

International Maritime
Organization

IMO



MUNUC 36

Model United Nations at the University of Chicago

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CHAIR LETTERS

Dear Delegates,

Welcome to MUNUC 36 and the International Maritime Organization! On behalf of myself and the rest of the dias team, we are so happy to have you. We are so excited to be running this committee, as the topics we are discussing here will be playing out in real-time on the world stage. In this committee, you will be debating and proposing new guidelines for strengthening international cooperation in combating piracy and how to regulate fishing and whaling. Both of these topics are currently being discussed and debated in the real world and we are eager to hear your ideas!

For a little bit of background about me, I am a fourth year at the University of Chicago and I have participated in Model UN since I was a sophomore in high school. For the last two years, I was a chair for the International Olympic Committee at MUNUC 34 and 35. I am a political science major and outside of school and MUN, I am a research assistant and a member of the Delta Gamma sorority. I also am a huge movie buff, a big college football fan (go Irish!), and my hobbies are that of a seventy year old (think reading, needlepoint, and watching Downton Abbey on PBS).

I am so looking forward to meeting all of you and seeing what inventive solutions you are going to bring to our committee. If you have any questions about the conference, UChicago, or just want to talk about the IMO, please feel free to reach out!

Kind regards,

Anna Katz

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Dear Distinguished Delegates,

Hello, and welcome to the International Maritime Organization Committee of MUNUC 36! My name is Evelyn Voss, and I am honored to serve as your chair this session. My co-chair and I have several topics we hope you will find just as fascinating as we do, and we are sincerely looking forward to hearing your ideas and discussions on addressing international piracy as well as fishing and whaling practices in January. I hope you will take the opportunity to not only merely prepare for conference, but to also enjoy researching and discovering new knowledge!

I am currently a third year at the University of Chicago studying physics, mathematics, and music. Although those topics are pretty far removed from politics, I have enjoyed being very involved in Model UN since my freshman year of high school, and have taken great pride in helping organize MUNUC committees (and sharing my love of MUN) for three years now. I especially enjoyed being a part of the International Criminal Courts in high school and serving as an Experienced Assistant Chair for the International Olympic Committee for MUNUC 34 and 35. Outside of academics and MUN, I am heavily involved in multiple music organizations and a ballet organization on campus. I am primarily a vocal musician and love to sing and dance whenever I get the time during the year!

I am delighted to serve as a chair for the first time this year, and I am absolutely thrilled to hear your voices and ideas in January.

Sincerely,

Evelyn Voss



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HISTORY OF THE COMMITTEE



*IMO logo*¹

In 1948, following the creation of the United Nations, an international conference held in Geneva created the Inter-Governmental Maritime Consultative Organization. Later renamed the International Maritime Organization (IMO), the goal of the organization would be to make the seas safer and establish shipping regulations. The IMO Convention reconvened in 1958 and officially began operations in 1959.

Following its establishment, the IMO set out to modify and adopt an updated version of the International Convention for the Safety of Life at Sea (SOLAS), the chief treaty dealing with maritime safety. SOLAS provided the IMO with its basis for regulating shipping traffic, systems of measurements, and the transportation of

¹ Organization, The logo of the International Maritime. February 22, 2019. https://en.wikipedia.org/wiki/International_Maritime_Organization#/media/File:International_Maritime_Organization_Logo.svg. https://commons.wikimedia.org/wiki/File:Logo_International_Maritime_Organization.png.

dangerous materials. In 1967, however, it became clear that the IMO would need to deal with more than just maritime safety. When the Torrey Canyon tanker ran aground in the United Kingdom and spilled 120,000 tons of oil, it became clear that the IMO would need to expand its purview to protect the environment. In an effort to prevent similar accidents and similar environmental disasters, held the International Convention for the Prevention of Pollution from Ships in 1973.

In the same decade, the IMO created the International Mobile Satellite Organization (IMSO), aiding in search and rescue missions. This initiative has become an ongoing effort of the IMO. Even through the 1990s, the IMO worked to expand its rescue and rescue operations with the advent of Global Maritime Distress and Safety System, providing ships with a guaranteed method through which to issue a distress signal from anywhere in the world.

