



EFFECTIVELY COMBATING ILLEGAL, UNREPORTED AND UNREGULATED FISHING THROUGH THE USE OF LEGISLATION

Sunday Abdul¹

Abstract

Illegal, Unreported and Unregulated (IUU) fishing is increasingly drawing international attention. Coastal States continue to strengthen their efforts to address it as a matter of priority due to its severe implications for food, economic, social and environmental security. Oceans are a key source of food and employment for millions of people around the world, but fish stocks are being depleted, making fish a valuable commodity. Organised transnational criminal groups are increasingly turning to illegal fishing, which is threatening food security, and the economic, social and political stability of coastal states. The illegal activity does not stop at fishing- criminals use vessels to traffic drugs and people because their nomadic navigation patterns and long periods at sea makes it easy for these vessels to blend into the maritime background without suspicion. Criminal networks also use the proceeds of large-scale commercial fishing to finance other illegal activities. The paper discusses the harmful effects of Illegal, Unreported and Unregulated (IUU) fishing not only on aquatic life, but also on human lives and the economy. The author recommends creating legislations with stiffer punishments, more effective international regulations, strengthening of ports' security, increased monitoring and enforcement of legislation, and also synergy between enforcement agencies in order to effectively combat the menace. The researcher made use of a doctrinal research method, gathered materials amongst the existing materials on this area and finds that there exists legislative gaps locally and inadequate international synergy aimed at combating IUU fishing.

Keywords: Legislation, Combating Illegal, Unreported, Unregulated Fishing.

1.0 Introduction

Fisheries crime is an ill-defined legal concept referring to a range of illegal activities in the fisheries sector. These activities- frequently transnational and organized in nature-include money laundering, illegal fishing, document fraud and drug trafficking. Criminal activities in the fisheries sector are often regarded as being synonymous with illegal fishing, which many States do not view or prosecute as criminal offenses, but rather as fisheries management concern, attracting low and usually administrative penalties. Organised criminal organizations thus engage in this crime with relative impunity due to both low risk and high

¹ LL.M (UI), LL.B (KSU, Anyigba), Lecturer, College of Law, Achievers University, Owo, Ondo State. Email: Sundayabdul19@gmail.com. Tel: 08109792377 or 08133073546.



profits and uncoordinated, ineffective domestic and cross-border law enforcement efforts². Fisheries crime is often clandestine with few witnesses. It is difficult to know who the ultimate beneficiaries and instigators are since the persons detained on a vessel may be the only identifiable offenders and, in this regard, regular methods of investigation are hard to use to stem this crime³.

2.0 IUU Fishing Explained

Illegal, Unreported and Unregulated (IUU) fishing is a major threat to marine biodiversity, the sustainability and balance of marine ecosystems, and to fish populations worldwide. It is necessary to un-package and define(s) what constitutes IUU fishing. The term IUU fishing generally encompasses all fishing that breaks fisheries laws or occurs outside the reach of fisheries laws and regulations.

2.0.1 Illegal fishing

Specifically, it refers to fishing which is conducted by national or foreign vessels in waters under the jurisdiction of a state, without the permission of that state, or in contravention of the laws and regulations of that state⁴. It also constitutes fishing which violates the laws, regulations, and conservation and management measures adopted by a fishing vessel's flag state, or which generally violates national laws or international obligations, the obligations of cooperating states to relevant Regional Fisheries Management Organizations (RFMOs). Illegal fishing has been defined as an 'environmental crime' by the United Nations Office on Drugs and Crime (UNODC) and a number of NGOs and academic commentators, and was identified as a 'new trend in crime' in the Salvador Declaration of the Twelfth United Nations Congress on Crime Prevention and Criminal Justice in 2010. Examples of illegal fishing include fishing without a license, fishing in a closed area or marine protected area (MPA), fishing with prohibited gear, fishing over a quota, or the fishing of prohibited species.⁵

² United Nations Office on Drugs and Crime (UNODC), "Bringing to Light the Perfect Storm of Illegal Activities in the Fishing Sector". Available at <https://www.unodc.org/unodc/about-unodc/campaigns/fishcrimes.html> Accessed 01/04/2023.

