

# 1           **Organized Crime in the Fisheries Sector Threatens a Sustainable Ocean Economy**

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8           The threat of criminal activity in the fisheries sector has concerned the international  
9           community for a number of years. In more recent times, organized crime in fisheries as a  
10          phenomenon has come to the fore. In 2008, the UN General Assembly requested all states to  
11          contribute towards understanding the connection between illegal fishing and transnational  
12          organized crime at sea. Policy makers, researchers and civil society are increasing their  
13          knowledge of the dynamics and destructiveness of the blue shadow economy and the role of  
14          organized crime therein. Anecdotal, scientific and example-based evidence of the various  
15          manifestations of organized crime in fisheries, its widespread adverse impacts on economies,  
16          societies and the environment globally, and its potential security implications, is now publicly  
17          available. Here we present the current state of knowledge on organized crime in the fisheries  
18          sector. We show how the many facets of organised crime in the fisheries sector, including  
19          fraud, drug trafficking and forced labour, hinder progress towards the development of a  
20          sustainable ocean economy. With reference to worldwide promising practices, we highlight  
21          practical opportunities for action to address the problem. We emphasize the need for a shared  
22          understanding of the challenge and the implementation of intelligence-led, skills-based  
23          cooperative law enforcement action at a global level and a community-based approach in the  
24          supply chain of organized criminal networks at local level, facilitated by enabling legislative  
25          frameworks and increased transparency.

## 26 27           **MAIN TEXT**

### 28 29           **1. Introduction**

30  
31          The global community has for a number of years raised concern about the threat of  
32          criminality in the fisheries sector. In 2008 the UN General Assembly<sup>1</sup> sounded an alarm about  
33          the “possible connection between international organized crime and illegal fishing in certain

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34 regions of the world”<sup>2</sup>. It urged states to research the links between these two phenomena and  
 35 the evidence thereof, bearing in mind the “distinct legal regimes and remedies under  
 36 international law applicable to illegal fishing and international organized crime” respectively<sup>3</sup>.  
 37 The UN Security Council further considered in 2019 transnational organized crime at sea,  
 38 including fisheries crime, as a threat to international peace and security<sup>4</sup>. In 2011 a  
 39 comprehensive report highlighting the vulnerability of the global fishing industry to multiple  
 40 crimes, frequently organized, and global evidence thereof, was produced. The report  
 41 recommended a cooperative criminal law enforcement response to the problem, subsequently  
 42 echoed by the UN Commission for Crime Prevention and Criminal Justice, towards  
 43 preventing transnational organized crime at sea<sup>5</sup>. INTERPOL established a Fisheries Crime  
 44 Working Group in 2013 as a conduit for joint law enforcement operations targeting  
 45 transnational organized fisheries crime networks. Lessons learned were shared with the global  
 46 community, including high-level politicians, at annual international symposiums leading to  
 47 the adoption of a Ministerial Declaration on Transnational Organized Crime in the Global  
 48 Fishing Industry (Copenhagen Declaration) in 2018. The Declaration, currently supported by  
 49 28 states, maps a course of global commitment to combat transnational organized fisheries  
 50 crime to help foster a sustainable blue economy.

51  
 52 This review is a distillation of the 16th Blue Paper commissioned by the High Level Panel for  
 53 a Sustainable Ocean Economy which presents the current state of knowledge on the question  
 54 of how organized crime in the fisheries sector impedes the realization of a sustainable ocean  
 55 economy, including an examination of the various crime types falling under the term  
 56 “fisheries crime”, and what practical measures can be taken to counter this<sup>6</sup>.

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### 60 **Defining organized crime in the fisheries sector**

61 The modern fisheries sector is, like many other economic sectors, globalized, industrialized,  
 62 and integrated into the worldwide financial market; it is similarly exposed to organized crime.  
 63 Organized crime in the fisheries sector is unlikely a novel problem; the infamous gangster and  
 64 businessman Al Capone, for instance, exploited the fishing industry for rum running in the  
 65 1920s<sup>7</sup>. More likely, it is a recent labelling of a phenomenon borne of the current focus on  
 66 sustainable fisheries management in the context of a sustainable ocean economy, which has  
 67 focused attention on the role of organized crime in the emerging parallel shadow blue  
 68 economy.

69

70 Numerous definitions of organized crime exist<sup>8</sup>. Organized crime is often associated with  
 71 hierarchical, exclusive and monopolistic groups —with a strong ethnic or societal  
 72 commonality — leaning towards violence, a criminal sub-culture or otherwise deviant  
 73 behavior<sup>9</sup>. A broader understanding of organized crime, adopted here, is that it consists of  
 74 networks of individuals that converge and collaborate over time to commit crime, with the  
 75 networks’ profile varying from loosely knit flat structures to hierarchical chains of command,  
 76 with correspondingly diverse crime script (*modus operandi*)<sup>10</sup>. Organized criminal groups  
 77 may share characteristics with “conventional” businesses, such as structure and capability<sup>11</sup>,  
 78 and frequently operate in the “white-collar” realm<sup>12</sup>. The ability of the network to protect its  
 79 operations (“protection economy”) — through violence, bribery or extortion — is a common,  
 80 but not necessarily defining, feature of organized crime<sup>13</sup>.

81

82 From a legal perspective, organized crime is defined in the United Nations Convention on  
 83 Transnational Organized Crime (the Palermo Convention)<sup>14</sup> as a “serious crime” (an offence  
 84 “punishable by a minimum deprivation of liberty of at least four years or a more serious

85 penalty”) committed by a structured group of three or more persons with the aim of obtaining  
86 financial or other material benefit<sup>15</sup>.

87 Whilst international instruments provide a clear legal benchmark of what constitutes  
88 organized crime, outside the letter of the law, both conceptually and in practice, there is often  
89 ambiguity around what is regarded as “criminal behavior” and, in particular, the extent to  
90 which criminal economies associated with organized crime are “normalized” in any given  
91 community<sup>16</sup>.

92  
93 Crime in the fisheries sector is often referred to as “fisheries crime” or “fisheries-related  
94 crime”.<sup>17</sup> It includes a range of criminal offences throughout the value chain from the  
95 preparatory stage to at-sea activities to landing, processing, transportation, trade, and sale<sup>18</sup>.  
96 Criminal offences may thus be committed at sea, on land, at the coastal interface or in  
97 cyberspace, including the use of the Darknet<sup>19</sup>. A commonality is that the offences are profit  
98 driven, i.e., they are economic crime<sup>20</sup>. Many offences are conducted or continued  
99 extraterritorially, on the high seas and in other areas beyond national jurisdiction, such as  
100 regional seas, making most fisheries crime cases transnational crime with the added  
101 complication of jurisdictional obscurity<sup>21</sup>. Organized crime may take place within the fishing  
102 industry or from outside, using the sector as a cover for other criminal activities.<sup>22</sup> In practice  
103 many of the same issues pertaining to law enforcement will arise regardless of whether the  
104 organized crime is embedded in the industry or not<sup>23</sup>.

