

Large Ocean
Nations Forum on
**Transnational
Organised
Fisheries Crime**

REPORT

The launching of the **LON Forum on Transnational Organised Fisheries Crime** is a concrete first step towards fostering cooperation, as subsequently reflected in the **joint ministerial declaration** signed by the LON government representatives present at the meeting.

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Executive Summary

The Large Ocean Nations Forum on Transnational Organised Fisheries Crime was launched at the UN City in Copenhagen on 15 October 2018. The forum was hosted by PescaDOLUS in cooperation with the Faroese Ministry of Fisheries, the Norwegian Ministry of Trade, Industry and Fisheries and the Nordic Council of Ministers.

The forum, which gathered more than 80 participants from Large Ocean Nations (LONs) as well as from other countries, intergovernmental organizations and civil society, was opened by the Ministers of Faroe Islands, Palau, and Kiribati alongside high-level participants from the Nordic Council of Ministers and Norway.

The establishment of the Forum on Transnational Organised Fisheries Crime built on the Large Ocean Nations Forum on Blue Growth launched in Malta in 2017. The objective of the LON Forum on Fisheries Crime was to facilitate agreement

between LON participants on the particular challenges posed by transnational organised fisheries crime to LONs and the importance of cooperatively fighting such crime. Presentations from Fiji, Indonesia, Jamaica, Mauritius, Sao Tome and Principe and Seychelles highlighted the common challenges and opportunities of Large Ocean Nations and the need for cooperative action to address transnational fisheries crime towards fulfilling the Sustainable Development Goals and Blue Growth. Drawing on the content of the speeches, presentations and discussion points at the Forum, suggested ways forward are highlighted at the end of the Report.

The launching of the LON Forum on Transnational Organised Fisheries Crime is a concrete first step towards fostering such cooperation, as subsequently reflected in the joint ministerial declaration agreed by the LON government representatives present at the meeting.



Foreword



As the Minister of Fisheries of a Large Ocean Nation I know both the vast opportunities the oceans provide for blue economic growth and also the threats to the sector posed by fisheries crime.

HE Harald T. Nesvik

Norwegian Minister of Trade, Industry and Fisheries



HE Harald T. Nesvik
 Norwegian Minister
 of Trade, Industry and
 Fisheries

“As the Minister of Fisheries of a Large Ocean Nation I know both the vast opportunities the oceans provide for blue economic growth and also the threats to the sector posed by fisheries crime.”

In 2008 the United Nations General Assembly for the first time raised its concern about the connection between transnational organized crime and illegal fishing. Over the decade since then, important work has been done to better understand what fisheries crime is and how it can be addressed.

We now know that transnational organized fisheries crime can be detrimental to the competitiveness of the fisheries sector, it undermines sustainable resource management and it deprives coastal communities of their livelihoods. We also know that we need cross-border cooperation to address this problem.

As Minister of Fisheries I have taken a firm stance against fisheries crime. But I also know that this is not a fight one country can win alone. We need the cooperation of our friends in Large Ocean Nations and other States across the world. This is why I, together with eight other Ministers, have taken the initiative to the International Declaration on Transnational Organized Crime in the Global Fishing Industry. I also believe that the LON Forum on Transnational Organized Fisheries Crime is an important platform to raise awareness about fisheries crime and fisheries crime law enforcement.

I am pleased that more States have decided to adopt the 2018 International Declaration on Transnational Organized Fisheries Crime in the wake of the LON Forum on Fisheries Crime in Copenhagen. However, what we need is a global movement and I therefore call upon all Large Ocean Nations to join the Declaration. I also hope that the LON Forum on Transnational Organized Fisheries Crime will continue as a platform where the global community can find solutions to this problem together.”



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Introduction



What the sea provides has shaped our present and will decide our future ... We cannot afford to turn a blind eye to threats that further erode our food security and sovereignty.

H.E. Mr. Fleming Umiich Sengebau

Minister of Natural Resources, Environment
and Tourism of the Republic of Palau

Large Ocean Nations (LONs) are nations blessed with vast oceans that sustain their populations and provide an abundance of opportunities for economic growth, food security and well-being.



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Large Ocean Nations

Large Ocean Nations (LONs) are nations blessed with vast oceans that sustain their populations and provide an abundance of opportunities for economic growth, food security and well-being.

All LONs – ranging from the Nordic nations in the far North to the myriad of tiny islands in the South Pacific to the vast expanse of Caribbean islands – are heavily dependent on the ocean and its resources for economic development, food security and livelihoods and are vulnerable to any change in the status of these resources.

The Exclusive Economic Zones (EEZs) of the LONs are typically many times larger than their land areas. For example, Tuvalu's EEZ is 3,400 times larger than its land area, Faroe Islands' EEZ is 193 times larger than its land area and Kiribati, with a land area of only 810 sq.km, has an EEZ of 3.5 million km², the 12th largest EEZ in the world. Combined, the vast ocean spaces of LONs comprise a significant portion

of the world's ocean, on average 28 times more than their actual land space. This renders them particularly vulnerable to the devastating effects of organised criminal activities in the fishing industry in the form of fisheries crime.

Moreover, the control of vast oceanic areas provides LONs with a common and shared responsibility for the health of the ocean.