³ *Ibid.*

⁴ *Ibid.*

⁵ European Commission. "Consultation Paper on the Initiatives Envisaged by the Commission to Improve the Fight of the European Community against Illegal, Unreported and Unregulated Fishing". Available at http://ec.europa.eu/dgs/maritimeaffairs_fisheries/consultations/iuu/consultation150107_en.pdf 1. Accessed 01/04/2023.



2.0.2 Unreported fishing

Unreported Fishing refers to fishing activities which have not been reported, or have been misreported, to the relevant national authority, in contravention of national laws and regulations, or similar lack of reporting or misreporting to regional fisheries management organizations⁶. Unreported fishing can be both intentional and unintentional. Fishers may only report a portion of a catch in order to fall within quotas, may fail to report the harvest of non-targeted species, or simply avoid reporting all together. A lack of reporting and underreporting catches is a violation of quotas, and complicates scientific tallies of fish stocks, confounding conservation and management efforts⁷. Examples of unreported fishing include the widespread practice of fishers keeping two logs: an official log for the inspectors and a ‘confidential’ log for the owner. Fishers may also under-report harvests, falsely record vessel locations, or offload fish at ports with low regulatory and inspections standards, so called ‘ports of convenience’⁸.

2.0.3 Unregulated fishing

Unregulated Fishing is a broader term which includes fishing conducted by vessels without nationality, or those flying the flag of a country not party to a RFMO within the jurisdiction of that RFMO, or more generally fishing in a manner which contravenes the regulations of the RFMO. This also includes fishing in areas or for fish where there are no applicable conservation or management measures, and where such activities are conducted in a manner inconsistent with State responsibilities for the conservation of living marine resources under international law. While not all unregulated fishing explicitly violates the law, it certainly violates the spirit of the law, as it is typically carried out as a means of circumventing the law. Those engaging in unregulated fishing also often violate the law in other ways, such as when introducing their catches to market, to launder their profits, and not complying with shipping and labour regulations. A great deal of unregulated fishing occurs on the high seas.⁹ The high seas, or international waters, are all those waters which lay beyond the Exclusive Economic Zones (EEZs) of states. An EEZ encompasses the 200 nautical miles from the shoreline of a

⁶ (n 5).

⁷ *Ibid.*

⁸ PEW Charitable Trusts (PEW), “FAQ: Illegal, Unreported, and Unregulated Fishing”. Available at <http://www.pewenvironment.org/news-room/fact-sheets/faq-illegal-unreported-and-unregulated-fishing-85899500819> Accessed 01/04/2023.

⁹ Environmental Justice Foundation (EJF). ‘Pirate Fishing Exposed: The Fight Against Illegal Fishing in West Africa and the EU’. Available at <http://ejfoundation.org/sites/default/files/public/Pirate%20Fishing%20Exposed.pdf> Accessed 03/04/2023.



coastal state, established by United National Convention on the Law of the Sea (UNCLOS), the international agreement codifying the laws governing the world's oceans. States are largely responsible for regulating the actions of vessels flying their own flags on the high seas, which creates several problems. States are significantly constrained when it comes to enforcement actions targeting vessels flagged by other states: from a legal perspective, there are few specific legal criteria which permit the interdiction of a vessel flagged to a foreign government on the high seas.¹⁰

There is also the question of political will, with no international authority enforcing laws on the high seas, there is often little incentive for a coastal state to assume the expensive and potentially diplomatically complicated role of enforcing international law on the high seas for vessels flagged to other nations. In this way a sort of tragedy of the commons has emerged on the high seas, greatly facilitating widespread illegal practices such as IUU fishing. Efforts to resolve these failings of UNCLOS have taken a variety of forms, including bilateral agreements between various states and multilateral efforts to create new treaties regulating gaps in UNCLOS, such as the Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation (or SUA Convention)¹¹. These efforts have met with varied success, and have thus far failed to curtail widespread illegal activity on the high seas. The high seas are difficult to patrol for jurisdictional as well as spatial reasons – they cover almost 45% of the planet, as a result, unregulated fishing often runs rampant. In many instances fishers will overtly seek to avoid regulatory regimes by fishing in areas beyond state jurisdictions, or increasingly in areas under the jurisdiction of states with weak governance.^{12,,}

