
Report of consultation on Covid-19 Implications for Fisheries Crime Law Enforcement: Keeping Organized Crime in the Fisheries Sector at Bay Towards Realizing a Blue Economy – 29 June 2020¹

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1. Background and preparations

The webinar was the first in a series of planned webinars under the Blue Justice Initiative spotlighting particular themes pertaining to organized crime in the fisheries sector. The theme for this webinar was the implications of Covid-19 on fisheries crime law enforcement.

This webinar consisted of 21 participants and 4 presentations were made by: Ms. Lucía Solano Ramírez, Coordinator of the Internal Treaty Working Group at the International Legal Affairs Directorate, Colombia; Ms. Médina Thiam, Deputy Director of the Maritime Safety and Marine Pollution Prevention, Senegal; Mr. Mas Achmad Santosa, Executive Director of the Indonesia Ocean Justice Initiative (IOJI), Indonesia; and Dr. Kamal Deen-Ali Executive Director of Centre for Maritime, Law and Security (CEMLAWS), Ghana.

Participants: Lejda Toci (United Nations Office against Drugs and Crime (UNODC)), Anne Linn Jensen (UNODC), Susan Knifed (UNODC), Julia Kercher (UNDP), Eirik Talleraas (UNDP Norway),

¹ The consultation was held via a closed webinar on the 29 June 2020, 09:00 CET.

Ian Ralby (I.R. Consilium), Mohamed Ben Bari (Morocco), Jemimah Aluda (Kenya), Gridanya Mega Laidha (IOJI), Fadilla Octaviani (IOJI), Andreas Aditya Salim (IOJI), Stephanie Juwana (IOJI), Sara Lier Fagerbakke (NFD Norway) and Januar Putra (IOJI).

The webinar was opened by Specialist Director Gunnar Stølsvik from the Secretariat of the Blue Justice Initiative at the Norwegian Ministry of Trade, Industry and Fisheries, followed by Emma Witbooi, on behalf of the supporting UNDP Blue Resilience project.

The Moderator of the webinar was Gunnar Stølsvik.

The presenters addressed four overarching questions that also served as the framework for subsequent discussion opened to the floor. The questions comprised:

1. What effect has Covid-19 had on enforcement in the fisheries sector? Has there been any change in your or other agencies activities in enforcement in the fisheries sector? If so, how?
2. Has there been detection of increased or different forms of crime in the fisheries sector during the Covid-19 pandemic? Please use examples.
3. Do you see an increased risk of exploitation of local fishing communities in your country and/or involvement of local fishing communities in illegal activities due to the Covid-19 pandemic?
4. What challenges do you see in responding to future crises, such as Covid-19, towards building a more resilient Blue Economy?

2. Presentations

The presenters highlighted a number of issues, including:

General situation

1. Fishing has become less profitable during the Covid-19 pandemic due to restrictions on going out to sea, adverse impacts of lockdowns on the fisheries supply chain (including transportation) etc.
2. Vulnerable coastal communities dependent on artisanal fishing have suffered increased economic dislocation, rising levels of poverty and associated food insecurity as they are not able to legally go to sea or sell their products (for example in Ghana). In light of limited alternative livelihood options this renders them susceptible to engaging in illegal activities to generate income.
3. There are noticeable adverse gendered implications of lockdown restrictions in coastal communities dependent on fisheries for livelihoods where women play a central role, for example, in Ghana and Senegal.

Maritime Security and Transnational Organized Crime in the Fishing Industry

4. Some artisanal fisheries have resorted to fishing in marine protected areas in Senegal due to the ban on going out to sea.
5. There is an increased tendency of national fishers to not always abide with fisheries management regulations during Covid-19 time.
6. In certain areas there has been a discernible increase in crime during the pandemic, such as drug trafficking, associated with the fishing sector.

7. The decline in national fishing activities due to lockdown has created opportunity for illegal fishing by foreign vessels in national waters for example in Indonesia and Ghana.
8. Related, increased illegal fishing in national waters by neighbouring countries is noticeable in, for example, Indonesian waters, due to reduced at-sea patrols.
9. There has been a rise in maritime security incidents in a larger geographical area in the Gulf of Guinea, such as piracy and ransom kidnappings, during the Covid-19 period including piracy attacks on fishing vessels.
10. More cases of human trafficking on fishing vessels have been evident in the Gulf of Guinea during the pandemic.

Government response

11. There is a reduced law enforcement presence at sea in some national waters due to, inter alia, budget cuts affecting relevant law enforcement agencies (with resources allocated rather to institutions dealing inland with the pandemic); risk of infection impacting in-person inspections etc.
12. Whilst navies have continued at-sea law enforcement, the number of patrols have been reduced in national waters (for example Indonesia, Ghana)
13. In Indonesia, due to concern over COVID-19 transmissions enforcement officers are required to take additional preventive measures before boarding, inspecting, arresting and confiscating illegal fishing vessels.
14. Restrictive regulations pertaining to detaining illegal fishing vessels and crew in Indonesia due to Covid-19 have resulted in an accumulation of crew and vessels in some locations.
15. Enforcement processes of those involved in illegal activities in fisheries are significantly delayed in Indonesia due to physical distancing policy giving rise to problems such as for example insufficient capacity for temporary shelter and delay in legal processes, including the execution of court decisions.

Policy issues

16. There is a need for a paradigm shift to understand and create new strategies towards a fair and sustainable Blue Economy as part of the solution towards a more resilient and economically viable society.
17. Political will is imperative, including via support of the Copenhagen Declaration, and the use of digital data sharing platforms should be emphasized.
18. A strengthened role of women in law enforcement in fisheries and maritime domain is imperative.

3. General discussion

Additional themes arising during the Question and Answer session and general discussion included:

Governance Issues

19. Effective institutional cooperation and competence sharing was underscored as valuable. In particular it was noted that designating certain law enforcement agencies as 'essential' (e.g. navy and coast guards) but failing to regard supporting law enforcement agencies as essential has weakened at-sea enforcement during Covid-19 as single agencies are not equipped to

- effectively handle the range of criminal activities they may encounter at sea for example illegal fishing; human trafficking with some examples from the Caribbean and Senegal.
20. The value of potentially integrating Foreign Affairs ministries into inter-agency law enforcement mechanisms to address organized crime in fisheries was raised along with the importance of including local authorities' input (for example in the Caribbean).
 21. Transparency and accountability were underscored as key to effective institutional cooperation in addressing crime in the fisheries sector.
 22. Continual evaluation and, where needed, adjustment, of institutional cooperation is imperative.

Equipment and tools

23. The value of increased use of digital solutions in developing countries to improve law enforcement in the fisheries sector, particularly in times of crises such as Covid-19, was underscored.

4. Concluding outcomes

On the basis of the presentations and the general discussion, the participants of the meeting concluded that in crises, such as the global Covid-19 pandemic:

1. **Fisheries law enforcement is more challenging** as governments' focus on response to the crisis.
2. **Transnational criminal networks exploit** enforcement weakness to **conduct crime** in the sector and to **recruit vulnerable coastal communities** to engage in illicit activities along the supply chain with **adverse gendered implications**
3. **The importance of a coordinated governance response to protect the fisheries sector** against criminal exploitation is emphasised.
4. Our **dependence on the ocean** and marine resources highlights the **need to build a Blue Economy that is resilient to crises** including via **more effective use of digital tools**.