

Viet Nam Responses to IUU Fishing

Regional Maritime Security Practitioner Programme, 8 September 2022

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CIL

CENTRE FOR INTERNATIONAL LAW
National University of Singapore



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CELEBS

STYLE

BEAUTY

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SHOPPING

YES, HELP ME FIGURE IT OUT!

NO, JUST READING UP.

WHAT DOES IT MEAN IF I DREAM ABOUT FISH?

There are several potential meanings to dreams about fish, including receiving power, prosperity, personal growth, and fertility. Personally, I dream about fish when I'm in the middle of beginning a big project. Before I wrote my book, I



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Vietnam aims to end illegal fishing in 2022

By Toan Dao
July 16, 2021

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The Vietnamese government is determined to completely eliminate illegal, unreported, and unregulated (IUU) fishing next year so the "yellow card" imposed by the European Commission can be lifted.

Vietnam was first issued a yellow card in October 2017 by the E.C., which said the Southeast Asian nation had not done enough to tackle IUU fishing.

Since its imposition, the E.U. has been conducting a review of Vietnam's fisheries- and seafood-related policies to determine which route it will take out of three options available to it: Maintaining the country's yellow card status, issuing a red card banning all seafood imports from Vietnam, or rescinding

the yellow card and resuming normal trading relations.



BACKGROUND

- First conceptualization of IUUF: 16th CCAMLR, 1980
- Global IUUF catch: 20% of total catch/year, 26 million tonnes of fishes, 20 - 50 billion USD
- Most IUUFed species: European Anchovy
- Least IUUFed species: American scallop
- Most IUUFed region: Western Africa (40%)
- Best performing country in fighting IUUF: Finland



Viet Nam's Fisheries Sector

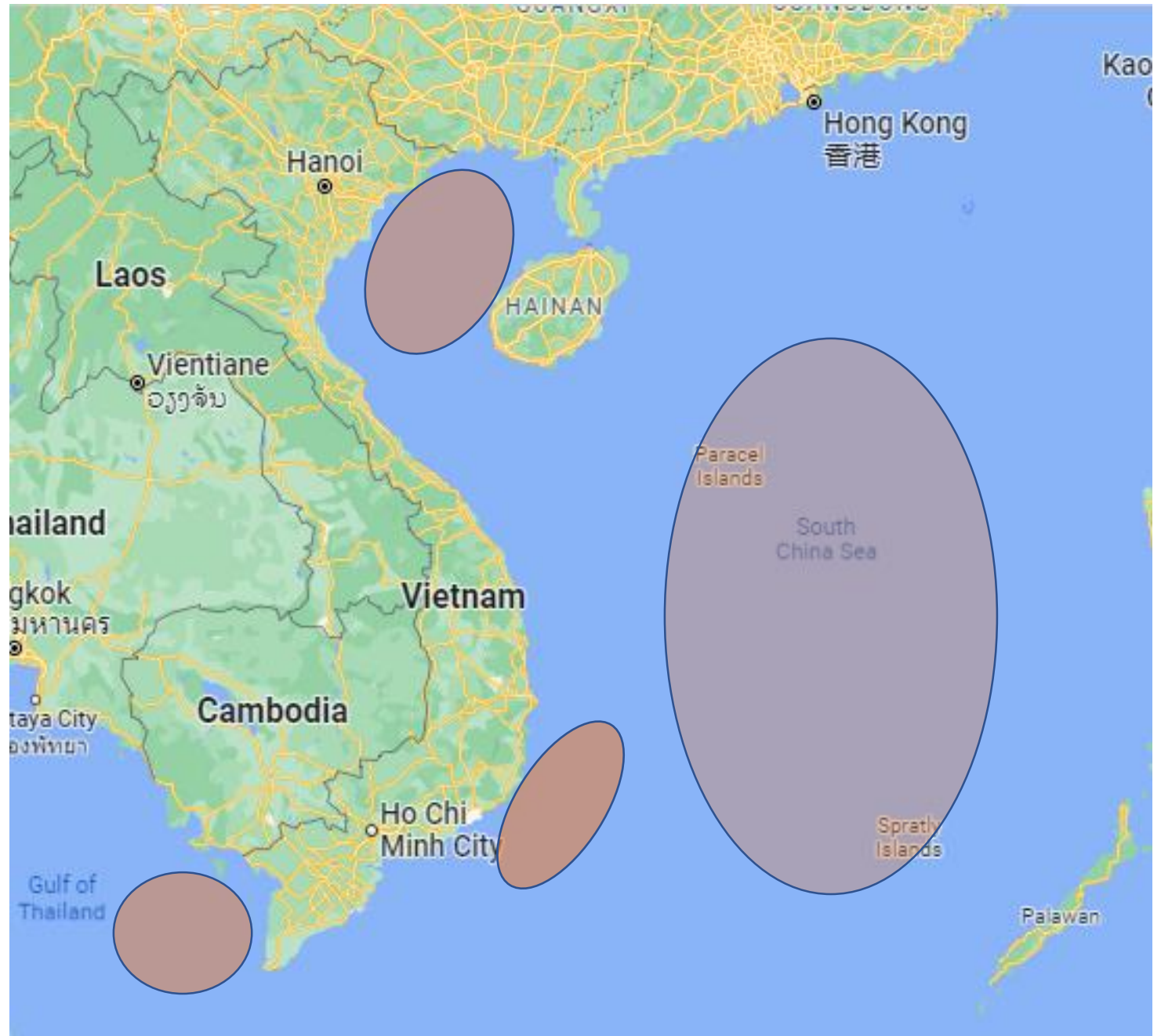


95.000 fishing vessels registered nationwide employing a total of about 180.000 fishermen