The commonality of challenges faced by these countries with similar characteristics such as small land areas and large EEZs; dependence on natural resources; isolated geographical locations; and vulnerability to climate change, highlights the importance of sharing experiences and dialogue among such nations to successfully and jointly address common challenges and benefit from collective opportunities.

Fisheries crime

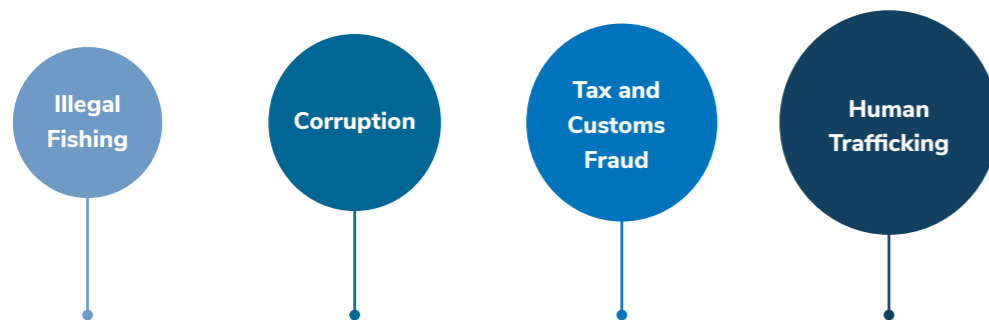
Global fisheries resources are being increasingly depleted, making fish an ever more valuable resource. This attracts criminal syndicates that use the fisheries sector to generate high profit at relatively low risk.

Fisheries crime refers to a wide range of offences along the value chain of the fisheries sector, and occur both on land and at sea. These crimes include document fraud, tax evasion, corruption, money laundering, human trafficking and illegal fishing. While economic crime by nature, these crimes are transnational and largely organized, adversely impacting on states' economies, their environment, security and their populations' basic human rights. LONs are particularly vulnerable to the negative impacts of fisheries crime due to their dependence on fisheries for food, employment and economic growth, their limited

law enforcement capacities over large ocean areas and the adverse effects of climate change.

Fisheries crime fosters transnational flows of illicit fish products and money, rendering cooperative cross-border investigation and inter-agency collaboration at a national and international level, vital to prevent and deter transnational fisheries crime. Developing countries, specifically those that are LONs, benefit particularly from such cooperative efforts.

Forums such as this LON Forum stimulate these efforts, providing a platform to garner high level focus on organised fisheries crime and to muster cooperative political action towards addressing these crimes.



Crimes in the fisheries value chain

LONs are particularly vulnerable to the negative impacts of fisheries crime due to their dependence on fisheries for food, employment and economic growth, their limited law enforcement capacities over large ocean areas and the adverse effects of climate change.

Sound policies and actions to address fisheries crime are vital towards the achievement of a number of key UN Sustainable Development Goals

UN Sustainable Development Goals

Whilst the particular challenges that individual LONs face with regards to fisheries crime may differ in detail, LONs are united by their dependence on the health of their marine living resources and the imperative of fostering a thriving fishing industry to maximise sustainable benefits for their populations. Sound policies and actions to address fisheries crime are vital towards the achievement of a number of key UN Sustainable Development Goals, in particular Goal 1:

'No poverty', Goal 2: 'Zero hunger', Goal 8: 'Decent work and economic growth', Goal 14: 'Life below water' and Goal 16: "peace justice and strong institutions", which is regarded as a core enabler of other SDGs. By adversely impacting states' economies, distorting markets, depleting fish stocks, frustrating realisation of basic human rights, and threatening security, transnational organized fisheries crime starkly impedes achievement of these goals.



Key SDGs related to fighting fisheries crime



Ilulissat Icefjord, Greenland by Tina Rolf on Unsplash

LON Forum on Transnational Organised Fisheries Crime

In the context of the above, it is valuable for a space to be created where LONs from across the globe can come together to share their stories on ocean opportunities, highlight their successes around fighting fisheries crime and discuss similar challenges and shared responsibilities towards cooperative action to safeguard their common interests in the oceans.

The LON Forum on Transnational Organised Fisheries Crime launched on 15 October 2018, at the UN City in Copenhagen, provides such a platform.

Specifically, the Forum serves as an international space for LONs to focus on and discuss the challenges of fisheries crime in a global context. The Forum also provides a unique opportunity to garner political will and momentum to address transnational fisheries crime collaboratively.

LON Forum on Blue Growth

The LON Forum on Transnational Organised Fisheries Crime complements the LON Forum on Blue Growth hosted by the Nordic Council of Ministers, the government of the Faroe Islands and the Nordic Atlantic Cooperation (NORA) in close cooperation with the Food and Agriculture Organization of the United Nations (FAO) and the Commonwealth Secretariat, in October 2017 in Malta. The LON Blue Growth Forum, brought together delegations from ten international LONs and had the objective to 'promote greater collaboration and dialogue on successful Blue Growth practices that have spurred development on island nations, and to look to the development of innovative industries and markets

where these nations may have a competitive advantage.

A necessary step towards the realisation of Blue Growth is combatting criminal activities in the fisheries sector. The creation of a forum dedicated to the goal of harnessing collective efforts between LONs globally to address transnational fisheries crime is therefore an important step in the movement towards Blue Growth.