Finally, the IMO renewed its efforts to increase maritime security, by amending SOLAS through the adoption of the International Ship and Port Facility Security

Code (ISPS) in 2004. Issued following the 9/11 attacks and the bombing of a French oil tanker, ISPS instituted measures to ensure the security of ships and ports and detect and prevent threats.

From the time of its creation through the 21st century, the IMO has worked tirelessly to rise to meet the challenges of the high seas. Thanks to its flexibility and foresight, the IMO remains at the forefront of the challenges of the modern era, ensuring safe passage of crews and cargo and the ongoing protection of the oceans.



TOPIC A: STRENGTHENING INTERNATIONAL COOPERATION IN COMBATING PIRACY

Statement Of The Problem

The chief purpose of the IMO is to make travel and trade by sea as safe as possible. One of the most significant long-standing threats to this endeavor is **piracy** on the high seas. The IMO defines piracy as “any illegal acts of violence or detention, or any act of **deprivation** committed for private ends by the crew or the passengers of a private ship or a private aircraft” on the high seas.²

Armed robbery against ships and piracy has been an area of focus for the IMO since the early 1980s. Since then, the regions of primary concern have shifted, first from the South China Sea and Singapore, to Somalia and the Gulf Aden. Through this period, the nature of the threat of piracy has also changed, with piracy now being connected with wider international threats such as human trafficking, terrorism, and drug smuggling.³

²“Piracy and Armed Robbery against Ships.” IMO, n.d. <https://www.imo.org/en/OurWork/Security/Pages/PiracyArmedRobberydefault.aspx>.

³“Maritime Security and Piracy.” IMO, n.d. <https://www.imo.org/en/ourwork/security/pages/maritimesecurity.aspx>.

Piracy poses a threat in two significant ways. First, it disrupts and undermines the global trade system. If maritime trade is threatened, the world’s economy is threatened. Waterborne shipping accounted for \$1.5 trillion in US trade in 2020, accounting for 18% the country’s GDP, making it by far the most important mode of trade transportation.⁴ These attacks persist even as international trade has skyrocketed over the last ten years. In 2021, roughly eleven billion tons of materials were transported via sea trade. Companies and countries alike rely on sea trade for economic prosperity. If pirates continue to target and seize shipping vessels, merchants will fear for the security of their crews and cargo and will become hesitant to transport their goods by sea. This could result in massive supply chain disruptions, losses in revenue, and global shortages of vital materials.

⁴“On National Maritime Day and Every Day, U.S. Economy Relies on Waterborne Shipping | Bureau of Transportation Statistics.” Accessed October 1, 2023. <https://www.bts.gov/data-spotlight/national-maritime-day-and-every-day-us-economy-relies-waterborne-shipment#:~:text=Maritime%20vessels%20account%20for%2040,any%20other%20mode%20of%20transportation.>

Beyond the economic impacts of piracy, there is a significant human toll. Though overall rates of incidents of piracy have declined over the past decade, their frequency has continued to fluctuate, and this overall decrease is not uniform across all regions. 2021 saw a low with 132 pirate attacks, down from 195 attacks in 2020, with a majority of attacks occurring in Southeast Asia, Africa, and the Americas.⁵⁶ These attacks resulted in the deaths or injuries of 82 crew members, around 150 crew members taken hostage, and around 60 crew members kidnapped.⁷⁸⁹

Piracy is a dangerous endeavor for all those involved. For the safety of both crews and would-be perpetrators, it is vital that the IMO continues to find new and improved ways to address both the effects and the

underlying causes of piracy. When the world depends on the goods transported by sea and lives are at stake, countries must unite in the face of a common danger.

