



**Curbing**Corruption

Constructive reforms and strategies, sector by sector

## Sector | Fisheries

### USING THIS REVIEW

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### INTRODUCTION

Corruption affects the fisheries sector in various ways and takes place against a backdrop of decreasing fish stocks worldwide and high demand for seafood products. [World Wildlife Fund](#) reports that two-thirds of the world's fish stocks are either fished at their limits, or over fished, and cites statistics from the World Food Organisation (FAO) according to which 70 percent of the fish population is fully used, overused, or in crisis. Some would go as far as to suggest that corruption risks and challenges are far greater in the fisheries than in other extractive/natural resource sector ([Dengate 2016](#) *No Bigger Fish to Fry: Going after Corruption in Global Fisheries*).

Seafood is an extremely valuable commodity, and income derived from fisheries are a highly significant source of income for many states, such as through access fees to territorial waters (e.g. in the Pacific Islands; [Tsamenyi and Hanich 2008](#)). The Food and Agriculture Organisation values the industry at 132 US\$ billion, with a yearly volume of more than 160 million tons. Of this,

around 10-23 US\$ billion a year is caught through illegal, unreported and unregulated (IUU) practices and fraud, according to some estimates, for export to large markets, such as Europe, the USA and Asia (Agnew et al 2009).

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### More on illegal fishing

Some other statistics show that IUU, which is mainly prevalent in Exclusive Economic Zones, is estimated at around US\$ 4-9 billion a year. These, in turn, are expected to happen in (or be facilitated by) areas where governance structures and regulations are weak and corruption rampant. IUU can be carried out in the hands of ‘fish pirates’ or organized crime, but there is also evidence of state-corporate crime in fisheries which preys upon IUU fishing. (Roheim 2008) In addition, it is clear that IUU fishing also has health, environmental (sustainability), and market implications (by distorting fair competition).

For more on the scale of illegal fishing, see:

- Food and Agriculture Organisation 2001, International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing;
- Lampert 2017, Stopping Illegal Fishing and Seafood Fraudsters:
- The Presidential Task Force’s Plan on Tackling IUU Fishing and Seafood Fraud;
- Agnew et al (2009) Estimating the Worldwide Extent of Illegal Fishing; and
- OCEANA (2017).

### AUTHORS AND CONTRIBUTORS

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## 1. Corruption types in fisheries

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### **Guidance summary: STEP 1 Corruption types & context**

We suggest you start by understanding in detail the different corruption types that you are faced with. You can do this in the following way:

1. Look at the template of sector corruption types in our review and adjust these according to your situation.

2. Gather available data. We suggest that you do this first at a macro level, to get a sense of which corruption issues are big or small across the sector, across countries, across different regions. Often there is a lot of such macro data publicly available. Then, gather available data at the micro level, local to you.
3. Decide if it would help to do a formal analysis of the corruption types and the levels of corruption risk. This takes time but gives you a thorough baseline for your reforms. It also serves to show the level of danger and damage from corruption to staff and to the public.
4. Consider doing an analysis of the levels of support and opposition that you can expect. This is called a 'political economy analysis'.
5. Prepare for the later step in which you develop your strategy (Step 4) by thinking about which the best 'entry points' are likely to be – certain corruption types, regardless of scale, merit being tackled first because they are the most likely to build momentum and/or enable further reform. This choice of starting point is hugely context dependent.

Vulnerabilities to corruption occur throughout the whole value chain, from negotiations of access agreements by rich countries with countries that negotiate access to territorial waters, through to malpractices in fisheries management at the local level. Processors and distributors, and of course fishers themselves, can engage in corrupt practices. (Sumaila and Jacquet 2017 *When bad gets worse – corruption in fisheries*). Most of these vulnerabilities are inter-dependent as well. Fisheries corruption occur in various ways and can involve instances of 'petty' and 'grand' corruption – e.g. from nepotism to small gifts/bribes, to large-scale and regular transactions, organized criminal behaviour, active political interference in the process of a country, etc. (Tsamenyi and Hanich 2008, Note 3: page 9).

Other vulnerabilities to corruption (some of which are the result of IUU fishing) include: licensing of fishing vessels; setting of catch limits through the allocation of quotas and limits on time at sea; observance of standards in the way that fishing activity is conducted (e.g. controlling the use of nets); monitoring and policing of fishing vessels at sea; controls on the landing, sale, purchase, transport and traceability of fish; money laundering/terrorism financing and forced labour. Some of these may also be the result of rent-seeking between decision-makers or politicians and fishermen.

