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Guide to Illegal, Unreported and Unregulated (IUU) Fishing

This guide discusses the issues around IUU, the global scale of the problem and initiatives designed to prevent it.

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Summary

Illegal, unreported and unregulated (IUU) fishing describes any unauthorised fishing activities conducted in breach of regional, national or international rules or obligations. Whilst it is difficult to quantify how much IUU seafood is caught every year, estimates of 10 to 17% of the global catch have been made.

IUU fishing has a serious negative influence on fish stocks through overexploitation and damage to the marine ecosystem. It distorts competition and puts fishers that operate legally at a disadvantage. The main driver for the perpetrators is economic benefit. IUU fishing is more prevalent in areas where there is poor governance, where the fisheries are not properly managed, and where the seas are not well monitored and controlled. Important risk factors include:

- Vessels using 'flags of convenience', where the vessel is registered in a country with weak controls;
- Transshipment at sea, where vessels transfer their catches to other vessels at sea, which can make monitoring of catch quantities and locations difficult; and
- Ports of convenience, where controls are insufficient to prevent the landing of IUU catch.

Penalties for IUU fishing vary substantially between jurisdictions. In some cases, they are so low that the penalties are simply considered to be part of the 'cost' of doing business. Vessels and companies may have untraceable ownership structures making it difficult to track down the beneficiaries of IUU. Combatting IUU fishing requires understanding about where and how it is taking place, and how this seafood is entering the market. Traceability systems designed to prevent IUU seafood from entering international trade, thereby removing the incentive for IUU fishing, are considered the best approach to prevention. Legislation to prevent, deter and eliminate IUU fishing is in force in the UK. The main elements of this legislation include:

- UK vessel licensing and registration of buyers and sellers, which requires all those engaged in the first sale of fish landed in the UK to be registered and to declare their transactions. There are also national and local government bodies responsible for monitoring, control and surveillance of fishing activities in UK fishing areas and by UK vessels operating outside these waters;
- The requirement for a catch certificate, issued by the flag state of the catching vessel, to certify the legality of imported wild-caught seafood;
- Maintaining a blacklist of vessels engaged in IUU fishing; and
- A formalised system of dialogue and cooperation with flag states, with sanctions in place against those which have not been complying adequately with requirements to combat IUU fishing.

Worldwide there have been several international initiatives by the FAO to combat IUU fishing. These include an agreement to promote compliance with international conservation and management measures by fishing vessels on the high seas (1993), an international plan of action to deter and eliminate IUU fishing (2001), and an agreement to prevent, deter and eliminate IUU Fishing (2009), which entered into force in 2016. This guide outlines an approach that businesses can take to reduce the risk of handling IUU fish. It refers to a British Standards

Institute (BSI) Code of Practice for processors and importers of seafood to avoid sourcing from illegal fishing and depleting fisheries.

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Glossary

Term	Definition
DAERA NI	Department of Agriculture, Environment and Rural Affairs, Northern Ireland
EEZ	Exclusive Economic Zone
EU	European Union
FAO	Food and Agriculture Organization of the United Nations
IFCA	Inshore Fisheries and Conservation Authorities; organisations which regulate inshore fisheries (inside 6 miles) in English waters
IUU fishing	Illegal, Unreported and Unregulated fishing
Marine Scotland Compliance	Government department responsible for monitoring and enforcement of marine and fishing laws in Scottish waters
MMO	Marine Management Organisation; executive non-departmental public body responsible for management of fisheries in English waters
PLN	Port Letters and Numbers
PSMA	Port State Measures Agreement to Prevent, Deter and Eliminate IUU Fishing
RFMO	Regional Fishery Management Organisation: International organisations through which States co-operate on fishery management
RBS	Registration of buyers and sellers: legislation setting out obligations of buyers and sellers of fishery products
Transshipment	The transfer of fish from one vessel to another
UVI	Unique Vessel Identifier

1 Definitions

Illegal, unreported and unregulated (IUU) fishing is the term used to describe any unauthorised fishing activities conducted in breach of regional, national or international rules or obligations.

