatu.

Black listed’ countries will be barred from trading fisheries products with the EU, from engaging in joint fisheries operations or chartered agreements with EU vessels and from other trade related activities

e) Common Fisheries Policies & Regimes

These policies general address biological, economic and social aspects of fisheries which includes:-

- Conservation of fisheries
- Structures eg. vessels, port facilities and fish processing plants
- Common markets

f) Project SCALE: is an INTERPOL initiative to detect, suppress and combat fisheries crime.

The main purpose is to conduct operations to suppress crime, disrupt trafficking routes and ensure enforcement of national legislation.

A permanent Fisheries Crime Working Group was established in Feb 2013. The aims of PROJECT SCALE are to:-

- Raise awareness of fisheries crime & its consequences
- Assess the needs of vulnerable member countries to effectively combat fisheries crime

Caribbean Initiatives and Progress Toward Fighting IUU Fishing

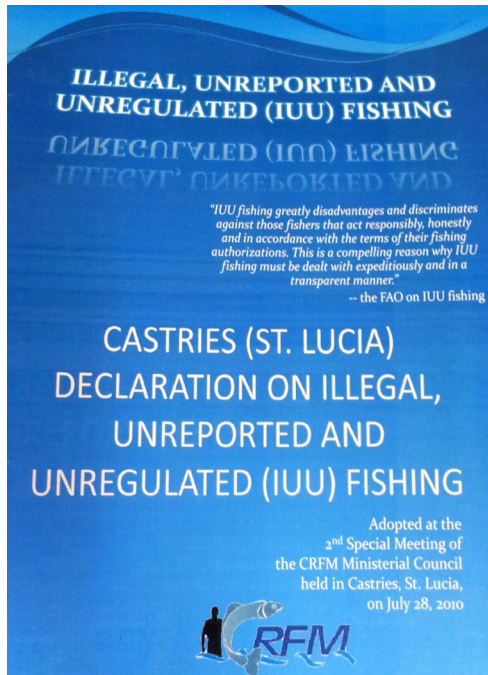
Castries (St Lucia) Declaration on Illegal, Unreported and Unregulated (IUU) Fishing

The Castries Declaration is a centre piece for regional efforts to control IUU fishing. The Declaration recognizes the importance of the fisheries sector in the Caribbean region and its significant contribution to food and nutrition, security, employment, economic and social well being.

The Declaration contains a number of key methods to control IUU fishing and these include:-

- Establishing a comprehensive and integrated approach to prevent, deter and eliminate IUU fishing

- Adopting conservation measures consistent with the long term sustainable use of fish stock
- Develop a comprehensive database of fishing vessels in good standing and vessels involved in IUU fishing
- Identify, reduce and ultimately eliminate the economic incentives from IUU fishing



The Castries Declaration also underscores the need to implement MCS schemes with a view to increasing the cost effectiveness of surveillance activities such as encouraging fishing and other stakeholders to report any suspected IUU fishing activities they observe.

The Declaration seeks to ensure the participation of all member states, including stakeholders such as industry, fishing communities and non-government organizations (NGOs) to combat IUU fishing.

The Declaration calls on flag, port and coastal states and where appropriate CRFM to effectively monitor and regulate the transshipment of fish and fish products.

Other Caribbean Initiatives Toward Fighting IUU Fishing

Caribbean countries, particularly those with vested interest in the fishing industry, have realized the importance of regional cooperation and collaboration as

it relates to managing the fisheries resources. This is evidenced by the establishment of sub-regional and regional fisheries management organizations.

Organisation of Eastern Caribbean States

Between 1983 – 1985 at least five OECS countries promulgated their harmonized fisheries acts and in 1989 made the Castries Declaration on Driftnet Fishing (Cruickshank, Murray, et al 2004) and an agreement was signed establishing *Common Fisheries Surveillance Zones (CFSZs)* of participating Member States.

The Caribbean Regional Fisheries Mechanism (CRFM)

The CARICOM inter-governmental agreement to establish the regional fisheries organization in the Caribbean, CRFM was signed in 2002. Established to manage and promote the sustainable use of the fisheries resources of the members of the CRFM within the Caribbean. At present, its members are Anguilla, Antigua and Barbuda, The Bahamas, Barbados, Belize, British Virgin Islands, Dominica, Grenada, Guyana, Haiti, Jamaica, Montserrat, St. Kitts and Nevis, St. Lucia, St. Vincent and the Grenadines, Suriname, Trinidad and Tobago and the Turks and Caicos Islands.

