Legal Initiatives to Combat IUU Fishing in the Pacific Islands Region

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Scope of Presentation

1. International and Regional Instruments
2. Regional Institutions
3. Recent Initiatives
4. Concluding remarks
1. International & Regional framework

BINDING INSTRUMENTS

- 1995 United Nations Fish Stocks Agreement
- 2000 Western and Central Pacific Fisheries Convention
- 2009 FAO Agreement on Port State Measures to prevent, deter and eliminate Illegal, Unreported and Unregulated fishing
LEGAL REGIMES OF OCEANS AND AIRSPACE AREA
1. International & Regional framework

NON-BINDING INSTRUMENTS

- 1992 Rio Declaration on Environment and Development;
- Agenda 21, Chapter 17 UNCED;
- 1995 FAO Code of Conduct for Responsible Fisheries;
- 2001 International Plan of Action on IUU fishing.
2. Regional Institutions

- South Pacific Forum Fisheries Agency Convention;
- Treaty on Fisheries between the Governments of Certain Pacific Island States and the Government of the United States of America;
- Convention for the Prohibition of Fishing with Long Driftnets in the South Pacific;
- Niue Treaty on Cooperation in Fisheries Surveillance and Law Enforcement in the South Pacific Region.
3. Recent Legislative Initiatives

- Extra-territorial application
  - Port to Port VMS requirement
- Cross-jurisdictional recognition of observers and enforcement officers
- Inclusion of Lacey Act type provisions
- Conditions imposed on flag State (RMI case)
- Control of Nationals
- Port State control
- Regulation of other activities
4. Concluding Remarks

- International and regional commitments (including Forum Leaders decisions)
- Legislative initiatives
- Continued support for national implementation and regional action

Consider ways that the PILON can support efforts to combat IUU fishing