

**ASEAN REGIONAL FORUM**  
**STATEMENT TO PREVENT, DETER, AND ELIMINATE ILLEGAL,**  
**UNREPORTED, AND UNREGULATED FISHING**

*Noting with serious concern* the conservational, transnational, and complex impacts of Illegal, Unreported and Unregulated (IUU) fishing on the marine environment, sustainability of marine resources, and the well-being of coastal States as a whole, including the need to enhance maritime law enforcement in addressing IUU fishing;

*Recalling* the relevant provisions of the United Nations Convention on the Law of the Sea of 10 December 1982;

*Bearing in mind* the ASEAN Political and Security Community Blueprint 2025 article B.6.2.vii, mandating the ASEAN to expand cooperation, to effectively combat transnational crimes and to address transboundary challenges, including IUU fishing;

*Recalling* the commitments made by the Head of State/Government of the East Asia Summit (EAS) Participating Countries, in the EAS Statement on Enhancing Regional Maritime Cooperation, including to utilize relevant ASEAN-led mechanisms as appropriate venue to ensure that the region is free of IUU fishing;

*Recalling also* the Sustainable Development Goals Target 14.4 to effectively regulate harvesting and end overfishing, IUU fishing and destructive fishing practices and implement science based management plans by 2020, in order to restore fish stocks in the shortest time feasible, at least to levels that can produce maximum sustainable yield as determined by their biological characteristics;

*Recalling also* the United Nations General Assembly Resolution Number A/RES/70/75 on Sustainable Fisheries, as well as the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks;

*Recognizing* the 2009 FAO Agreement on Port State Measures to Prevent, Deter and Eliminate IUU Fishing in order to strengthen the role of the port states to ensure the long term conservation and sustainable use of living marine resources and marine ecosystems;

*Recognizing also* the objectives of the FAO International Plan of Action to Prevent, Deter and Eliminate IUU Fishing's objectives and principles and the implementation of measures to prevent, deter and eliminate IUU fishing;

*Recalling also* the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas on 24 November 1993;

*Reaffirming* the United Nations Convention against Transnational Organized Crime and the United Nations Convention against Corruption constitute effective tools and important parts of the legal framework for international cooperation in fighting transnational organized crime

and corruption of those organizations factually associated to IUU fishing, as adapted from UNGA Resolution 69/314;

**Reaffirming** that ARF Participants should strengthen their cooperation in combating organized criminal groups that are accurately linked to IUU fishing;

**Acknowledging with concern** the increasingly apparent linkages between IUU fishing, labor rights abuses, arms and drug trafficking, migrant smuggling, and the trafficking in persons for the purpose of labor exploitation;

**Reiterating** the commitments of the Sustainable Development Goals, in particular Target 14.4 to effectively regulate harvesting, and end overfishing, illegal, unreported and unregulated (IUU) fishing and destructive fishing practices, and Target 8.7 to take immediate and effective measures to eradicate forced labor, end modern slavery, and human trafficking and secure the prohibition and elimination of the worst forms of child labor;

**Welcoming** the adoption of the ASEAN Convention against Trafficking in Persons, Especially Women and Children;

**Building** on the ASEAN Guidelines for Preventing the Entry of Fish and Fishery Products from IUU Fishing Activities into the Supply Chain; the ASEAN Regional Forum Ministerial Statement on Strengthened Cooperation on Marine Environment Protection and Conservation, and the ASEAN Regional Forum Work Plan on Maritime Security 2015-2017;

**The Participants of the ASEAN Regional Forum do hereby state as follows:**

**Urge** Participants to give full effect to relevant rules of international law, in particular as reflected in the 1982 UN Convention, in order to prevent, deter and eliminate IUU fishing;

**Also urge** Participants to, as a matter of priority, consider ratifying, accepting or acceding to, as appropriate, the 1982 UN Convention, the 1995 UN Fish Stocks Agreement, the 1993 FAO Compliance Agreement, and the 2009 FAO Agreement on Port State Measures to Prevent, Deter, and Eliminate IUU Fishing;