In order to do this, IMO delegates must understand the conditions that lead people to committing acts of piracy. Piracy is most common in countries with corrupt and/or poorly functioning governments and high rates of lawlessness. Corrupt and poorly functioning governments lack the resources and capabilities to address widespread organized crime like piracy. Furthermore, those who live under weak states tend to experience a poorer quality of life, making them more susceptible and willing to participate in criminal activity.¹⁰

Especially in coastal regions where local fishing markets are being encroached upon by industrial fishing outfits, piracy can offer an alternative form of income. When these outfits use habitat-destroying or illegal methods of fishing, piracy seems to be more prevalent. Some coastal towns have even

⁵ Statista. "Piracy - Number of Attacks by Region 2022." Accessed October 1, 2023. <https://www.statista.com/statistics/250871/number-of-actual-and-attempted-piracy-attacks-worldwide-by-region/>.

⁶ Statista. "Number of Pirate Attacks Worldwide 2022." Accessed October 1, 2023. <https://www.statista.com/statistics/266292/number-of-pirate-attacks-worldwide-since-2006/>.

⁷ Statista. "Maritime Pirates - Number of Crew Members Attacked 2022." Accessed October 1, 2023. <https://www.statista.com/statistics/616155/number-of-crew-members-killed-by-maritime-pirates/>.

⁸ *ibid*

⁹ *ibid*

¹⁰ Graf, Alex. "Where and Why Do Modern Pirate Attacks Happen?" *The Globe Post* (blog), September 24, 2019. <https://theglobepost.com/2019/09/24/modern-piracy-explained/>.

hired pirate groups to deter foreign fleets from fishing in their waters.¹¹

Surprisingly, a lack of economic prosperity has not been found to be one of the drivers of increased pirate activity. In fact, piracy tends to be more common in areas with high levels of economic activity. Instead, new research suggests that piracy increases when locals *expect* an economic downturn, rather than when it actually occurs.¹²

Piracy is a complex and comprehensive issue and delegates will need to think creatively to meet its challenges. Piracy is an especially unique problem. These attacks occur in open, international waters. This means that defending against piracy is not under the jurisdiction of any specific state, since no state can lay claim to international waters. Instead, it is the responsibility of international organizations like the IMO to mitigate the threat posed by piracy and in a cooperative manner. A common problem with all international organizations is the matter of agency. If no one state is responsible for fixing a problem, agency

problems can easily occur, with each state expecting others to act on their behalf, without contributing their own resources and personnel. As such, delegates must be mindful of the limits of international law while still avoiding the pitfalls of agency problems to address this problem in a cohesive and unified manner.

¹¹Brookings. "Why Pirates Attack: Geospatial Evidence." Accessed October 1, 2023. <https://www.brookings.edu/articles/why-pirates-attack-geospatial-evidence/>.

¹²Ibid

History Of The Problem



Pictured above is a 1920 depiction of Blackbeard's battle in 1718 during the golden age of piracy¹³.

Piracy has plagued international waters since some of the earliest civilizations on Earth. The most notable beginnings of piracy are found in the Mediterranean, from the time of the Pharaohs to the Middle Ages, and unfortunately still persists today¹⁴. After around 1650 AD, the Golden Age of Piracy gave rise to the notorious pirates and their tales that are still told today. Following this, piracy in the 19th century dramatically decreased until a new form of piracy arose in

the 20th century that mainly included hijacking of ships and planes. The IMO has mainly been battling international piracy in seas of East and Southeast Asia and eastern Africa, where piracy became more prevalent towards the end of the 20th century¹⁵.

The term “piracy” itself defines two types of attacks: robbery or hijacking, and kidnapping. Robbery or hijacking refers to “[stealing] a maritime vessel or its cargo” whereas kidnapping occurs when “the vessel and crew are threatened until a ransom is paid”¹⁶. Beginning from the early 1980s, the IMO places piracy and armed robbery as high priority issues on its agenda¹⁷. Monitoring by the **ICC** International Maritime Bureau’s Piracy Reporting Centre began in 1992, creating an accurate database for attacks on ships all over the world. In 2010 alone, there were 445 attacks on ships, with 53 ship hijackings, and 1,181 crewmembers taken hostage during these incidents¹⁸.

One of the hotspots for modern day piracy is located in the **Gulf of Guinea**. With trade

¹³ Capture of the Pirate, Blackbeard, 1718

Depicting the Battle between Blackbeard the Pirate and Lieutenant Maynard in Ocracoke Bay. 1920. <http://www.neatorama.com/2007/10/22/pirate-lore-7-myths-and-truths-about-pirates/>. https://commons.wikimedia.org/wiki/File:Capture_of-Blackbeard.jpg.

