



ILLEGAL AND UNREPORTED FISHING IN ARAB ZONES

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INTRODUCTION

Arab waters have high fisheries production potential, stretching from Mauritania and Morocco's coasts to the Atlantic Ocean on the West to the Persian Gulf and the Indian Ocean on the East through the Mediterranean Sea, in addition

to several gulf streams and rivers like the Nile and the Euphrates. Fisheries could play an important role in developing economies of the region and in meeting increased food demand. However, the fishery industry is not well developed and has been suffering from many issues mainly from Illegal, Unreported and Unregulated (IUU) fishing. This paper

aims to assess illegal fishing by European vessels in Arab waters, focusing on the most affected countries by IUU fishing. We will also be trying to analyze the multifaceted cause roots and impacts of IUU fishing on Arab marine resources and the economy as a whole, as well as the limits of both international agreements and most of Arab states' capacity to counter illegal fishing mainly from foreign vessels.

IUU fishing accounts for 20 percent of the world catch and up to 50 percent in some areas¹. IUU fishing is a serious threat, not only toward sustainable fishing in Arab waters, but to the entire economic and social balance within the concerned states. However, it does destroy local fisheries and wrecks coastal populations, proving vulnerable trend mainly in the developing countries, thus exacerbating poverty, social tensions and increases inequalities between developed and developing countries.

INTERNATIONAL AND REGIONAL AGREEMENTS

Concerted international and regional cooperation, and the rules that have been established to tackle IUU fishing, still require many efforts. On the international level, the United Nations Food and Agriculture Organization (FAO) based in Rome, Italy, has undertaken a wide range of agreements and decisions to control the fishing sector to which

most Arab states had joined. In November 1993, the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels in the High Seas was adopted². Furthermore, in 2009, the Port State Measures Agreement (PSMA) was signed after years of diplomatic efforts. The PSMA was the first treaty to focus on illegal fishing, for which Oman was the first Arab state to ratify the treaty to prevent illegal fishing in 2013³. Then, on June 5, 2016, FAO adopted a groundbreaking international accord with the aim to stamp out illegal fishing that was ratified by 29 countries.

On the regional and the local levels, many Arab states have gradually stepped up the fight against IUU fishing and developed their monitoring capacities, empowering their controlling systems and regulating fishing activities in their Executive Economic Zone (EEZ), which was strengthened by bilateral, regional and international cooperation with the EU and international agencies such as the European Fisheries Control Agency and FAO. In this regard, Mauritania has reached a new fishing agreement with the EU in 2017, intended to uphold the principles of sustainability, allowing vessels from EU countries to catch up to 281.500 tons of fish and shrimps from Mauritanian waters in exchange of €59.1 million in subsidies per year from the EU.⁴

The General Fisheries Commission for the Mediterranean (GFCM), established in

¹ S. Widjaja, T. Long, H. Wirajuda, et. al. 2019. "Illegal, Unreported and Unregulated Fishing and Associated Drivers". *Washington DC: World Resources Institute*, p. 3. Available online at: www.oceanpanel.org/iuu-fishing-and-associated-drivers

² Izzat Hasan Feidi, "Fisheries development in the Arab World". *Fao, bulletin* 103 (Italy, 1998), p. 393. Available online at: (PDF) Fisheries development in the Arab World (researchgate.net)

³ "Oman is First Arab State to Ratify Treaty to Stem Illegal Fishing". PEW (September 4, 2013). Available online at : <https://www.pewtrusts.org/fr/research-and-analysis/fact-sheets/2013/09/04/oman-is-first-arab-state-to-ratify-treaty-to-stem-illegal-fishing>

⁴ "Satteites Against Illegal Fishing in Mauritania". *German Information Centre* (April 9, 2018). Available online at: <https://germanyinafrica.diplo.de/zad-en/-/1897520>