3.0 The Global Scale of IUU Fishing and the Scale of the Crimes in Nigeria

Various studies have attempted to measure the size and scope of IUU fishing. Developing a precise picture of global IUU fishing is, of course, a challenge given the clandestine nature of the practice. A 2008 study estimated that the annual global IUU fishing catch was between 11- 26 million tonnes, which the PEW Charitable Trust notes equates to more than 1,800 pounds of wild-caught fish stolen from seas every second¹³. In purely economic terms, this

¹⁰(n 9).

¹¹*Ibid.*

¹²*Ibid.*

¹³ (n 12).



annual catch has been estimated at \$10 – 30 billion (USD). It has been estimated that for some important fisheries, IUU fishing accounts for 30% of the total catch, and that in some ports, as much as 50% of landings¹⁴. IUU fishing is generally considered to be responsible for 10% to 22% of total global fisheries production. It is estimated that \$1.6 billion in seafood enters Europe annually, and that approximately 50% of all seafood sold in Europe has illegal origins. IUU fishing comprises a subset of transnational organized environmental and natural resource crime, which also includes such actions as poaching and illegal trade in flora and fauna, illegal logging and the trade in wood products, the production and trade in ozone-depleting substances, the illegal disposal and dumping of hazardous and radiological waste. These illicit and environmentally harmful activities represent a growing global criminal enterprise which is estimated annually at \$143 billion, calculated by combining the estimated annual earnings from illegal timber (\$100 billion), IUU fishing (\$23 billion), trade in wildlife (\$19 billion), and ozone-depleting substances (\$0.68 billion). This number is necessarily a low estimate in so far as values are hard to estimate given the illicit nature of these activities. Even more worrisome is the fact that the scale of these activities is on the rise.¹⁵

Nigeria loses 600 million Dollars annually to illegal and unreported fishing by foreign vessels as a result of lack of equipments such as Automatic Identification System (AIS) and Vessel Monitoring System (VMS) and adequate manpower to police the country's vast coastline.¹⁶ The country spends 800 million Dollars annually on fish importation, being the fourth largest importer of fish in the world, after China, Japan, and the United States. The country's top suppliers are the United States and Chile, but fish is also sourced from Europe, Asia and a few African countries.¹⁷ The country's annual fish demand is estimated at 3.32 million metric tonnes while domestic production is about 1.12 million metric tonnes. This leaves a deficit of 2.2 million metric tonnes, which is largely supplied through importation.¹⁸ In 2018, Nigeria imported fish worth 71 million Dollars, 56 million Dollars and 174 million Dollars from

¹⁴United Nations Office on Drugs and Crime (UNODC). 2011: Transnational Organized Crime in the Fishing Industry. Focus on: Trafficking in Persons, Smuggling of Migrants, Illicit Drug Trafficking. Available at http://www.unodc.org/documents/human-trafficking/Issue_Paper_-_TOC_in_the_Fishing_Industry.pdf Accessed 03/04/2023.

¹⁵*Ibid.*

¹⁶Abiodun E.: 'Illegal Fishing in Nigeria'. This Day Newspaper published 16/9/2019. Available at <https://allafrica.com/stories/201909160142.html> Accessed 03/04/2023.

¹⁷*Ibid.*

¹⁸ Federal Department of Fisheries. 2019: Fisheries Crime Activities in West Africa Coastal Region. Cited in This Day Newspaper. *Supra*. N15.