¹⁴ Joshua J. Mark, “Pirates in the Ancient Mediterranean.”

¹⁵ John Philip Jenkins, “Pirates and Piracy.”

¹⁶ International Maritime Organization, “Maritime Piracy TOCTA Report.”

¹⁷ International Maritime Organization, “Maritime Security and Piracy.”

¹⁸ Stuart Thornton, “Pirate Problems.”

and shipping accounting for over 10% increases in **Gross Domestic Product** every year since 1995¹⁹, the Gulf of Guinea is a prime location for exceptionally lucrative piracy. Piracy off of the coast of Somalia has also become a major concern since the early 1990s, with the estimated damages due to piracy in 2010 alone being between 7 and 12 billion dollars²⁰. It is in areas similar to Somalia and the Gulf of Guinea, where large coastlines and weaker internal authorities (due to political instability and thus lack of strong central governments) where piracy is most pervasive.

International cooperation, and lack thereof, is most evident in areas such as the Gulf of Guinea. The Gulf of Guinea comprises many countries along the western coast of Africa, and thus international cooperation, including communication and uniform responses in combating piracy, is of utmost importance. Piracy in the **Niger Delta** region in particular, seemed to grow uncontrollably due to “lack of adequate national legal frameworks” and “capacity to intercept and

arrest suspect pirates”; in addition, this region suffered from political corruption and socioeconomic underdevelopment, further encouraging pirate activity in the area²¹.

This region, along with many others, still suffer today from piracy, and as a result, billions of dollars are lost to this criminal activity every year. Not only is there significant economic impact, lives and livelihoods lay on the line, and international collaboration is critical in aiding these regions recover and construct defenses to prevent piracy.

Not only is there a need for international cooperation to prevent piracy overall, there is a lack of explicit laws signaling a consensus for lawful seizing and arrest procedures for many countries’ legal action. The laws that do exist are not transparent enough, and have led to issues such as those raised in *Medvedyev 2002*. In June 2002 off Cape Verde, a French warship was given authority by the Cambodian Government to search a ship suspected of carrying narcotics. The ship refused while tossing crates of cocaine overboard, and during the confrontation, warning shots were fired, accidentally

¹⁹ Mette Kaalby Vestergaard, “Legal Challenges in Combating Piracy in the Gulf of Guinea – Gaps between National and International Law.”

²⁰ Miles G. Kellerman, “Somali Piracy: Causes and Consequences.”

²¹ Global Maritime Crime Programme, “Pirates of the Niger Delta.”

wounding a man onboard. Suspects were taken and handed over to the police, and such suspects found issue with being deprived of their liberty against the European Convention on Human Rights²². A lack of a united front against piracy, including gray areas dictating apprehension of suspects, creates leeway for perpetrators to continue their crimes.

Past Actions

Piracy has existed for centuries, with maritime bandits terrorizing sailors and coastline communities around the world. Many countries and international organizations have tried to implement strategies to stem the tide of violence to varying degrees of success.

The IMO is divided between five principal technical committees, including the Maritime Safety Committee (MSC). The MSC has nine subcommittees, is the most senior of the five technical committees, and is responsible for initiating new topics and oversees the human element of maritime activities, such as matters related to safety

procedures and requirements and marine casualty investigations.²³

Since its inception, piracy specifically has been a major concern for the IMO. Over the years, the IMO has developed a number of initiatives to mitigate this threat. The IMO explicitly addressed such matters in the 1974 International Convention for the Safety of Life at Sea (SOLAS) which was amended in 2002 to address maritime security concerns.

SOLAS' chapter XI-2 on Special Measures, the International Ship and Port Facility Security Code (ISPS) mandates that all participating countries must implement the highest safety standards for all ocean going ships and port facilities. Part A of the ISPS Code details security requirements for governments and Part B provides non-mandatory guidelines for the implementations of those requirements.²⁴

The ISPS Code has resulted in better controlled port areas, restrictions on

²² Bodini, "Fighting Maritime Piracy under the European Convention on Human Rights."

