

LIMUN

LICEO'S MODEL UNITED NATIONS



INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA

Topic A: "IUU and its global consequences"

Written by: Eugenia Macedo Orozco

I. COMMITTEE BACKGROUND

UNEA, which stands for United Nation's Environmental Assembly, was founded in 2012 with the purpose of seeking common action towards the protection of the planet by implementing international environmental laws and policies. UNEA is the world's highest-level decision-making body on the environment, as it also focuses on providing leadership, awareness, and partnership for the environment by inspiring, informing and encouraging people and nations to improve their quality of life without jeopardizing Earth's future. UNEA accounts for 118 members of the State, besides working closely with representatives from different fields and major groups.

II. HISTORY OF THE TOPIC

A. Introduction to the Topic

The term "IUU" refers to illegal, unreported, and unregulated fishing. This includes any fishing that violates the law or occurs outside the reach of fishery regulations. Illegal fishing typically refers

to fishing without a license, catching more than is permitted, fishing in restricted areas of the ocean, underreporting the amount caught or even using certain restricted gear. Usually, it takes place in the high seas, which are international waters beyond the exclusive economic zone, extending up to 200 nautical miles from the shoreline, which facilitates passing unreported and unnoticed. Illegal fishing also covers up other crimes like slavery, corruption, financial crime, tax evasion, document fraud and resource theft.

B. Evolution of the Topic

Historically, illegal fishing has always been a simple, non-risking way to access the industry of commercial fishing. This practice is secretly performed all around the world due to the huge profits and rewards received compared to the slim chances of being caught. Evidently, fishermen take advantage of patchy regulation and poor enforcement regimes in specific areas, avoiding extra-costs like documentation, licenses etc.

Thus, because the real amount of fish caught is unknown, it is almost impossible to effectively manage the stock estimates internal to the industry as well as when setting catch limits. As a result, IUU constitutes a clear case of unfair competition towards legitimate fishers, since they operate without the costs of doing business legally and following certain established policies and laws.

Not only that, but illegal fishing causes great environmental damage to the marine ecosystem, mostly when driftnets, bycatch and trawling are used upon. These “strategies” mostly catch non-target species like sharks, dolphins, turtles and destroy reef communities, seamounts etc. Although it is very hard to distinguish between illegal and legal catch, certified seafood requires a system

to prevent IUU products getting mixed up with those that are indeed legal.

C. Relevant Events

IUU fishing has been a longstanding problem, but it became a more serious matter up until the 1990s, when IUU fishing started to take a toll in actual total catches, presenting a decrease in the charts after many decades of increase.

The consequences of IUU fishing have never been more visible and alarming, with the complete destruction of the marine ecosystem and the decline in many marine species. For example, sharks. Sharks have been hunted since the early 90's, due to the constant fear of the threat it poses to human life. Due to this, the species has declined drastically about 90% over the last decade, with 100 million kills per year. Regimes and policies have been established to regulate the hunt of sharks, with almost no catch per year, but nevertheless, IUU fishers hunt them for commercial purposes.

Other species like dolphins, turtles and little whales have been decreasing due to illegal bycatch and trawling, with an estimate of 25,000 kills per year. Additionally, it has been reported that over 31 nations have vessels engaged in IUU fishing or other activities like the bycatch of protected and endangered species. Conditions that enable such kinds of activities are due to weaknesses in enforcement of limitations, monitoring, security etc.

II. CURRENT ISSUES

A. Panorama

IUU not only affects the environment but the global economy as well, with an estimated 23.5\$ billion dollars annually. Its effects in the fishing industry, people's livelihoods, food security and developing countries can get to be highly critical.

IUU fishing contributes to a critical decline in the fishing industry, with 85% of fishing stocks over or fully fished. This has a critical impact, not only on the industry but on the population as a whole, since approximately 4 billion people worldwide depend on fish as their daily protein source, not to mention the employees that rely on the fishing market and commerce.

IUU has also provoked certain disputes and rising tensions between countries. For example, in 2016, when Argentina's coastal guard sank a Chinese vessel, suspecting it was involved in IUU business. The boat, trying to evade the inspection, crashed into an Argentine vessel, causing chaos and tension in the area.

B. Points of View

China

According to the global IUU Index, China has been listed as the country with the most IUU fishing globally. Throughout the years, chinese vessels have overfished local waters, increasing instability, food scarcity and human trafficking. Due to climate change, the fish population in the Chinese waters has altered and local fishermen are forced to navigate international waters, recurring to IUU. Chinese vessels have appeared in the African, South American and Korean coasts, enabling further disputes and rising tension between the countries.