Objectives of the LON Forum on Transnational Organized Fisheries Crime

The express objective of the LON Forum on Fisheries Crime was to facilitate agreement between LON participants on the particular challenges posed by transnational organised fisheries crime to LONs and the importance of cooperatively fighting such crime.

The launching of the LON Forum on Transnational Organised Fisheries Crime was a concrete first step towards fostering such cooperation. This is evidenced by the fact that LON government representatives subsequently agreed on the joint ministerial Declaration on Transnational Organised Fisheries Crime (see Section VI).

IV.

Summary and Results

The LON Forum on Fisheries Crime was attended by more than 80 participants from Large Ocean Nations as well as other countries, intergovernmental organizations and civil society.

The Forum commenced with a high-level panel comprised of the Deputy Prime Minister and Minister of Fisheries of the Faroe Islands, H.E. Mr. Hogni Hoydal; the Minister of Natural Resources, Environment and Tourism of the Republic of Palau, H.E. Mr. Fleming Umich Sengebau; the Minister of

Fisheries and Marine Resource Development of the Republic of Kiribati, H.E. Mr. Tetabo Nakara; the Secretary General of the Nordic Council of Ministers, H.E. Mr. Dagfinn Høybråten; and the Special Envoy of the Ministry of Foreign Affairs of the Kingdom of Norway, H.E. Mr. Odd-Inge Kvalheim. The panel was moderated by Mr. Gunnar Stølsvik, Policy Director at the Norwegian Ministry of Trade, Industry and Fisheries. The high-level participants provided opening remarks, setting the scene for further discussion, as summarized in this section.

“We are falling short if we are to pick this fight on our own. Organized fisheries crimes do not respect the importance of healthy and productive oceans or the communities that depend on them. Nor do they respect borders. It must be fought in every way possible and this must be built on international cooperation. Border-crossing challenges call for cross-border collaboration. Only together can we find effective solutions to challenges that threaten the oceans.”

Dagfinn Høybråten

Secretary General
Nordic Council of Ministers



The high-level panel during the Large Ocean Nations Forum on Fisheries Crime in Copenhagen, Denmark

From left to right: The Policy Director at the Norwegian Ministry of Trade, Industry and Fisheries, Mr. Gunnar Stølsvik; the Secretary General of the Nordic Council of Ministers, H.E. Mr. Dagfinn Høybråten; the Minister of Fisheries and Marine Resource Development of the Republic of Kiribati, H.E. Mr. Tetabo Nakara; the Deputy Prime Minister and Minister of Fisheries of the Faroe Islands, H.E. Mr. Høgni Hoydal; the Minister of Natural Resources, Environment and Tourism of the Republic of Palau, H.E. Mr. Fleming Umiiich Sengebau; and the Special Envoy of the Ministry of Foreign Affairs of the Kingdom of Norway, H.E. Mr. Odd-Inge Kvalheim.



H.E. Mr. Høgni Hoydal

Deputy Prime Minister and
Minister of Fisheries of the
Faroe Islands

The Deputy Prime Minister started by welcoming the launch of the LON Forum on Transnational Organised Fisheries Crime, noting that the Forum comes in the wake of the first dedicated LON Forum on Blue Growth hosted by the Faroe Islands in cooperation with other partners in October 2017 in Malta.

Mr. Hoydal stressed that nations with vast EEZs – in this context called ‘Large Ocean Nations’ – should embrace the term and the emphasis on harnessing oceanic wealth and potential that it encompasses. But transnational organised fisheries crime threatens this potential, distorting LON markets, harming the environment and impeding the realisation of human rights.

The Deputy Prime Minister reiterated that the Faroe Islands is engaged in fighting illegal fishing in the Nordic region and is involved in active bilateral cooperation towards addressing it. He added that it is imperative to protect the ocean as a precious source of fish and seafood towards the achievement of the UN SDGs, in particular SDG 2 ‘zero hunger’. To this end, international cooperation amongst LONs is crucial.

The Deputy Prime Minister concluded by pledging the support of the Faroe Islands to the LON Forum on Fisheries Crime and expressed that the Faroe Islands looks forward to working with other LONs in realising the aims of the Forum.



H.E. Mr. Fleming Umiich Sengebau

Minister of Natural Resources, Environment and Tourism of the Republic of Palau

“To my people, Palau is not a speck in the ocean; it is our home. Our country extends far beyond the edge of the land; it encompasses all of the ocean around it. That’s why the term Large Ocean Nation is in many ways a more fitting description for Small Island Developing States like Palau. We understand that what the sea provides has shaped our present and will decide our future ... We cannot afford to turn a blind eye to threats that further erode our food security and sovereignty.

Minister Sengebau highlighted that Palau is heavily reliant on the vast oceans that surround it and has taken bold steps to protect its oceans and the marine living resources within it, including declaring 80% of its EEZ a marine sanctuary. At the same time, Palau is home to the world’s largest, highly valuable tuna fishery which, combined with Palau’s proximity to highly populous Southeast Asia, attracts organised criminal groups to its fisheries sector, engaging in illegal fishing, human trafficking and forced labour. The Minister stressed that Palau cannot undertake the enormous enforcement challenges associated with its oceans alone and has therefore turned to collaborative efforts in this regard.