²³ "The International Maritime Organization," October 31, 2012. <https://web.archive.org/web/20121031163707/http://www.marine.gov.uk/imo.htm>

²⁴ "Maritime Security and Piracy." IMO, n.d. <https://www.imo.org/en/ourwork/security/pages/maritimesecurity.aspx>.

unauthorized access, and generally better working conditions at ports.²⁵

In 1988, the IMO passed the Suppression of Unlawful Acts (SUA) Treaties. The SUA Treaties provide the international legal framework for dealing with persons who commit illegal acts against ships, such as the seizure of ships by force, violence against individuals on board, and the planting of destructive devices on board.²⁶ In 2005, the SUA Treaties underwent revision to include provisions that criminalize the use of ships to transfer or discharge weapons of mass destruction, including biological, chemical, or nuclear weapons and the discharging of lethal quantities of oil, natural gas, radioactive substances, or other hazardous materials.²⁷

To ensure that all countries have access to reports of piracy incidents, the IMO created

²⁵ Mazaheri, Arsham, and Daniel Ekwall. "Impacts of the ISPS Code on Port Activities: A Case Study on Swedish Ports." *World Review of Intermodal Transportation Research* 2, no. 4 (2009). <https://trid.trb.org/view/898958>.

²⁶ "Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation, Protocol for the Suppression of Unlawful Acts Against the Safety of Fixed Platforms Located on the Continental Shelf." IMO, n.d. <https://www.imo.org/en/About/Conventions/Pages/SUA-Treaties.aspx>.

²⁷ *ibid*

the Global Integrated Shipping Information System (GISIS). Here, all registered incidents are publicly available, allowing states and individuals to have access to the most up-to-date data. GISIS provides concerned parties with necessary information so that they can analyze emerging trends.²⁸ Monthly reports are available for reference, with comprehensive reports circulated annually.

In addition to these internationally scoped endeavors, the IMO also helps individual Member States develop their national and regional measures. For example, the IMO helped countries in the area of the western Indian Ocean create the Code of Conduct concerning the Repression of Piracy and Armed Robbery against Ships in the Western Indian Ocean and the Gulf of Aden (Djibouti Code of Conduct). The Code, which has been signed by twenty countries, states that signatories intend to cooperate to

the fullest extent possible in the repression of piracy, as well as promote the implementation of pertinent UN Security Council resolutions.

²⁸ "GISIS Port Reception Facility Database." IMO, n.d. <https://www.imo.org/en/OurWork/Environment/Pages/Port-reception-facilities-database.aspx>.

Similarly, states in the Gulf of Guinea in West Africa developed the Code of Conduct concerning the repression of piracy, armed robbery against ships, and illicit maritime activity in west and central Africa.

Possible Solutions

Delegates should use the past actions taken by the IMO outlined above as both examples for the types of regulations that can be implemented, as well as a starting point for their own initiatives. We urge delegates to make their draft resolutions comprehensive, addressing security for ships currently at sea, methodologies for reporting pirate attacks, and steps to prevent individuals from engaging in piracy.

Additionally, delegates can choose to tackle this problem comprehensively as an entire international body as was done with SOLAS, ISPS, and GISIS, or they can choose to address these issues with a more regional approach like the Djibouti Code of Conduct.

Some regard piracy as a nuisance that cannot be fully eliminated, and argue that nothing should be done about it. In 2008, Somali pirates earned \$30 to \$40 million dollars in ransom. While this is quite a lot of money for the pirates, it is a small amount when

compared to the multi billion dollar shipping companies they are extorting, which are insured against pirate attacks. However, this is not an option because others may become inspired by successful pirate attacks and launch their own, including terrorist organizations looking to take Western hostages.²⁹

A possible solution is to carry out naval patrols and convoys. While these patrols can try to deter pirates from attacking, they cannot stop piracy, especially off the coast of Somalia. There are simply too many cargo ships in too wide an area. Furthermore, these patrols risk firing on innocent fishing vessels, mistaking them for pirates and violating international and national laws. Similarly, some have tried arming the cargo ships. While this may seem like a clear solution, shipping companies are hesitant to take on this liability.³⁰

Next, some have suggested an offensive strategy to take the fight on-shore an attack pirate strongholds, even going so far as to take military action against them.