Corruption patterns may vary according to *where* fish is caught (for example whether seafood is caught/produced offshore or inland). Likewise, risks and

patterns vary depending on *who* is involved – either small-scale (subsistence) fishermen, or ‘industrial’ fishermen. The typology of corruption in fisheries covers the following ten corruption types:

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### 1.2.1 Seafood fraud

Often, seafood listed on a package or menu does not correspond to the kind of species that is served. Seafood fraud includes a range of practices by which buyers are deceived as to the type of, quality or amount of seafood they purchase. Such practices include, among others, the substitution, misrepresentation, or mislabelling of seafood. For example, where Thai shrimp processors started labelling their farm-raised shrimp as ‘wild’ following market pressures and using various subterfuges (e.g. exporting through Malaysia) instead of raising actual wild shrimp (Sumaila and Jacquet 2017, Note 7 and page 5). Some of the practices that are considered to be prevalent include:

1. *Species substitution*: one species is labelled as a different one. The difficulty in addressing this risk is that we lack reliable mechanisms to properly identify species;
2. *Over-treating*: the artificial colouring to obtain a better colour, or the injection of water in the seafood to increase weight;
3. *Trans-shipping*: seafood is shipped from one vessel to another through another country to evade custom requirements, or to avoid port controls. Often, the fish is sent directly to the final destination, or to ‘ports of convenience’, where law enforcement of fishing quotas is lax, and/or where it may be possible to fake documents and licensing requirements. This also blurs the origin of the catch, which can be mixed with other batches;
4. *Short-weighting*: the weight of a package is lower than indicated on a label (Lampert 2017, Note 4, page 1632).

A related terminology commonly found in the literature is ‘fisheries crime’ which includes a range of crimes (economic, environmental, organized crime) and illegal activities, from illegal fishing, document fraud, drug trafficking, and money laundering. There is quite a lot of overlaps between ‘fisheries crime’, seafood fraud and IUU practices. See for example UNODC, *Fisheries Crime: transnational organized criminal activities in the context of the fisheries sector*.

### 1.2.2 Licensing of fishing vessels

There is a possibility for rent-seeking or bribery in the allocation of these licenses, particularly where a country's legal or administrative framework – such as 'one-man' licensing systems vesting on the Minister or senior officials – provides little transparency and accountability mechanisms (Tsamenyi & Hanich 2008, *Note 3*, page 10). Often, such licenses maintain an overall cap on the capacity of the fishing fleet.

Corruption may occur in situations where bribes are paid to the issuing authority to issue fake licenses of vessels registrations, or to issue licenses that benefit one/more fishermen or organization (e.g. to continue fishing in illegal areas without punishment, to gain preferential treatment over a competitor, etc). Illegal fishing may also occur where foreign industrial fishing vessels operate without a license, or where they catch fish in prohibited areas. Artisanal/small-scale fishing – which is often unlicensed – can also contribute to this problem.

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### 1.2.3 Setting of catch limits and negotiation of access agreements

This often takes three forms: government-government; government-industry; government-enterprise agreements (Tsamenyi and Hanich 2008). The logic is similar to the above and involves setting limits through the allocation of fish quota and limits on time at sea. Corruption/bribes can also be employed where fish stocks exceed quotas, or to negotiate quota levels. As a result of this, there is no way of establishing an accurate and reliable estimate of how much fish is removed from the oceans, thus leading to inaccurate stock assessments.

Access agreements, which are often renewable and thus renegotiable, are often negotiated in secrecy (and may even be negotiated in a distant water fishing nation), such that there is little transparency around the process. Allegation of corruption around this have included a variety of forms, including all-expenses trips for the officials/their spouses; perks like lavish holidays, etc.

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### 1.2.4 Non-Observance of standards ('technical conservation')

Fisheries is a highly regulated industry; for example, most ships are normally fitted with vessel monitoring systems. However, enforcement of rules and policies (such as the use of nets) can be problematic (e.g. bribes can be paid

to use prohibited fishing gear, such as ultra-fine fishing nets). Related to this, it is challenging to police what happens on the high seas, as well as to control the landing, sale, purchase, transport and traceability of seafood (e.g. where the vessel offloads its catch at a port of convenience, or where the port authorities are bribed to look the other way).

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### 1.2.5 Fluid and porous supply chains

The supply chain for seafood and fisheries is long. Risks occur at various points of the chain (e.g. through ‘species substitution’, mislabelling, and ‘over-treating’), and are very difficult to identify. The supply chain also takes an international dimension since major markets like the US and the EU import a majority of seafood. This means that any solution to address IUU and seafood fraud need a concerted approach (see below), but also that EU/US regulations that aim to curb any risks need to take into consideration policies and legislation from countries where seafood originates from. Such measures must also not be seen to conflict with protectionist measures in international trade law (Lampert 2017, Note 4).