Iceland, Norway and Netherlands respectively. West Africa remains a global hotspot for illegal fishing with estimated losses of 2.9 billion Dollars.¹⁹

Over 450 Chinese vessels fish illegally in Nigeria and the coast of West Africa. A survey carried out by the West Africa Task Force showed that over 37 percent of all the fish caught in West Africa are caught illegally with China, Taiwan, Russia, South Korea, Spain, France and Thailand being the main countries responsible. Nigeria has a coastline of 853 kilometers, which borders the Atlantic Ocean and the Gulf of Guinea. The limits of Nigeria's exclusive economic zone (EEZ) are 12 nautical miles (nm) and 200 nm respectively. Nigeria needs equipment like the AIS and VMS, both of which use satellite tracking to transmit vessel locations.²⁰

4.0 The Harmful Effects of IUU Fishing

The magnitude of IUU fishing has made it a serious global problem which is having a profound negative impact on marine ecosystems and on global food security, as well as on local economies, state governance, local communities and as a matter of course on legitimate fishers. Our oceans are in peril and global fish populations are in serious decline. The United Nations' Food and Agricultural Organization (FAO)'s 2014 report on 'The State of the World Fisheries and Aquaculture', found that 90.1% of the world's fish stocks were fully exploited or over-exploited. The numbers of fisheries which are fully or over-exploited have been steadily increasing. In a 2010 study, the Census of Marine Life found that 30% of assessed ocean fisheries were over-exploited and another 57% fully exploited²¹. This is a serious concern when it comes to the health of fish populations and the complex marine ecosystems within which they play a vital role. Extinction is forever and can irreparably alter an ecosystem. The consequences of destabilizing marine ecosystems are far reaching, extending well beyond global oceans which cover 71% of our planet. The collapse of marine ecosystems means irreparably damaging countless coastal and terrestrial ecosystems, all of which are vital to the wellbeing of innumerable species, including humans. Other sources suggest increases in IUU fishing off the coast of Africa and in Asia. Without effective

¹⁹*Ibid.*

²⁰*Ibid.*

²¹Bondaroff T.N. "The Illegal Fishing and Organised Crime Nexus: Illegal Fishing as a Transnational Organised Crime". Available at <http://www.globalinitiative.net/knowledge-bank/publications/> Accessed 06/04/2023.



enforcement, monitoring and controls, IUU fishing will increase in the face of declining fish stocks and increasing demand.²². Some of the harmful effects of IUU are discussed below:

a. IUU Fishing Destroys the Ecosystem

In addition to increased pressure on fish populations and marine ecosystems, IUU is conducted outside of regulatory controls designed to protect at risk species. This further increases the threat of extinction to species already teetering on the edge, with all of the irreversible and harmful ecological consequences extinction entails. Clandestine fishing further interferes with conservation efforts by confounding assessments of fish stocks. By creating uncertainty regarding total catch levels, the already difficult task of assessing fish stocks becomes even more difficult, and potentially biases fisheries management in favour of allowing more fishing than would otherwise be considered sustainable²³. By its very nature as an illicit practice, IUU fishing seeks to avoid or violate regulations put in place to protect marine species, and the impact of IUU fishing on marine ecosystems and marine wildlife populations has been severe. IUU fishers not only flaunt catch quotas but may also ignore other regulations designed to reduce bycatch, allow for population recovery, and protect vulnerable non-target species such as marine mammals, birds, sharks and turtles. IUU fishers have been known to actively engage in dangerous, damaging, and prohibited fishing practices, such as dynamite fishing, and the use of prohibited gear such as driftnets. All of these actions have serious negative impact on the marine environment. By operating under a flag of convenience – a practice whereby a vessel is registered to a country which does not have the ability or will to live up to their international responsibilities – IUU fishers are more likely to take advantage of lax safety regulations thereby putting their crews, vessels and the marine environment at greater risk²⁴.

b. IUU Fishing Threatens Food Security

In addition to the severe impact it has on the environment, IUU fishing also harms a range of other actors. IUU fishing results in significant economic losses for legitimate fishers and to legal fisheries in general. IUU fishing depletes fish populations which could otherwise be fished by legitimate actors, and generally degrades the marine environment, producing a

²²*Ibid.*

²³ “Census of Marine Life. 2010: Scientific Results Support the Sustainable Use and Conservation of Marine Life: A Summary of the Census of Marine Life for Decision Makers”. Available at <http://www.coml.org/policy-report> Accessed 06/04/2023.