Comparison to neighbouring countries

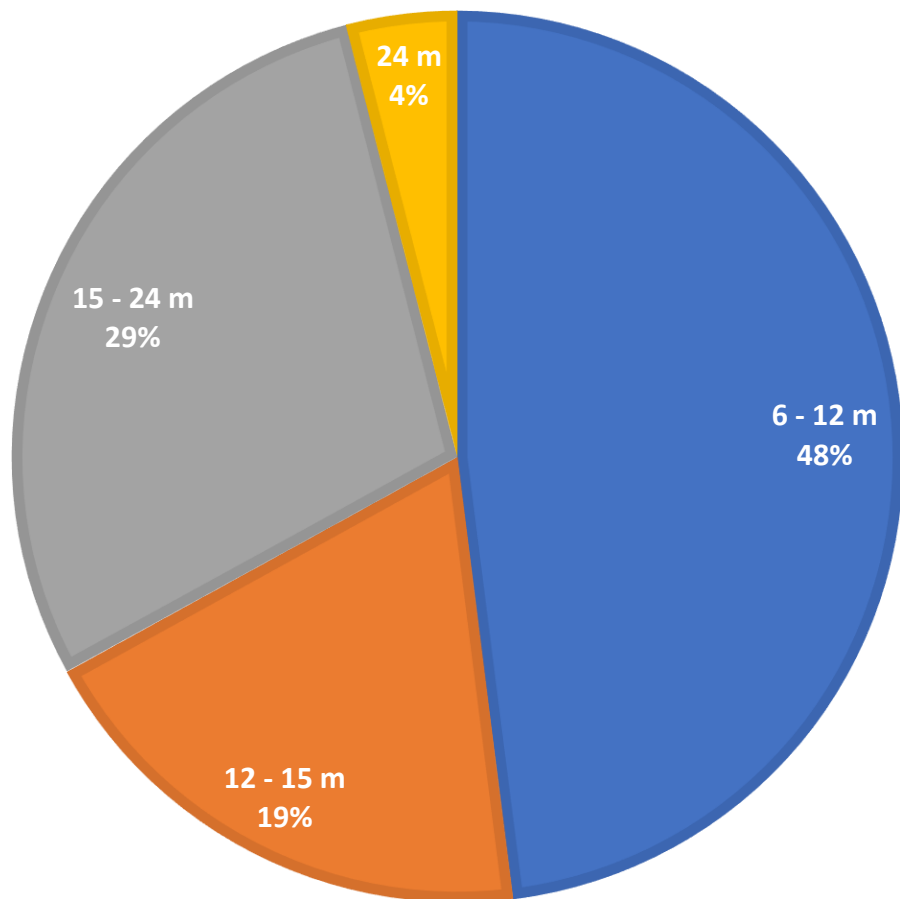
China	800.000
Indonesia	563.000
Philippines	480.000
Viet Nam	95.000
Malaysia	52.000
Thailand	10.742
Singapore	34