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### 1.2.6 Informality

Some of the above issues, such as policing of the fisheries sector, become significantly harder when considering the importance of artisanal or ‘subsistence’ fishing, which tends to be informal. Artisanal fishers can often compete with industrial fishing (trawlers or super trawlers) for scarce resources. It is also well known that the method of catching fish by large trawlers is not sustainable, as it generates by-catches of marine wildlife that can easily jeopardize the entire ecosystem and local fishing industry (Standing 2015 Note 6).

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### 1.2.7 Forced labour

Corruption is an important facilitator of forced labour. For example, corruption may be used by organized crime syndicates to bribe immigration officials to let undocumented workers cross borders, and/or corruption may be used to avoid investigations into malpractices. There is also evidence that processors in the shrimp industry provide sub-standard working conditions, such as low wages, and resort to forced labour and physical/sexual violence (Sumaila and Jacquet 2017, Note 7 and page 5).

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### 1.2.8 Organised Crime, money laundering and illicit financial flows

There appears to be little comparable evidence on the effect of money laundering and illicit financial flows on corruption in fisheries. However, some studies have begun evidencing how organized crime use the fisheries sector to launder proceeds (e.g. in Peru: See [U4 2013](#)) Related to this, some of the fishing companies (and/or their fishing fleet) may reside in tax havens, where work standards may be low. This presents various ‘benefits’: the secrecy that offshore financial centres (such as Bermuda, Panama, etc) provide make it particularly attractive destinations to register ships in (and conversely, presents a real challenge for fisheries law enforcement). For more information, see [Bondaroff et al \(2015\)](#) *Illegal fishing and the organised crime nexus*.

The attribution of these ‘flags of convenience’ is very lax and poorly regulated and is done to allow operators to avoid restrictions in their own countries. Such flags of convenience generally allow operators to avoid paying taxes and to pay low wages or follow poorly scrupulous work conditions. However, not all Flags of Convenience are based in tax havens, Liberia and Mongolia being cases in point.

Moreover, the absence of beneficial ownership registries means that, often, the actual owner of a fishing fleet or vessel is hidden and unknown, thus making sanctioning more difficult. Various ownership schemes of fishing fleets exist, which may also complicate identifying the true owner and makes establishing a financial trail harder. For example, fishing vessels may be nationally owned and operated, or may be foreign owned and operated through domestic charters and/or joint ventures with local interests ([Tsamenyi & Hanich 2008](#), *Note 3*).

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### 1.2.9 International corruption

Collusion may facilitate most if not all of the other risks and can happen at various levels. As was explained, local politicians or decision-makers may be bribed by local fishermen or corporations. However, bribery may also happen at an international level, e.g. where state officials come under pressure or are bribed to allow licenses for industrial trawlers. One example in relation to this is Japan, which is known to have bribed officials (or promised large aid flows) from third party nations in the Caribbean and Pacific Islands to ensure that they would vote in international fora in line with Japan’s interests ([Sumaila and Jacquet 2017](#), *Note 7, quoting Joyce 2001*).

Many poorer nations with vast territorial waters also rely heavily on foreign aid, often tied up with fishing access agreements, which brings risks of corruption (Tsamenyi & Hanich 2008, Note 3). What this shows is the crucial role that states play, in both the host state, and in the home state of multinational fishing corporations. A straightforward problem at the host state level comes with bribery and extortion, but regulatory capture (e.g. of fisheries management) is also another problem, as was described above.

Home government also have an important role to play. Standing illustrates this point well in relation to the Russian government role's in Senegal, whereby the former used various tactics, such as bullying, threat of litigation and financial inducement to advance its interests and protect its industry and avoid the threat of prosecution. There is mounting evidence as well of these home governments acting unethically and using bribes to secure their interests – e.g. by providing gifts when negotiating bilateral access agreements, or by lavishing officials with gifts and other in-kind treats to government officials (Sumaila and Jacquet 2017, Note 7, quoting Joyce 2001).

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#### 1.2.10 Petty corruption

See Transparency International (2011) *Dealing with Petty corruption in fishing and small scale farming*.