Participation in established regional initiatives such as the Pacific Maritime Security Programme and the recently initiated Pacific Fusion Centre, aimed at broadening maritime domain awareness among Pacific island countries, are highly beneficial for Palau along with other participating countries. The Minister concluded by underscoring that prosecutorial challenges around fisheries crime remain and that cooperation in a global context is key.



H.E. Mr. Tetabo Nakara

Minister of Fisheries and Marine Resource Development of the Republic of Kiribati

“We recognise that fisheries crime is an emerging global concern in addition and on top of IUU fishing. It is therefore timely at this point, that we proactively join together as principal custodians of the world’s largest oceans in this fight.

Minister Nakara commenced his speech by presenting the unique geographical characteristics of Kiribati, a country consisting of 33 tiny coral atolls scattered over a vast ocean with a total land area of only 811 km², which amounts to 0,02% of the total sea area. The limited land mass and finite terrestrial resources available to sustain the population of approximately 110,000 and develop the nation’s economy mean that there is heavy reliance on the oceans and the opportunities it offers.

The Minister highlighted that marine living resources, particularly tuna, are key to sustaining livelihoods and ensuring food security of the population and are vital to economic growth, as Kiribati is overwhelmingly dependent on revenue from the fishing industry (the sector provides 70-80% of government revenue). In this context, the Minister drew the participants’ attention to the particular challenge of monitoring foreign fishing vessels under access agreements and stressed that regional schemes, such as on-board observer programmes under the Nauru Agreement, are key to making collaborate progress towards more effective enforcement in the South Pacific alongside national legislative reforms.



H.E. Mr. Dagfinn Høybråten

Secretary General of the Nordic Council of Ministers

“It is important that the world community recognizes and addresses crimes committed in the whole fisheries supply and value chain, such as illegal fishing, corruption, document fraud and human trafficking. For Large Ocean Nations and ocean-dependent economies in particular, fisheries-related crimes can have devastating effects. They harm the environment and undermine food security and human rights.

The Secretary General (SG) began by reiterating that the sea is an important part of the history and identity of Nordic LONs, as a provider of food, jobs and welfare to the citizens for centuries. The Nordic region, therefore, has vital interests in maintaining the sustainability of the oceans as it is seen as key to the future of the region. SG Høybråten highlighted that the Faroe Islands and North Atlantic Cooperation (NORA) have taken an active role in fostering cooperation among island nations with large ocean areas towards realisation of the UN SDGs. The main threats to the health of the oceans and sustainable use of its resources are climate change, marine pollution and organized crime.

SG Høybråten underscored that fisheries crime is a form of transnational organized crime that harms the oceans and the communities that rely on it. Moreover, he stressed that fish and fish products are among the most traded food commodities in the world and fisheries crime impedes fair competition.

Furthermore, SG Høybråten informed the participants that the Nordic Ministers have taken a firm stand against fisheries crime, with eight national representatives pledging commitment to the world's first regional Ministerial Declaration against organized crime in the fisheries sector in 2017. He concluded by emphasizing that at an international level, gatherings like the LON Forums are important to garner further support to address transnational fisheries crime and that the number of countries supporting the work against fisheries crime is growing, as reflected in the large number of high-level representatives at the meeting.



H.E. Mr. Odd-Inge Kvalheim

Special Envoy of the Ministry of Foreign Affairs of the Kingdom of Norway

“Transnational organized crime in the fisheries industry is a threat to positive prospects of the Blue Economy. It creates unfairness for fishing companies in a globalised market and undermines our economies, distorts markets, harms the environment and undermines human rights.

Ambassador Kvalheim started by pointing out that in the context of sustainable ocean management, the management of fisheries resources is key towards realisation of the UN SDGs by 2030, in particular SDG 14 'Life below Water'. He underscored the definition of Norway as a Large Ocean Nation, with an ocean area seven times larger than its land territory that provides the main source of wealth; more than two thirds of Norway's export revenues coming from coastal and ocean-based activities such as fisheries, aquaculture, shipping and energy production.

He underscored that in a global context, the oceans cover 70% of the earth's surface and the Blue Economy thus offers vital opportunities for the future of coastal states.

Ambassador Kvalheim further stressed that sustainable management of the oceans is key to maintaining the health of the ocean. According to the World Bank, the fisheries sector is losing a staggering 83 billion USD every year; this is due to large-scale overfishing and also to fisheries crime. He continued by highlighting that human trafficking victims are used on illegal fishing vessels and in order to profit from the crime at sea, criminal networks engage in corruption, money laundering, tax evasion and fraud when the fish enters the markets and there are also examples of fishing vessels smuggling drugs and migrants. Ambassador Kvalheim reiterated that Norway is dedicated to combating fisheries crime but also stressed that fisheries crime is an international problem and therefore all countries should join forces to address it through forums such as the LON Forum on Fisheries Crime.

Custodians and Champions

The high-level opening was followed by two panels focusing on two groups of UN SDGs respectively: SDGs 2 'Zero hunger' and 14 'Life below Water', and SDGs 1 'No Poverty' and 8 'Decent Work and Economic Growth'. The panels included presentations from the Republic of Fiji, the Democratic Republic of São Tomé and Príncipe, the Republic of Indonesia, the Republic of Mauritius, Jamaica and the Republic of the Seychelles.