²⁴*Ibid.*



vicious circle which further reduces fish populations. The fisheries sector represents a significant global industry and fish is an important source of protein for the world's population. Fish provide 2.9 billion people with 20% of their animal protein, and 4.5 billion people with 15% of their annual animal protein. It is also estimated that one third of global fish catches are ground up and used as animal feed, a process which is incredibly inefficient.²⁵ Harvesting this animal protein is a global fleet made up of over 3.23 million marine vessels.

In 2014, the FAO estimated that fisheries and aquaculture assured the livelihoods of 10% to 12% of the world's population, more than 800 million people(source). From an economic perspective global fisheries and aquaculture constituted an economic value of \$217.5 billion in 2010. Developing countries are a major participant in this industry, providing 50% of global fish trade, which contributes a greater amount to their net earnings from foreign exchange than meat, tea, bananas and coffee combined²⁶. The decimation of fish populations due to IUU fishing puts all of these people's livelihoods at risk, in addition to threatening the food security of billions.²⁷

c. IUU Fishing Harms Legitimate Fishers

IUU fishing results in numerous negative impacts on legitimate fishers. IUU fishers have a competitive advantage over legitimate operators, in so far as they are not constrained by regulations or quotas or other limitations to their operations such as environmental or sanitary standards. As a result, they are able to maintain lower operating costs than their legitimate competitors. Through the use of flags of convenience, and bribery and corruption, IUU fishers are also able to acquire larger quotas and to access otherwise restricted fishing areas otherwise unavailable to legitimate operators. IUU fishers may also have access to greater amount of available political and financial capital through involvement in other illegal activities.²⁸ IUU fishers sell their products in the same markets as legitimate fishers, and invariably legitimate fishers suffer. Trade in IUU fish disrupts markets, lowering the price for legitimate fishers. Legitimate fishers also suffer when national and regional fishery

²⁵<http://www.reuters.com/article/2008/10/29/us-fish-food-idUSTRE49S0XH20081029> Accessed 06/04/2023.

²⁶*Ibid.*

²⁷*Ibid.*

²⁸Willock, A., & M. Lack.2006: Follow the Leader: Learning from Experience and Best Practice in Regional Fisheries Management Organizations. Available at <http://wwf.panda.org/?69480/Follow-the-leader-Learning-from-experience-and-best-practice-in-regional-fisheries-management-organization> Accessed 10/04/2023.



management organizations are forced to reduce quotas in order to sustainably manage stocks in the face of depletion caused by IUU fishing. Given these pressures, a positive feedback loop can emerge, whereby IUU fishers deplete fish populations forcing legitimate fishers to engage in IUU fishing in order to remain competitive or simply to remain in business. As Ronald Liddick²⁹ notes, “legal and illegal fish are sold on the same markets, but legitimate fishers pay higher operating costs associated with licensing and overhead due to conservation and management measures...unfair competition from illicit operations may pressure legitimate outfits to cheat as well³⁰.”

d. IUU Fishing Damages Economy and States

The direct impact of IUU fishing is acute, but so too are the indirect costs of this practice. The fishers in coastal states suffer losses from reduced catches which, in turn, impacts coastal states through the reduction of revenue sources. These losses include such things as landings fees, licensing fees, taxes, duties, and other levies. Given that some of these states are struggling with development and capacity issues, this reduction in revenue can have significant impacts on governance. Further frustrating governance is IUU fishing and its close association with and promotion of corruption. The corruption upon which IUU fishing thrives and which it in turn reinforces fundamentally undermines good governance, and can fuel instability and promote conflict.³¹ IUU fishing’s close association with a range of illicit, dangerous and predatory practices such as extortion, laundering, bribery and even human trafficking, drug dealing and murder, suggests that when IUU fishing flourishes, so too do these harmful practices. There are also a number of indirect impacts on states, such as a reduction of income and employment from the fishing industries and other associated industries such as processing, packaging, marketing and transport. Income generated by IUU fishing does not contribute to the overall economy.³² As a result, IUU fishing does not tend to promote economic growth or create legitimate and meaningful employment, thereby restricting vulnerable coastal nations’ chances at sustainable development. This impact can be significantly multiplied in the case of developing states³³. It is not a victimless crime. It

²⁹ An associate professor of criminal justice at Penn State University

³⁰ *Ibid.*

³¹ S. André. 2003: Corruption and Commercial Fisheries in Africa. Available at <http://www.cmi.no/publications/file/3189-corruption-and-commercial-fisheries-in-africa.pdf> Accessed 10/04/2023.