## 2. Reforms in fisheries

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### **Guidance summary: STEP 2 Reforms & reform approaches**

Reform measures will always be specific to the particular circumstances. Nonetheless, in order to get ideas and insights, it helps greatly to learn about reforms employed elsewhere and to have a mental model of the type of possible reforms. We recommend you consider each of these ten reform approaches:

1. Functional approaches: *improvement of institutions, public financial management and systems*
2. People-centred approaches: *building committed supporters, networks and coalitions*



3. Monitoring approaches: *strengthen oversight groups and their independence*
4. Justice & rule of law approaches: *prosecuting, raising confidence, improving laws*
5. Transparency approaches: *making visible what others wish to keep hidden*
6. Integrity approaches: *motivating and instilling pride*
7. Whistleblowing approaches: *finding safe ways for people to speak up*
8. Civil society and media: *external voices are essential*
9. Incentives and economic theory approaches: *aligning stakeholders and economics*
10. Nudge approaches: *new science show how small changes can make a big difference*

Talking through with colleagues and stakeholders how each of them might work in your environment enables you to ‘circle around’ the problem, looking at different ways and combinations to tackle it. A reform strategy might, for example, consist of some institutional improvement projects, plus strengthening integrity among staff, plus strengthened sanctions and discipline.

You can read more guidance on Step 2 [here](#).

Fraud and corruption in the fishery sector are hard to police, in part because much of it happens illicitly, is unreported, and/or is unregulated. The chances of getting caught are low, especially where fishing occurs in territorial waters of jurisdictions where enforcement is weak, or because these do not have the resources to police the seas and combat seafood fraud/IUU. Officials who may be tasked with enforcing fishing quotas may also be bribed, as can port authorities, navy patrols, etc. There are also concerns that prosecution for wrongdoing may be stalled by political influence. In addition, a lack of institutional collaboration can also hamper progress in combatting fraud and corruption throughout the value chain (from catch to plate).

In addition, how the corruption risks in fisheries are addressed varies based on the regulatory structure and implementation of each State (licensing methods and criteria, degree of regulatory discretion in decision making etc.) and also varies within States. In the US, for example, three government agencies are responsible for regulating and policing the sector, and it is acknowledged that NGOs and the private sector also have an important role to play (Lampert 2017, *Note 4*, at 1638).

It is difficult to find any consensus on what the best approach to tackle corruption in fisheries is, however, there appears to be an understanding that policing and enforcement is extremely challenging and is not enough to deal with the problem. Moreover, as various experts have noted, some standard approaches to tackling IUU fishing focus on the *criminal* implications (i.e. it is assumed that vessels often make a rational choice by breaking the rules because state regulations are weak and/or are weakly enforced), but a more comprehensive approach should also be adopted, whereby the behaviour of various stakeholders is taken into consideration, together with contextual, structural and political factors. See, for example, [Standing 2015, Note 6](#), page 16. The author describes the importance of human-rights based approaches, as well as the importance of advocacy campaigns aimed at consumers and investors.

Ideally, addressing corruption in fisheries would also be a multi-stakeholder initiative, involving fishers themselves. Others have argued that due to the migratory nature of fish stocks, regional solutions and institutions are required, but have also remarked that implementation of conservation and management decisions ultimately falls to national governments ([Tsamenyi and Hanich 2008, Note 3](#), at 5). Thus, fighting against corruption in fisheries likely requires tangential approaches that cut across most of the below.

## 2.1 RULE OF LAW MEASURES

Some constituencies such as the EU, US, the UN etc combat IUU and seafood fraud through a variety of treaties and legislation. These instruments vary, but call for various measures to tackle the problems, such as through better collection of data, enforcement mechanisms (and capacity-building/technical assistance) to coastal nations, as well as better coordination among domestic and international entities. (Beyond the strict legal realm, these measures are often re-asserted in the wider literature as important mechanisms to tackle corruption) (Lampert 2017, *Note 4*, at 1640). For example, the United Nations Convention on the Law of the Sea (UNCLOS) provides the legal framework for the conservation and sustainable use of oceans and their resources, and also defines the rights and responsibilities of states and their activities at sea, including through the collection of statistics on fishing yields and conservation measures.

Other legal instruments include: the 1993 UN Food and Agriculture Organisation (FAO) Agreement to Promote Compliance with International

Conservation and Management Measures by Fishing Vessels Fishing on the High Seas (which, among others, calls for tracking and punishing fishing vessels that flout measures to protect marine wildlife by ensuring member states collect and share data on vessels flying their flag); the 1995 Agreement for the Implementation of the Provisions of the UN Convention on the Law of the Sea of 10 December 1982 Relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks; and the 2009 Agreement on Port State Measures to Prevent, Deter and Eliminate IUU Fishing (PSMA). The latter, which is legally binding, builds on previous agreements and is the first to create mandatory criteria targeting IUU fishing.

In addition to international frameworks, regional efforts are also in place to combat overfishing and IUU. To mention the more relevant ones, the EU has put various measures in place through various Regulations, which aim, among others, at collecting information and tracking seafood through the supply chain, as well as through inspection and enforcement mechanisms (EU legislation requires at least five percent of landing and trans-shipment operations by non-EU vessels, and of all vessels found committing IUU fishing to be inspected). Some EU Regulations also envisage a catch certification mechanism, which provides basic information on the vessel, type of fish, location it was caught, etc. Finally, in the US, key legislation includes: the Magnuson-Stevens Fishery Conservation and Management Act, and the Presidential Task Force's Action Plan, which aims to tackle IUU through: international efforts; improved enforcement mechanisms; coordination with non-governmental actors, and better traceability (Lampert 2017, *Note 4*, at 1640-49).