Illegal fishing violates the laws of a fishery. Examples include fishing in closed seasons or areas, harvesting prohibited species, using banned gear or techniques, catching more than a set quota and fishing without a required licence.

Unreported fishing is that which is not declared (or is misreported) to the relevant authority or Regional Fisheries Management Organisation (RFMO). Note that some legal catches may be unreported because there is no reporting framework or authority to report them to. Issues arise when these catches enter illicit trade ([Sumaila et al, 2020](#)).

Unregulated fishing is conducted by vessels without nationality or flying the flag of a State not party to the regional organisation which governs that particular fishing region or species. It also relates to fishing in places – or for fish stocks – where conservation or management measures are lacking or inadequate.

2 The negative impact of IUU fishing

IUU fishing contributes to the overexploitation of fish stocks and is a hindrance to the recovery of fish populations and ecosystems. It damages the marine environment, distorts competition, and puts those fishers who operate legally at a disadvantage. It also adversely affects the economic and social well-being of fishing communities, especially coastal communities that rely heavily on fish resources. IUU fishing is potentially linked to crime in other sectors, such as human trafficking, slavery, drug smuggling, gun running and corruption.

On a global scale, IUU fishing is an important problem and one that is very difficult to quantify. It can occur in virtually any fishery, from shallow coastal or inland waters to deep remote oceans. It is a particular issue in countries where fisheries management strategies are poorly developed, or where there are limited resources to enforce regulations, such as landing controls, vessel inspections and fishery patrols.

Global losses from illicitly traded catches from IUU fishing have been estimated to be between 8 and 14 million tonnes per annum annually – between 10 and 17% of total wild caught marine fisheries production ([Sumaila et al, 2020](#)), which is considered conservative.

Key Facts

IUU Fishing anywhere is a completely unacceptable practice. It undermines legal fishing and negates efforts for sustainable fisheries management

The Overseas Development Institute ([ODI 2016](#)) found that IUU fishing is having a huge impact on western African livelihoods and economies by directly contributing to the overexploitation of the region's fisheries resource.

3 Why and how IUU fishing occurs

The main driver for IUU fishing is economic benefit. A vessel that is fishing illegally is able to minimise operating costs in terms of licensing, regulation, use of vessel monitoring systems and documentation. IUU fishers may ignore quota levels, enter closed fishing areas, catch undersized fish or target rare or endangered species, attracting a premium from unscrupulous buyers.

IUU fishing is more prevalent in areas where there is poor governance and shortcomings in national and international controls, where the fisheries are not properly managed, and the seas not well monitored. The main risk factors include:

3.1 Flags of convenience

International law allows a ship to fly the flag of a nation other than its country of ownership. This can make it difficult for the owners to be caught and punished for illegal fishing. Vessels are governed by the law of the flag state (the country in which it is registered). So, some owners will deliberately register with flag states that are known to have weak controls – a ‘flag of convenience’. Some states will register vessels in as little as 24 hours, with little or no check on their activities. A vessel registered to a country that has not signed up to fishing agreements has more potential for IUU fishing activities. ‘Flag hopping’ is where vessels swap from one flag state to another to evade control. Key steps in combating IUU fishing internationally are to ensure that flag states accept their responsibilities in the fight against IUU fishing.

Without greater transparency in the ownership of fishing vessels, it will remain difficult for legal action to be taken against the ‘beneficial’ owners who have been profiting from the illegal activity.

3.2 Insufficient monitoring at sea

IUU fishing can thrive in areas where monitoring, control and surveillance (by patrol boats, aircraft, satellite or on-board observers) are insufficient. In many less developed states, a lack of resources and the sheer size of the areas needing to be policed can allow illegal fishing to continue. Monitoring is particularly difficult on the ‘High Seas’ (beyond 200 miles from the coast and outside coastal states’ Exclusive Economic Zone (EEZs)) due to the vast areas and costs involved.