Another major fisheries body in the Caribbean is the **FAO/Western Central Atlantic Fisheries Commission**, which plays an important role in promoting sustainable fisheries development and management in the Wider Caribbean.



Participation of Fisher-folk

Fisher-folk participation in fisheries management can lead to increasing understanding of management decisions, improve compliance by user groups, mitigate user conflicts, improve relationships across the fisheries sector and increase effectiveness of fisheries governance.



Conclusion

There is strong agreement among Caribbean member states, that if IUU fishing is not seriously addressed at both the national and regional level, it will threaten the nutrition, security, employment and the economic and social well-being of each country.

Further, there is agreement that the approach to addressing IUU fishing must involve harmonization of strategies adopted as well as cooperation between agencies at the national and regional levels.

The next critical steps

1. *Adoption and Implementation of the Castries Declaration on IUU fishing*

- a) The adequacy and harmonization (ie. on sanctions, penalties and enforcement procedures) of national legislation which addresses IUU fishing
- b) Effective sanctions for IUU fishing by each member state
- c) Rationalization and more effective monitoring, control and surveillance &

- d) Coordination, consultation and information sharing among member states and agencies
- e) Participation of fisher-folk in monitoring and reporting of IUU fishing

2. *Adoption of the CARICOM Common Fisheries Policy and Regime*

- a) The development of a comprehensive database of fishing vessels in good standing and vessels involved in IUU related activities
- b) The role of all flag, port and coastal states in effectively monitoring and regulating the transshipment of fish and fish products
- c) Implementation of vessel marking requirements in accordance with FAO standards and guidelines for marking and identification of fishing vessels
- d) Strengthening port and coastal state measures for fishing vessels consistent with Conservation of fisheries
- e) External fishing policy, including agreements with non-members
- f) Management issues involving vessels, port facilities and fish processing plants
- g) Common markets and negotiations with international organizations
- h) Implementation of MCS schemes with a view to increasing cost effectiveness of surveillance activities

3. *Other Steps Toward Caribbean Effort To Combat IUU Fishing*

- a) At the national level increase the number of fisheries patrols (mainly coastal patrols);
- b) Significantly increase penalties for repeat offenders;
- c) Issuance of fisher photo identification cards to readily identify authorized fishers;



- d) Restriction of concessions relating to fishing inputs to only owners of licensed fishing vessel
- e) Improve monitoring of fishing vessels through annual vessel census
- f) Encourage fisher-folk to report any suspected IUU fishing activity they observe
- g) At a national level establish mechanisms to ensure participation and coordination of member states, including fishing communities and NGOs

The response of the Caribbean region to IUU fishing will determine the extent to which:-

- access to the major fish export markets are maintained;
- trade sanctions are avoided; and
- the impact of non-tariff barriers is minimized

The regional nature of the challenges, together with stretched and overburdened resources of individual member states, emphasizes the need for all member states to support and enhance regional alliances to further harmonize fisheries management efforts and increase monitoring effectiveness.

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CNFO

The Caribbean Network of Fisherfolk Organisations (CNFO) is a non-profit regional network operating in the CARICOM countries. Its mission is to "Improve the quality of life for fisherfolk and develop a sustainable and profitable fishing industry through networking, advocacy, representation and capacity building.

CRFM

The CRFM is an inter-governmental organisation whose mission is to "Promote and facilitate the responsible utilisation of the region's fisheries and other aquatic resources for the economic and social benefits of the current and future population of the region". The CRFM consists of three bodies – the Ministerial Council, the Caribbean Fisheries Forum and the CRFM Secretariat.

CRFM members are Anguilla, Antigua and Barbuda, The Bahamas, Barbados, Belize, Dominica, Grenada, Guyana, Haiti, Jamaica, Montserrat, St. Kitts and Nevis, St. Lucia, St. Vincent and the Grenadines, Suriname, Trinidad and Tobago and the Turks and Caicos Islands.

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