Here are three examples taken from [OECD 2016](#):

**Example – Korea.** In order to curb IUU fishing, Korea reports it has taken legal measures seeking to: increase port control and changing the distribution structure; ban entry of alleged IUU vessels; improve the vessel management system through a vessel decommissioning plan and national plan of inspection, as well as by improving monitoring tools and catch monitoring. Korea has also taken an active stance in improving information-sharing with other Regional Fisheries Management Organisations (RFMO). Finally, it conducted awareness-raising activities on IUU with various stakeholders in the value chain.

**Example – Spain.** Spain also strengthened its legal framework with a view to strengthen oversight of the market and inspection activities; increase sanctions, such as the introduction of a ‘very serious infringement’ offence for IUU fishing, for which the penalties are fines, disqualifications, and removal of subsidies from vessels involved in these activities. However, progress is undermined by the need to prove criminal fault (improving international collaboration, such as sharing of information on those involved in IUU fishing, is therefore hailed as an important step to try remedying this problem).

**Example – Indonesia.** Strengthening law enforcement measures is also an approach taken by Indonesia, which imposed administrative sanctions to curb IUU fishing. It is reported that authorities revoked or suspended licenses and sent warning letters to fisheries companies. The country is also reviewing the process of licensing for foreign vessels and imposing limitations on activities, such as preventing trans-shipment. It is also working on improving governance in the fishing business. Finally, it has set up a Presidential Taskforce to combat fisheries crime.

## 2.2 POLICING/LAW ENFORCEMENT

Many nations have outlawed illegal fishing in order to more effectively prosecute it. However, penalties, let alone actual enforcement, vary. Some other issues with policing can involve observers auditing freshly caught catch on a vessel but coming under pressure or being threatened by the vessel crew. There is discussion on whether increasing the salary and working conditions of officers operating on land (e.g. port authorities) might provide incentives to refrain from engaging in corrupt practices.

## 2.3 TRANSPARENCY, ACCOUNTABILITY AND TRACEABILITY

Secrecy and limited access to information is a key feature of the fisheries sector, as was already exposed above. One way to counter corruption would therefore be to ensure that key information (such as agreements and licensing) is made publicly available in a timely fashion. Large sums of development money are poured into the fisheries sector, but more could be done to improve access to information and accountability (e.g. updated and public websites with accurate information). In terms of traceability, various initiatives are in place or have been tried. For example, the Marine Stewardship Council (MSC) implemented a Chain of Custody certification

mechanism that allows fish buyers to trace the point of origin of the fish (Sumaila and Jacquet 2017, Note 7, page 10).

The European Fish Processors Association (AIPCE) has also created a similar traceability protocol for IUU cod from the Barents Sea. (Roheim 2008). Along similar lines, various nations recently came together to create the *Fisheries Transparency Initiative (FiTI)*, which has been developed as a unique effort that complements and supports other national, regional and global efforts for achieving responsible fisheries governance. The purpose of the FiTI is to increase transparency and participation in fisheries governance for the benefit of a more sustainable management of marine fisheries. FiTI is a voluntary initiative with mandatory requirements. The Initiative produces Country Reports to provide clear procedural guidelines for gathering, verifying and disclosing relevant information on fisheries. Lastly, it has also been suggested that a global database on corruption in fisheries be created as a starting point that would be a useful tool for investigating the problem (Sumaila and Jacquet 2017, Note 7).

As Lampert has noted, however, some shortcomings that undermine these efforts include: different approaches or methods to traceability and in port state measures (e.g. by the US and the EU). As an example – the US traceability regulation only tracks the point of import, whereas EU regulation includes more specific information. Tackling IUU and seafood crime would also be more efficient if big import markets such as the EU and the US would agree to imposing similar penalties, and share information on perpetrators, seizures, etc. It has also been recommended that commissions should be established to make licensing decisions; and that licensing details and access agreements be publicly disclosed (Tsamenyi and Hanich 2008, Note 2).

## 2.4 FULLY DOCUMENTED FISHERIES (FDF)

This is seen as a valuable tool to address discards and improve stock recovery. A project awarded Scottish fishing vessels larger fishing quotas, more days at sea, or access to restricted areas if they agreed to install cameras on the boat to monitor the species caught and returned to sea. However, that incentive has now reportedly stopped. (Lampert, Note 4: 1649 -1651) Although there is currently no requirement in the EU for fishing vessels to carry video monitoring equipment, the use of electronic or video monitoring technologies has been in use for some time. It can provide a cost-effective means of

monitoring fishing activity, thus trying to combat some of the abovementioned issues associated with seafood fraud and IUU.

