
ILLEGAL, UNREPORTED AND UNREGULATED FISHING IN INDIAN OCEAN REGION

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ABSTRACT

Even though IUU (Illegal, Unregulated, and Unreported) Fishing is the most critical issue right now, the state of affairs is sad risk to maritime security. The current marine security system has been hampered by non-traditional threats. Additionally, the Indian Ocean's rising use of coercive tactics and immoral behaviour is undermining the region's security system. Due to the fierce rivalry to display power, the strategic environment of several nations has experienced a significant alteration. Having significant negative effects on the economy, security, and environment. The challenging global security environment suggests insufficient effectiveness in maritime governance. Illegal, unreported, and unregulated (IUU) fishing practises are common and pose a threat to maritime worldwide security system. Additionally, the lack of RFMOs Regional Fishery Management Organisations has become a crucial issue geographical problem. Despite attempts by international and regional organisations to fill in their legal gaps, the pressures on fish populations in the Indian Ocean have not decreased. The notion of IUU fishing will be clarified, and it will also be discussed why this type of fishing poses one of the biggest risks to the Indian Ocean. The report will also go into India's legal system for preventing IUU fishing.

Keywords: Illegal, Unregulated, and Unreported, Information Management, economy, security, and ecology

INTRODUCTION

The Indian Ocean saw up to 392 reported instances of illicit, unreported, and unregulated fishing in 2021 as opposed to 379 in 2020, the Navy revealed. The Indian Navy reports that more than 200 Chinese fishing boats have been observed in the Indian Ocean in the first half of this year, despite the fact that the amount of illegal, unreported, and unregulated (IUU) fishing outside of India's Exclusive Economic Zone (EEZ) has continued to climb. The Northern Indian Ocean Region (IOR) is home to the majority of unlawful activity. The Navy stated in its written response to questions from *The Hindu* that fishing vessels from China, the European Union, and other nations outside the region had been seen in the Indian Ocean. The Information Management and Analysis Centre (IMAC) has been keeping an eye on the existence of extra-regional remote water fishing fleets. The Navy stated in its written answer that 200–250 Chinese fishing vessels had been observed in the Indian Ocean, with a significant concentration in the northern Indian Ocean, without providing any further information on individual incidents. "A total of 392 recorded instances of IUU fishing were observed in the Indian Ocean in 2021 compared to 379 in 2020."¹ The number of Chinese deep sea fishing trawlers operating in the Indian Ocean has increased, as has China's overall nautical presence in the area, as was previously reported. In addition, two Chinese research ships that are capable of tracking missile testing are now in the Indian Ocean. As they operate far from the Chinese shore and have an impact on the surrounding marine ecology, Chinese deep sea trawlers have raised concerns across the region, particularly India. For instance, the IOR saw an average of at least 500 Chinese deep sea trawlers between 2015 and 2019.

IUU FISHING IN THE INDIAN OCEAN: A SECURITY THREAT

Despite the fact that IUU (illegal, unregulated, and unreported) fishing poses the greatest danger to marine security, the current situation is bleak. Modern marine security measures are under attack from non-traditional dangers. In addition, the region's security system is negatively impacted by the increasing use of coercive methods and unethical behaviour in the waters of the Indian Ocean.² The strategic environment of the region has changed significantly as a result of fierce competition to exert power, which has had negative effects on the economy, security, and ecology. China's rise to global dominance is a reflection

¹ Vajiram and Ravi, "Illegal, Unreported and Unregulated (IUU) Fishing" (15/11/2022).

² Harshita Kanodia, "IUU Fishing in the Indian Ocean: A Security Threat" (11/05/2022).

of both its blatant disdain for international law and its care for the region. Additionally, Beijing's unlawful fishing practises contribute to the critical fisheries' further depletion, which satisfies Beijing's desire for global dominance and renewal. The region's poor security situation makes the absence of adequate ocean governance clear. The vulnerability in both domestic and foreign waterways is heightened by widespread IUU fishing practises that disobey international law. Additionally, the inadequacy of Regional Fishery Management Organisations (RFMO) has evolved into a crucial geopolitical issue. The Indian Ocean's fish stocks are still under stress due to organisational shortcomings in both global and regional entities.

