

Illegal fishing in the central and South Pacific¹

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There has been a lot of information in the news on the so-called 'blue boats' entering domestic waters, since they have been found in Palau, Federated States of Micronesia, Papua New Guinea and as far south as Australia and New Caledonia. Blue boats have been spotted, arrested and rerouted towards Noumea by the French Navy already twice in early 2017. It is true that most of these boats come from Vietnam, but this is only part of the story.



A typical 'blue boat' filled with plastic drums used to store salted marine products (image: French Armed Forces in New Caledonia).

Most of the boats apprehended have Vietnamese citizens on board and many come from Vietnamese ports, but Mr Vu Duyen Hai, the head of the Vietnamese delegation to the Western and Central Pacific Fisheries Commission, doubts Vietnam's responsibility.

'Some other countries have informed us that Vietnamese boats also come to other countries like Palau or Micronesia to poach but Vietnam is not so sure that these are Vietnamese vessels.'³

He accepted that some fishing vessels stray outside Vietnam's 200-mile exclusive economic zone (EEZ), but he said this is because they 'follow the fish' and most do not have equipment to find out if they have mistakenly entered into other countries' EEZs.

He also said that the Vietnamese government has tried to address the issue, checking local fishing vessels but

'sometimes, fishing vessels go out, switch off their communication equipment and authorities cannot locate them. This has become a problem and now they are also against this and it has very heavy penalties including removal of licenses for ever.'³

And that is perhaps the most telling issue: such fishers clearly leave Vietnam on very long fishing trips, intending to fish illegally, and the risk of losing a fishing licence appears not to deter them.

They make it all the way to other countries in the knowledge that even if coming back may not be an option, it remains good business.

The Federated States of Micronesia authorities assessed that the price of purchasing one of the small boats, which can accommodate 10 to 13 crew members, is about 300 million Vietnamese Dong (approximately USD 12,000). The small

¹ Adapted from Francisco Blaha's blog : <http://www.franciscoblaha.info/blog/>

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³ Source : <https://www.facebook.com/groups/VanuatuNews.vu/permalink/1226168907477229/>

boats carry 25,000 litres of fuel when they leave the port in Vietnam. They return to port when the fuel gets down to around 10,000–15,000 litres of fuel.

The large ‘blue boats’, which can carry 16 to 17 crew members, cost around 600 million Dong (approximately USD 24,000). These bigger boats carry approximately 35,000 litres of fuel and return to port when the fuel gets down to 15,000 litres.

The price for diesel fuel in Vietnam has only changed negligibly in the last few months. On 5 September 2016, the price per litre was USD 0.50. At that price, it costs about USD 12,500 to fuel an extended journey on one of the bigger boats. The journeys are intended to last two to three months, and the crew bring enough food for themselves for that period of time.

The other obvious option is to assume that there must be a logistic arrangement between these boats and a fleet of carriers, where these carriers pick up the catch and provide fuel, which allows the boats to stay at sea for such extended periods and reach destinations as far as New Caledonia. If the boats have a fleet of carriers accompanying the foray, radios and GPSs are required on every boat.

In any case, the vessels are very basic, so their cost is not a disincentive if they are seized. Add to this the massive over-capacity in fishing fleet size and subsidies that the Vietnamese government provides for building boats,⁴ and the present scenario of substantial illegal migratory fishing is not surprising.

The previous and ongoing Vietnamese fisheries subsidies policies on fuel and vessel renewal, upgrading, infrastructure, etc., offset the loss of a boat if it is captured.

Open fisheries access – which is in a form of lack of management – has led to overfishing and fleet over-capacity. Over-exploited resources and over-capacity, in turn, lead to boats that are ready to head off to further and more productive shores, even if fishing there is illegal.

Official figures put the Vietnamese offshore fleet at approximately 20,000 vessels, and almost all of them are made of wood. Most vessels are equipped with second-hand truck engines. Among these, 6675 vessels are fitted with engines of 90 hp or above, but this is an unconfirmed estimate.

The boats are cheap to buy and operate, and ‘allegedly’ they are not registered anywhere. If countries catch them, it is up to those countries to decide what to do with them.

Countries that catch boats entering and fishing illegally in their waters have generally confiscated and burned them. They have even blown them up in spectacular fashion. Sinking, burning or blowing up a blue boat may provide spectacular images to the media and the rest of the world, but it does little to prevent large numbers of blue boats from continuing to illegally fish the world’s oceans. The blue boats keep returning because losing a boat is simply not enough of a deterrent.