Main fishing areas

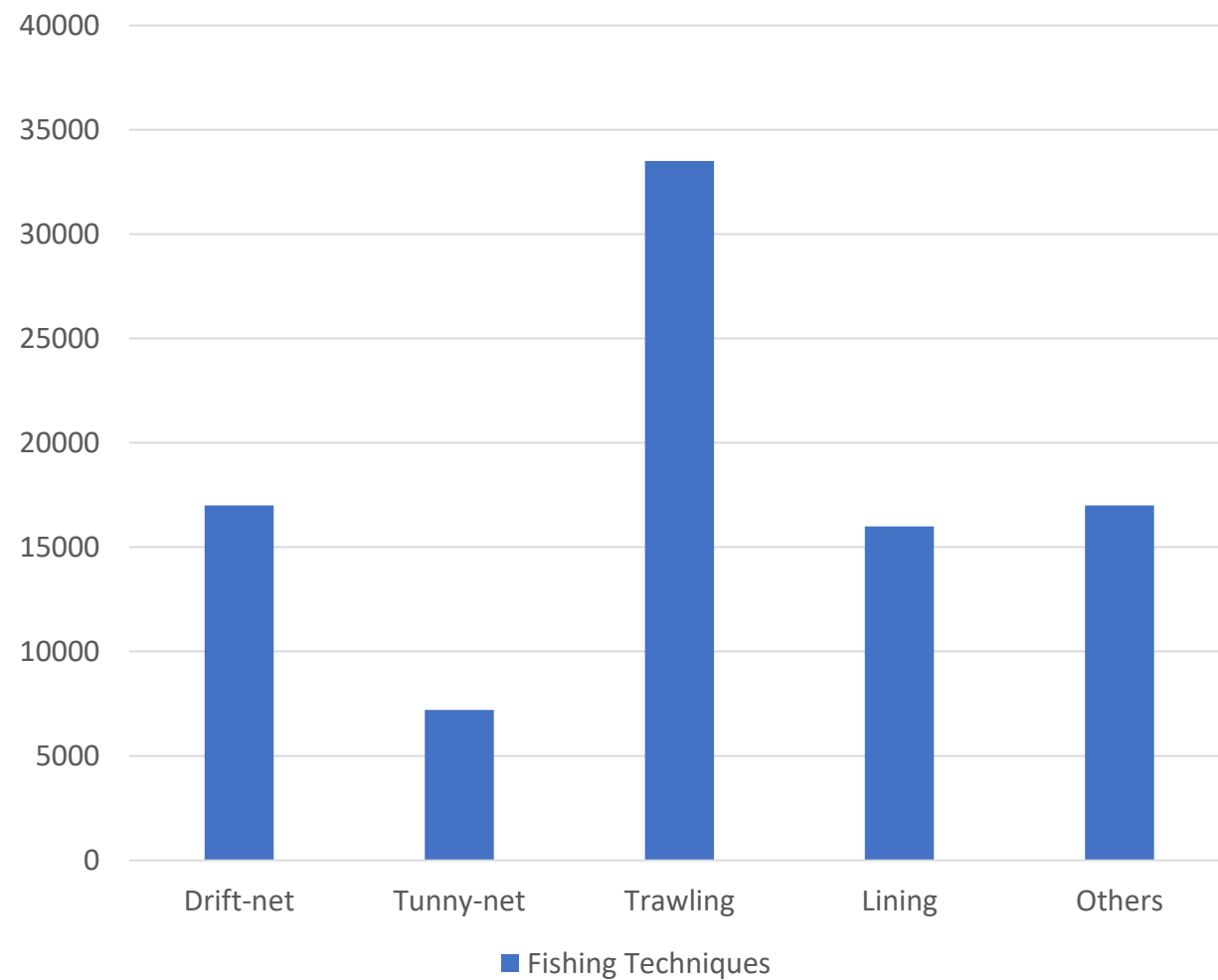


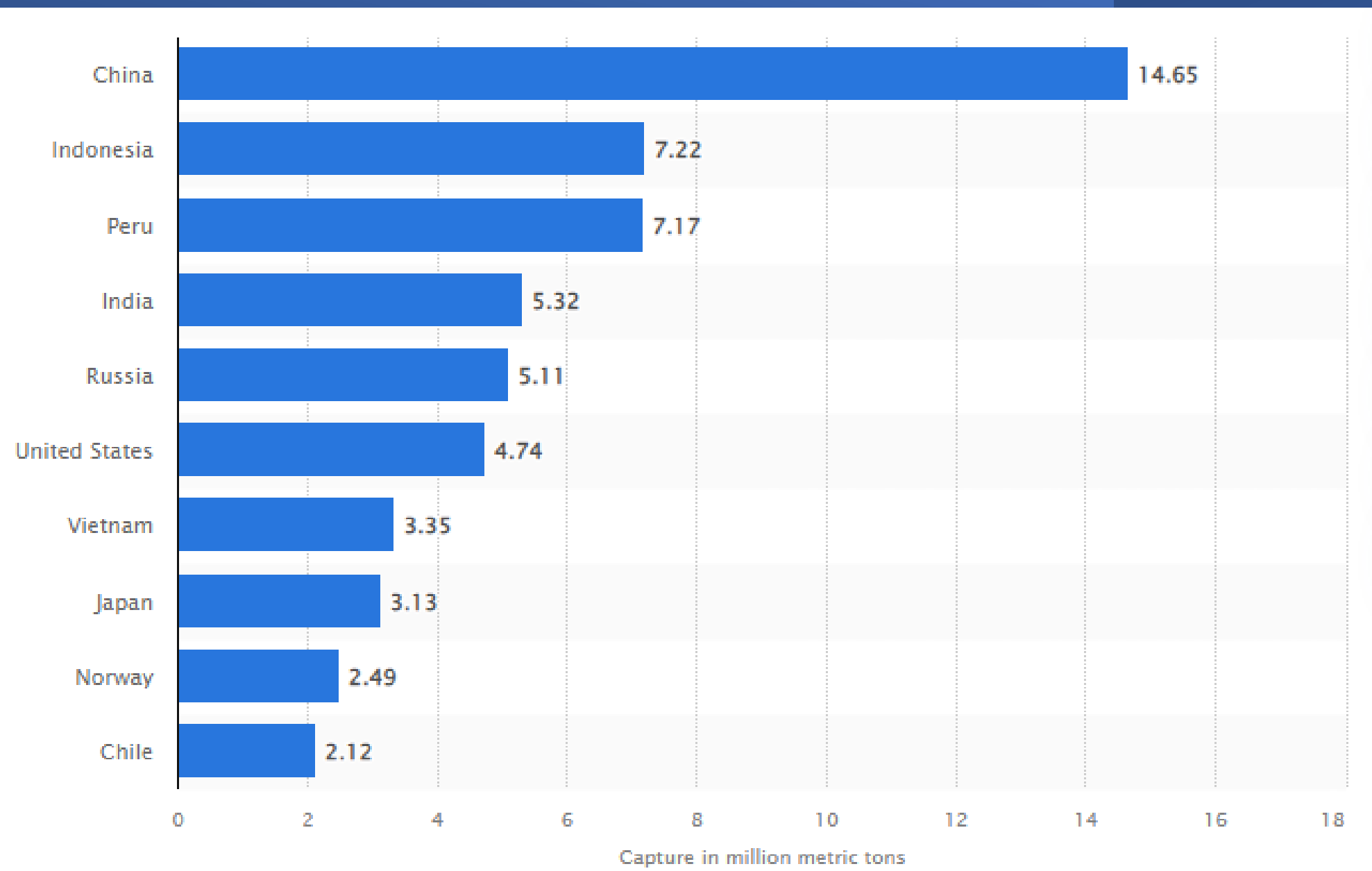
SIZES

■ 6 - 12 m ■ 12 - 15 m ■ 15 - 24 m ■ 24 m



Fishing Techniques

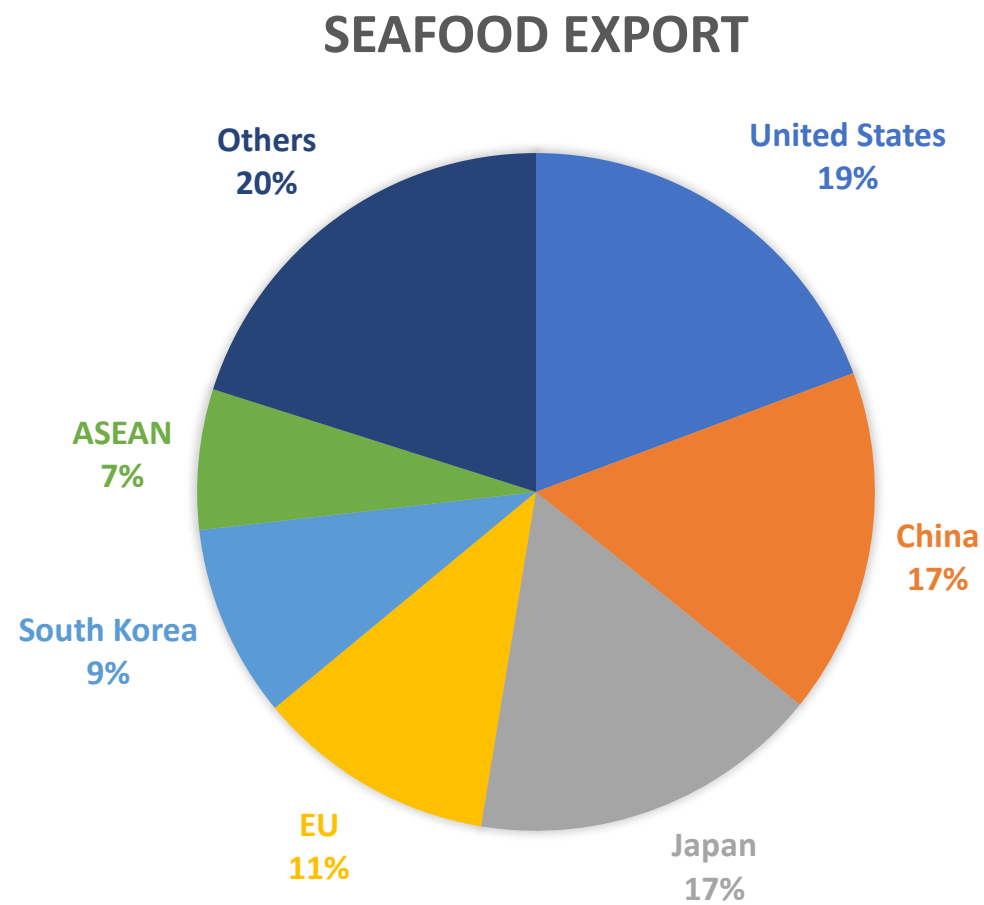






- 500 seafood processing centres with a total processing capacity of three million ton of fish per year.
- 8.73 millions tons of fish exported with a total value of 8.89 billion USD (46% coming from fish capture).

Seafood exported to 160 markets



nuoc mam noun


 Save Word

\ nŭ-'ăk-'măm \

Definition of *nuoc mam*

: a sauce made of fish (such as anchovies) fermented in brine

WORD OF THE DAY

abrogate 

[See Definitions and Examples »](#)