²⁹ Menkhaus, Ken. "The Seven Ways to Stop Piracy." Foreign Policy (blog), April 17, 2009. <https://foreignpolicy.com/2009/04/17/the-seven-ways-to-stop-piracy/>.

³⁰ Ibid

Unsurprisingly, this is not a popular option due to the fact that it would be an extremely disproportionate response. While the pirates would be arrested and their emergence deterred, both the service members and the innocent civilians living near pirates would be placed in harm's way.³¹

The final possible solution is to address the finances driving piracy. The most effective way of doing this would be to follow the assets of **pirate financiers**. Unfortunately, tracking the flow of money, especially in Somalia, is incredibly difficult. However, developing a system that helps the maritime community keep track of the flow of money could aid in this problem. Many Somalis also directly or indirectly benefit from a cut of these finances as it moves through the coastal economy, so there will be questions on whether these individuals should be criminalized as well.³²

Clearly, there is no one obvious, catchall solution to this problem. While each of the proposed solutions address one element of piracy, none of them have fully eliminated the crime. As long as piracy remains a profitable source of generating wealth, there

will be individuals willing to commit the crime.

³¹ Ibid

³² Ibid

Bloc Positions

Piracy affects countries all over the world in various ways, and in varying degrees, therefore making it difficult to generate and actualize a united effort in strengthening cooperation combating piracy. The countries most immediately impacted by piracy may even suffer from corruption, and find it difficult to muster effective responses without the aid of other governments. Additionally, limits in action due to protection of privacy and due process in certain regions prevent surveillance and apprehension in many cases. As a result, the nations of the world have several varying stances on how to best tackle international cooperation in combating piracy.

European Nations And The United States Of America

The nations of Europe and the United States have similar stances on piracy, and this large bloc recognizes the dire threat that piracy poses for everyone across the globe and are adamant about protecting the high seas, as many countries within the continent largely depend on maritime trade to sustain their economies. In the past, the US Navy, Europol, and Interpol have collaborated on guidelines for maritime piracy investigations.

They recognize detrimental effects of recent piracy such as threatening food supply chains, civil war supply chains, international trade, and economic stability (piracy has led to drastic increases in operating costs and insurance rates, leading to skyrocketing shipping costs)³³.

However, in attempting to alleviate such a complex injury, intricacies slow the plans and aspirations of the IMO. The nations of Europe all ascribe to the European Convention on Human Rights, which protects citizens' liberties, even at sea in international waters. This legislation raises questions about the legality of surveillance at sea, and the apprehension and prosecution of suspects. This bloc meticulously plows forward in combating piracy, taking care to not override human rights for the sake of ending maritime piracy. These nations are also very active in their efforts in combating piracy, searching for a comprehensive solution that will not only respect the sovereignty of human rights, but also will effectively battle piracy where it is most needed.

³³ Europol, "Maritime Piracy."

Russia

Being a nation that does not largely depend on transcontinental trade to feed its economy, Russia is largely untouched by piracy when compared to piracy hotspots such as the Gulf of Guinea. As a result, Russia's lack of action and contribution in combating piracy is noticeable. Although Russia has taken action and put in place legislation to incriminate and apprehend perpetrators of piracy, however, there are many roadblocks in such legislation that other countries may find too counterproductive in this matter. For example, navies of foreign countries are forbidden to pursue pirates through straits where "international passage of vessels is allowed, but which are within territorial waters of a third country"³⁴. Suspects with knowledge of Russia's laws have been easily able to take advantage of this loophole, and successfully avoid pursuit from foreign navies.

Russia has also had a history of simply not prosecuting pirate suspects. As an explanation for neither prosecuting nor incarcerating the suspects, Russian authorities cited a lack of "precedent of when

pirates who have caused no damage to Russia or its citizens but were arrested by Russian authorities would be tried in Russia."³⁵ Russian authorities have also pointed to the complications behind incarcerating piracy suspects, considering they may be from different countries, without the will or power to try and/or incarcerate such pirates themselves.