Each of the country presentations summarised below highlights the important custodian role of the nation in question over its unique oceanic assets. Particular challenges posed by fisheries crime are respectively discussed. The analysis of the presentations lends itself to identification of a number of ways in which LONs are or can cooperatively champion the fight against fisheries crime. This analysis is summarised in section V 'Conclusion' on the following pages.

Large Ocean Nations presentations



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Photo by Prem Kurumpanai on Unsplash

The Republic of Fiji

Fiji is a South Pacific nation comprising approximately 300 small islands, with one third of them inhabited. Its islands are surrounded by a vast expanse of ocean territory of 13,250 square nautical miles.

The ocean provides the main source of livelihood for the Fijian people and its protection and the sustainable use of its resources is therefore vital. Illegal fishing and transnational organised crime in the region threaten the economy and food security. The national legislative framework, characterised by outdated coastal regulations, presents challenges to dealing with criminal activity in the commercial

fisheries sector and enforcement is hampered by lack of surveillance assets and support craft as well as limited financial capacity to support patrolling the vast EEZ.

The Fijian authorities are committed to exposing and eradicating fisheries crime and have taken steps including seasonal bans and restrictions on exportation of corals and sea cucumbers, information-sharing and border collaboration at national, regional and global level. Participation in regional enforcement initiatives includes joint operations and patrols with New Zealand in 2016 and a recent bilateral agreement with the US Coastguard.

Presented by:

Mr. Jale Wea Qereiwasa

Ministry of Fisheries of Fiji

The Democratic Republic of São Tomé and Príncipe

Presented by:

Mr. Pieter van Welzen

Honorary Counsel of the Democratic Republic of São Tomé and Príncipe to the Netherlands on behalf of Mr. Iland Kelve Nobre de Carvalho, Attorney General of São Tomé and Príncipe

The population of São Tomé and Príncipe (STP) is highly dependent on fish as a source of protein. The local fishing industry is dominated by artisanal fishing with increasing local harvesting in the large EEZ. Fish is used both for local consumption as well as further processed for export.

There is stress on near-coastal marine resources heightened by a growing population. Moreover, there is increasing large-scale foreign fishing in the EEZ of STP, some of which is illegal or 'pseudo legal'. Additionally, legal operations under access agreements are often on disadvantageous terms for STP. Further challenges arise from lack of transparency and misconception about rules when a particular actor is both a donor and a commercial party. Regulatory and enforcement bodies present challenges with regards to legislation, capacity and know-how. Practical impediments in enforcement include lack of inspection equipment, lack of cooperation and the substantial costs involved in enforcing sanctions.

Regional cooperation is key to addressing fisheries crime along with coordinated capacity-building action that is responsive to local circumstances. International efforts to identify and act against beneficial owners of vessels engaged in fisheries crime is vital to ensuring the protection of STP and other LONs from fisheries crime and loss of benefits from their own fisheries resources.



Photo by Colours of Mauritius on Unsplash

The Republic of Indonesia

Presented by:

Mr. Matheus Eko Rudianto

Ministry of Marine Affairs and Fisheries of the Republic of Indonesia

Indonesia has a large land surface compared to other LONs, yet two thirds of its area is ocean (6.4 million km²). Indonesia comprises 17,504 islands with the second longest coastline in the world after Canada and has three archipelagic sea-lane passages. The country is the world's second largest producer of fish and fishing is of vital importance to local livelihoods.

Fisheries crime is manifested in Indonesia through multiple forms, including document fraud, illegal transshipment, immigration-related crime, customs and tax crime, money laundering, corruption, human rights abuses and illicit drug trafficking. Challenges to addressing fisheries crime include restrictive penalty provisions under UNCLOS and difficulties

in sanctioning of foreign fishing corporations engaged in fisheries crime, in the absence of mutual legal agreement.

The Indonesian government has taken strident measures to address fisheries crime focusing on improved ability to detect and respond to fisheries crime and stronger sanctions for criminals. This is underpinned by cooperation amongst relevant law enforcement agencies as well as bilateral, regional and international cooperation coupled with use of the 'multi-door' law enforcement approach and prosecution with a focus on return of state losses. The Indonesian approach has led to improved state of fish stocks and increased state revenue from fisheries over the last years.

The Republic of Mauritius

Presented by:

Adv. Abdool Raheem Tajoodeen

Office of the Director for Public Prosecutions of the Republic of Mauritius

Mauritius is an Indian Ocean island nation of 1.3 million people, with a 2.3 million km² EEZ, out of which 400,00 km² is jointly managed with the Republic of Seychelles. Fisheries crime, including illegal fishing and extending to crimes such as corruption, money laundering and human trafficking, is a growing concern for Mauritius and poses a real challenge with regards to at-sea monitoring of its large EEZ.

An important step for Mauritius to countering fisheries crime and to monitor its large EEZ is its participation in the regional surveillance mission (EU

Smartfish programme) within the framework of the Indian Ocean Commission. Effective enforcement is hindered by jurisdictional challenges, both within the EEZ and on the high seas. Investigations of fisheries crime are also sometimes of insufficient quality to facilitate successful prosecution of criminal offenders; additionally, criminals are from multiple nationalities and there is a lack of interpreters available which hinders progress of cases in the criminal justice system. Further challenges are posed by difficulties in the use of mutual legal assistance and exhibits-handling.