105

106 Two recent illustrative examples show how organized crime in the fisheries sector may  
107 unfold.

108

### 109 **The *Viking* case**

110 In February 2016 the Indonesian Navy intercepted and detained the fishing vessel *Viking* in  
111 Indonesian waters. The vessel was the subject of an INTERPOL Purple Notice, informing law  
112 enforcement agencies globally of the network’s use of numerous vessel identities and  
113 nationalities (flag states) and the unclear ownership structures of the vessel, making it  
114 difficult to identify which country had jurisdiction over the vessel and was responsible for its  
115 activities. The owners and operators of the *Viking* landed and marketed illegally caught  
116 Patagonian Toothfish from the Southern Ocean for over a decade in contravention of the  
117 multilateral fisheries management regime in the area. Their turnover from this vessel alone  
118 (there is good reason to believe that the network operated several such vessels) was estimated  
119 at around half a billion dollars.<sup>24</sup>

120

121 The documents presented on behalf of the vessel were forgeries and the vessel thus sailed  
122 under a false identity and flag. Unable to trace the vessel’s stated owner (suggesting it was a  
123 fictional company), the vessel was determined stateless and subjected to Indonesian  
124 jurisdiction. In Indonesia, document forgery is punishable with imprisonment of up to six  
125 years; gillnets were also found in the hold exceeding 2.5 km in length, a further infringement  
126 of Indonesian law, subject to five years imprisonment and a criminal penalty of up to  
127 US\$150,000. Investigations revealed three alleged core members of the network’s  
128 organization: the vessel’s master; an Australian national based in Singapore (who acted as the  
129 operator of the vessel) and a Spanish national, domiciled in South Africa (the likely beneficial  
130 owner of the vessel). The vessel operated out of ports across Southeast Asia and Africa using  
131 forged documents, landing, shipping, and trading Patagonian Toothfish; they sourced crew,  
132 supplies, and fuel across the world.

133

### 134 **The Rock Lobster Case**

135 In May 2001, following a tip-off, South African officials seized and opened a container  
 136 destined for the U.S. belonging to the South African company Hout Bay Fishing Industries  
 137 (Pty) Ltd. The container's contents included unlawfully harvested lobster tails and Patagonian  
 138 Toothfish. U.S. authorities were alerted and subsequently intercepted the next container  
 139 exported by the company to the U.S. A protracted cooperative investigation followed  
 140 involving South African and U.S. authorities, culminating in the arrest of the company's main  
 141 director and two others in 2003 and criminal proceedings in both South Africa and the U.S.  
 142 Investigations revealed that from 1987 to 2001 the network illegally harvested large quantities  
 143 of west and south coast rock lobster in South African waters for export to the U.S.,  
 144 systematically exceeding their authorised quota. The network bribed a large number of  
 145 government fisheries officers and laundered their profits in a complex web of properties and  
 146 offshore banks and trusts.

147 In South Africa, the main director of Hout Bay Fishing Industries was charged with fraud,  
 148 corruption, bribery, racketeering, violations of the fisheries law and customs offences. In the  
 149 U.S., the directors were found guilty of violating the Lacey Act (which renders it illegal to  
 150 introduce into the U.S. any fish or wildlife taken in contravention of the laws of another  
 151 country) as well as smuggling and conspiracy and were sentenced to imprisonment and  
 152 forfeiture. A U.S. court initially awarded the South African government around \$22.5 million  
 153 in restitution for damages,<sup>25</sup> (although investigators struggled to locate and freeze the main  
 154 director's assets to secure the restitution amount), and in September 2018, some 15 years  
 155 later, a final settlement agreement of \$7.5 million was ordered.

156

157 The above examples shed a light on how the various elements of organized crime may  
 158 aggregate in a sophisticated criminal operation in a commercial fisheries context and the  
 159 associated law enforcement challenges. It should be noted that the examples are merely  
 160 illustrative and are not intended as representative of how organized crime in fisheries  
 161 necessarily unfolds, including in the context of vulnerable coastal communities; examples of  
 162 the latter are discussed later in this review.

163

164

### 165 **Organized crime in the fisheries sector as an impediment to a sustainable ocean** 166 **economy**

167

168 The pursuit of a sustainable ocean economy requires balancing use of the ocean space and its  
 169 resources with the long-term carrying capacity of the ocean's ecosystems.<sup>26</sup> In line with the  
 170 three-pillared concept of sustainable development under the Rio process, a sustainable ocean  
 171 economy is premised on the sustainable use of the ocean from an economic, social and  
 172 environmental perspective.<sup>27</sup> Agenda 2030 (adopted at the United Nations Sustainable  
 173 Development Summit on 25 September 2015) extends the three dimensions of sustainability  
 174 to five areas of critical importance, namely, people, prosperity, peace, partnership, and planet,  
 175 which should inform synergized inter-agency policy interventions towards achievement of the  
 176 Sustainable Development Goals (SDGs).

177

178 Organized crime in the fisheries sector has the potential to severely undermine states' efforts  
 179 to achieve a range of SDGs, including "zero hunger" (SDG 2), "decent work and economic  
 180 growth" (SDG 8), "responsible consumption and production" (SDG 12), and "life below  
 181 water" (SDG 14). SDG 16 "peace, justice and strong institutions" is a core enabler of the  
 182 other SDGs<sup>28</sup>, and the targets found in SDG 16 find particular resonance in the context of  
 183 addressing manifestations of organized crime in fisheries<sup>29</sup>. This has particular resonance in  
 184 vulnerable coastal communities with few alternative livelihood options, rendering them

185 susceptible to recruitment by organised criminal networks.

186 Below we introduce the most common serious offences that may comprise manifestations of  
 187 organized crime in the fisheries sector. Illustrative examples are cited to highlight how the  
 188 impacts of these crimes may impede the pursuit of a sustainable ocean economy. The cited  
 189 examples underscore how the various types of crimes are crosscutting and thus, when they  
 190 converge on the ground, particularly in vulnerable communities, may give rise to a range of  
 191 complex adverse impacts.