³² (n 31).

³³ *Ibid.*



negatively impacts global and local fish populations, marine ecosystems and as a result harms millions of people.³⁴

5.0 The Drivers of IUU Fishing

There are a number of factors which contribute to IUU fishing and to the increase of this destructive practice: greed, ease and profitability, weak governance, poor monitoring and enforcement, overcapacity, and overfishing. One of the most significant drivers for IUU fishing, a factor which ultimately drives many environmental crimes, is greed. Simply put, IUU fishing is a low-risk, high-return activity. This is particularly the case in the capture and trade in high-value, low-volume fisheries surrounding endangered and threatened species. Products derived from at risk species such as rock lobster, trepan (sea cucumbers), shark fins, perlemoen (abalone) and dried sea horse are all easily stored and transported and can be sold at a high costs due to high demand in Asian markets. In these cases IUU fishing can become a significant factor hindering the protection of these species³⁵. IUU fish products are traded alongside other endangered species commodities such as rhino horn and ivory, and are often part of elaborate illegal cash-free commodity transactions which involve illegal drugs, arms and human trafficking.³⁶ Adding to the appeal of IUU fishing is the fact that the paucity of enforcement and monitoring make the chances of getting caught relatively low. Even in the event that a perpetrator is apprehended, the costs of fines and prosecution pale in comparison to the enormous profits which are made. Profit seekers exploit the weak governance in fisheries. The fishing industry is typified by poor monitoring, control, surveillance and enforcement. IUU fishing is able to flourish because Regional Fisheries Management Organizations (RFMOs), governments, sub-government agencies, and industry members cannot properly regulate and monitor fisheries. Many studies have found a striking relationship between the level of governance of a country and its vulnerability to IUU [fishing]³⁷. The inability to effectively regulate and monitor fisheries stems both from a lack of political will, as well as a lack of capacity and structural issues inherent to the nature of the problem itself. Many common IUU fishing practices exploit weakness in international laws

³⁴<http://www.pewtrusts.org/en/research-and-analysis/reports/2011/05/02/milliondollar-reef-sharks> Accessed 10/04/2023.

³⁵<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:343:0001:0050:EN:PDF> Accessed 10/04/2023.

³⁶*Ibid.*

³⁷F. Tanja. 2003: Organized Environmental Crime in the EU Member States. Available at http://ec.europa.eu/environment/legal/crime/pdf/organised_member_states.pdf Accessed 10/04/2023.



governing the high seas. The mobility of fishing vessels creates opportunities for IUU fishers to engage in jurisdictional arbitrage, skipping from one jurisdiction to the next, transshipping catches and offloading catches in ports of convenience. Illegal fish can be inserted into legal supply chains, or laundered, with considerable ease. It is generally difficult to distinguish legal from IUU fish on the market, and the incentives to do so diminish as the demand for fish increases. Illegal fish is commonly introduced into the market by mixing it with legal seafood at numerous stages in the supply chain, otherwise known as fish laundering. An absence of consequences driven by weak monitoring and enforcement coupled with high profits makes IUU fishing an appealing practice for those who otherwise obtain their incomes from higher risk activities. Fishers, particularly those living in poverty and operating at very narrow profit margins, may also be tempted to violate fisheries quotas and regulations. This classic ‘tragedy of the commons’ results in a positive feedback loop, which destroys livelihoods and the environment in some of the most impoverished parts of the world³⁸.