TO COMBAT IUU FISHING IN INDIAN OCEAN REGION

According to the *Illegal, Unregulated and Unreported Fishing*, China will continue to lead the world in 2019 and 2021. The nation owns the largest trawler fleet in the world, which the government extensively supported to encourage the owners to venture into international waters. Additionally, these frequently work as the PLA's proxies and engage in surveillance and foreign intelligence missions. The Western Indian Ocean is highly polluted by China's maritime offences. Chinese fishing vessels frequently enter the eastern coastline of Africa illegally as a result of the South and East China Seas' diminishing resources. Additionally, according to sources, Chinese vessels with a history of engaging in illegal activity may have trespassed into Yemen's and Oman's exclusive economic zones. Since several Chinese-backed businesses have recently fished onshore in these nations, it is clear that Madagascar and Somalia's waterways are being exploited to the fullest extent possible.³

Contrary to claims made by the Chinese government that it would restrict squid fishing on the high seas, Beijing has been significantly involved in illegal squid fishing activities. Additionally, China illegally harvests enormous quantities of tuna as a byproduct of squid fishing. Furthermore, while having a thorough strategy and policy in theory to combat IUU fishing, the European Union (EU) exploits remote waters for tuna. Yellowfin tuna overfishing in the Indian Ocean made headlines, and the EU was criticised for being inconsistent and charged by the coastal governments with acting in a colonial manner. In 2019, EU members France and Spain caught more yellowfin than any other resident state, with 70,000 tonnes total. EU ships capture enormous quantities of fish with the help of their fish-aggregating devices (FADs), outpacing indigenous fishing organisations and leaving small IOR nations with no

³ Vajiram and Ravi, "Illegal, Unreported and Unregulated (IUU) Fishing" (15/11/2022).

fish. Because of this, it is thought that the yellowfin tuna population in the Indian Ocean is on the edge of extinction.⁴

State of India's Fisheries Sector

Indian Scenario: India is the world's second-largest producer of fish, accounting for 7.56% of worldwide production and providing approximately 7.28% of the country's agricultural Gross Value Added (GVA) in addition to making up around 1.24% of the nation's overall GVA. India wants to produce 22 million metric tonnes of fish between 2024 and 2025. The industry is acknowledged as a potent force behind giving 14.5 million people jobs and ensuring the livelihood of the nation's 28 million fisherman.

Fisheries Sector has Witnessed Three Major Transformations in the Last Few Years

- The expansion of freshwater aquaculture in inland waters.
- The mechanisation of fishing for catch.
- The start of brackish water prawn aquaculture with success.

INTERNATIONAL FRAMEWORK ON IUU FISHING

Since the UNCLOS was adopted in 1982, an international framework has been evolving to address fisheries management, with an increase in the number of fisheries management instruments starting in the 1990s. The management of fisheries at the global, regional, and national levels is facilitated by this framework, which is made up of both legally enforceable agreements and voluntary mechanisms. This framework includes a number of laws and regulations that directly address IUU fishing. These provisions and guidelines relate to market State measures, coastal state obligations, flag state performance, and port state measures, or a combination of all or some of these. Recently, instruments that explicitly address IUU fishing have been developed and agreed upon; together, these instruments make up a potent arsenal of weapons against IUU fishing, and IUU fishing can only be eradicated when States fulfil their obligations under this framework. The responsibility for tackling IUU fishing issues within each EEZ belongs to coastal governments under the United governments Convention on the

⁴Australian National University, "Combatting IUU Fishing in the Indian Ocean" *NATIONAL SECURITY COLLEGE Crawford School of Public Policy ANU College of Asia & the Pacific* (23/8/2023).

Law of the Sea (UNCLOS). Regional fisheries management organisations, such as the Southern Indian Ocean Fisheries Agreement and Indian Ocean Tuna Commission, keep an eye on IUU fishing on the high seas in accordance with UNCLOS.

Palk Bay Scheme

The Centrally Sponsored Scheme titled "Diversification of Trawl Fishing Boats from Palk Straits into Deep Sea Fishing Boats" was introduced in 2017. It was introduced as a component of the overarching Blue Revolution Scheme.

The Marine Fisheries Bill, 2021

It would restrict the issuance of licences to fish in the Exclusive Economic Zone (EEZ) to only those vessels registered under the Merchant Shipping Act, 1958.

Indo-Pacific Maritime Domain Awareness

In May 2022, the Quad members launched a significant regional initiative under the umbrella of IPMDA in response to the effects of IUU fishing, which can result in the depletion of fish populations and have an influence on marine ecosystem. With this, the marine image of "near-real-time" activity in the area will be more accurate. It (IPMDA) is anticipated to serve as a catalyst for India and other Quad partners' collaborative efforts to solve IUU in the Indo-Pacific region.