## 192 **Fraud**

193 A large amount of documentation is produced along the fisheries value chain creating  
 194 significant potential for fraud (that is, deliberate misrepresentation or concealing of facts for  
 195 undue benefit)<sup>30</sup>. For example, in the *Viking* case, false vessel registration documents were  
 196 submitted at port comprising text clearly cut and pasted from Google translate and using  
 197 ordinary word processing software<sup>31</sup>. Fishing vessel identity fraud take place when a vessel's  
 198 identity is changed by, for example, not flying the correct flag at port, or physically hiding a  
 199 vessel's name to render it anonymous<sup>32</sup>. This is associated with "flag-hopping", a pattern of  
 200 re-registering a vessel with new flag states to confound investigations into its illegal  
 201 operations, as with the *Viking*<sup>33</sup>.

202 Fraudulent practices harm the reputation both of the legitimate fishing industry and the flag  
 203 state in question. Further, fraudulent fishing licences deprive coastal states of revenue due  
 204 from the legitimate allocation of fishing rights.

205 On the basis of fraudulent landing certificates, Trinidad and Tobago is cited as the world's 6th  
 206 largest shark fin exporter to Hong Kong<sup>34</sup>; the fins, in fact, are landed from foreign fishing  
 207 vessels and merely transit Trinidad and Tobago ports,<sup>35</sup> contributing to the global  
 208 international illegal trade of shark fins.<sup>36</sup> Also, in 2014, Trinidad and Tobago was cited by the  
 209 Convention for the Conservation of Antarctic Marine Living Resources (CCAMLR) as  
 210 trading in Patagonian Toothfish contrary to the region's fisheries management agreement, but  
 211 it was discovered that the trade documents attached to the toothfish exports to Canada citing  
 212 Trinidad and Tobago as the port of origin were fraudulent. Fraudulent practices can also give  
 213 rise to food hygiene risks. At landing, for example, false customs and health documentation  
 214 can disguise the origin of the catch or the flag of the vessel to avoid paying import tariffs or  
 215 complying with food hygiene regulations<sup>37</sup>.

216 In some instances, fish and fish products are fraudulently labelled to avoid paying higher  
 217 customs duty on high value species, enabling tax crime<sup>38</sup> and thereby depriving coastal states  
 218 of a further stream of economic revenue.

## 219 **Tax crime and money laundering**

220  
 221 The fisheries sector lends itself to tax crime given the ease with which criminals can change a  
 222 vessel's country of origin and identity and use fictitious companies as registered vessel  
 223 owners; this facilitates channelling profits to shell companies in tax havens to avoid paying  
 224 tax where the profit was generated<sup>39</sup>. Tax havens ("secrecy jurisdictions") are jurisdictions  
 225 that lack transparency around the beneficial ownership of bank accounts and companies,  
 226 making it particularly difficult to identify and prove tax crime.

227  
 228 Tax crime covers a range of violations of tax and revenue rules that are criminalized in law.  
 229 The loss of tax revenue via tax crime in fisheries is estimated to be significant, severely  
 230 undermining the development benefits of the sector, particularly adversely impacting states in  
 231 the Global South<sup>40</sup>. In Indonesia, an audit of 187 fishing companies by the Tax Directorate  
 232 General in 2016 identified potential unpaid tax revenue of around IDR 235 billion (more than  
 233 \$16 million). The introduction of law enforcement and policy reform in Indonesia against  
 234 fisheries crime has contributed to significant increase in tax revenue from the fisheries sector  
 235 (\$113 million in 2018)<sup>41</sup> (along with an increase of fish stocks<sup>42</sup>).

236  
 237 Money laundering (the intentional concealing or disguising of the illicit origins of the  
 238 proceeds of crime)<sup>43</sup> is a manifestation of tax crime and may also be an indication of  
 239 corruption. Organized criminal networks engage in money laundering in the fisheries sector  
 240 to integrate the proceeds of crimes committed along the fisheries value chain, or the proceeds  
 241 from illicit activities outside the sector,<sup>44</sup> into the legitimate economy<sup>45</sup>. Money laundering  
 242 hampers investigations into organized crime in the fisheries sector and frustrates prosecution,  
 243 including asset recovery, forfeiture of the proceeds of the crime and restitution of illicit gains.  
 244 In Russia, for instance, the “crab mafia”<sup>46</sup> has been linked to money laundering (as well as  
 245 illegal fishing and even assassinations of high-ranking public officials and competitors)<sup>47</sup>.  
 246 Many offences committed by organized crime groups in fisheries are “predicate offences”  
 247 (offences that are a component of a “primary” crime) to money laundering. In Indonesia,  
 248 fisheries crime is cited as a predicate offence under the Prevention and Eradication of Money  
 249 Laundering (Anti Money Laundering) Law<sup>48</sup>.  
 250

## 251 **Corruption**

252  
 253 Although there is substantial anecdotal evidence of corruption in the fishing industry, and it is  
 254 suspected as an enabling factor of many other crimes in the sector, there is limited formal  
 255 literature, and few decided cases, on the subject.<sup>49</sup> Corruption is the giving, soliciting or  
 256 receiving of any undue advantage that is aimed at causing an official to act or refrain from  
 257 acting<sup>50</sup>. This can include, for example, political figures or senior government officials using  
 258 their positions to influence the allocation of fishing licenses to companies in which they have  
 259 a personal business interest (“abuse of function”)<sup>51</sup>. An illustrative case currently under  
 260 investigation involves an Icelandic fishing company that allegedly used a bank of a  
 261 neighbouring country and shell companies in the Pacific to channel bribes to obtain fishing  
 262 licenses in Namibia.<sup>52</sup>

263 Corruption may take the form of bribes paid to reduce penalties<sup>53</sup>, to ignore illegal harvesting  
 264 of fish<sup>54</sup>, or to endorse landing data that is clearly false, as occurred in the Rock Lobster case.  
 265 Bribery may extend throughout the criminal supply chain, as in a San Diego case where it  
 266 was alleged that a U.S. company brought approximately \$17 million worth of sea cucumber  
 267 from Mexico into the U.S by illegally bribing officials along the entire supply chain<sup>55</sup>.

268 Corruption in the fisheries sector diverts revenue due to states to the “shadow economy” and  
 269 severely undermines advancement towards achieving SDG 16, in particular the goal to  
 270 substantially reduce corruption and bribery.

## 271 **Drug trafficking**

272 Fishing vessels are ideal modes of transport for the movement of drugs given their legitimate  
 273 presence at sea, the lack of transparency around their movement, identity and ownership, and  
 274 their ability to tranship and access small harbours. The use of fishing vessels to facilitate drug  
 275 trafficking (the illicit trade of substances that are subject to drug prohibition laws<sup>56</sup>) is well  
 276 documented: as mother ships from which smaller vessels traffic drugs; as support vessels for  
 277 go-fast boats transiting trafficking routes (e.g. in the Caribbean); or smaller fishing vessels  
 278 may traffic drugs directly to and from coastal landing sites and tranship the drugs to mother  
 279 ships beyond coastal jurisdiction<sup>57</sup>, for example in the Gulf of Guinea<sup>58</sup>.