Photo by Lakeisha Bennett on Unsplash



Photo by Stéphane Juban on Unsplash

Jamaica

Presented by:

**Lieutenant Commander
Judy Ann Neil**

Defence Force of Jamaica

In Jamaica fish is the second most important source of animal protein. However, Jamaican waters are some of the most overfished waters in the Caribbean, threatening food security, resulting in loss of tax revenue and causing environmental harm. Particularly problematic is over-harvesting by foreign industrial fishers due to the size of the vessels and the volume of catch, which occurs mainly in the Pedro bank (a large area with a surface of two thirds of the size of Jamaica). Additionally, tourism is a major contributor to national economy and degradation of coral reefs by over-fishing adversely impacts the industry. Due to the country's strategic location between demand and supply countries for narcotics, there is evidence of both illicit drugs and arms trafficking connected to

illegal fishing activities in Jamaica. Due to the depletion of fish stocks, fishing is no longer seen as a viable lucrative business and a discernible shift to transnational organized crime in the marine domain is evident and illegal fishing is now seen as a gateway to drug trafficking and other crimes in Jamaica.

Addressing fisheries crime is challenging due to inadequate legal deterrence and penalties such as low fines and non-mandatory forfeiture of vessels engaging in fisheries crime as well as weak maritime law enforcement. Along with improved enforcement, awareness-raising on the impacts of illegal fishing and the links to transnational organised crime, is crucial to achieve results.

The Republic of Seychelles

Presented by:

**Adv. Abdool Raheem
Tajoodeen**

on behalf of Mr. Roddy Allisop,
Fishing Authority of the Republic of
Seychelles

Seychelles is strategically located in the South West Indian ocean comprising 115 scattered islands. The country, together with Mauritius, is at the centre of the region's lucrative tuna fisheries. For instance, Port Victoria is considered as the prime hub for tuna fisheries in the Indian ocean, especially for purse seine fisheries. In this context, the economy of Seychelles is highly dependent on the revenue generated by the

largely foreign fleets licensed to fish tuna in its waters. Therefore, licensing is the key tool in the management framework for targeted species.

Seychelles is particularly vulnerable to over-fishing and related fisheries crime due to the high value of its tuna resources and its limited capacity to patrol its waters at high operational costs.

V.

Analysis and conclusion

The Large Ocean Nations Forum on Transnational Organised Fisheries Crime successfully brought together LON representatives, alongside members of the broader global marine community, united by their desire to protect their oceanic assets towards Blue Growth and the realisation of the UN SDGs.

There was unanimous agreement on the common challenges that transnational organised fisheries crime poses to LONs and the importance of co-operative action in a global context to address the problem. The necessity of continuous collaborative efforts was highlighted towards the goals of blue growth, preservation of the traditional ways of life of LON societies and food security.

Common challenges posed by transnational organised fisheries crime for LONs



Photo by John Westrock on Unsplash

Legal

The challenge of establishing jurisdiction over fisheries crime in maritime zones off LON coasts, including EEZs and associated regions of the high seas, was underscored by participants as particularly problematic. Legislation claiming various maritime zones and establishing national jurisdiction therein over criminal offences is often lacking or unclear, frustrating investigations and potential successful prosecution of fisheries crime. This includes challenges around offences pertaining to customs, fiscal, immigration and sanitary laws in the contiguous zone (where such a zone has not been claimed by the coastal state) (UNCLOS art 33). Further, penalties attached to offences in the various zones are often not severe enough with the particular challenge that UNCLOS does not provide for imprisonment as a sanction for violations of fisheries laws and regulations within the coastal states' EEZs unless by express agreement with the flag state in question (UNCLOS art 73(3)).