## 3. Developing an overall strategy

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### **Guidance summary: STEP 3 Developing strategy**

After you have reviewed the specific corruption types and identified possible reform measures, you can develop an overall strategy. Because curbing corruption is about changing the status quo, so you need to be thinking about how to build support, how to spread the benefits, how to bring opponents on board or how to outflank them. This is where judgement and political skill are important. You also need to think carefully as to which combination of measures and management is likely to result in the most impact within the limited resources and time available. We suggest that you develop an overall strategy – in collaboration with those who can also own it with you – in the following way:

1. Thinking through what impact you really want to achieve
2. Challenging yourselves by considering strategic opposites
3. Considering the people and the politics; where to build support
4. Setting up a sound implementation programme
5. Maximising supportive structures across government & stakeholders.

You can read more guidance on Step 3 [here](#).

However, in the fisheries sector we are aware of little coordinated effort against corruption. Currently, most efforts seem to be being developed by [UNODC](#) and by the Fishing Industries Transparency Initiative ([FiTI](#)); it's probably best to start by talk with either or both of them on possible strategies.

## 4. Transnational fisheries initiatives

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### **Guidance summary: STEP 4 Transnational initiatives**

Review what international sector efforts are active in tackling corruption in your sector. They may be sources of knowledge, ideas, support and perhaps assistance in the development of your initiative. Sector-specific organisations include professional sector associations (many have an ‘anti-corruption working group’ or similar forum); Initiatives and programmes targeted on building integrity, raising transparency and reducing corruption in the sector; and Multilateral organisations associated with the sector (eg World Health Organisation). They too may have anti-corruption knowledge and capability.

Non-sector-specific organisations also have sector knowledge. These include multilateral economic organisations such as World Economic Forum, IMF and OECD; among these, OECD has a large group focused on public integrity and anti-corruption. There are multiple stand-alone initiatives focused on issues such as beneficial ownership transparency, or access to information.

Multilateral development organisations, like the World Bank, UNDP and U4, can hold valuable sector knowledge and expertise, whether or not you are based in a developing country.

There is one transnational organisation devoted to transparency and anti-corruption in fisheries. This is the Fisheries Industries Transparency Initiative (FiTI):

## FISHERIES INDUSTRIES TRANSPARENCY INITIATIVE (FITI)

FITI was established in 2015, with the purpose to increase transparency and participation in fisheries governance for the benefit of a more sustainable management of marine fisheries. It describes itself as follows:

*‘The FiTI is a global initiative. The initiative does not focus on a single country or a region. It seeks to establish a global level playing field among fisheries countries. The more participating countries, the more power this initiative will get! The implementation of the FiTI is country-centred. The intention to join the FiTI and the initiation of the official process must come from a country’s government. For this, a country’s government must demonstrate active support for the implementation of the FiTI. This includes – inter alia – the commitment to an enabling environment, the establishment of a National Multi-Stakeholder Group and the publication of timely information. The FiTI is a voluntary initiative with mandatory requirements. The implementation of the FiTI is voluntary; however, once a country has decided to participate, mandatory requirements must be followed.*

*The FiTI is built on a multi-stakeholder governance structure, ensuring that stakeholders from government, companies and civil society are equally represented. This multi-stakeholder governance will be applied at an international level through an International Multi-Stakeholder Board as well as in all participating countries through National Multi-Stakeholder Groups. The FiTI will provide clear procedural guidelines for gathering, verifying and disclosing relevant information on fisheries. A key deliverable of this process is the timely publication of a FiTI Country Report.'*

FiTI has a global board, chaired by Peter Eigen, the founder of Transparency International and a Secretariat based in Berlin. Its conceptual phase, 2015-2017, was funded by the Governments of Mauritania and Guinea. FiTi sets 12 transparency standards for member countries.