Situation of IUU Fishing by Vietnamese Vessels





Thailand
Vietnam
Cambodia

Philippines
Luzon
Palawan
Panay
Negros
Mindanao
Basilan Island

Malaysia
Kuala Lumpur
Singapore

Jakarta
Java Sea
Surabaya

Indonesia
Banda Sea

Papua New Guinea

New Caledonia

Palau
Micronesia

South China Sea

Gulf of Thailand

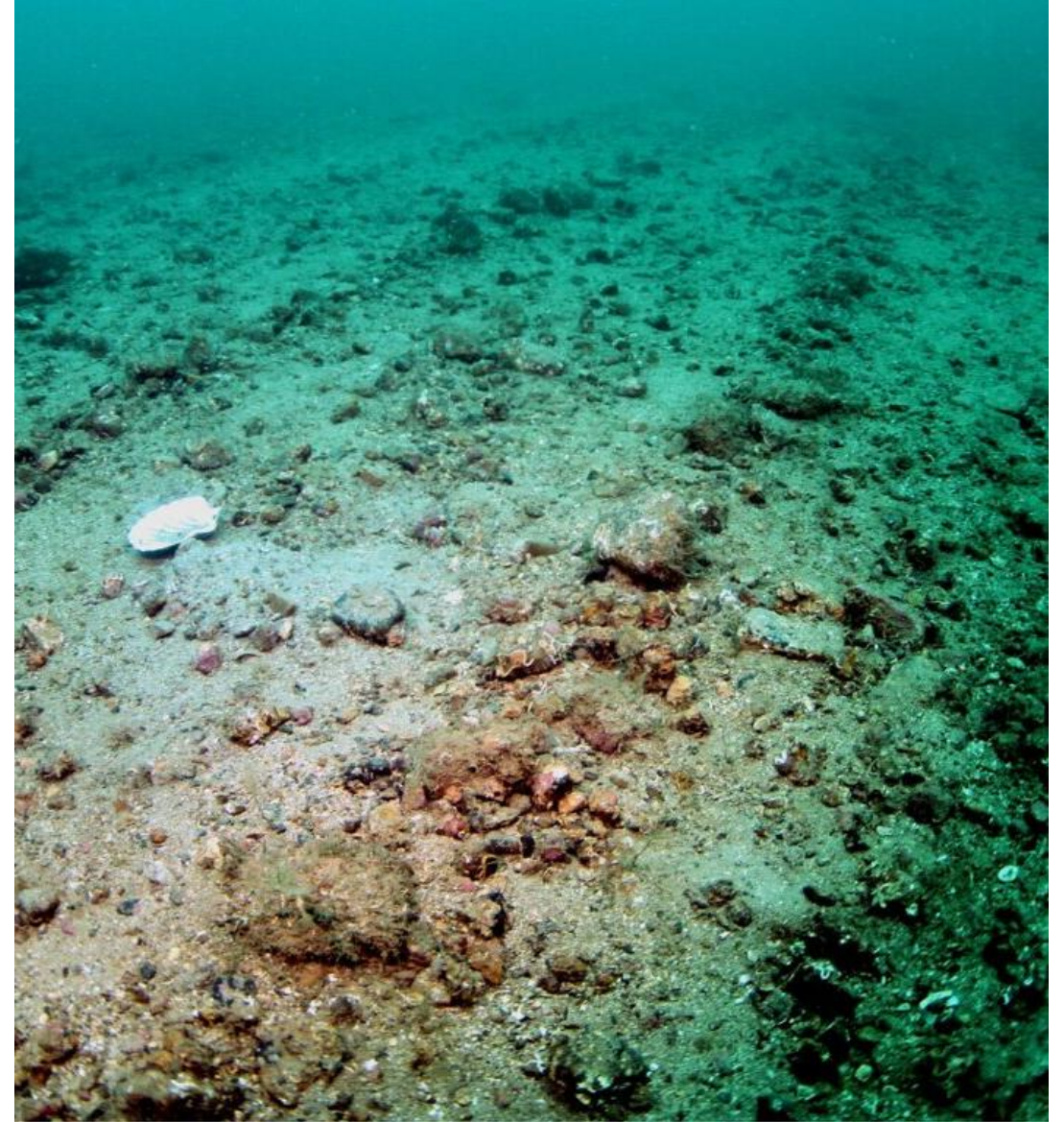
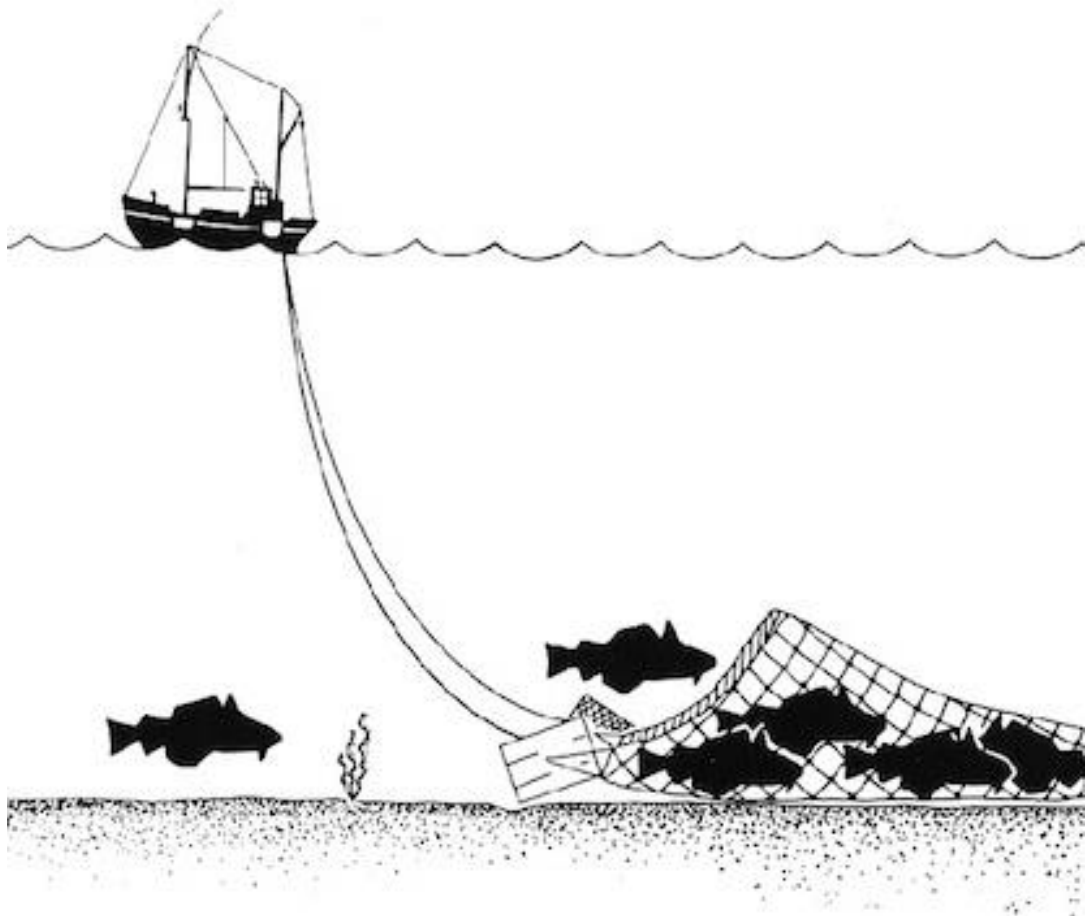
Celebes Sea

Bismarck Sea

Arafura Sea

Solomon Sea

Timor Sea













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Asia

Malaysia coast guard kill Vietnamese fisherman in South China Sea clash

THE STRAITS TIMES

ASIA

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your favourite restaurants

Jul 20, 2022



Donnie Yen's wife sends her
love to him via social media on
his 59th birthday

Jul 28, 2022

Thai sea police claim "self defence" after deadly Vietnam fishermen clash

COMMISSION DECISION

of 23 October 2017

**notifying the Socialist Republic of Vietnam of the possibility of being identified as
a non-cooperating third country in fighting illegal, unreported and unregulated fishing**

(2017/C 364/03)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1005/2008 of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing, amending Regulations (EEC) No 2847/93, (EC) No 1936/2001 and (EC) No 601/2004 and repealing Regulations (EC) No 1093/94 and (EC) No 1447/1999 ⁽¹⁾, and in particular Article 32 thereof,



European Commission Yellow Card



- 100% seafood exported from Viet Nam to EU will be held in ports for origin checking (3 – 4 weeks per container)
- Costly to check (600 USD/container)
- High risk of rejection
- Export of seafood from Viet Nam to EU decrease by more than 10% after two years (EU from second biggest market to 5th place).
- If red card, Viet Nam can lose 350 – 400 million USD of export value every year
- Other markets may do the same