280 Fishing vessels may traffic drugs in conjunction with transporting other illicit goods as well  
 281 as with the smuggling of migrants. In Trinidad and Tobago, for example, artisanal fishing  
 282 vessels transport drugs and guns from Venezuela to Trinidad and Tobago as well as illegal  
 283 migrants and in Jamaica, fishing canoes transport marijuana to Haiti where it is traded for  
 284 illegal weapons (the “drugs-for-guns” trade) or cocaine<sup>59</sup>. In the Gulf of Guinea, in 2006, a  
 285 fishing vessel, *MV Benjamin*, flying a Ghanaian flag, trafficked about 78 parcels (2,340 kg) of  
 286 cocaine into Ghana labelled as shrimps<sup>60</sup>.

287 There is evidence of a close connection between poaching of some high value species and  
 288 drug trafficking networks in certain parts of the world. In South Africa, for example, poached  
 289 abalone is bartered with local gangs for the ingredients to manufacture the synthetic drug  
 290 “Mandrax” as part of organized criminal networks illegally exporting abalone to the East<sup>61</sup>. In  
 291 Mexico, an intricate transnational poaching and drug and human trafficking network controls  
 292 the supply chain of illegally harvested Totoaba bladders, which are exported to China<sup>62</sup>. In  
 293 Colombia, organized drug trafficking in the fisheries sector interfaces with a range of inter-  
 294 related offences including trafficking of illegal arms, human trafficking, smuggling of fuel  
 295 and other contraband, large scale illegal fishing, and wildlife trafficking, requiring  
 296 coordinated operations between the national police, navy and air forces<sup>63</sup>.

297 The influx of drugs via sea, often in conjunction with illicit arms, appears to have a range of  
 298 negative impacts on the coastal communities they transit including a rise in levels of local  
 299 violence and associated increased security costs for local businesses (e.g. Trinidad and  
 300 Tobago<sup>64</sup>), weakened social cohesion and sense of security (e.g. Yucatán Peninsula, Mexico,  
 301 associated with the illegal sea cucumber fishery)<sup>65</sup> and increased gang-related activity, for  
 302 example, in Jamaica<sup>66</sup>. In South Africa research indicates that remote coastal communities,  
 303 such as Bufellsjagbaai, are under siege by organized criminal gangs illegally accessing  
 304 abalone on their doorsteps,<sup>67</sup> with women in the female-headed households becoming  
 305 accomplices to organized poaching operations with the result that they are subject to criminal  
 306 prosecution<sup>68</sup>. Given the central role of communities in the supply chain of organized criminal  
 307 networks, a community-based approach to complement a law enforcement response is  
 308 arguably valuable and the community, likewise, has a potential preventative role to play.<sup>69</sup>

309

### 310 **Crime in the labour market**

311

312 Forced labour – that is, work or services exacted from a person under the threat of a penalty  
 313 and for which the person did not offer him or herself voluntarily<sup>70</sup> – is increasingly  
 314 highlighted as pervasive in the fisheries sector globally. It is often a consequence of human  
 315 trafficking<sup>71</sup> or “trafficking in persons” (the procuring of and trading in human beings for the  
 316 purposes of exploitation)<sup>72</sup>. The problem is documented in a growing body of literature<sup>73</sup> and  
 317 is increasingly exposed in public media. For example, in 2017, employees of a Scottish  
 318 family-owned company operating a fleet of scallop dredgers were arrested in Southern  
 319 England after nine human trafficking victims were found on one of their vessels<sup>74</sup>. In the port  
 320 of Puntarenas, Costa Rican, police rescued 36 Asians who had been subjected to labour  
 321 exploitation on two fishing boats in 2014, arresting four individuals who were charged with  
 322 human trafficking.<sup>75</sup> In the fishing industry, indicators of forced labour include deception,  
 323 physical and sexual violence, intimidation, retention of identity documents, withholding of  
 324 wages, debt bondage and abusive working conditions<sup>76</sup>. Recruitment agencies play a central  
 325 role in facilitating human trafficking for forced labour.<sup>77</sup> In 2016, a foreign network operating  
 326 out of north Norway in the Barents Sea crab fisheries was identified as making use of forced  
 327 labour<sup>78</sup>; allegedly a Seychelles recruitment agency, together with Norwegian port agents,  
 328 facilitated the smuggling of migrant fishers from Indonesia to Norway.

329

330 Criminal networks in fisheries use forced labour to significantly cut costs and boost profits.<sup>79</sup>  
 331 In addition to the human rights implications, this results in unfair competition with legal  
 332 operators, which, in turn, can influence legitimate fishing companies to breach domestic  
 333 crewing-regulations in an attempt to remain competitive, such as in the Norwegian snow-crab  
 334 sector<sup>80</sup> and in Russia<sup>81</sup>.

335

### 336 **Fisheries offences**

337 Illegal fishing (fishing in violation of fisheries laws and measures) may also be a criminal  
 338 offence if it is criminalized under the law of the relevant jurisdiction. Some jurisdictions  
 339 provide severe criminal penalties for fisheries offences, such as Norway, where grave  
 340 offences attract a prison sentence of up to six years plus asset forfeiture. Illegal fishing is  
 341 criminalized in many jurisdictions around the world, including Ghana, Indonesia and South  
 342 Africa<sup>82</sup>. In practice, regardless of whether or not illegal fishing has been criminalized in a  
 343 jurisdiction, IUU fishing is a strong risk indicator of fisheries crime<sup>83</sup>.

344

345 The adverse impacts of large-scale over-fishing are well documented.<sup>84</sup> This includes severe  
 346 negative impacts on the state of commercially exploitable fish stocks: 2009 data estimated  
 347 that 18 percent of the global catch, valued at between \$10–23.5 billion, between 2000–2003  
 348 was lost to illegal or unreported fishing<sup>85</sup>. Latest FAO figures (2015 data) estimate that 59.9  
 349 percent of the worlds' commercial fish stocks are now fully fished<sup>86</sup> and a third of global fish  
 350 stock are over-exploited<sup>87</sup>. As fish stocks decline, the resource becomes more valuable,  
 351 attracting increasing involvement of transnational organized crime syndicates<sup>88</sup>. Successful  
 352 prosecution of organized networks can have positive effects on the targeted stocks, as  
 353 illustrated by the Rock Lobster case, which resulted in the dramatic recovery of the targeted  
 354 species (south coast rock lobster)<sup>89</sup>.