In any case, there are allegedly two agencies involved in monitoring, control and surveillance (MCS) in Vietnam’s sea area:⁵ Fisheries Inspection and the Vietnam Marine Police. The Vietnam Marine Police is the coast guard of Vietnam; it provides protection and assistance to local fishers when necessary (hence, it is not really a monitoring, control and surveillance function). Fisheries inspection falls under the management of the Directorate of Fisheries. It currently has 92 patrol boats, with only eight boats with engines between 500 to 600 hp that allow them to check vessels leaving the EEZ, which is not a sufficient number to cover the EEZ effectively.

For countries where the poaching takes place, there is a huge drain on local finances when these boats are caught, and a huge drain on the locals’ livelihoods when they are not.

The illegal fishers forage the reefs effectively, poaching within the 12-mile zone, taking fish that the coastal populations use, without any form of control or management, which directly affects the livelihoods of Pacific Islanders in remote atolls. Inspections of cargo holds of the seized boats have shown beche-de-mer (sea cucumbers) and reef fish to be the main catch. Because of its very high value on Asian markets, beche-de-mer is probably poachers’ main target – it is the catch that makes these ventures financially worthwhile.

Operationally, these illegal fishers are very difficult to catch, as they do not have vessel monitoring system (VMS) transponders, they are small vessels, and these are primarily made of wood, which makes them hard to detect on radar. Furthermore, most island countries do not have aeroplanes or the budget for the planes to go out and look for poachers, and the planes have limited range. The Forum Fisheries Agency (FFA), whose mandate is almost entirely focused on oceanic tunas, is analysing the use of a number of different forms of satellite surveillance technology, which, while they are very expensive, may be justified if they provide useful intelligence and data to FFA member countries about this illegal fishing activity. They have convened a working group with the most affected countries in order to figure out how to proceed.

⁴ See: [http://unep.ch/etb/areas/fisheries country projects/vietnam/final summary report vietnam.pdf](http://unep.ch/etb/areas/fisheries%20country%20projects/vietnam/final%20summary%20report%20vietnam.pdf)

⁵ See: [https://www.wcpfc.int/system/files/PLI-VNM-03-%5BConsultancy-report-\(Y3\)-Vietnam-Tuna-Fishery-Profile-Nov2012%5D.pdf](https://www.wcpfc.int/system/files/PLI-VNM-03-%5BConsultancy-report-(Y3)-Vietnam-Tuna-Fishery-Profile-Nov2012%5D.pdf)

Diplomatically, once a boat is caught and the crew arrested, the problem continues (or as an affected friend told me: ‘This is when the real problem just starts!’). The vessels need to be secured somewhere (good wharf space is a scarce commodity in the Pacific), or stay anchored, with all the responsibilities that this entails. Furthermore, there are usually no papers to be found: for example, there is usually no vessel or crew identification.

The crews generally do not speak English (or do not reveal it if they do), Vietnam has no diplomatic representation in any Pacific Island states (apart from in New Zealand and Australia), crews do not generally have visas, tickets or money to return home (and there are no direct flights), and flights back home probably require transits through the US or Australia (that are notoriously strict with visas). Therefore, crews and vessels are a burden and essentially are stranded, until someone, somewhere, does something (normally at the cost of the arresting country or the International Organisation for Migration).

As with other arrested vessels, in some cases the boats are scuppered inside an operational port, which becomes an even worse problem, since they block part of the port and become a pollution threat.

Some countries take swift action, either sinking them during pursuit (PNG recently), or burning them for discouragement purposes (Palau) and for media appeal. But the effectiveness of these measures in discouraging boats is limited.

The reality is that media campaigns are only likely to be effective for those people who have access to media. My experience of working in Vietnam is that a lot of these fishers come from very poor backgrounds and do not have access to media, so the messages conveyed through media rarely gets to them.

Unfortunately, there are no easy solutions. Ultimately, the issue is the flag state responsibility, so Vietnam is responsible for its boats that fish illegally in other waters. Ideally and according to established international rules, trade sanctions should be applied. Vietnam is a huge exporter of fisheries and aquaculture products; a tariff structure tied to flag state performance in controlling its illegal fleets (and compliance checks) should be put in place: If a country does not control its fleets, then its products should be subjected to higher tariffs until this issue is solved. Add to this a European Union ‘yellow card’ – which uses trade controls to incentivise countries to effectively combat illegal fishing – and perhaps Vietnam will take more action to address the various contributing factors originating within its jurisdiction.



French Navy seizing drums of salted sea cucumbers illegally caught in New Caledonia waters (Image: French Armed Forces in New Caledonia – FANC).