

Eliminating government support to illegal, unreported and unregulated fishing

Claire Delpeuch, Head of Unit, Fisheries & Aquaculture, OECD

Solutions and partnerships to promote sustainable fishing and strengthen implementation of international instruments to prevent, deter and eliminate IUU fishing

29th June, 11.00-12.45



A global agreement... at last!

After over 20 years of international commitments and negotiations...

- IPOA-IUU (2001)
- World Summit on Sustainable Development (2002) – referring to the WTO negotiation mandate
- SDG Target 14.6 (2015)
- CPTPP, USMCA, UK-NZ and UK-AUS trade agreements already contained provisions to prohibit subsidies to IUU fishing
- An OECD survey found that 40% of the economies covered in the [OECD Review of Fisheries 2020](#) did not have or did not implement fully provisions to exclude IUU fishing operators from subsidies

...WTO Members finally agreed on disciplines (WTO 12th Ministerial Conference, June 2022)

- To eliminate subsidies that benefit IUU fishing [art. 3.1 [Draft Ministerial Decision of 17 June 2022](#)]
- To report to the WTO the policies they have in place to do so [art. 3.7]



Why is it so difficult to eliminate subsidies to IUU fishing?

- Establishing links between IUU fishing and beneficiaries of public support
 - Transparency issue
 - Practical issue (vessels vs. individuals; sector-wide support like infrastructure)
- Targeting IUU fishing comprehensively yet proportionately, both inside and outside countries' own waters
 - Domestic definitions of IUU fishing / IPOA description
 - Fishing-related activities (e.g. transshipment) which can play a central role in IUU fishing are typically less regulated and harder to monitor and sanction.
- Different approaches to excluding IUU fishing from subsidy program
 - Because legal and regulatory systems, as well as fisheries support, vary significantly across countries



8 priorities to effectively eliminate subsidies to IUU fishing

1. Make all **support conditional on being flagged to the supporting country and having fishing authorisation** – which themselves should require (in addition to typical conditions, and where possible):
 - An IMO number
 - Information on beneficial owners
2. Use **appropriate processes** to exclude from support all recipients linked to IUU fishing (understood in a broad sense):
 - Being transparent about the support-related consequences of IUU fishing
 - Ensuring proportionality in the consequences (giving consideration to the nature & context of the IUU activity)
 - Delineating who is concerned, for how long, and whether support needs to be recovered
 - Without necessarily tying action on support to other IUU-enforcement action (e.g. IUU vessel listing)



8 priorities to effectively eliminate subsidies to IUU fishing

3. **Adopt comprehensive yet practical definitions** of IUU fishing and IUU fishing-related activities under national legislation
 - IPOA and PSMA most commonly used references
4. **Better regulate & monitor the transshipment** of fish & other fishing-related activities, with authorization & reporting obligations
5. **Enhance the monitoring** of fishing and fishing-related activities; implement the provisions of the **Port State Measures Agreement (PSMA)**
6. Improve **information sharing** and increase **transparency** about support recipients



8 priorities to effectively eliminate subsidies to IUU fishing

7. Reduce or redirect **support away from policies most at risk of increasing fishing effort and capacity**
 - Fuel subsidies
 - Subsidies for vessel construction and modernisation
 - Subsidized access to foreign waters
8. Explicitly **exclude from support fishing on the high-seas** that occurs outside the jurisdiction of an RFMO/A
 - To avoid supporting fishing that is not subject to co-operative evidence-based sustainable management.
 - Article 5.1



More information and a self-assessment questionnaire in the report

OECD *publishing*

ELIMINATING GOVERNMENT SUPPORT TO ILLEGAL, UNREPORTED AND UNREGULATED FISHING

OECD FOOD, AGRICULTURE
AND FISHERIES
PAPER

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1. Legal framework

1.1. Restricting subsidy eligibility

1.1.a. Does your legislation include provisions to restrict eligibility for subsidies (ex ante) on the basis of criteria related to IUU fishing?

- ☐ Yes, eligibility can be denied **for engaging in IUU fishing** based on a definition of IUU fishing (please provide this definition in the comments)
- ☐ Yes, eligibility can be denied **for some types of infringements of domestic fisheries regulations** (please define which types of infringement in the comments)
- ☐ Yes, eligibility can be denied **when a vessel is included in an IUU vessel list** – Please specify which type of lists:

- ☐ RFMOs lists
- ☐ Flag state lists
- ☐ Coastal State lists
- ☐ Other (please specify in the comments)

- ☐ Yes, eligibility can be denied **for infringements of RFMO conservation and management measures**
- ☐ Yes, eligibility can be denied **for links with non-cooperating economies**
- ☐ Yes, eligibility can be denied **for disabling or shutting down VMS or AIS**
- ☐ Yes, eligibility can be denied **for other motives** (please specify which in the comments)
- ☐ **No, eligibility cannot be denied on the basis of criteria related to IUU fishing**

Please provide comments, references and links here:

1.1.b. What is needed to trigger subsidy eligibility denial on the basis of the criteria related to IUU fishing?

- ☐ Clear evidence
- ☐ The opening of an investigation or prosecution
- ☐ An administrative penalty or sanction
- ☐ A criminal conviction
- ☐ Inclusion on an IUU vessel list
- ☐ Other (please specify in the comment)

Please provide comments, references and links here:

Download the report [here](#)



Future co-operation to promote sustainable fishing

The OECD stands ready to continue working closely with the FAO, the WTO and other partners to support governments in their reforms and monitor the progress made in fighting IUU fishing and supporting sustainable fishing.

I look forward to hearing from you : Claire.Delpeuch@oecd.org



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