3.3 Trans-shipment at sea

Trans-shipment is where fish is transferred from one vessel to another. Whilst not illegal, trans-shipment, especially when carried out at sea, can allow IUU fish to go undetected. Some large vessels can remain at sea for months, remotely refuelling, re-supplying and rotating their crews. By transferring catches to transport ships (reefers), they can avoid entering port with illegally caught fish. IUU fish can potentially be ‘laundered’ on board the reefer by mixing it with legally caught fish.

3.4 Ports of convenience

All fishing vessels must at some point visit a port, and IUU fishing vessels are no exception. Regulating access to port facilities can be a highly effective way of controlling IUU fishing. Ports that allow fish to be landed with minimal or no inspection are known as ‘Ports of Convenience.’ Their existence is one of the major reasons that IUU fishing can continue.

3.5 Penalties

When a vessel is caught engaging in IUU fishing activities the penalties faced by the crew, captain and vessel owner are often too small to act as an effective disincentive – maybe even

regarded simply as a cost of 'doing business'. Penalties can also vary hugely between different states. Very often the persons benefitting from the IUU activities maintain their anonymity by using untraceable ownership structures and remain beyond the reach of the prosecuting authorities.

4 The fight against IUU fishing

The key to combating IUU fishing is to understand fully where and how it is taking place, and how IUU-caught fish is entering the market. There is international consensus on the need for better traceability systems – efforts are focused on preventing IUU fish from entering international trade, therefore depriving IUU fishers of financial reward. Ultimately, all fish needs to be tracked from harvest to consumption.

5 Regulation and control

[EU IUU Regulation 1005/2008](#), which establishes a system to prevent, deter and eliminate IUU fishing, has been in force since 2010. When the UK left the EU in 2020, the UK established its own system that aims to close the UK to illegal fishery products and vessels ([MMO, 2021](#)). UK legislation limits access to the UK market by requiring the flag state authorities to certify imports of sea-caught fishery products. The authorities of countries where the products were stored or processed also must guarantee compliance.

Other provisions are to reinforce the surveillance of activities at sea, to identify IUU operators, to enhance the implementation of fisheries legislation and to improve how sanctions are applied in the event of infringements.

5.1 The catch certificate requirement

All fish imported into the UK requires a catch certificate issued by the flag state of the catching vessel and demonstrating how and where the fish has been legally caught.

Port Health officers at border control posts check the validity of catch certificates of shipments intended for import into the UK. UK catch certification can be issued to accompany any fish legally caught in the UK and intended for export if the importing country requests it.

5.2 The EU - UK IUU vessel list

The EU maintains a blacklist of vessels engaged in IUU fishing (EU, 2021), accessible from the European Commission's [Illegal Fishing website](#). In 2021 the UK adopted the blacklist that is in [retained EU Regulation 2020/269](#). The EU list is compiled from the blacklists maintained by the RFMOs and may also include vessels identified by the European Commission. The list publicly exposes irresponsible fishing operators and allows port authorities to identify and act against illegal vessels and IUU fishery products.

5.3 The yellow and red carding system

The IUU Regulation requires the UK to identify flag states that have not been complying adequately with requirements to combat IUU fishing. With the EU's system, if a state is identified as 'possibly non-cooperating' with the EU, it is given an official warning – a yellow card – and a period of formal dialogue follows during which the state is expected to improve its anti-IUU measures. If insufficient progress is shown during this period, it receives a red card. Fishery products that are caught by vessels flying the flag of a red-carded state are not permitted entry into the EU. The UK is working towards developing its own system of dealing with non-cooperating and non-compliant flag states.

5.4 Vessel licensing

The UK vessel licensing system (described in [UK Government Guidance, 2021](#)) controls UK fishing opportunities in line with regulations for fisheries management. All vessels sea-fishing commercially in the UK must be registered and display their Port Letters and Numbers (PLN).