A further driver of IUU fishing is overcapacity. It is the case that the size of the world’s fishing fleet is far larger than is sustainable³⁹. Overcapacity is one of the leading causes of overfishing. Fishers need to maintain certain outputs in order to cover the costs of their operations, and they may be tempted to engage in illegal fishing if fisheries are closed or sustainable yet uneconomical quotas are put in place. This builds on the situational theory of crime which suggests that crime flourishes where people have the means, motive and opportunity to commit it.” Overcapacity means that the opportunity, motive and means to engage in IUU fishing are all present, and markets are available through fish laundering. The problem of overcapacity is created, in part, due to large subsidies to fishing industries. It has been estimated that the developing world subsidizes its fisheries to the tune of \$30–35 billion per year globally⁴⁰. These subsidies support fishers in acquiring new vessels and upgrading to better technology, further exacerbating problems of overfishing. Ultimately, extensive IUU fishing risks creates a positive feedback loop. It depletes fish stocks, which in turn forces regulators to reduce catch limits, which places constraints on legitimate fishers who follow the rules designed to preserve the health of the marine environment, thereby increasing the incentives and pressure for these legitimate fishers to engage in IUU fishing.⁴¹

³⁸(n 37) .

³⁹*Ibid.*.

⁴⁰*Ibid.*.

⁴¹ (n 37).



6.0 Combating IUU Fishing Crimes: Recommendations

There exist different bodies of legislations and regulations both at national and international levels aimed at regulating fishing and stemming the tide of IUU fishing. The desired outcomes have however not been achieved as it has been seen that IUU fishing has rather been on the increase. The author therefore makes the following recommendations to combat the menace:

i. Strengthen and Amend International Regulations

International agreements can be deployed as veritable tools in combating IUU fishing. Such international regulations should contain stiffer punishments for violators of fishing laws. IUU fishing should be considered as a serious crime both at national and international levels and should attract more than just administrative penalties. The United Nations should come up with a Convention that provides for stiffer punishments for IUU fishers in order to make the crime less attractive.

ii. Create and strengthen domestic legislation designed to combat IUU fishing as a criminal activity

Domestic legal avenues may be more streamlined than large-scale efforts, but they often fall short of addressing the crime with the severity it deserves. Laws relating to IUU fishing must be made clear and treated as criminal issues rather than mere regulatory measures. The researcher proposes that in Nigeria, legislation should be passed that clearly defines the crime of IUU fishing and all activities related thereto with various terms of imprisonment as well as fines stipulated based on the gravity of the offense.

iii. Tackle the problem of inconsistent and weak port

State controls which permit the offloading of IUU-caught fish at ports of convenience is another area where international cooperation is required to combat IUU fishing. There should be deliberate efforts aimed at strengthening security and surveillance activities around sea ports in order to further fisheries crimes.

iv. Information sharing and cooperation between enforcement actors

One of the challenges in combating transnational organized crime is that it spans multiple jurisdictions. The international nature of the crime means that there is need for better information sharing systems among coastal states as this will help in tracking down vessels that are engaged in Illegal fishing activities and ultimately reduce the prevalence of it.



v. Provide stiff sanctions for illegal markets

National and international markets that deliberately purchase or allow for trade in Illegal fish should be severely sanctioned by placing restrictions on their operations and imposing fines and also international boycotts on such markets. The availability of ready markets means that IUU fishing will continue to thrive. Sanctions should also be placed on countries whose vessels are more notorious in engaging in IUU fishing. This will cause such countries to be more proactive in regulating the activities registered within their jurisdictions.

9.0 Conclusion

There is a large body of evidence and a growing consensus that IUU fishing constitutes a form of transnational organized crime, and that IUU fishers should be treated as serious criminals. A question which remains is why has IUU fishing been considered as a simple regulatory issue rather than a serious form of transnational organized crime demanding immediate action? IUU fishing's effects on society can be felt in its impact on marine ecosystems and fish populations; given the tenuous state of marine ecosystems worldwide, any actions which degrade these ecosystems certainly have far ranging repercussions on the societies which depend on these ecosystems for survival. Any effort that degrades marine ecosystems certainly pose(s) a direct threat to people. Given the role of the ocean in regulating climate, absorbing carbon and as a source of oxygen, any actions which threaten the stability of marine ecosystems pose a risk to all humans and other terrestrial species and ecosystems. Immediate and stiff action is needed in order to effectively combat the menace.