Illegal Unreported and Unregulated Fishing

Joint Presentation:

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Cooperation in Combatting Illegal, Unregulated Unreported fishing

- Regional Cooperation and Capacity Building - Does it really work?
- Displacement of IUU vs Elimination of IUU
- A Shared problem!
Introduction - IUU Case Study

• 3 Australian Case studies including one with Vietnam
• All case studies follow the same path;
  1. Identify the problem
  2. Enforcement
  3. Capacity Building working with regional partners
  4. Demonstrated Outcomes
IUU Case Studies
IUU Fishing Northern Australia
Shark Fin
Endangered Species
Anti-boarding measures - fold out spikes and barbed wire
Anti-boarding measures
IUU Northern - Enforcement

- 2006 – apprehended 367 vessels and 2,000 offenders
- Mostly Indonesian nationals some Chinese and PNG nationals
IUU Northern – Capacity Building

• Enforcement reduced IUU, BUT
• Enforcement also displaced IUU
• Capacity Building is needed to eliminate IUU at the regional level
• Role of the Regional Plan of Action to Combat IUU - 11 SE Asian Countries working together

https://www.rpoaiuu.org
IUU Northern Capacity Building

- Officer Exchange Programs
- Public Information Campaign - PIC (Indonesia)
- Language Skills
- MCS training provided on request
- Joint Patrols
- Close bonds formed between agencies and officers
IUU Fishing in the North – Results

• Massive Reduction in IUU Fishing in Australia and Indonesia

• 2018: Only Three (3) FFV’s Apprehended (2x PNG and 1 x Indonesian)
IUU Fishing South

• 2003 CCAMLR estimated 89% legal TAC for HIMI taken by IUU Vessels
• 2003 +20 IUU factory ships operating
• Mostly driven by Spanish Nationals
• Crews: South American Countries, Russia, China,
• Flags of convenience – Togo, Panama, Nigeria, Tanzania, Mongolia (Land Locked !!!!) ......................
IUU Fishing South - Enforcement

- Factory ships – Nine (9) DESTROYED by Australia
IUU Fishing South - Enforcement

- Seized IUU Catch sold – millions $$ forfeited
IUU Fishing South - Enforcement

• Post 2004 – No further IUU incursions into EEZ’s

• After the dust settled around 8 hard core IUU operations remained by 2005 (out of +20 when IUU combat efforts started in 1997)

• Last IUU operators were displaced onto the high seas CCAMLR convention area

• Remaining IUU operators believed as long as they avoided sovereign territory
  • “THEY WERE UNTOUCHABLE”
IUU Southern Capacity Building

• Bilateral Surveillance and Enforcement treaty with France

• Called on the RPOA to help finish off the Southern Ocean IUU high seas fleet through actions in port
IUU Southern Capacity Building

- RPOA SE Asian members denied IUU vessels port access and prosecuted
- Indonesia destroyed the last major Southern Ocean IUU vessel ‘Viking’ in 2016
2018 Zero factory ships left at large
2016 CCAMLR IUU Catch Estimate for HIMI 0% - 1.83% of the legal TAC down from 89%
Capacity building very high importance
IUU Fishing East
IUU Fishing East

- Vietnamese Vessels
- Targeting Bêche-de-mer
- High Value Catch
- Influx of vessels into the Pacific and Indian Ocean in 2015-17
IUU Fishing East Enforcement Response

• Total of 20 Vietnamese Vessels apprehended in Australian waters
• 14 East Coast 2015 - 2017
• 6 Giant Clam boats west coast in 2013-14
IUU Fishing East Enforcement Response

Waypoints and Marks Extracted from Vietnamese GPS Devices

Legend:
- Data from Palau Authorities
- Data from Device 1 (East Coast)
- Data from Device 2 (Northern)
- Data from Device 3 (Northern)
- Data from Device 4 (East Coast)
- Data from Device 5 (Northern)
- Data from Device 6 (East Coast)
- Data from Device 7 (East Coast)
- Data from Device 8 (East Coast)
- Data from Device 9 (Northern)
- Data from Device 10 (East Coast)
- Data from Device 11 (East Coast)
- Data from Device 12 (East Coast)
- Data from Device 13 (East Coast)
- Apprehension Locations

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World Exclusive Economic Zone Boundaries:
- Disputed
- Allocated
Capacity Building - Memorandum of Understanding

Between the Ministry of Agriculture and Rural Development (MARD) of Viet Nam and the Department of Agriculture and Water Resources (DAWR) of Australia on Combatting Illegal, Unreported and Unregulated Fishing.