5.5 Registration of buyers and sellers (RBS)

This scheme requires buyers and sellers of first-sale fish landed in the UK to register with the fisheries department in the country (England, Northern Ireland, Scotland or Wales) where they buy or sell. Any fish market that sells first-sale fish and shellfish must also be registered as a 'designated market'. The scheme is widely acknowledged for the positive impact it has had on compliance, by providing greater transparency, improved cross checking of fish landings data and reduced levels of illegal or black landings. There is Seafish [guidance on RBS](#).

5.6 Marine fisheries enforcement

Marine Fisheries enforcement is devolved in the UK. The [MMO](#), the [Inshore Fisheries and Conservation Authorities](#) (IFCAs) in England, the [Welsh Government](#) in Wales, [DAERA](#) in Northern Ireland and [Marine Scotland Compliance](#) in Scotland co-ordinate the enforcement programme. They monitor, control and carry out surveillance of all sea fishing activity within UK fishing areas and the fishing activities of UK vessels operating outside those waters.

These bodies investigate and take appropriate enforcement action (including prosecution) when breaches are identified. This enforcement work is crucial to ensuring compliance with fisheries regulation both on IUU fishing and on fishing quotas, to assist the long-term economic survival of the fishing industry and to protect a valuable natural food resource.

6 Broader initiatives to combat IUU

The EU and the UK are not alone in driving for more effective regulation to combat IUU fishing. The FAO has produced several international instruments that address IUU fishing. These include:

- The [Agreement to Promote Compliance](#) with International Conservation and Management Measures by Fishing Vessels on the High Seas, 1993;
- The [International Plan of Action](#) to Prevent, Deter and Eliminate IUU Fishing, 2001; and
- The [Port State Measures Agreement](#), 2009 (see below).

6.1 Regional fisheries management

There is broad international consensus on the need to adopt a comprehensive approach. A growing number of RFMOs have adopted anti-IUU measures, including inspection and enforcement, trade measures, and controls of landings and transshipments.

6.2 Port state measures

The 2009 Agreement on Port State Measures to Prevent, Deter, and Eliminate IUU Fishing (PSMA) is an international agreement drawn up by the UN Food and Agriculture Organisation (FAO). It entered into force on 5 June 2016. The PSMA requires states to introduce regulations to close ports to ships involved in IUU fishing. In addition, all fishing vessels wishing to land their catch will be required to request permission from specially designated ports ahead of time, transmitting advance information on their activities and the fish they have on board.

7 Assessing the IUU risk in the supply chain

Risk assessment is a systematic process that a business can apply to each stage of its supply chain. For the assessment, all possible potential issues and vulnerabilities in the supply chain are identified and assessed. Figure 1 illustrates some of the possible pathways of illegal seafood in the supply chain. Table 1 (overleaf) lists questions that can be used as a basis to develop such a risk assessment. Each supply chain has its own vulnerabilities and should be risk assessed separately.

The British Standards Institute (BSI) [PAS 1550:2017](#) is a Code of Practice for processors and importers of seafood to avoid sourcing from illegal fishing and depleting fisheries. It was developed with support from the Environmental Justice Foundation, Oceana, the Pew Charitable Trusts, and the World Wide Fund for Nature (WWF) amongst others. A summary of PAS 1550:2017 is available from [BSI](#).