355

356 Large scale illegal fishing can cause severe economic loss to coastal states: the combined  
 357 annual economic loss due to illegal fishing to Mauritania, Senegal, Gambia, Guinea Bissau,  
 358 Guinea and Sierra Leone, for example, are estimated at \$2.3 billion<sup>90</sup>. A recent global study<sup>91</sup>  
 359 estimates that between 7.7 and 14.0 million metric tons of unreported fish catches are  
 360 potentially traded illicitly each year, suggesting that gross revenues of between US\$8.9 and  
 361 US\$17.2 billion are annually redirected out of the legitimate market through illicit trade. Asia,  
 362 Africa and South America, account for approximately 85% of total catch losses to likely illicit  
 363 trade globally. Africa is estimated to experience between US\$7.6 and US\$13.9 billion and  
 364 US\$1.8 and US\$3.3 billion losses annually in economic and income impacts, respectively,  
 365 due to the redirection of catches from legitimate to illicit seafood trade.<sup>92</sup>

366

367 In fishing communities with few alternative livelihood options, low-level poaching may  
 368 morph into, or co-exist alongside, organized criminal activity. In South Africa, this is evident  
 369 in the context of abalone and west coast rock lobster, where the boundaries between 'protest  
 370 poaching', opportunistic poaching and facilitation of, or involvement in, organized criminal  
 371 activity, are porous and often overlap.<sup>93</sup> The overexploitation of west coast rock lobster,<sup>94</sup> for  
 372 example, has led to thousands of subsistence fishers being unable to secure sufficient quotas  
 373 with the result that some have turned to illegal alternative income-generating activities<sup>95</sup>.

374 The UN Special Rapporteur on the Right to Food<sup>96</sup> has underscored the imperative of  
 375 curtailing illegal fishing to prevent its further adverse impact on food security. Fisheries  
 376 provide an estimated 17 percent of animal protein consumed worldwide, with the highest per  
 377 capita consumption in small island developing states<sup>97</sup>. In the West African region of the Gulf  
 378 of Guinea, where around 40 percent of the population reside in coastal areas, fish is the  
 379 predominant (and sometimes, only) source of animal protein consumed in coastal  
 380 communities<sup>98</sup>. In Jamaica, where large scale over-fishing has left most reef fish stocks over-  
 381 exploited<sup>99</sup>, the country is almost entirely dependent on imported fish for domestic  
 382 consumption.

383

384 The marine environment and associated ecosystems may also be negatively impacted by  
 385 organized crime in fisheries: piracy and armed robbery at sea in the Gulf of Guinea pose  
 386 threats to the marine environment via the risk of oil or chemical spills caused by the use of



387 destructive weapons to attack vessels and the transfer of the targeted vessel's cargo<sup>100</sup>. In  
 388 Nigeria, some local fishers struggling to sustain their livelihoods engage in illegal fishing in  
 389 the vicinity of oil pipeline installations, which risks causing oil leaks and marine pollution<sup>101</sup>.  
 390 In Mexico, fishers adversely affected by the poorly regulated governmental conservation  
 391 measures in the Gulf of California have turned to totoaba poaching for lack of legitimate  
 392 alternative livelihoods<sup>102</sup>. The use of gill nets in this illegal activity has brought the vaquita  
 393 porpoise (caught as by-catch) to the brink of extinction and resulted in severe damage to the  
 394 large marine ecosystem of the Upper Gulf of California<sup>103</sup>. Illegal dynamite ("blast") fishing,  
 395 associated with explosives trafficking, off the Tanzanian coast is highly destructive to the  
 396 affected marine habitat, including coral reefs, and fish stocks, with broader food security  
 397 ramifications<sup>104</sup>.  
 398

### 399 **Smuggling**

400  
 401 The fishing industry provides ideal cover for smuggling of otherwise legal goods from one  
 402 jurisdiction to another in violation of the law (often to avoid customs duties). In Ecuador, for  
 403 example, artisanal fishers smuggle subsidized Ecuadorian fuel to the neighbouring coast of  
 404 Colombia, where it is sold at considerable profit<sup>105</sup> and Trinidad and Tobago fishing vessels  
 405 have been implicated in the illegal trade of fuel. Ghana is reportedly at risk of losing about  
 406 GHS 1.5 billion (\$300 million) to the smuggling of fuel, which is trafficked by fishing vessels  
 407 and canoes.<sup>106</sup> Fuel is often smuggled alongside illicit goods, such as drugs, illegal weapons  
 408 and illegally harvested fish, as well as persons<sup>107</sup>.  
 409

410 The use of fishing vessels to smuggle migrants (that is, to facilitate or assist migrants to enter  
 411 a country illegally for financial or material benefit<sup>108</sup>) is alleged to be prevalent, but is less  
 412 well documented formally. Public media reports that artisanal fishing vessels are the mode of  
 413 transport to traffic migrant women from South American to Trinidad and Tobago, where  
 414 some are forced into prostitution and others transit to the U.S.<sup>109</sup>. There are also indications  
 415 that fishing vessels are linked to migrant smuggling in the Mediterranean,<sup>110</sup> Australia<sup>111</sup> and  
 416 Thailand<sup>112</sup>.  
 417

### 418 **Security threats at sea**

419 Various offences occurring at sea present a threat to peace and security; this can include  
 420 offences falling within the ambit of organized crime in fisheries. 'Fisheries conflicts', that  
 421 may arise from a combination of factors, including illegal fishing (along with climate change  
 422 and food security concerns), are recognised as a potential threat to maritime security and  
 423 livelihoods and there is a growing body of literature on the topic.<sup>113</sup> In the Gulf of Guinea,  
 424 numerous organized criminal activities at sea threaten peace and security, including piracy  
 425 and armed robbery, kidnapping for ransom, fuel and gas robbery and smuggling, drugs and  
 426 arms trafficking and illegal fishing<sup>114</sup>. This adversely impacts the economic bases of the  
 427 region's states via, e.g., increased insurance premiums for cargo vessels, which hinders the  
 428 movement of goods and services, resulting in lost income for businesses and governments and  
 429 a rise in goods and services<sup>115</sup>. In Nigeria, for example, piracy and armed robbery at sea is  
 430 associated with a diminished GDP contribution from domestic fishing sector as fewer  
 431 licensed fee-paying vessels are willing to go to sea<sup>116</sup>. Furthermore, coastal fishers who fear  
 432 putting out to sea in Nigeria due to violent attacks from illegal fishing vessels have been  
 433 recruited by organized criminal networks engaging in armed robbery at sea and oil-  
 434 smuggling,<sup>117</sup> and fishmongers — who are predominantly women — have in some instances  
 435 turned to prostitution to make ends meet<sup>118</sup>.  
 436

437 A recent Security Council Resolution expressed concern over the links between international  
 438 terrorism and organized crime, including transnational organized crime at sea<sup>119</sup>. The Security

439 Council has further highlighted the “complex relationship” between large-scale illegal fishing  
 440 and the international crime of piracy (defined in the UN International Law of the Sea)<sup>120</sup>, in  
 441 Somali waters in the Indian Ocean<sup>121</sup>; a similar link has been argued in the case of Southeast  
 442 Asia<sup>122</sup>.