1949 under the provisions of Article XIV of the Constitution of the FAO, has recently stepped up in adapting its institutional framework to respond efficiently to the current threats facing fisheries in the Mediterranean and Black Sea. It has also contributed to fostering more cooperation among members for the better monitoring and management of marine resources. The Mediterranean and the Black Sea are particularly vulnerable zones due to their semi-enclosed nature, where industrial, semi-industrial and artisan fishers from different countries

coexist.⁵ Small-scale vessels account for around 83 percent of the fishing fleet in operation in the Mediterranean and Black Sea.⁶ Such a situation contributes considerably to the increase in over-fishing, illegal fishing and unfair competition in the region. Many Arab states are especially more exposed to IUU fishing as they continue facing serious challenges, lacking experience, financial and physical resources or political stability to develop their fisheries sector by modernizing their fishing means and strengthening their capacity to fight against IUU fishing.

⁵ "The State of Mediterranean and Black Sea Fisheries". FAO (Rome, 2020), p xi. Available online at: <https://reliefweb.int/sites/reliefweb.int/files/resources/CB2429EN.pdf>

⁶ *Ibid.*, p. xxix.

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Illegal fishing is a direct result of economic, institutional fragility, not to mention corruption, weak governance and lack of transparency, rendering some countries more attractive to foreign fishers seeking low financial risk, tax evasion, high profit as it is an illegal activity and not regulated.

THE ROOT CAUSES OF ILLEGAL FISHING

Despite the improvements that had been made, most Arab fisheries are exploited by relatively small-scale and artisan operators, particularly in countries such as Somalia and Mauritania, whose rich fishing grounds attract foreign fishers from the EU, China and Russia with huge trawlers and an industrial fleet. Legal fishing by foreign fishers is not harmless to the Arab fisheries because subsidized cooperation contributes to over-fishing and stock depletion and fosters inequality between developed and developing or, to some extent, poor countries, as subsidies disproportionately fund big businesses at the detriment of small-scale and artisan fisheries. Therefore, subsidies should be regulated to reduce unfair competition⁷.

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low financial risk, tax evasion, high profit as it is an illegal activity and not regulated. Social and economic vulnerabilities of coastal populations and communities make them vulnerable to illegal fishing and illegal trans-shipment to foreign operators. War and political instability have also allowed the rise in illegal fishing by foreign operators in many Arab states.

Several Arab states failed to manage law enforcement and to monitor their respective fishing zones. Corrupt governments and weak states lacking the capacity and resources or the will for effective monitoring and control to deter the IUU fishing⁸. The Mediterranean Sea (Algeria, Morocco, Tunisia, Libya, Egypt, Gaza, Lebanon and Syria) is generally considered as a medium to poor zone with regards to fish productivity, consisting mainly of sardines and anchovies, as well as socially limited in the population of substantive species⁹. What make these countries less attractive to illegal fishing by foreign operators compared to Mauritania and Somalia?

⁷ "Global Response to Overfishing". Geneva Environment Network (25 Nov. 2021). Available online at: <https://www.genevaenvironmentnetwork.org/resources/updates/overfishing/>

⁸ S. Widjaja, T. Long, H. Wirajuda, et. al. 2019. "Illegal, Unreported and Unregulated Fishing and Associated Drivers". *Washington DC: World Resources Institute*, p. 3.

⁹ Izzat Hasan Feidi. "Fisheries development in the Arab World". *Fao, bulletin* 103 (Italy, 1998), p. 390.



Fishers cruise on a water channel near the Mediterranean Sea in Alexandria, Egypt.

THE CASE OF ILLEGAL FISHING IN YEMEN, SOMALIA AND LIBYA

The three countries are good cases to mention as they are categorized as “failed states,” having suffered from civil war and the absence of a strong central government. Off the coast of Yemen, one of the largest illegal fishing activities has flourished due to political instability triggered by the war waged by the Saudi-led Arab coalition in 2015, causing a serious threat to 90.000 Yemeni fishermen and half a million people employed by the fish industry. Fishery production in Yemen has fallen into 35 percent of what it was before the war¹⁰, hardening the humanitarian crisis and the looming starvation affecting millions of Yemenis since the beginning of

the war in 2014. Some fish caught illegally by foreign trawlers have docked in foreign countries – such as Kenya, Iran, and Oman. The Yemeni coast has also become part of a transshipment network: fresh and frozen fish are transshipped illegally from artisan boats in Somalia to Yemeni or Egyptian boats at sea¹¹. The increasing presence of foreign vessels in Yemeni coasts threaten the livelihood of Yemeni fishermen by both depleting stocks and raising insecurity within this unstable zone.