Figure 1 Possible entry of illegal seafood into the supply chain

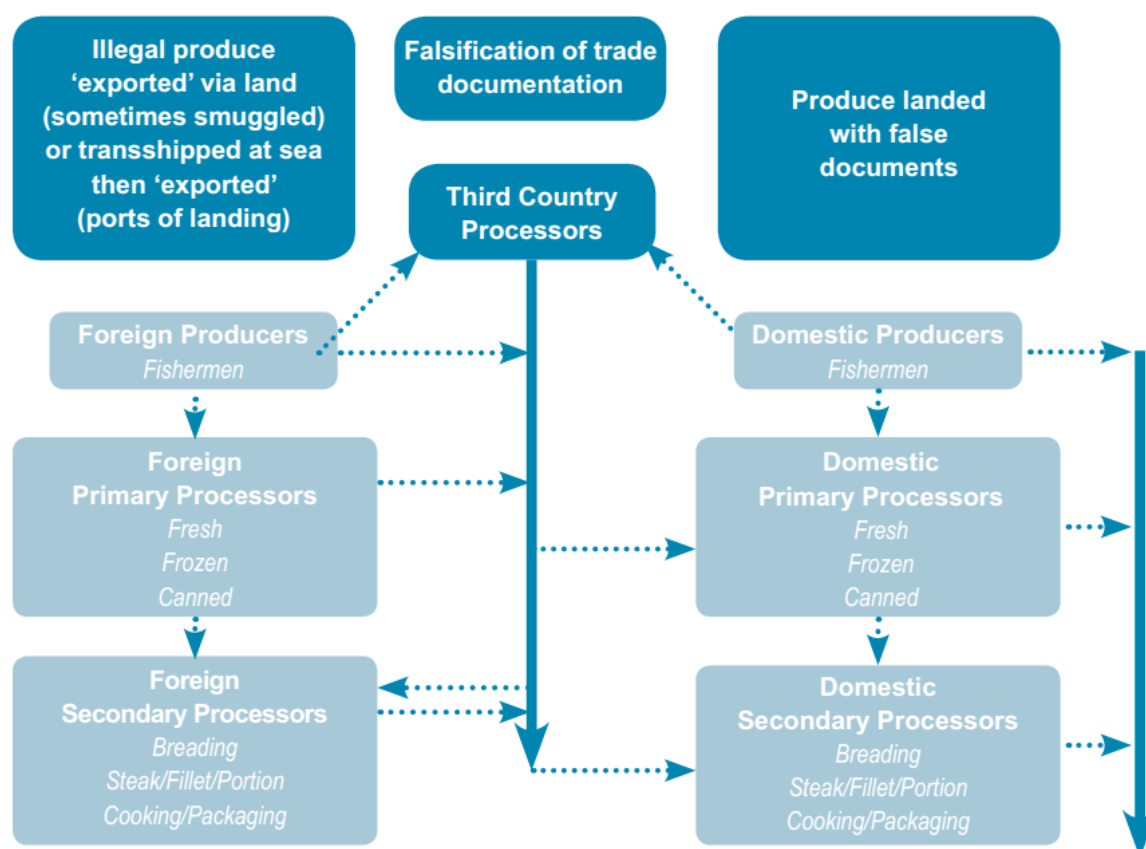


Table 1 Key questions for the supply chain concerning integrity of fish supplies, adapted from [British Retail Consortium and Environmental Justice Foundation \(2015\)](#)

Key questions	What to research
Who catches it?	List of vessels in entire supply chain, including flag state, registration number and licence, and Unique Vessel Identifier (UVI). Note that not all vessels have a UVI.
Is there trans-shipment?	<ul style="list-style-type: none"> • Details of trans-shipment (date, area (at sea/at port), location, list of vessels involved – catch and carrier); • General information on observer programme operating within fishery; and • Basic vessel information to include: flag state, registration number and licence, UVI, state authorising licence.
Where is fish landed?	<ul style="list-style-type: none"> • Name of country (province), port state; and • Information on port state controls (including ratification and national implementation of the FAO Port State Measures Agreement)
Where is it processed?	<ul style="list-style-type: none"> • List of processing facilities (primary and further processing) in supply chain; and • Documented paper trail from processor back to catch vessel (or group of vessels).
Is the supply chain transparent?	Map of supply chain from delivery of seafood product back to catch vessel through exporter, processor, auction/auctioneer and/or buying agent (or collector from co-operative).
Is there third-party traceability or chain of custody?	<ul style="list-style-type: none"> • Number/reference for third -party chain of custody certificate; and • Documented paper trail back to catch certificate.