IFC-IOR

The Information Fusion Centre-Indian Ocean Region (IFC-IOR), which is housed beside the Information Management and Analysis Centre (IMAC) of the Indian Navy in Gurugram, keeps track of all ship movements at sea.⁵ IFC-IOR has been working with other regional monitoring hubs all across the world to improve maritime security and safety, including initiatives to track IUU.

PROHIBITION OF FOREIGN VESSELS ENTERING INTO INDIA

Foreign vessels are prohibited to enter into to the Indian ocean. Because of entirety of

⁵Drishti Publications, "Rising Illegal, Unreported and Unregulated (IUU) Fishing" *Daily Updates* (14/11/2022).

foreign vessels, the illegal, unreported and unregulated fishing is happening more. Mainly in Bay of Bengal and Arabian sea the IUU fishing is done at large. Only for research purpose the foreign vessels can enter in Indian ocean, Before the foreign vessels enter in to India they need to get licence. The licence will be granted under section 4 of Merchant shipping act. Any permission given to an Indian citizen to use or employ foreign fishing vessels in any maritime zone of India and in effect immediately before the commencement of this Act shall, if the terms and conditions of such permission are not in conflict with the provisions of this Act, be deemed to be a permit granted under this section and such permission shall continue to be in effect notwithstanding anything contained in the foregoing provisions of this section or in section 3. If the Central Government has a good reason to believe that the holder of a licence or permit has provided information in connection with an application for the issuance or renewal of such a licence or permit that is inaccurate or false in material particulars, in violation of a rule or order issued pursuant to such a rule or order, or of any provisions of such a licence or permit or any conditions or restrictions specified therein, the Central Government may suspend such licence or permit.

The Central Government may, without affecting any other penalties to which such holder may be subject under the provisions of this Act, cancel such licence or permit, as the case may be, when it is satisfied following any necessary investigation that the holder of any licence or permit has made such incorrect or false statement as is referred order made thereunder or of the provisions of any licence or permit or any conditions or restrictions specified therein. Every rule made under this section must be laid before each House of Parliament as soon as possible after it is made, while each is in session, for a total of thirty days, which may be divided into one session or two or more successive sessions. If, before the expiration of the session immediately following the session or the successive session aforesaid, both Houses agree in making any modification to the rule or both Houses agree that the rule should not be made, the rule may be changed or. The regulation shall therefore only apply in such modified form or not at all, as the case may be; provided, however, that any such modification or annulment shall not affect the validity of any action taken prior to such modification or annulment.

CONCLUSION

Due to globalisation, there is now a sizable market for fish products abroad,

necessitating international commerce. Increased awareness is required because this pursuit is essential to the development of the nation, as is the methodical collection of data that can identify and assist in locating IUU fishing lanes. Fishery managers should adopt a more cautious, ecosystem-based strategy when there is a paucity of knowledge about a specific species. This could have positive effects on the ocean ecology, leading to cleaner ocean. Illegal fishing practises can be avoided and data on fishing operations can be better monitored with electronic surveillance and observer presence. It is vital to conduct environmental impact assessments of all fisheries and make sure that there are sufficient biological indicators in place before significant fisheries activities can be started. The fight against IUU fishing still needs to be addressed more in international treaties, despite the ongoing efforts of both national and international organisations to do so. It poses a serious hazard that could cause widespread extinction if quick action is not done to monitor and regulate IUU fishing.

SUGGESTION

1. Enforce stricter fishing regulations, including catch limits and gear restrictions, to prevent overfishing.
2. Implement vessel tracking systems and satellite technology to monitor fishing activities in real-time.
3. Foster collaboration among Indian Ocean countries to share information and jointly patrol waters for IUU vessels.
4. Establish a robust traceability system to track seafood from catch to market, ensuring legality and sustainability.
5. Educate the public about the ecological and economic impacts of IUU fishing to discourage its support.
6. Embrace drones and other technological advancements for remote monitoring of fishing activities.
7. Impose substantial fines, penalties, and asset confiscation for those involved in IUU fishing.

8. Ratify and implement international agreements like the Port State Measures Agreement (PSMA) to deter IUU activities.
9. Train officials, law enforcement, and local communities to identify and combat IUU fishing.
10. Support communities in adopting sustainable livelihoods beyond IUU fishing to reduce dependence. By taking these succinct steps, the Indian Ocean region can combat IUU fishing and promote the health and sustainability of its marine resources.