443

## 444 **Challenges and positive practices**

445

### 446 **Challenges**

447 There are a number of globally identifiable law enforcement challenges concerning  
 448 identifying, investigating and successfully prosecuting organized crime in the fisheries sector.  
 449 Below we cite those commonly underscored in reports and outcome documents from expert  
 450 group meetings and relevant international gatherings, which draw on operational experience.

451

452 • Low national prioritization of organized crime in fisheries at political and operational  
 453 levels: “In many countries, crime linked to the fisheries value chain will not be  
 454 investigated because it is not seen as a major priority and it is difficult to  
 455 investigate”<sup>123</sup>;

456 • Lack of coordination between government departments and agencies nationally and  
 457 cross-border<sup>124</sup>;

458 • Inadequate criminal and criminal procedural legislative frameworks<sup>125</sup>;

459 • Lack of clarity of jurisdiction at sea and extra-territorial jurisdiction: as a result,  
 460 fisheries crime at sea (beyond national waters) is often not investigated or  
 461 prosecuted<sup>126</sup>;

462 • Lack of law enforcement agency and criminal justice capacity and skills, particularly  
 463 around associated financial investigations<sup>127</sup>; and

464 • Lack of transparency in the fisheries sector and financial sector<sup>128</sup>.

465

### 466 **Positive practices**

467

468 The complexity of organized crime in fisheries, the potential harm it may cause, and the  
 469 resources needed to combat it, all suggest that any strategy should place great emphasis on  
 470 crime prevention. In this regard, identifying socio-economic drivers of criminal activities is  
 471 key, including increasing knowledge of demand-driven markets, along with crime disruption  
 472 strategies and robust legislative frameworks that criminalize serious offences and attach  
 473 sufficiently deterrent penalties. As evidence suggests that many criminal networks have  
 474 already manifested themselves in the fisheries sector, the section that follows thus focuses on  
 475 enforcement responses, rather than preventative measures. That said, it is worth underscoring  
 476 that in vulnerable coastal communities, in particular, strengthening the inhabitants’ capacity  
 477 to withstand the intrusion of organized criminal activities is a valuable complement to any  
 478 law enforcement response<sup>129</sup>. As administrative measures alone are inadequate to deter the  
 479 illicit operations of criminal networks – the networks absorb such penalties as part of their  
 480 business models –<sup>130</sup> it is important to identify effective means to address their activities,  
 481 underpinned by robust cooperative criminal law enforcement and criminal procedural efforts.  
 482 Below, we cite some promising practices globally in this regard which, subject to critical  
 483 analyses, potentially offer ideas for practical ways forward.

484

485 • Inter agency cooperation at national level

486 Countries employ different cooperative inter-agency enforcement models to address  
 487 organized crime in fisheries. Indonesia, for example, uses a ‘single-roof’ enforcement agency  
 488 bringing together five enforcement agencies (the Ministry of Marine Affairs and Fisheries,  
 489 the Navy, the Marine Police, the Coast Guard, and the Attorney-General’s Office) under the  
 490 Minister of Marine Affairs and Fisheries; Norway’s National Advisory Group on Fisheries  
 491 Crime and IUU Fishing (Fiskeriforvaltningens Analysenettverk), brings together

492 representatives from the coast guard, the police, fisheries, maritime, tax, customs and labour  
 493 authorities, regularly to discuss fisheries cases; and Tanzania’s multi-agency task team on  
 494 environmental and wildlife crime (MATT), led by the Ministry of Home Affairs along with  
 495 the Ministries of Livestock and Fisheries Development, the Ministry of Energy and Minerals,  
 496 the Ministry of Natural Resources and the Tanzanian Police Force, coordinates efforts to  
 497 target fisheries crime in the region<sup>131</sup>. The Copenhagen Declaration underscores the  
 498 imperative of effective inter-agency cooperation; critical research on suitable governance  
 499 models would be desirable.

500       • Regional and global cooperation

501 Given the transnational nature of organized crime in the fisheries sector, cross-border  
 502 cooperation is imperative in investigations, including via the use of mutual legal assistance,  
 503 INTERPOL tools, and judicial requests to cooperate with other countries. The value of such  
 504 collaboration was highlighted in the *Viking* case, in which Indonesia invited a multilateral  
 505 team of experts and INTERPOL to help facilitate information sharing and analysis.  
 506 Successful cross-border investigative cooperation also facilitated prosecution in the Rock  
 507 Lobster case.

508       • Law reviews and reforms

509  
 510 Many jurisdictions criminalize fisheries offences and attached harsh deterrent penalties. For  
 511 example, the Ghanaian courts may impose a maximum penalty of two years imprisonment for  
 512 the illegal export of fish under the terms of the 2002 Fisheries Act and, in South Africa,  
 513 violations of most provisions of the 1998 Marine Living Resources Act are a criminal  
 514 offence, attracting a fine of up to ZAR 5 million (USD. 338 000). Legislation criminalizing  
 515 other offences falling under the fisheries crime umbrella is also valuable, such as Indonesian  
 516 Law 25/2003 on the Crime of Money Laundering, as is organized crime legislation such as  
 517 South Africa’s 1998 Prevention of Organized Crime Act, which criminalizes racketeering and  
 518 triggers asset forfeiture. The introduction of legislation against human rights abuse on fishing  
 519 vessels is gaining traction: e.g., in February 2019, Thailand ratified the ILO Work in Fishing  
 520 Convention No. 188 with a view to amending existing laws in lights of its provisions<sup>132</sup>.

521  
 522       • Capacity building and skills training in the criminal justice system

523 Capacity building can hone enforcement efforts against organized crime in fisheries.  
 524 Indonesia and Norway, for instance, offer professional accredited training in this regard via  
 525 the International FishFORCE Academy of Indonesia (established in December 2016) and the  
 526 Norwegian Police University College (since 2010) respectively. Particularly valuable also is  
 527 the enhancement of skills to conduct financial investigations pertaining to organized criminal  
 528 activities in the fisheries sector<sup>133</sup>.