Socialist Republic of Vietnam

Measures taken by Vietnamese Government against IUU Fishing

- Directive no.45/CT-TTg of the Prime Minister on urgent tasks to resolve EC's warning about IUU, 2017
- Decision no. 4840/QD-BNN-TCTS of the Ministry of Agriculture and Rural Development on the Plan to implement urgent tasks to resolve EC's warning, 2017
- Law on Fisheries, Law no.18/2017/QH14 of the National Assembly, 2017
- Official Dispatch no.1275/CD-TTg of the Prime Minister on preparations to receive EU's Inspection mission, 2018
- Decision no.78/QD-TTg of the Prime Minister approving the National Plan of Action to deter, reduce and eliminate IUU until 2025, 2018
- Decision no.596/QD-TTg of the Prime Minister establishing National Steering Committee for fighting IUU, 2019
- Decree no.42/2019/ND-CP of Government about sanctions against administrative violations in fisheries sector, 2019
- Official note no.81-CV/TW of the Central Committee of the Communist Party of Viet Nam about strengthening leadership to effectively fight against IUU, 2020
- Decision no. 2665/QD-UBND of the People's Committee of Ca Mau Province issuing the Plan to to deter, reduce and eliminate IUU until 2025 in the Province of Ca Mau, 2021
- Circular no.01/2022/TT-BNNPTNT amending the list of IUU fishing vessels, 2022



SOCIALIST REPUBLIC OF VIET NAM
Government News



National Action Plan to Deter, Reduce and Eliminate IUUF until 2025

Purpose: to prevent, reduce and eliminate IUUF in Vietnamese waters and by Vietnamese entities and individuals in other countries' waters

Solutions:

- Establishing a system to monitor seafood exploited by and imported to Viet Nam
- Developing an effective fishing vessel monitoring system
- Establishing a database to control origin of seafood
- Establishing programs to educate fishermen
- Strengthening law enforcement

National Steering Committee for fighting IUUF

- **Chair:** A Deputy Prime Minister
- **Vice-Chair:** Minister of Agriculture and Rural Development
- **Members:** Central Committee of Information and Propaganda of the Communist Party, Government's Office, Ministry of Foreign Affairs, Ministry of Justice, Ministry of Investment and Planning, Ministry of Finance, Ministry of Industry and Trade, Ministry of Transportation, Ministry of Information and Communication, Ministry of Natural Resources and Environment, Ministry of Defense, Ministry of Public Security, National Committee of Response to Incidents, Natural Disaster and Search and Rescue, People's Committees of 28 coastal provinces, Vietnam Directorate of Fisheries



Strengthening Law Enforcement

- Increasing maritime and aerial patrols at sea, in particular in areas adjacent to foreign waters
- Strengthening measures to control and monitor vessels at fishing ports
- Installing monitoring devices on fishing vessels (more than 90% of fishing vessels of more than 15 metres)
- Establishing list of high-risk vessels for increased monitoring
- Establishing multi-sectoral taskforce posted 24/24 at fishing ports for inspection
- Confiscating fishing licenses of vessels engaging in IUUF
- Punishing brokers aiding fishermen to engage in illegal fishing activities in other countries' waters



Increasing the fine against IUUF ship owners

NEWS

POLITIC LAW POPULATION LABOR - EMPLOYMENT RIGHT TO KNOW REPORTAGE / INVESTIGATION NATIONAL I

NEWS / POPULATION

The owner of a fishing vessel who violated Malaysia's territorial sea was proposed to fine 1.3 billion VND and confiscated the ship

Gia Bach ★★☆☆☆
nguyenhongdiep75@gmail.com

Like 375

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21:42 - September 26, 2020

On September 26, according to the source of PV *Thanh Nien*, the headquarters of the Ca Mau Border Guard has just asked the Chairman of the People's Committee of Ca Mau to issue a decision to sanction a fishing vessel owner of 1.3 billion VND, confiscating the vessel for violating territorial waters.

Proposing a fine of 1.3 billion VND to fishing vessel owner and confiscation of the vessel

The Ca Mau Border Guard Command proposed the Chairman of the Provincial People's Committee to issue a decision to sanction Mr. Tran Hong Cam (55 years old, living in TT. Song Doc, Tran Van Thoi, Ca Mau), the owner of the fishing vessel CM 92226 -TS, amount of 1.3 billion VND and confiscation of fishing vessel for violating territorial sea.

NEWS

POLITIC LAW POPULATION LABOR - EMPLOYMENT RIGHT TO KNOW REPORTAGE / INVESTIGATION NATIONAL I

NEWS / LAW

Catching infringement on Malaysian waters, a rake net owner was fined 800 million VND

Bac Binh ★★☆☆☆
phuongbinhnb@gmail.com

Like 230

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17:26 - October 31, 2020

Fisheries organizations encroach on Malaysian waters, a rake net owner is fined 800 million VND by the People's Committee of Ben Tre province.



There are still quite a few ships of Ben Tre province operating in the waters of Ca Mau. These ships are

Education and Awareness Raising

- Relevant government agencies, maritime law enforcement forces and seafood exporters implementing awareness raising campaigns for fishermen
- Distributing brochures, texts of international conventions, laws and regulations, limits of Vietnamese waters to fishermen
- Organizing talks and seminars in coastal communities



Enhancing Community-Based Management

- Establishing community groups to manage fisheries in coastal areas to detect IUUF activities and alert authorities
- Establishing groups of fishing vessels at sea to prevent IUUF in waters offshore



Phasing out harmful and unsustainable fishing practice

- Stop the construction of new trawlers while supporting existing trawler operators to change activities.
- Forbidding the purchase and transportation of seafood illegally caught abroad.
- Encouraging providers to buy seafood with clear origin.
- Reorganising the fishing fleet based on the surveillance of the availability of the resources and controlling the construction of new boats