1. Public registry of national fisheries laws, regulations and official policy documents
2. Summary of laws and decrees on fisheries tenure arrangements
3. Publication of all foreign fishing access agreements
4. Publication of existing national reports on the state of fish stocks
5. Public online registry of authorised large-scale vessels, as well as information on their payments and recorded catches
6. Information on the small-scale sector, including the numbers of fishers, their catches and financial transfers to the state
7. Information on the post-harvest sector and fish trade
8. Information on law enforcement efforts, including a description of efforts to ensure compliance by fishers and a record of offences in the sector
9. Information on labour standards in the fisheries sector
10. Information on government transfers and fisheries subsidies
11. Information on official development assistance regarding public sector projects related to fisheries and marine conservation
12. Information on the country's status regarding beneficial ownership transparency

UNITED NATIONS OFFICE ON DRUGS AND CRIME (UNODC)



Besides FiTI, the main multilateral organisation taking an interest in tackling fisheries corruption is UNODC. UNODC will respond to the requests of member states, if you are in a position to make such a request. For example:

- *‘At the request of Member States, **UNODC** can review penal codes and other laws related to fisheries crime to identify criminalization status and penalties in order to strengthen these criminal provisions and better facilitate addressing fisheries crime. The aim is to have a holistic legal reform on fisheries crime and the corresponding criminal procedure to ensure effective investigations, prosecutions, sentencing and penalties for all types of fisheries crime: from corruption to money laundering to tax fraud.*
- ***UNODC**, where requested, can assist in enhancing States’ criminal justice sectors, aiming to improve fisheries law enforcement as needed. This can include specialized spheres such as financial investigations to identify illicit financial flows from the proceeds of fisheries crime, including money-laundering, countering corruption in the fishing sector and the use of containers to transport illicit products. It also includes developing practical manuals for identifying fisheries crime offences including tax evasion and money laundering. ‘*

## NGO

We know of two NGO-based trans-national initiatives focused on countering illegal fishing and corruption in fisheries.

**Stop Illegal Fishing.** This is an independent, African based Not for Profit organisation committed to ending the devastating impacts of illegal fishing across all African fisheries. It does this through a range of network-building, evidence-based investigative work, awareness-raising and policy engagement.

**Coalition for Fair Fisheries Arrangements (CFFA).** The CFFA is a platform of NGOs that documents the development and environmental impacts of EU-ACP (European Union – African, Caribbean and Pacific states) fisheries relations on small-scale fishing communities. The core objective of CFFA is to promote the livelihoods and food security of coastal fishing communities, through information sharing, advocacy and supporting dialogue between organisations in ACP countries and decision makers and the private sector in the EU. CFFA also plays an active role in monitoring and influencing decisions on trade, investments and political reforms in fisheries relations, including promoting

economic, political and social rights for small-scale fishers and fish processors.

## SYMPOSIA AND CONFERENCES

In addition, symposia and conferences are being held by international organisations as first steps towards a more transnational approach. **Fish Crime** is a series of high-level symposiums organized by governments and international organisations initiated in 2015. FishCRIME 2015 was a first step towards initiating a global dialogue amongst diverse experts, academics, governments and international agencies on the topic of fisheries crime. The momentum of this conversation continued in FishCRIME 2016 in Yogyakarta, Indonesia, where the focus was on addressing fisheries crime throughout the value chain. FishCRIME 2017 drew together high-level participants and international experts to highlight and advance commitment to tackling the transnational and inter-continental nature of fisheries crime.

**Our Ocean** shows commitments taken by a range of countries at a EU-hosted conference to foster sustainable fisheries.

# Reading and Bibliography

## ADDITIONAL READING

If you wish to read more, we suggest you read the following material and links:

1. Sumila, U. R, Jacquet, J, Witter, A, *When bad gets worse: corruption and fisheries* (Chapter 7), in William, A, and Le Billion P, (Eds), *Corruption, Natural Resources and Development: From Resource Curse to Political Ecology* (2017), Edward Elgar
2. European Commission, *Fisheries, Illegal Fishing (IUU)*: [https://ec.europa.eu/fisheries/cfp/illegal\\_fishing\\_en](https://ec.europa.eu/fisheries/cfp/illegal_fishing_en)
3. Food and Agriculture Organisation (FAO), 2001, *International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing*, available at: <http://www.fao.org/docrep/003/y1224e/y1224e00.HTM>

4. World Ocean Review, *Fisheries* <http://worldoceanreview.com/en/wor-2/fisheries/> and <http://worldoceanreview.com/en/wor-2/fisheries/illegal-fishing/>
5. UNODC 2017, *Stretching the Fishnet: Identifying Opportunities to Address Fisheries Crime*. Conference Edition, <http://fishcrime.com/wp-content/uploads/2017/07/Stretching-the-Fishnet.pdf>
6. World Wildlife Fund (WWF), *Illegal Fishing, Overview*, <https://www.worldwildlife.org/threats/illegal-fishing#>
7. <https://fishcrime.com/>
8. Environmental Justice Foundation, February 2016, *The EU-IUU Regulation: Building on success EU Progress in the global fight against illegal fishing* <https://goo.gl/rY9SdF>
9. Environmental Justice Foundation, Issue Brief –April 2016, *Improving performance in the fight against illegal, unreported and unregulated (IUU) fishing: the EU Regulation carding process: A Review of European Commission carding decisions* <https://goo.gl/3Vhxdb>