529

530       • Information exchange and awareness raising

531 International networks that facilitate information exchange (mindful of data protection law  
 532 and principles)<sup>134</sup> and intelligence-led law enforcement efforts enhance law enforcement skills  
 533 to address organized crime in fisheries. International government organizations and  
 534 international knowledge-sharing symposiums can facilitate this. Legitimate businesses in the  
 535 fishing industry should also be made aware of organized crime in the sector to encourage  
 536 corporate social responsibility (CSR)<sup>135</sup> practices that improve transparency in the supply  
 537 chain. Illustrative examples exposed in the media – such as the Guardian’s 2014 revelation  
 538 that the world’s largest Thailand-based prawn farmer was purchasing fishmeal for its prawns  
 539 from suppliers linked to fishing vessels using human trafficking for forced labour and selling  
 540 the prawns to the public via top retailers<sup>136</sup> – have heightened public demand for improved  
 541 transparency of seafood production practice. Civil society can play a role in influencing the

542 substantive content of CSR practices and holding companies accountable for their  
543 implementation<sup>137</sup>.

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### 547 **Opportunities for action**

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549 With notable exceptions, the world community remains ill-informed that transnational  
550 organized crime in fisheries is a distinct problem alongside unsustainable global fisheries  
551 harvesting practices. States are thus largely unaware of the most suitable legal tools to address  
552 organized crime in fisheries and, further, that these measures differ from (yet compliment)  
553 instruments aimed at improved fisheries management. We suggest that states should first  
554 develop a common understanding of organized crime in the global fishing industry at a  
555 political level. Thereafter, at an operational level, they should identify and implement suitable  
556 technical and practical measures to address the challenge. The suggestions below are  
557 formulated as contributions towards the ‘solutions-oriented Report’ of the High Level Panel  
558 for a Sustainable Ocean Economy, the content of which is guided by pragmatism, cost-  
559 effectiveness and political feasibility.<sup>138</sup> To this end, they do not purport to suggest actions  
560 aimed at addressing the drivers of organized crime in fisheries; however, effectively  
561 addressing organized crime in fisheries will facilitate the achievement of a number of UN  
562 SDGs goals, which, in turn, may contribute to reducing the prevalence of involvement in  
563 organized crime in fisheries, particularly amongst vulnerable coastal communities.

564

565 In sum, to address organised crime in the fisheries sector, action in two stages is required:

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1. A common understanding of transnational organized crime in the fisheries sector at a global level is needed, coupled with political will to cooperatively address the challenge.
2. Political will must be translated into action via states harnessing practical tools to strengthen their law enforcement capacity to effectively tackle organized crime in the fisheries sector.

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In more detail, we suggest the following actions should be taken:

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1. States should be encouraged, at first instance, to:
  - Report to the UN General Assembly in response to the call made by UN GA Resolution 63/112 to examine connections between illegal fishing and organized crime in fisheries;
  - Raise the security implications of transnational organized crime in fisheries at the UN Security Council;
  - Formally support the 2018 International Declaration against Transnational Organized Crime (the Copenhagen Declaration);
  - Report annually on transnational organized crime in fisheries to the UN Commission for Crime Prevention and Criminal Justice (CCPCJ) and
  - Participate in regular international knowledge-sharing forums on organized crime in fisheries.
2. Thereafter, at a practical level, drawing on the positive practices identified above, armed with a common understanding of the problem, and drawing on best available knowledge, states should be encouraged to:
  - Strengthen national inter-agency cooperation;
  - Enhance cross-border cooperation;
  - Provide for enabling legal frameworks;
  - Improve criminal law enforcement capacity and skills;

- 593 • Strengthen community-based crime prevention, with a focused on gendered
- 594 implications, which will in turn strengthen the resilience of vulnerable coastal
- 595 communities and their ability to respond to organized fisheries crime;
- 596 • Facilitate civil society engagement with the fishing industry on CSR; and
- 597 • Support increased publishable research on organized crime in the fisheries sector.

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599

### 600 **3 Outlook**

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602 There is ample anecdotal, scientific and case-based evidence of the many manifestations of  
603 organized crime in the fisheries sector and its widespread adverse impacts on economies,  
604 societies and the environment, including its broader security implications. This review shows  
605 that organized crime in the fisheries sector is wide spread in the sense that it is not restricted  
606 to specific geographical locations but, rather, examples are found globally. That said,  
607 criminals will tend to seek out the most vulnerable regions of the world in which to conduct  
608 their activities, and fisheries crime thus appears to most adversely impact the coastal  
609 populations of states with limited resources to prevent and combat it.

610

611 There is a noticeable knowledge deficit with regards to the scale of organized crime in the  
612 fisheries sector. To date there is no publicly available statistical data estimating the extent of  
613 organized fisheries crime or mapping incidents of its location at a global level. Existing  
614 scientific output and data on criminality in the fisheries sector speak almost exclusively to  
615 illegal or unreported fishing, which does not take into account the range of criminal offences  
616 that occur throughout the fisheries value chain. There is a need to gain further scientific and  
617 criminological knowledge of the dynamics and scale of organized fisheries crime and the  
618 criminal networks involved therein, including data on the offences in which they engage, in  
619 order to identify, evaluate and implement the best measures to address the drivers thereof.

620

621 Organized crime in the fisheries sector has the potential to severely undermine the premises  
622 for a sustainable ocean economy with notable adverse social, economic and environmental  
623 implications. The problem is recognized as sufficiently severe to warrant states' mobilization  
624 to take political action. The rate at which support of the Copenhagen Declaration is gaining  
625 momentum, particularly amongst states from the Global South, attests to the fact that states  
626 are increasingly acknowledging the existence, extent and adverse impacts of organized  
627 fisheries crime. Further, states acknowledge that a failure to effectively address organized  
628 fisheries crime will result in a widespread inability to fulfill among others the SDG 16 goal of  
629 'peace, justice and strong institutions' and, ultimately, will hinder the realization of a  
630 sustainable ocean economy. A next important step will be for states supporting the  
631 Declaration to identify practical measures to operationalize their political commitments on the  
632 ground.

633

634

#### 635 **Acknowledgments:**

636

637 This review is adapted from a Blue Paper commissioned by the High Level Panel for a  
638 Sustainable Ocean Economy entitled 'Organized Crime in the Fisheries Sector'. Special  
639 thanks to the anonymous reviewers for their insightful input as well as to Anna Armstrong,  
640 Senior Editor, Nature, for her encouragement and kind assistance.

