

PREVENTING AND COMBATING ILLEGAL FISHING AT MULTILATERAL SETTING

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AND OTHER INTERNATIONAL ORGANIZATIONS IN VIENNA

Illegal, Unreported, and Unregulated Fishing

- ▶ the magnitude of the adverse impact of IUUF to the economy and the environment
- ▶ Involving cross border actors
- ▶ Inadequate national, regional and international response



> Illegal > unreported > unregulated

- ▶ Three distinct component of different nature
- ▶ Requires different respond
- ▶ Involving wide range of stakeholders
- ▶ Legal and administrative actions
- ▶ Definition?
- ▶ Crime?

Illegal fishing (FAO, 2001)

- ▶ fishing which is conducted by national or foreign vessels in waters under the jurisdiction of a state, without the permission of that state, or in contravention of the laws and regulations of that state.
- ▶ fishing which violates the laws, regulations, and conservation and management measures adopted by a fishing vessel's flag state, or which generally violates national laws or international obligations, the obligations of cooperating states to relevant regional fisheries management organizations
- ▶ examples: fishing without a license, fishing in a closed area or marine protected area (MPA), fishing with prohibited gear, fishing over a quota, or the fishing of prohibited species

Unreported fishing (FAO-2001)

- ▶ fishing activities which have not been reported, or have been misreported, to the relevant national authority, in contravention of national laws and regulations
- ▶ similar lack of reporting or misreporting to regional fisheries management organizations
- ▶ examples : keeping two logs -an official log for the inspectors and a 'confidential' log for the owner-, under-report harvests, falsely record vessel locations, or offload fish at ports with low regulatory and inspections standards (ports of convenience)

Unregulated fishing (FAO, 2001)

- ▶ fishing conducted by vessels without nationality, or those flying the flag of a country not party to a RFMO within the jurisdiction of that RFMO
- ▶ more generally, fishing in a manner which contravenes the regulations of the RFMO
- ▶ examples: fishing in areas or for fish where there are no applicable conservation or management measures

Transnational organized crime - UNTOC

- ▶ Serious crime (defined in Art. 2 (b))
- ▶ Transnational in nature (art. 3 (2))
- ▶ Involving an organized criminal group (Art. 2 (a))
- ▶ Offences (Art. 5, 6, 8, 23): participation in an organized criminal group, laundering proceeds of crime, corruption, obstruction of justice

Illegal fishing: transnational organized crime?

- ▶ Lack of definition should not prevent respond
- ▶ Focus on the “crime” aspect of IUUF - the fisheries crimes embedded especially on the illegal fishing
- ▶ Closer look at the whole value chain

Transnational organized fisheries crime – Indonesian perspectives

- ▶ collaboration of more than 2 people
- ▶ commission of serious criminal offences
- ▶ for an indefinite period of time
- ▶ determined by the pursuit of profit and / or power
- ▶ using commercial or business structures
- ▶ operating at international level

Transnational organized fisheries crime – multilateral setting

- ▶ Lack of awareness, despite the huge adverse impact of fisheries crime
- ▶ Different interests and perspective among states
- ▶ The need to build common understanding, and action
- ▶ Lack of definition, narrow perspective

Transnational organized fisheries crime – our efforts

- ▶ Raising awareness, keeping the issue alive – UNODC, CCPCJ
- ▶ Developing forum for discussion and talk – friends of fisheries
- ▶ Bringing the issue at higher plane
- ▶ Engaging further dialog, building common understanding and cooperation

THANK YOU