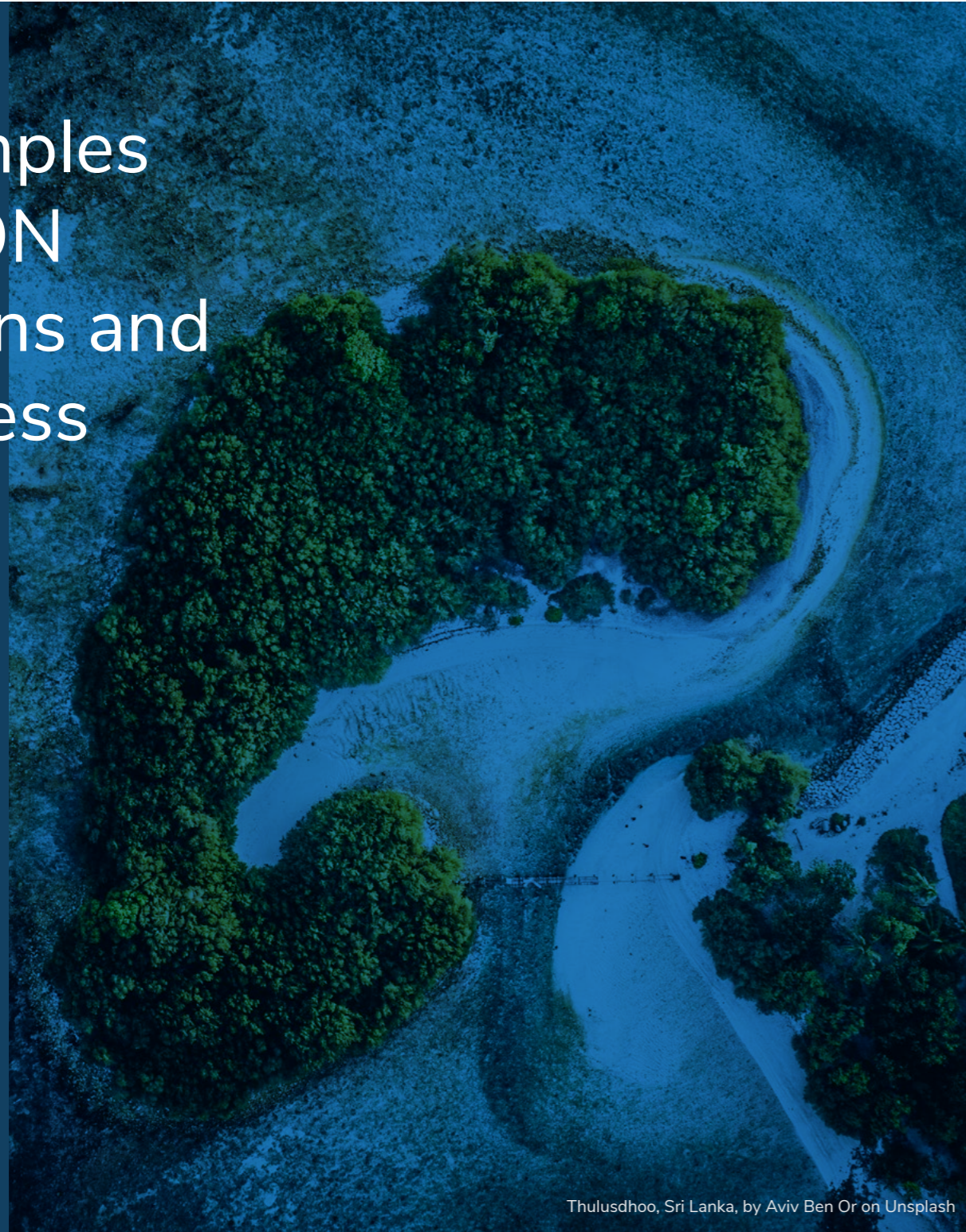
Enforcement

The patrolling of vast ocean spaces is a major challenge for LONs in light of their limited capacity with regards to equipment, training, human resources and financial abilities. This lends itself to a solution rooted in increased cooperation with regards to at-sea enforcement and cross-border information- and intelligence-sharing and investigations amongst LONs regionally. Neighbouring nations with greater capacity also have a role to play.

Cooperation

The criminal syndicates in the fishing industry operate transnationally, are highly organized and are adapting to changes circumstances. It was therefore highlighted that it is imperative for LONs to cooperate bilaterally, regionally and internationally.

Examples of LON actions and success



Thulusdhoo, Sri Lanka, by Aviv Ben Or on Unsplash

Regional cooperation

Regional cooperation was not only highlighted as an imperative to effectively address fisheries crime, but also as an example of one of the successes stories. This was in particular the case of the Nordic region, where close collaboration among countries has proven to have highly effective results. Cooperation has been both at policy level (Nordic Declaration against Fisheries Crime) as well as at an information-sharing level, where Nordic cooperation operates as part of a broader regional intelligence network (see the North Atlantic Fisheries Intelligence Group NA-FIG).

Collaborative enforcement efforts

Collaborative enforcement efforts amongst LONs were highlighted, such as the examples of the Pacific Maritime Security Programme and the recently initiated Pacific Fusion Centre in the South Pacific. These were cited as examples of models enabling participating LONs to make progressive enforcement strides towards addressing fisheries crime at a regional level.

Bilateral agreements

LONs present, including particularly Indonesia and Faroe Islands, underscored the importance of bilateral agreements with other countries in the region to cooperate and join forces in this area.



International Declaration on Transnational Organised Crime in the Global Fishing Industry

A Ministers' Declaration on Transnational Organised Crime in the Global Fishing Industry was adopted by nine Ministers from four continents immediately after the LON Forum. The signatories included the Ministers of the five LONs participating in the LON Forum, namely: the Faroe

Islands, Indonesia, Kiribati, Norway and Palau. Other supporters included Ghana, Namibia, Sri Lanka and the Solomon Islands. Other countries that have since joined as supporters are Benin, Chile, Greenland, Liberia, Maldives, Mozambique, and Timor Leste.

Ministers from other countries are encouraged to support the declaration in the future, which will serve as a basis to showcase political support and increase action towards addressing fisheries crimes in a collaborative manner.

The text of the full declaration is included in the report as 'Annex. The International Declaration on Transnational Organised Crime in the Global Fishing Industry'.



High-level endorsement of the International Declaration on Transnational Organised Crime in the Global Fishing Industry.