641

642 The authors declare that there are no competing interests.

643

#### 644 **Author contributions:**

645

646 EW is the first co-lead author: she was originally approached by the High Level Panel for a  
647 Sustainable Ocean Economy to lead the commissioned Blue Paper 16 on Organized Crime in  
648 the fisheries sector; she was tasked with the responsibility of appointing co-lead authors and  
649 contributing authors and delivery of the final product. She crafted the substantive text for the  
650 original draft framework paper, assigned writing roles and thereafter coordinated all  
651 substantive input. She further provided input on organized crime in fisheries in the South  
652 African context. This review is based on the Blue Paper 16; EW led its substantive  
653 reformulation.

654 MAS is the second co-lead author. He provided substantive input to the draft framework  
655 paper, with specific reference to Indonesian examples, assisted in shaping the content of the  
656 paper and provided support throughout the writing process. He contributed to the  
657 reformulation of this review.

658 KD-A is the third co-lead author. He provided substantive input to the draft framework paper,  
659 with specific reference to Gulf of Guinea examples and with particular input on maritime  
660 security concerns in the context of organized crime in the fisheries sector, assisted in shaping  
661 the content of the paper and provided support throughout the writing process. He contributed  
662 to the reformulation of this review.

663 GH is an invited contributing author. She provided substantive input on sections of the Blue  
664 Paper concerning financial crime in the fisheries sector.

665 YH is an invited contributing author. He provided substantive input on sections of the Blue  
666 Paper concerning money laundering in the fisheries sector, specifically in the Indonesian  
667 context.

668 SM is an invited contributing author. She provided substantive input on sections of the Blue  
669 Paper concerning organized crime in the fisheries sector in the Caribbean context.

670 IO-Y is an invited contributing author. She provided substantive input on sections of the Blue  
671 Paper concerning the impact of organized crime in the fisheries sector on coastal  
672 communities, particularly in the Nigerian and in the broader Gulf of Guinea context.

673 IAQ is an invited contributing author. She provided substantive input on sections of the Blue  
674 Paper concerning the interface between environmental crime and organized crime in the  
675 fisheries sector in the Mexican context.

676 OS is an invited contributing author. He provided substantive input on sections of the Blue  
677 Paper concerning organized crime in fisheries in the context of Colombia.

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**Endnotes:**

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- <sup>2</sup> Ibid para 59.
- <sup>3</sup> Ibid.
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- <sup>14</sup> UN (United Nations). 2004. United Nations Convention Against Transnational Organized Crime and the Protocols Thereto (UNTOC). New York: UN. **This United Nations Convention, which contains the most widely accepted legal definition internationally (through state ratifications) of ‘organized crime’, and includes a dedicated Protocol to combat human trafficking, promotes the use of law enforcement tools, such as mutual legal assistance, to cooperatively combat transnational organized crime globally.**
- <sup>15</sup> Ibid, Article 2.
- <sup>16</sup> Shaw, M. *Africa’s Changing Place in the Global Criminal Economy*. 2017. ENACT.
- <sup>17</sup> UNODC (United Nations Office on Drugs and Crime). 2019. *Rotten fish: A Guide on Addressing Corruption in the Fisheries Sector*. Vienna: UNODC. **This guide provides an overview the potential for corruption along the fisheries value chain and provides guidance to authorities in identifying the specific areas in their legal and regulatory frameworks susceptible to corruption, and how to act to address those weaknesses to reduce its impact and develop safeguards to prevent its return;** FAO (United Nations Food and Agriculture Organization). 2019. *Draft: Guidance on Social Responsibility in Fisheries and Aquaculture Value Chains*. Rome: FAO. <https://socialfisheries.fao.konveio.com/>.
- <sup>18</sup> UNODC (United Nations Office on Drugs and Crime). 2017. *Stretching the Fishnet: Identifying Opportunities to Address Fisheries Crime*. Vienna: UNODC.

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<sup>20</sup> UNODC (United Nations Office on Drugs and Crime). 2019. *Rotten fish: A Guide on Addressing Corruption in the Fisheries Sector*. Vienna: UNODC.

<sup>21</sup> NA-FIG (North Atlantic Fisheries Intelligence Group). 2017. “Chasing Red Herring: Flags of Convenience, Secrecy and the Impact on Fisheries Crime Law Enforcement”. Oslo: NA-FIG. **This report draws on case examples to highlight how lack of transparency around beneficial ownership of fishing vessels and associated corporate financial bodies frustrates investigations into organized fisheries crime.**

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<sup>29</sup> Kercher 2018 *ibid*.

<sup>30</sup> UNODC (United Nations Office on Drugs and Crime). 2017. *Stretching the Fishnet: Identifying Opportunities to Address Fisheries Crime*. Vienna: UNODC.

<sup>31</sup> NA-FIG (North Atlantic Fisheries Intelligence Group). 2017. “Chasing Red Herring: Flags of Convenience, Secrecy and the Impact on Fisheries Crime Law Enforcement”. Oslo: NA-FIG.

<sup>32</sup> *Ibid*.

<sup>33</sup> *Ibid*.

<sup>34</sup> The Pew Charitable Trusts Environmental Group. 2012. “Navigating Global Shark Conservation: Current Measures and Gaps.” Washington D.C.: Pew.

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<sup>39</sup> NA-FIG 2017 op cit n 21.

<sup>40</sup> OECD 2013 op cit n 38.

<sup>41</sup> Indonesian Ministry of Finance. 2019. “Government Revenue Model”. Jakarta: Indonesian Ministry of Finance.

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<sup>68</sup> Isaacs, M. and Witbooi, E. 2019 *ibid*.

<sup>69</sup> Hübschle, A. and C. Shearing. 2018. *Ending Wildlife Trafficking: Local Communities as Change Agents*. Geneva: Global Initiative Against Transnational Organized Crime. <http://globalinitiative.net/wp-content/uploads/2018/08/TGIATOC-Wildlife-Trafficking-Report-WEB-4.pdf>. Accessed October 18 2019; Cooney, R., D. Roe, H. Dublin and F. Booker. 2018. *Wild Life, Wild Livelihoods: Involving Communities in Sustainable Wildlife Management and Combating Illegal Wildlife Trade*. Nairobi: United Nations Environment Program; Isaacs, M. and E. Witbooi 2019 *ibid* and Hauck, M. and N.A. Sweijd. 1999. "A Case Study of Abalone Poaching in South Africa and its Impact on Fisheries Management." *ICES Journal of Marine Science* **56**: 1024–1032.

<sup>70</sup> ILO (International Labour Organization). Forced Labour Convention, 1930 (No. 29) (Forced Labour Convention), Article 2(1).

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