Somali waters are some of the richest fishing coasts in the world, in spite of being labeled as a weak country or “failed state,” destroyed by a decade of civil war, with poor local fishing and monitoring capacities¹².

¹⁰ Sarah Thomas, “Perils of the Sea”. CSIS (September 15, 2020). Available online at: <https://www.csis.org/analysis/perils-sea>

¹¹ “Global Evaluation of Fisheries Monitoring Control and Surveillance in 84 Countries: Yemen”. *IUU Risk Intelligence* (April 2018), p. 6.

¹² Jay Bahadur. *Illegal Fishing in Somalia and the Capture of State Institutions*. Global Initiative Against Transnational Organized Crime (June 2021). Available online at : <https://globalinitiative.net/wp-content/uploads/2021/07/GITOC-ESAObs-Fishy-Business-Illegal-fishing-in-Somalia-and-the-capture-of-state-institutions.pdf>



Somalian fisherman carries a swordfish from the port to the fish market on the eastern Curubo beach of Mogadishu.

Foreign vessels, particularly from Iran, Yemen and Southeast Asia, take opportunity of the fragile state to routinely engage in IUU fishing in the country's coasts. "Much of the fish caught in Somali coast ends in the European markets," Ocean campaign director Ricardo Aguilar said, urging the European Union to act against illegal fishing in Somalia¹³. As a result of the collapse of the central government in 1991, and decades of civil war that devastated the country's economy and state institutions, Somalia is fractured into different semi-autonomous regions ruled by competing authorities overseen by a weak federal government¹⁴. Despite peace efforts, Somalis have failed to reestablish a strong central government endowed by the legitimacy and the capacity to exercise authority across the country. Institutions are extreme-

ly weak, and corruption is widespread, with fishing licenses and permissions issued by one local authority that is often not recognized by another¹⁵, creating law voids and fragility well exploited by local and foreign fishermen.

Political instability combined with the absence of security has been caused by terrorism caused mainly by the al-Shabaab terrorist group, which encourages smuggling and illegal fishing in Somalia's coasts. Illegal fishing hurts Somalia's economy by depleting its fisheries, increasing poverty and piracy, and exacerbating conflicts, further compromising the country's stability. Foreign illegal fishing has also been instrumentalized by Somali "pirates" and other criminal groups, casting themselves as the defenders

¹³ Marta Madina, "European Union Must Act Against Illegal Fishing in Somalia and the Indian Ocean". *OCEANA* (April 23, 2009).

¹⁴ Matt Bryden, Theodore Murphy, "Somalia's election impasse: a crisis of state building". European Council on Foreign Relations (February 16, 2021). Available online at: <https://ecfr.eu/article/somalias-election-impasse-a-crisis-of-state-building/>

¹⁵ Jay Bahadur. *Illegal Fishing in Somalia and the Capture of State Institutions*. Global Initiative Against Transnational Organized Crime (June 2021), p. 1.



Gazan fishermen are seen emptying their catch in their boats after the removal of a fishing ban.

of Somali waters against foreign exploiters¹⁶. Despite growing efforts, because of political instability and the inability to monitor the country's EEZ, Somalia is likely to remain an attractive option for foreign fishing vessels.

With regards to Libyan fisheries since the fall of al-Qaddafi regime in 2011, most of Libyan old navy was destroyed during NATO airstrikes while many patrol vessels are struck in European ports, thus limiting the ability of Libyan guards to protect its fishing zone and fight against illegal fishing and other criminal activities¹⁷. Consequently, a report by IUU Risk Intelligence in 2017 mentions the increase of illegal fishing mainly by Italian trawlers, as well as Egyptian and Tunisian fishing boats from several provinces, targeting primarily bluefin tuna¹⁸.