8 Other guides in this series

These Guides are designed to enable understanding without the need for previous training or expertise in fisheries science. Concepts are presented graphically and in words and the key elements are explained in the summaries.

The full list of Guides is given below, with the date and letter used for cross reference within this document

Seafish (2022a)
Guide to Fisheries Management
SR741 ISBN 978-1-911073-47-5

Seafish (2022b)
Guide to Fish Stock assessment and ICES reference points
SR742 ISBN 978-1-911073-48-2

Seafish (2022c)
Guide to Fishing at Maximum Sustainable Yield
SR743 ISBN 978-1-911073-49-9

Seafish (2022d)
Guide to Data-Limited Stock Assessments
SR744 ISBN 978-1-911073-50-5

Seafish (2022e)
Guide to Sustainable and Responsible Sourcing
SR752 ISBN 978-1-911073-58-1

Seafish (2022f)
Guide to Illegal, Unreported or Unregulated (IUU) Fishing
SR753 ISBN 978-1-911073-59-8

Seafish (2022g)
Guide to Marine Protected Areas (MPAs)
SR754 ISBN 978-1-911073-60-4

Seafish (2022h)
Guide to Protected Species
SR755 ISBN 978-1-911073-61-1

These can be accessed through the search facility on <https://www.seafish.org/>

The content of these Guides can be used by Seafood business [apprentices](#) and others to study towards two occupational standards units:

- Principles of marine finfish product knowledge – Ref F-602-0617
<http://seafoodacademy.org/pdfs/f-602-0617.pdf>
- Principles of shellfish, non-marine finfish and marine food products, product knowledge – Ref A-602-0616
<http://seafoodacademy.org/pdfs/a-602-0616.pdf>

9 References

All links accessed January 2022

British Retail Consortium and Environmental Justice Foundation, (2015) An Advisory Note for the UK Supply Chain on How to Avoid Illegal, Unreported and Unregulated (IUU) Fishery Products <https://ejfoundation.org/reports/an-advisory-note-for-the-uk-supply-chain-on-how-to-avoid-illegal-unreported-and-unregulated-iuu-fishery-products>

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FAO Global Record of Fishing Vessels, Refrigerated Transport Vessels and Supply Vessels; Unique Vessel Identifier <http://www.fao.org/global-record/background/about/en/>

Inshore Fisheries and Conservation Authorities (IFCAs); <http://www.association-ifca.org.uk/>

Marine Management Organisation (MMO) www.gov.uk/government/organisations/marine-management-organisation

Marine Management Organisation (2021) Statutory Guidance Section D: Illegal, unreported and unregulated (IUU) legislation <https://www.gov.uk/government/publications/fishing-regulations-the-blue-book/section-d-illegal-unreported-and-unregulated-iuu-legislation>

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Seafish, (2020) Market supply data and insight <https://www.seafish.org/insight-and-research/market-supply-data-and-insight/>

Seafish information on Registration of buyers and sellers <https://www.seafish.org/trade-and-regulation/seafood-traceability-and-labelling-regulations/registration-of-seafood-buyers-and-sellers-in-the-uk/>

Seafish information on IUU www.seafish.org/responsible-sourcing/conserving-fish-stocks/illegal-unreported-and-unregulated-fishing

Sumaila UR, Zeller D, Hood L, Palomares MLD, Li Y, Pauly D (2020) Illicit trade in marine fish catch and its effects on ecosystems and people worldwide
Science Advances: Vol. 6, no. 9 <https://advances.sciencemag.org/content/6/9/eaaz3801>

Stop Illegal Fishing www.stopillegalfishing.com

UK Government Guidance; Fishing vessel licence requirements
<https://www.gov.uk/guidance/do-i-need-a-fishing-vessel-licence>

Welsh Government Marine Fisheries <https://gov.wales/marine-fisheries>

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The Seafish logo features the word "seafish" in a white, lowercase, sans-serif font. Above the letters "i" and "s" are three stylized, white, diamond-shaped icons arranged in a row, resembling fish scales or a cluster of small fish.

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