Cooperation with neighbouring countries

- Establishing hot lines (Australia, China, Philippines, Indonesia)
- Signing MOUs on fishery cooperation (Philippines, Brunei, Cambodia and Thailand)
- Implementing coordinated maritime patrols (China, Thailand)
- Engaging Vietnamese fishermen in legal programmes to fish in other countries
- Joining international treaties relating to the prevention of IUUF



Initial Results

- 5 out of 9 recommendations by EU have been fulfilled: i) ensuring food safety of fishing vessels, ii) improving port control of fishing vessels, iii) installing vessel monitoring devices, iv) improving fisheries licensing, v) administrative sanctions for violations, vi) improving the legal framework, vii) establishing a system to control and monitor fishing vessels, viii) enhancing law enforcement, and ix) controlling origin of products.
- No more IUUF by Vietnamese fishing vessels in the Pacific islands
- 2020 – 2021: the number of fishing vessels committing IUUF in neighbouring countries decreased significantly



2019

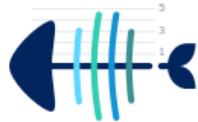
Ten worst-performing countries

for IUU fishing scores by type, aggregated by responsibility

All types

#1 China

3.93



#6 Sierra Leone

3.01



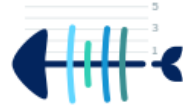
#2 Taiwan

3.34



#7 Yemen

2.96



#3 Cambodia

3.23



#8 Sudan

2.77



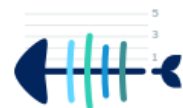
#4 Russia

3.16



#9 Liberia

2.76



#5 Vietnam

3.16



#10 Somalia

2.75



2021



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SCORE MAPS

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2.38

2.35

↑ 0.03

#50

↑ 55

Argentina

2.37

2.13

↑ 0.24

#51

↑ 41

Trinidad & Tobago

2.36

2.20

↑ 0.16

#52

↓ -35

India

2.36

2.68

↓ -0.32

#53

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2.44

↓ -0.07

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2.07

↑ 0.27

#56

↓ -51

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2.33

3.16

↓ -0.83

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↑ 20

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2.33

2.24

↑ 0.09

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↑ 12

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2.33

2.27

↑ 0.06

#59

↓ -24

Italy

2.32

2.50

↓ -0.18

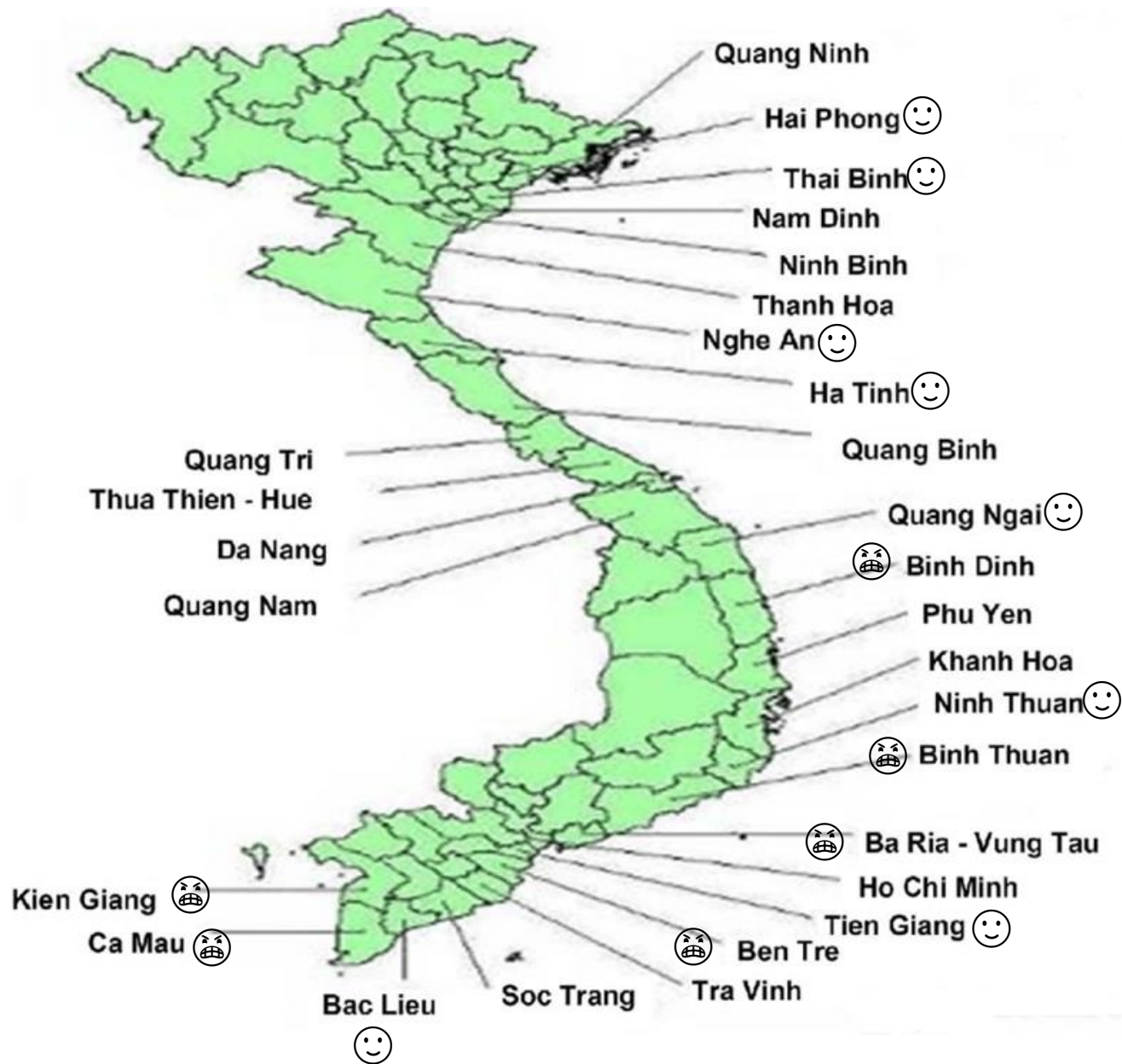
Challenges



Traditional practice

- Hundreds of years following the same practice
- Conducting family-type or community-type fisheries
- Not used to monitoring tools such as log books, VMS, GPS
- Do not want to reveal spots with abundant resources
- Taboos