THE CHALLENGES OF TRANS-SHIPMENT

Even if fishing by foreign vessels in Arab waters have been reduced, attributing to growing monitoring capacities through both international and regional agreements, trans-shipment remains a widely practiced activity and a serious problem to Arab fisheries. Trans-shipment is a transfer of catch from one fishing vessel to either another fishing vessel or to a refrigerated cargo vessel, which often takes place in the sea in international zones out of sight and monitoring by authorities. This activity helps to maximize fishing and profit opportunities. The pressure of growing demand, combined with illegal fishing by foreign vessels and trans-shipment, contributes to the over exploitation of

¹⁶ Jay Bahadur, *The Pirates of Somalia*. London: Vintage Books (2011).

¹⁷ "Global Evaluation of Fisheries Monitoring Control and Surveillance in 84 Countries: Algeria". *IUU Risk Intelligence* (January 2017), p. 3.

¹⁸ *Ibid*, p. 5.

The pressure of growing demand, combined with illegal fishing by foreign vessels and trans-shipment, contributes to the over exploitation of fish stocks in the Arab waters, leading to the increase in prices which consequently makes it less accessible to the poor.

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The case of Algeria is worth mentioning. Algeria is the third largest fisheries producer in the Mediterranean and the Black Sea with 103.000 tons (8.8 percent), following Turkey with 274.000 tons (23.3 percent) and Italy with 178.700 tons (15.2 percent)¹⁹. Yet, the country suffers frequently from fisheries shortage and surges in price. This can be explained by the inflation in staples, though IUU fishing also contributes to the depletion of stocks, as some Algerian operators would sell quantities of fish to European operators through trans-shipment.

Algeria, like Egypt and many other Arab countries, does not possess the adequate equipment and management plans to monitor their fishing vessels on the high seas, and demonstrate limited ratification to international agreements. For instance, not all vessels are equipped with

Vessel Monitoring Systems (VMS)²⁰. It is no coincidence that Algerian authorities have only recently stepped up their fight against IUU fishing by signing an agreement with the General Fisheries Commission for the Mediterranean last June for joint monitoring. This was done to ensure inspections were made in Algerian waters and the Mediterranean Sea in partnership with the European Fisheries Control Agency (EFCA) after months of serious shortage in fisheries and rise in the price, amid serious economic and political crises. According to FAO, the rise in costs borne by consumers is often associated with IUU fishing²¹.

Subsequently, illegal fishing by foreign operators constitutes a serious economic loss to several Arab countries lacking capacity and resources for the effective monitoring, control and surveillance (MCS) of their fishing sector. Moreover, legal international agreements cannot be effective enough to tackle IUU fishing if there is no real will to enforce

¹⁹ "The State of Mediterranean and Black Sea Fisheries". FAO (Rome, 2020). Available online at: <https://reliefweb.int/sites/reliefweb.int/files/resources/CB2429EN.pdf>

²⁰ "Global Evaluation of Fisheries Monitoring Control and Surveillance in 84 Countries: Algeria". *IUU Risk Intelligence* (January 2020); "Global Evaluation of Fisheries Monitoring Control and Surveillance in 84 Countries: Egypt". *IUU Risk Intelligence* (April 2018); "Global Evaluation of Fisheries Monitoring Control and Surveillance in 84 Countries: Yemen". *IUU Risk Intelligence* (April 2018).

²¹ "Mediterranean and Black Sea Countries Unite to Fight IUU Fishing". *Fao* (June 5, 2021). Available online at: <https://www.fao.org/gfcm/news/detail/fr/c/1403808/>



A fishing boat approaches the Gaza Port in Gaza City amid an Israeli blockade on the regional fishing zone.

the law, mainly in high seas. Although they are signatory to the FAO Compliance Agreement and have the necessary equipment and monitoring capacity, reports show that some countries like Morocco and Saudi Arabia had no reported legislative policy and management plans to regularly watch vessels in the high seas. Their fishing fleet does not operate beyond their waters²².