Paragraph 1: Objective

1.1 In complementing commitments in the Australia-Viet Nam Plan of Action 2016-2019 (hereinafter referred to as the Plan of Action), this MOU sets out the basis for ongoing cooperation between the Participants to address IUU fishing by Australian and Vietnamese flagged vessels operating in the region.
HANDOVER

Dr Ha Anh Tuan
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Vietnam’s key documents guiding the combat against IUU Fishing

  • 9 chapters and 105 articles (Comparison: 2003 Law on Fisheries: 10 chapters and 62 articles).
  • Chapter IV (Fishery exploitation) and Chapter V (Management of fishing vessels and ports).
  • IUU Fishing: regulation on the number of ships and fishing quota; fine for IUU fishing activities: up to 1 billion VND (approximate 45.000 USD).
  • Expanding role for fisheries forces
Vietnam’s key documents guiding the combat against IUU Fishing

- **Documents signed by Prime Minister:**
  - Official Telegram 732/CD-TTg dated 28/5/2017 to prevent IUU fishing operations by Vietnamese fishing boats and fishers in foreign waters.
  - Directive No.45/CT-TTg dated 13/12/2017 on the urgent measures to settle issues raised by EU.
  - Decision No.78/QD-TTg dated 16/01/2018 approving National Action Plan to combat IUU Fishing

- **Other documents by MARD**
Official Telegram 732/CD-TTg

• Ministry of Agriculture and Rural Development
  • Drafting (and implementing once approved) National Plan of Action, Revising policies and legal documents, D-fish law enforcement, negotiation on fishery cooperation.

• Ministry of National Defense
  • Managing fishing vessels in ports, patrolling and detecting foreign fishing vessels in Vietnamese waters, preventing Vietnamese fishing vessels from committing to IUU fishing, preventing transshipment and other illegal activities at sea.

• Ministry of Public Security
  • Detecting trans-national crime on IUU fishing.

• Ministry of Foreign Affairs
  • Protecting Vietnamese fishermen, protesting the capture of Vietnamese fishing vessels inside Vietnam’s waters by foreign authorities.

• Ministry of Information and Communication
  • Provide the public with information on international and Vietnam’s laws on fisheries and the overlapping waters.

• Provincial People’s Committee
  • Responsible for IUU fishing activities by local fishermen
Actual enforcement: A case study

• 3 fishing vessels in Quang Ngai Province committing in IUU fishing were severely punished.
  • QNg90518 TS: No financing, withdraw fishing license, no transferring ownership.
  • QNg90945 TS and QNg 96697 TS: No financing, withdraw fishing license, no license to build new fishing ships.
Result:

• In South Pacific islands:
  • 01-23/10/2017: 3 ships, 292 fishermen.
  • 23/10-end 2017: 2 ships, 29 fishermen.
  • First quarter 2018: No IUU fishing

• In ASEAN region:
  • 01-23/10/2017: 50 ships, 397 fishermen
  • 23/10 until now: 20 ships, 103 fishermen
Public Information Campaign (Workshop)

• The primary objectives:

- Engage with fishers in selected communities, increase their understanding of the associated risks and consequences of illegal fishing.

- Improve education – which might include: knowledge of internationally binding maritime law, obligations to respect maritime boundaries and maritime zones, and importance of sustainable managed fisheries.

- Encourage the local community to make better choices, focussing on risk to personal safety and loss of income.
Public Information Campaign: Key messages

1. Australia has strict fisheries and environmental laws designed to protect our marine environment. Unauthorised fishing in the Australian Fishing Zone (AFZ) is illegal.

2. Australia uses surveillance assets to monitor the AFZ and has the capability to deploy Australian Border Force and Defence assets to apprehend illegal fishing vessels.

3. If you fish in the AFZ you will be caught. When caught in the AFZ your fishing vessel will be destroyed and you will be fined or imprisoned.

4. Unauthorised fishing within the waters of another country is illegal and puts you at risk of the vessel being destroyed and all the crew being fined or imprisoned for a long time.
Delivery of the Public Information Campaign

Quang Ngai City – Quang Ngai Authorities
CIRCLE DESIGN

FLIER
FRONT

BACK

HELMETS
Delivery of the Public Information Campaign

Binh Chau Commune (Sa Ky Port)
Capacity Building RESULTS

• **Major reduction** in IUU
• No further substantiated reports of illegal Vietnamese fishing vessels in the Indo Pacific since the completion of the PIC and implementation and application of the new laws by Vietnam
• Australia and Vietnam planning further PICs to be delivered in May/June 2018
Conclusion

• Enforcement will always be necessary
• The goal should be elimination not displacement of IUU to neighbours
• Capacity building through cooperation with like minded neighbours can and has significantly reduced and in some cases eliminated IUU in many fisheries
Cảm ơn bạn - Thankyou

• Câu hỏi
• Questions