USA

The United States has been one of the leading countries in combating IUU by enforcing regulations and policy laws. The Department of State works closely with several organizations like the National Oceanic and Atmospheric Administration's National Marine Fisheries Service (NOAA Fisheries) and the U.S. Coast Guard to combat this global problem, by implementing domestic and international actions. Nonetheless, it still consumes 16% of global IUU catches. According to an academic report, up to 1/3 of wild-caught seafood imported to the United States was caught illegally.

México

Although Mexico is worldwide known for its marine wildlife and seafood, the country has faced several sanctions and consequences for not dealing with the current problem of illegal and unreported fishing, with several extinct species and destroyed ecosystems. Most of the country's catches since 1950 have been illegally caught and unreported, with non-accurate stock assessments in the Mexican fishery industry.

Indonesia

Although the country is the world's leading producer in tuna and the second-largest one in marine wild-caught fish, Indonesia loses about 4 billion dollars per year to IUU. Starting in 2014, Indonesia implemented a set of policies to combat this worldwide issue, by tracking and reporting illegal vessels with satellite images and using the automatic identification system data from Global Fishing Watch. Throughout the year, the government was able to track down 318 illegal vessels, with 300 of them being foreign. Although these policies resulted in a decrease in overall fishing, the percent of catching fish increased by 12% to 14%.

I. UN & EXTERNAL ACTIONS

A. UN actions

Agreement on Port State Measures

Adopted in 2016 by the Food and Agricultural Organization of the United Nations (FAO), the Agreement on Port State Measures states that any vessel engaged in IUU will be prevented from using a port and landing any of its catches.

The Compliance Agreement

Adopted in 1993 by FAO, the Compliance Agreement states that every Flag State has the responsibility to report and inspect any unauthorized vessel heading towards the high seas with the purpose of decreasing IUU catches.

UN Fish Stock Agreement

Adopted in 1995 by the United Nations, the UN Fish Stock Agreement states that for illegal fishing extermination to be possible, licenses, registrations, authorisations and other policies should be requested from any vessel headed out for commercial fishing.

B. External actions

Armed Forces

The United States Coast Guard has played an important role in IUU enforcement across the globe. Since 1997, the Coast Guard has partnered up with countries like Japan, China, Russia, South Korea, and Canada to provide control over the seas and enforce the authorization methods in vessels.

Sea Shepherd

Sea Shepherd has been an international non-profit organization that targets IUU fishing and carries out campaigns to combat it. The Sea Shepherd collaborates with the governments of Mexico, Liberia, Gabon, São Paulo, Tanzania along with others. Sea Shepherd has arrested 52 vessels engaged in IUU over the last 4 years.

Other NGOs like OceanMind and Trygg Matt Tracking have played important roles in boosting the governmental policies and laws towards IUU, by reporting, inspecting and taking action.

II. CONCLUSION

Illegal fishing has been an ongoing issue since the late 90's, threatening the fish and marine population, food security, economic growth etc. Undermining sustainable fisheries, legitimate fishers and the lives that depend on them. Delegates are encouraged to reach an agreement with the goal of combating IUU fishing, taking into account the negative effects on the planet and the potential risk the marine ecosystem is facing.

III. IMPORTANT QUESTIONS

- In what position is your country facing the current situation?
- Do your local vessels undergo certain identification, licensing and legal procedures in order to fish commercially?
- Do your country's fishing industries undertake any type of investigation to prove that the products are fished legally?
- What policies or enforcement laws does your country have as to unreported and unregulated fishing?

REFERENCES:

<https://www.pewtrusts.org/en/research-and-analysis/articles/2013/02/25/illegal-unreported-and-unregulated-fishing-frequently-asked-questions#:~:text=Finally%2C%20illegal%20fishing%20often%20causes,and%20other%20vulnerable%20marine%20ecosystems>

<https://www.fisheries.noaa.gov/international/international-affairs/report-iuu-fishing-bycatch-and-shark-catch>

<https://irp.fas.org/nic/fishing.pdf>

<https://www.state.gov/key-topics-office-of-marine-conservation/illegal-unreported-and-unregulated-fishing/>

<https://www.sciencedirect.com/science/article/pii/S2468550X20300216>

<https://www.americansecurityproject.org/chinese-iuu-fishing-a-global-security-threat-multiplier/>

<https://www.seafoodsource.com/features/indonesias-explosive-iuu-policy-is-working-new-report-says>