From left to right: the Deputy Minister of Fisheries and Marine Resources of the Republic of Namibia, H.E. Ms. Silvia Makgone; the Minister of Fisheries and Marine Resource Development of the Republic of Kiribati, H.E. Mr. Tetabo Nakara; the Coordinator of Special Advisors from the Indonesian Presidential Task Force to Combat Illegal Fishing, Mas Achmad Santosa; the Minister of Fisheries and Aquaculture of the Republic of Ghana, H.E. Ms. Elizabeth Afoley Quaye; the Deputy Minister of Fisheries and Aquatic Resources Development and Rural Economic Affairs of the Democratic Socialist Republic of Sri Lanka, H.E. Mr. Ameer Ali Shihabdeen; the Minister of Natural Resources, Environment and Tourism of the Republic of Palau, H.E. Mr. Fleming Umiih Sengebau; Deputy Prime Minister and Minister of Fisheries of the Faroe Islands, H.E. Mr. Høgni Hoydal; and the Minister of Fisheries of Norway, H.E. Mr. Harald T. Nesvik. Source: UNDP

VII.

Ways forward and
action required

Ways forward

Presenters and participants at the LON Forum on Transnational Organised Fisheries Crime made the following recommendations:

Global Awareness Raising

Foster increased awareness globally of the challenges faced by LONs in addressing transnational fisheries crime, particularly small island developing states, and encourage assistance of LONs in this regard.

1

Blue Growth and Sustainable Development Goals

Foster recognition amongst all LONs in a global context that addressing transnational organised fisheries crime is imperative to the pursuit of Blue Growth and the fulfilment of the UN SDGs.

2

Fisheries Crime

Facilitate among all LONs recognition and identification of crimes throughout the whole fisheries value and supply chain as fisheries crime including, but not limited to, document fraud, tax and customs fraud, human trafficking, illicit drug trafficking, money laundering, and corruption.

3

Inter-continental Flows

Facilitate among all LONs recognition and identification of inter-continental flows of illegal fish products, illicit money and human trafficking victims as a manifestation of fisheries crime.

4

Inter-agency Cooperation

Foster action within all LONs to stimulate inter-agency cooperation by relevant governmental agencies in identifying, investigating and prosecuting criminals engaged in fisheries crime.

5

Political Commitment

Facilitate demonstrative political commitment of all LONs to cooperate in addressing transnational organised fisheries crime (e.g. by signing up to the 2018 Declaration).

7

Cooperative Bilateral Regional and international action

Foster action amongst all LONs towards concrete cooperative bilateral, regional and international action to address fisheries crime within a global context with particular consideration of the needs of vulnerable developing LONs.

6



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Annex.

The International Declaration on Transnational Organised Crime in the Global Fishing Industry

Adopted on the occasion of the first Large Ocean Nations forum on Transnational Organized Fisheries Crime and the 4th International FishCrime Symposium convened at the UN City in Copenhagen 15 – 16 October 2018

We, the Ministers of Faroe Islands, Ghana, Indonesia, Kiribati, Namibia, Norway, Palau, Solomon Islands and Sri Lanka:

Encourage other Ministers to support this non-legally binding declaration.

Note the recommendations and the outcome of the 2nd International Symposium on Fisheries Crime held in Yogyakarta, Indonesia 10 – 11 October 2016 which was published by the United Nations Office on Drugs and Crime at the occasion of the United Nations Commission on Crime Prevention and Criminal Justice during its twenty-sixth session in Vienna 22 – 26 May 2017.

Recognize that our countries are dependent on the sea and its resources and the opportunities it holds for the economy, food and well-being of our population and we are determined to support a healthy and thriving fishing industry that is based on fair competition and the sustainable use of the ocean.

Are committed to work towards the fulfilment of the UN Sustainable Development Goals particularly in relation to Goal 14 on “Life Below Water” and Goal 16 on “Peace, Justice and Strong Institutions.”

Are convinced that there is a need for the world community to recognize the existence of transnational organized crime in the global fishing industry

and that this activity has a serious effect on the economy, distorts markets, harms the environment and undermines human rights.

Recognize that this transnational activity includes crimes committed through the whole fisheries supply and value chain which includes illegal fishing, corruption, tax and customs fraud, money laundering, embezzlement, document fraud and human trafficking.

Recognize further the inter-continental flow of illegal fish products, illicit money and human trafficking victims in transnational organized crime cases in the global fishing industry and that all regions of the world need to cooperate when investigating such acts.

Are convinced that inter-agency cooperation between relevant governmental agencies is essential at a national, regional and international level in order to prevent, combat and eradicate transnational organized crime in the global fishing industry.

Are also convinced that there is a need for international cooperation and that developing countries are particularly affected.

Recognize the particular vulnerability of small-island developing states and other Large Ocean Nations of the impact of transnational organized crime in the global fishing industry.

Are also convinced the need for continuous support on the highest level and the necessity for awareness raising on these issues through events such as the International FishCrime Symposium.

Fostering action
amongst all Large
Ocean Nations
towards concrete
cooperative bilateral,
regional and
international action
to address fisheries
crime within a global
context.

Contains the joint ministerial declaration signed
by the Large Ocean Nations government
representatives present at the LON Forum on
Transnational Organised Fisheries Crime

For more information about the
Copenhagen Declaration visit
www.bluejustice.org