IUU FISHING AND ORGANIZED CRIME

In addition to legal and material vulnerabilities, authorities sometimes turn a blind eye on illegal fishing as a result of financial incentives, which encourage corruption, and the lack of will to tackle IUU fishing. Moreover, IUU fishing has tended to receive less

attention by the international community because states mainly put all their energy on other illegal activities such as drugs, arms trafficking, migration and terrorism. Yet, the growing awareness of serious consequences of IUU fishing urges the international community to strengthen international and regional cooperation.

IUU fishing begets several challenges to the world economy and poses more serious dangers on the Arab fishing sector. There is a rising consciousness that the main players engaged in illegal fisheries may also be involved in a range of illegal activities and transnational organized crime, including money laundering, tax and customs fraud, drugs trafficking and illegal immigrants smuggling²³. The intersection of IUU fishing

²² "Global Evaluation of Fisheries Monitoring Control and Surveillance in 84 Countries: Morocco". *IUU Risk Intelligence* (May 2019); "Global Evaluation of Fisheries Monitoring Control and Surveillance in 84 Countries: Saudi Arabia". *IUU Risk Intelligence* (April 2018)

²³ S. Widjaja, T. Long, H. Wirajuda, et. al. 2019. "Illegal, Unreported and Unregulated Fishing and Associated Drivers". *Washington DC: World Resources Institute*, p. 3.

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Since June 2021, the GFCM has been developing an international joint surveillance and inspection scheme across the Mediterranean, providing training on international law and operational monitoring to “further support comprehensive and harmonious inspections at sea,” as well as enhancing compliance and the capacity of surveillance. Under the framework of the GFCM, the EFCA has launched operations with inspectors from Albania, Algeria, Bosnia and Herzegovina, Libya, Montenegro, and Tunisia to ensure consistent inspections in the region²⁴.

CONCLUSION

Several studies have proved that IUU fishing is in fact a serious challenge that is causing a huge financial loss to the world economy, in addition to many other disastrous factors such as the extent of plastic pollution and climate change which seriously harms the growth and the reproduction of fish. Many Arab states are particularly vulnerable to IUU fishing, lacking

capacity to explore and control their fishing zones and protect their resources. Moreover, IUU fishing has become dangerous, causing damage to the socioeconomic structures of the coastal communities, disrupting employment, distorting fair competition at the expense of Arab states in the Mediterranean and Black Sea. This is linked to various crimes, meaning IUU fishing also contributes to the rise in organized crime, making many Arab states in North Africa, as well as the eastern and western coasts, vulnerable for illegal immigration crossing to Europe or for the transit of international arms, drugs and human trafficking.

The impact of war and political instability in Yemen, Somalia, and Libya continue to offer attractive zones to illegal fishing by foreign vessels, leading to the depletion of Arab fish stocks. Regional conflicts and bilateral tensions, such as that between Algeria and Morocco, have been seriously hampering regional cooperation. Given the serious impact of IUU fishing, there is a need to close cooperation between Arab states, providing technical assistance to less-developed countries such as Somalia and Maurita-

²⁴ “Mediterranean Countries Unite Against IUU Fishing”. *Fisker Forum* (June 6, 2021). Available online at: <https://fiskerforum.com/mediterranean-countries-unite-against-iuu-fishing/>

nia, and help them empower their ability to fight against IUU fishing. Arab states should adopt more transparency and strengthen cooperation with international and regional institutions like FAO and the GFCM for the regulation, monitoring and control of illegal fishing and trans-shipment.

Given the complexity of IUU fishing and its ties with other criminal activities, com-

batting against it requires close international and regional partnerships and joint operations between different security and marine apparatus. Cooperation between developed and developing or weak states should also be enhanced to ensure a fair and transparent fisheries system as well as enhancing a sustainable economy and improve food security for the vulnerable coastal communities.

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