



## **END ILLEGAL FISHING**

### **BACKGROUND**

On June 17, 2014, President Obama issued an executive memorandum directing Federal agencies to work together to combat IUU (Illegal, Unreported and Unregulated) fishing. In so doing, the President directed attention to a long recognized problem, that the U.S. market is providing an unintended financial incentive for continued illegal fishing beyond our shores and that these illegal activities have a host of negative consequences that should be addressed, including for American jobs, security, and conservation.

Under the memorandum, President Obama advised Federal agencies to work together as a Task Force and within 180 days submit recommendations to ensure that all seafood sold in the United States is legal through improved transparency and traceability. In December 2014, the Task Force issued recommendations that included a traceability program to track seafood from the point where it is caught to its entry into the U.S.. They also identified the need to increase international cooperation and capacity building; enhance enforcement capabilities; and expand stakeholder partnerships.

### **ACTION PLAN TO COMBAT BLACK MARKET FISHING**

On March 15, 2015, at the largest seafood show in North America, the Task Force announced its action plan to stop the import and sale of illegal seafood products in the United States. As directed by President Obama, the plan details key goals and time-bound markers for implementing the 15 recommendations outlined in the Task Force's earlier proposal.

The action plan is the culmination of nine months of intense preparatory work. It aims to draw together the array of powers of the US government and provides a roadmap to improve the implementation, application, and coordination of the diverse suite of tools identified in the recommendations to combat black market fishing. In the months that follow, the Task Force will need to follow a deliberative process to systematically close US borders to illegal fish. WWF remains committed to working with the Administration, the public, and responsible industry to ensure that all seafood sold in the United States is fully traceable to legal sources.

### **THE PROBLEM**

It is estimated that IUU fishing accounts for 13-31% of global catch, valued up to \$23 billion annually. The U.S. is the second largest market for seafood imports behind the EU, which already has regulations in place to combat IUU fishing through proof of legality and seafood traceability requirements. Unfortunately, without sufficient border measures in place here at home, i.e., traceability requirements, the U.S. continues to import significant amounts of illegally caught seafood. The unchecked entry of this illegal seafood into global and U.S. markets depresses seafood prices and unfairly competes with legally caught U.S. seafood products.

## **THE SOLUTIONS/RECOMMENDATIONS**

Key to the overall solution is breaking the link between major import markets, like the US, and international illegal fishing. WWF is urging the Task Force to ensure a comprehensive approach, covering all species and based on regulations, is implemented, built on a system of verifiable traceability and proof of legality. This should help streamline existing import and food safety requirements and processes, and has the potential to mirror the data transmission requirements that already apply to domestic fishermen. The solution should be flexible enough to withstand the passage of time, and should encourage industry innovation, including as it relates to databases, QR codes, and other technical realities of implementation.

A system for verifiable, full chain traceability and proof of legality should incorporate the following concepts:

- **Catch documentation for all seafood imported into the U.S.** that provides reliable and comprehensive information on the legal origin of the catch and that provides information on the species type, quantity, source vessel or aquaculture production center, time and location of catch or production, catch or production method, as well as compliance with monitoring, control, and surveillance (MCS) requirements specific to the source fishery. This is the type of information that domestic fishermen are already required to provide under fishery management plans.
- **Requirements for full chain traceability** so that the basic information required for a catch document or provided by domestic fishermen will stay associated with a fish product from point of harvest to sale, including as supplemented with additional information to assist in product tracking, such as changes in product weight and dates, locations, and entities involved in seafood processing and transfer. At all stages in the supply chain, the traceability system should allow for product segregation and tracking necessary to facilitate determinations around product legality.
- **Adequate digital tracking and/or recordkeeping** to efficiently facilitate the movement of the high volume of seafood products presented for import.
- **Refusal of entry** for all seafood products that fail to provide evidence of legal origin. The type of information transmitted through a catch documentation and traceability scheme should allow border officials, working in concert with expert agencies, to develop a risk-based targeting system, comparable to systems that exist for other commodity types, to more efficiently detain and, if appropriate, release products suspected of IUU harvest. Such a system should facilitate entry of products that do not trigger red flags in this system.
- **A verification system, structured around risk-based inspections and random audits** as overseen by relevant authorities. Industry actors at any point in a supply chain should be able to provide documentation of legal compliance to the U.S. government upon request. Requirements for use of vessel position location transponders and vessel identification numbers should be considered for inclusion in a verification system, as well as possible inspections of foreign and domestic facilities.

American fishers deserve a level playing field worldwide. American consumers don't want to eat stolen fish or inadvertently support international criminal networks that are often involved in illegal fishing as well as drugs, arms and human trafficking. And American seafood distributors and retailers will benefit if U.S. border controls require fish-exporting countries to assure legal sources and traceable supplies.