Fishing boats are governed by local governments

- Provinces that need improvement in controlling fishing vessels fishing in foreign waters: Kien Giang, Ca Mau, Ben Tre, Ba Ria – Vung Tau, Binh Thuan, Binh Dinh
- Provinces that have good progress in fisheries management: Hai Phong, Thai Binh, Nghe An, Ha Tinh, Quang Ngai, Ninh Thuan, Soc Trang, Tien Giang, Bac Lieu.
- Applying disciplinary sanctions against heads of local governments in provinces having fishermen engaging in IUUF in foreign waters

Lack of appropriate fishing infrastructures



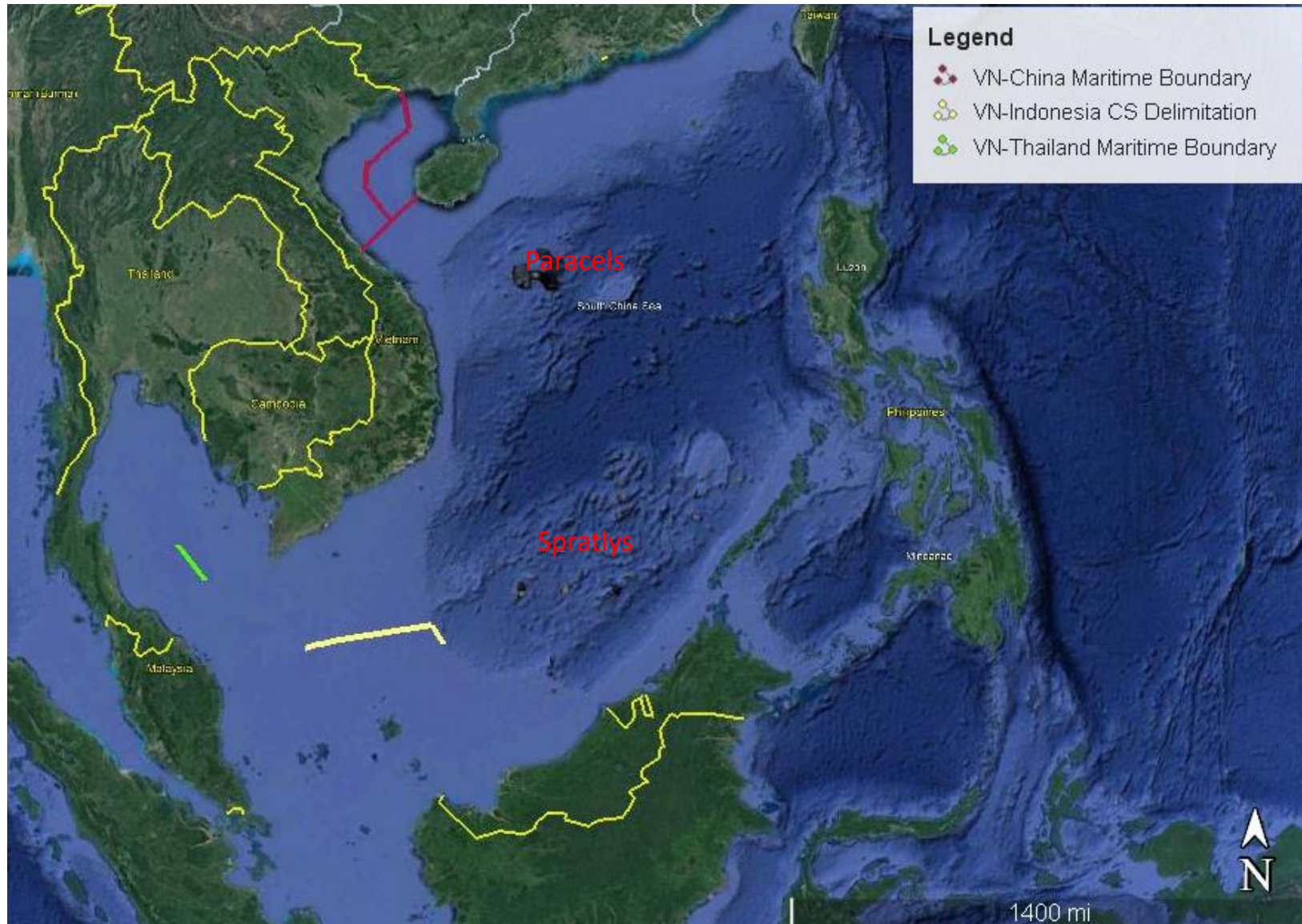
- Lack of modern fishing ports
- Overcrowded anchoring places for fishing vessels
- Lack of appropriate passages to harbours
- Lack of skilled human resources in fishing port management
- Capital needed for upgrading fishing infrastructures
- The VMS still have malfunctionings

Maneuvers to dodge the law by fishermen

- “Playing” with the VMS
- Making deals with local fishermen
- Selling fish before reaching ports
- Not returning to the hometown port
- Engaging in other illegal trades with fishing vessels



Undelimited waters



2022 – EU plans to visit Viet Nam again for checking progress?





Each ship owner and fishermen must remember the following regulations while setting sail