

Department of Agriculture, Fisheries and Forestry

Measures to prevent the importation of illegal, unreported and unregulated seafood

OVERVIEW

Illegal, unreported and unregulated fishing (IUU fishing) has many dimensions and impacts ecosystems, economies, human security, international law, governance and human development. Combatting it is about supporting the integrity of the international legal framework and the rules-based international order. It is a top priority for Indo-Pacific states.

Australia is a proven leader with international recognition in important areas such as fisheries compliance management, fisheries science, information management, maritime protection areas, maritime surveillance and sustainable returns from the use of fisheries resources. Australia has insight into what works and what doesn't and is in an excellent position to provide leadership in this area, with sophisticated information, skills and capacity-building knowledge to support countries in the region.

But being a good global citizen starts at home, and Australia should strengthen its domestic regulation to demonstrate best practice. One way Australia can set an example in its own policies is by ensuring that only legitimate catches enter the Australian seafood supply chain.

This should be seen as part of a wider effort by Australia to combat the symptoms and causes of IUU fishing as a whole-of-government issue linking security, trade, foreign policy and development cooperation. IUU fishing is, as Minister for International Development and the Pacific and Minister for Defence Industry Pat Conroy said recently, "A difficult problem that requires innovative solutions". An effective strategy to counter IUU fishing and ensure fisheries sustainability for Australia and the region requires a whole-of-government effort that coordinates all tools of statecraft.

Drawing on consultations with more than 30 fisheries experts for a recently-released report,¹ this submission offers four overarching recommendations for how Australia can be an effective partner in combatting IUU fishing:

1. Adopt Best Practice in Australia's Domestic Regulations
2. Deepen and Broaden Partnerships
3. Continue to Invest in Regional Capacity-Building
4. Promote Innovation in Information Gathering

¹ See Asia-Pacific Development, Diplomacy & Defence Dialogue, *What does it look like for Australia to be an Effective Partner in Combatting Illegal, Unreported and Unregulated Fishing* (Canberra 2023): <https://asiapacific4d.com/idea/combating-iuufishing/>

RECOMMENDATIONS

1. Adopting Best Practice in Australia's Domestic Regulations

Australia can ensure it is a global leader in sustainable fisheries management by improving transparency in its own domestic seafood supply chain. Australia can look to adopt a system to give consumers the confidence that imported seafood comes from sustainable sources while giving an incentive for exporting countries to address IUU fishing.

One place to start is to look at what other countries are doing.

For example, Japan, one of the world's largest importers of fisheries products, enacted legislation late last year to prevent illegal fishing catches from entering its seafood supply chain on top of existing import regulations for tuna and similar species. Japan's new legislation includes regulation on the Japanese domestic market and on imported fisheries products.

In its initial iteration, Japan's Catch Documentation Scheme requires catch certificates for species — squid and cuttlefish, Pacific saury, mackerel, and sardine — when imported into Japan. The catch certificate that they were caught legally is issued by the competent authority of the vessel's flag state. Japan intends to add further species in future rounds.

Another example is the European Union Catch Certification and Carding System. This requires states to certify the origin and legality of fish to ensure the full traceability of seafood imported into Europe. The rules are applied to all fishing vessels, under any flag, in all maritime waters.

To ensure imports meet EU fisheries management standards, non-EU countries may be given a formal warning (yellow card) if identified as having inadequate measures in place to prevent IUU fishing. If they fail to improve, they could face being banned (red card) from exporting seafood to EU markets. Given the size of the EU market, potential bans have a big impact and are a significant incentive for countries to address IUU fishing.

The impact of the EU's card system was demonstrated in 2017 when Vietnam received a yellow card. The resulting extra customs scrutiny pushed fish sales to the EU down by 36% (\$320 million) from 2018 to 2020.

It is clearly a trend with other markets such as Canada, Mexico and other Latin American countries looking at options to regulate seafood imports as an important means to tackle IUU fishing.

Whatever model it chooses, Australia should adopt a system that gives consumers the confidence that imported seafood comes from sustainable sources; this would also provide incentives for exporting countries to introduce traceability systems and address IUU fishing.

Australia can also increase its efforts to prevent seafood fraud (mislabelling) and species substitutions through looking at innovative approaches to testing at its borders. New testing methods such as tamper-proof, high-throughput analyses in hard tissues, together with DNA and biochemical analyses, could play a role in validating seafood origin and support the compliance, enforcement and traceability of seafood products.

2. Deepening and Broadening Partnerships

Because IUU fishing is not a single country issue – and combatting it requires cooperative mechanisms – efforts to improve its seafood supply chain should be matched by engagement with other countries.

Australia should build its global engagement and leadership through strengthened engagement in bilateral and multilateral cooperation that supports efforts to combat IUU fishing in the Indo-Pacific region. By remaining engaged in and up-to-date with multilateral mechanisms, Australia can ensure initiatives on IUU fishing are fully implemented and produce results. This will require a concerted effort to ensure Australia's delegations bring expertise from across government, building relationships to develop quality projects that span across political cycles.

3. Continuing to Invest in Regional Capacity-Building

In building regional engagement, Australia's capacity-building approach must continue to be informed by research to understand the key drivers of IUU fishing and the needs of partners, and be balanced in bringing expertise, collaboration and learning for both Australia and partner countries. Australia could undertake a capacity needs assessment of partners to support their development in the region, and use this research to develop targeted programs and assist Australia's understanding of regional IUU fishing issues.

The United Nations Food and Agricultural Organisation, together with the UN Office on Drugs and Crime, is currently developing a Legislative Guide on Combatting Crimes in the Fisheries Sector. Once developed, it will be a useful tool to help Australia and partners around Southeast Asia and the Pacific to implement harmonised approaches to IUU fishing and related crimes, including forced labour, money laundering and corruption. Australia could provide training to support partner countries tailor the best practice advice and implement it according to their countries' legislative needs.

4. Promoting Innovation in Information Gathering

Finally, open-source information gathering, and the sharing of open-source intelligence around the world will be pivotal in managing fisheries at both the regional and global level. Australia can contribute to developing open-source collection methods and foster greater transparency. This would provide valuable information to partner countries to support training and curriculum development.

The Asia-Pacific Development, Diplomacy & Defence Dialogue (AP4D) asiapacific4d.com creates a new dimension in Australia's international policymaking by bringing together the development, diplomacy and defence communities to achieve new insights, develop new ideas and promote strategic collaboration around shared interests. It is a platform for ideas that encourage more integrated statecraft to maximise Australia's ability to influence regional and global developments.