**Invite** Participants to implement effectively the UN FAO's Code of Conduct for Responsible Fisheries and the International Plan of Action to Prevent, Deter and Eliminate IUU Fishing, by among other means, developing and/or implementing National Plans of Action;

**Support and strengthen** the work of Regional Fisheries Management Organizations (RFMOs) in fisheries management, science, and conservation of living marine resources, including live reef food fish and reef-based ornamentals;

**Invite** Participants to undertake comprehensive and effective monitoring, control and surveillance (MCS) of fishing vessels, including standardizing specifications to mark and identify vessels in accordance with the 2009 FAO Agreement on Port State Measures to Prevent, Deter and Eliminate IUU Fishing, Annex B, from their commencement, through the point of landing, and to their final destination;

**Also invite** Participants to implement significant port State measures to block the flow of IUU-caught fish into national and international markets, and into the supply chain, in

accordance with the 2009 FAO Agreement on Port State Measures to Prevent, Deter and Eliminate IUU Fishing;

**Request** Participants to take all necessary steps, consistent with international law to prevent fish caught by vessels identified by the relevant RFMOs to have been engaged in IUU fishing from being traded or imported into their territories in a fair, transparent, and non-discriminatory manner;

**Acknowledge**, where factually evident, the linkages between IUU fishing and trafficking in persons for the purpose of labor exploitation, drug trafficking, and smuggling of people, goods and arms, and other forms of transnational crime, and to this end **urge** Participants to cooperate for the successful investigation and prosecution of these offenses, in line with existing international law and instruments, and, as appropriate, take proactive measures to identify and provide protection to victims of trafficking;

**Request** Participants to address in an effective manner all aspects of IUU fishing, to include compiling a list of vessels that have been found to have engaged in IUU fishing beyond their respective Exclusive Economic Zones and share this list with relevant countries associated with the IUU fishing violation;

**Request also** Participants to the greatest extent possible, to take measures or cooperate to ensure that their nationals subject to their jurisdiction do not support or engage in IUU fishing, and to cooperate to identify those nationals who are the operators or owners of vessels involved in IUU fishing;

**Urge** Participants to ensure that their national legislation provides appropriate administrative or civil and/or penal sanctions for IUU fishing by vessels to effectively prevent, deter, and eliminate IUU fishing and to deprive offenders of the benefits accruing from such fishing;

**Urge** Participants to thoroughly investigate all aspects of IUU fishing cases for evidence of illicit activity and pursue legal action within the maximum extent of their domestic law to eliminate unlawful actions related to fishing;

**Take Steps** to explore practical measures that can be used to strengthen existing cooperation in ASEAN-led mechanisms in addressing IUU fishing in a more comprehensive manner, such as:

- Exchange data or information, preferably in a standardized electronic format, from records of vessels authorized by them to fish, in manner consistent with any applicable confidentiality requirements;
- Cooperate in effective acquisition, management and verification of all relevant data and information from fishing, including scientific assessments of available resources;
- Allow and enable their respective MCS practitioners and enforcement personnel to cooperate in the investigation of IUU fishing, and to this end States should collect and maintain data and information relating to such fishing;
- Undertake and promote bilateral, subregional, regional and international cooperation, including cooperation between law enforcement agencies, through joint investigations, and

exchange of information, inter alia information on legislation and law enforcement intelligence;

- Cooperate with research institutions on joint research, fisheries stock assessments, exchange of expertise, and recommend methodologies, technologies and best practices for addressing issues related to combating IUU fishing;
- Collaborate on measures that could help combat human trafficking while effectively addressing IUU fishing.
- Research, review and strengthen where appropriate, national laws and regulations regarding IUU fishing to combat its degradative effects on the environment, human rights, fishing markets, and the well-being of coastal States.

**End of Statement**

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Be advised that the deadline for comments and inputs is 18 April 2016.