

ASEAN REGIONAL FORUM

STATEMENT TO PREVENT, DETER, AND ELIMINATE ILLEGAL, UNREPORTED, AND UNREGULATED FISHING

Noting with serious concern the conservation, 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;

Acknowledging with concern, when factually evident, linkages between IUU fishing and fisheries crimes, such as document fraud, money laundering, human trafficking, and labor exploitation, corruption, tax and customs fraud and other related crimes;

Recognizing the need to address such fisheries crimes, present in the fisheries value chain, through a criminal justice system approach;

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 trans-boundary 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 venues to ensure that the region is free of IUU fishing;

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, the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas, and 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;

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 proven to be associated with IUU fishing, as adapted from UNGA Resolution 69/314; and *reaffirming also* that ARF Participants should strengthen their cooperation in combating organized criminal groups, when proven to be associated with 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; and **noting** that the Sustainable Development Goals Target 14.4 also supports the implementation of other related Sustainable Development Goals, in particular Target 8.7, to take immediate and effective measures to eradicate forced labor and secure the prohibition and elimination of the worst forms of child labor;

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;

Recognizing the important role that fish processing states have in verifying volumes caught and imported, and their source;

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;

Continue Support of the existing Regional Plan of Action against IUU Fishing comprising eleven member States with the aim to promote responsible fishing practices and combat IUU fishing in the region;

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 subject to their jurisdiction, including standardizing specifications to mark and identify vessels to support inspection procedures pursuant to the 2009 FAO Agreement on Port State Measures to Prevent, Deter, and Eliminate IUU Fishing, Annex B;

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, and taking into account the 2009 FAO Agreement on Port State Measures to Prevent, Deter and Eliminate IUU Fishing;

Encourage Participants to take all necessary steps, consistent with international law and in a fair, transparent and non-discriminatory manner, 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;

Urge Participants to cooperate for the thorough investigation and successful prosecution of identified IUU fishing and fisheries crimes to the maximum extent of existing domestic and international laws, and instruments;

Encourage Participants to report vessels found to have engaged in IUU fishing beyond their respective Exclusive Economic Zones to RFMOs and relevant countries associated with the IUU fishing violation;

Encourage 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 and enforcement regime provide appropriate administrative, civil, and/or penal sanctions to prevent, deter, and eliminate IUU fishing and other unlawful maritime activities, and to deprive offenders of the benefits accruing from such activities;

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 a manner consistent with any applicable national laws, including confidentiality or privacy requirements;
- Increase information sharing by processing states of statistics related to seafood processed and its supply chain; Cooperate in effective acquisition, management, and verification of 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, sub-regional, 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 would assist in effectively addressing IUU fishing where factually evident associated with fisheries crimes;
- Research, review and strengthen where appropriate, national laws and regulations regarding IUU fishing to combat its degrading effects on the environment, human rights, fishing markets, and the well-being of coastal States.

End of Statement