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**Bondaroff, Teale, van der Werf, Witse and Reitano, Tuesday (2015)** *The illegal fishing and organised crime nexus*. <http://globalinitiative.net/wp-content/uploads/2015/04/the-illegal-fishing-and-organised-crime-nexus-1.pdf>

**Dengate C (2016)** *No Bigger Fish to Fry: Going after Corruption in Global Fisheries*, Huffington Post, July 2016, <https://goo.gl/MYY1Ex>

**Food and Agriculture Organisation (2001)** *International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing*. <http://www.fao.org/fishery/ipoa-iuu/en>

**Lampert, Thomas (2017)** *Stopping Illegal Fishing and Seafood Fraudsters: The Presidential Task Force's Plan on Tackling IUU Fishing and Seafood Fraud*, Boston College Law Review,

58(5). <https://lawdigitalcommons.bc.edu/cgi/viewcontent.cgi?referer=https://www.google.co.uk/&httpsredir=1&article=3608&context=bclr>

**Oceania (2017)** *Protecting the world's oceans*.<https://oceana.blogactiv.eu/2017/06/20/member-states-must-support-an-ambitious-reform-of-the-eus-external-fishing-fleet-regulation-in-this-crucial-year-for-ocean-governance-it-will-ensure-much-needed-transparency-and-help-preven/>

**OECD (2016)** *Combating tax crime and other crimes in the fisheries sector*.<http://www.oecd.org/tad/events/combating-crimes-fisheries-conference-2016.htm>

**Roheim, Cathy (2008)** *Seafood Supply Chain Management: Methods to Prevent Illegally-Caught Product Entry into the Marketplace*. Page 1, citing HSTF[https://www.iucn.org/sites/dev/files/import/downloads/supply\\_chain\\_management\\_roheim.pdf](https://www.iucn.org/sites/dev/files/import/downloads/supply_chain_management_roheim.pdf);

**Standing, Andre (2015)** *Corruption and state-corporate crime in fisheries*, U4 Report. <https://www.u4.no/publications/corruption-and-state-corporate-crime-in-fisheries/>

**Stiles, Margot, Kagan, Ariel, Shaftel, Emily and Lowell, Beth (2013)** *Stolen food: the impact of pirate fishing on our oceans*.[http://oceana.org/sites/default/files/reports/Oceana\\_StolenSeafood.pdf](http://oceana.org/sites/default/files/reports/Oceana_StolenSeafood.pdf)

**Sumaila, Ussif and Jacquet, Jennifer (2017)** *When bad gets worse – corruption in fisheries*. <https://goo.gl/gi1CWa>

**Transparency International (2011)** *Dealing with corruption in fishing and small-scale farming*. Author: Catherine Mann. <https://knowledgehub.transparency.org/helpdesk/dealing-with-petty-corruption-in-fishing-and-small-scale-farming>

**Tsamenyi, Martin and Hanich, Quentin (2008)** *Addressing corruption in Pacific Island fisheries*. [https://books.google.co.uk/books/about/Addressing\\_Corruption\\_in\\_Pacific\\_Islands.html?id=ivDRYgEACAAJ&redir\\_esc=y](https://books.google.co.uk/books/about/Addressing_Corruption_in_Pacific_Islands.html?id=ivDRYgEACAAJ&redir_esc=y)

And Tsamenyi and Hanich 2008, Note 3, citing Martin, Will, et al, *A handbook for Negotiating Fishing Access Agreements*, WWF, 2001, p.39)

**U4 (2013)** *Illegal, unreported and unregulated fishing and corruption.* [https://knowledgehub.transparency.org/assets/uploads/helpdesk/392\\_Illegal\\_\\_unreported\\_and\\_unregulated\\_fishing\\_and\\_corruption.pdf](https://knowledgehub.transparency.org/assets/uploads/helpdesk/392_Illegal__unreported_and_unregulated_fishing_and_corruption.pdf)

**UNODC(2015)** *Fisheries Crime: transnational organized criminal activities in the context of the fisheries sector.* [https://www.unodc.org/documents/about-unodc/Campaigns/Fisheries/focus\\_sheet\\_PRINT.pdf](https://www.unodc.org/documents/about-unodc/Campaigns/Fisheries/focus_sheet_PRINT.pdf)

**World Wildlife Fund** *Decreasing fish stocks.* [http://wwf.panda.org/knowledge\\_hub/endangered\\_species/cetaceans/threats/fishstocks/](http://wwf.panda.org/knowledge_hub/endangered_species/cetaceans/threats/fishstocks/)