Africa

Many countries in Africa have taken action to cooperate in combating piracy through conferences producing the Djibouti Code of Conduct³⁶ and the Yaoundé Code of Conduct. Conferences and proactive stances on defending the oceans against piracy are vital on this continent because the most active modern day piracy is concentrated off the coasts of Somalia and western and southern Africa. However, while it seems countries such as Nigeria are adhering to the practices mandated in these codes of conduct, there is a lack of confidence in these practices treating the root cause of piracy rather than the symptoms³⁷.

³⁴ Saradzhyan, "The Dynamics of Russia's Response to the Piracy Threat."

³⁵ Saradzhyan.

³⁶ International Maritime Organization, "The Djibouti Code of Conduct."

³⁷ Arifin and Juned, "Nigeria's Compliance with the Yaoundé Code of Conduct in the Cases of Piracy

Root cause analysis is much more difficult, and treating the sources of piracy requires much more vigilance, surveillance, resources, and mutual understanding and agreement between the many countries of Africa. The unique needs of each country can differ wildly on the topic of piracy, especially when considering the government structures and political stability of each nation.

North And South America

The countries of North and South America have been particularly proactive in cooperating with each other to quell maritime piracy. Not only have they built legal frameworks underpinning the process of surveillance, pursuit, and apprehension of piracy perpetrators, they have also planned initiatives through the creation of organizations such as the Inter-American Committee against Terrorism (CICTE)³⁸ and the Inter-American Defense Board, which are both hosted by the Organization of American States (OAS)³⁹. Some larger countries, such as the United States and

Canada, have joined the Combined Maritime Forces (CMF)⁴⁰ along with 36 other countries across the globe, contributing naval support near piracy hotspots off the coast of Africa.

Many of the larger countries in the Americas have clear goals for and have made contributions toward combating piracy, even though it is not localized near them. It is only with the cooperation of other countries with enough resources that piracy will be fought with the greatest possible efficacy.

China

China, being a powerhouse of exports for the entire world, understands the need for proactive operations to counter the threat of piracy. China has taken charge in protecting international trade routes, and has created the People's Liberation Army Navy to send forces all the way to piracy hotspots such as the coast of Somalia. In general, China is very active and comprehensive in the pursuit of eradicating maritime piracy⁴¹. China continues to fund forces and dedicate resources towards this effort, and is in favor

and Armed Piracy of the Nigerian State in the Gulf of Guinea in 2016-2021.”

³⁸ Alison August Treppel, “A Multidimensional Approach to Maritime Security.”

³⁹ Inter-American Defense Board, “The Inter-American Defense System.”

⁴⁰ “Combined Maritime Forces.”

⁴¹ Guo Yuandan and Liu Xuanzun, “PLA Navy’s 14 Years of Missions in Blue Waters Safeguard Intl Trade Routes, Win More Overseas Recognition.”

of strong stances against piracy, and is not tentative about providing aid in regions further from China, even the direct impacts of this piracy on China are not great.

Asia

Across this vast continent, countries have made efforts to regionally and internationally cooperate in combating piracy. The Association of Southeast Asian Nations (ASEAN) have made statements and efforts to recognize the issue of piracy as well as simultaneously develop policies to combat it⁴². However, efforts have not been as comprehensive and proactive in recent years. The Indian Ocean Rim Association for Regional Co-Operation (IOR-ARC) was founded in 1997, and similarly to ASEAN, while efforts have been made in the past to combat piracy, more recent years have proved to be more lacking in initiatives against international maritime piracy⁴³. The Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia (ReCAAP) has founded an information center for a centralized source of contact about piracy reports and

⁴² “ARF Statement on Cooperation Against Piracy and Other Threats to Security.”

⁴³ “IORA.”

sightings⁴⁴. This has particularly strengthened communication lines concerning international cooperation combating piracy across the continent. As a whole, the many countries of Asia are dedicated to working together in this endeavor.

Australia, New Zealand, Papua New Guinea

Oceania is a continent containing thousands of islands, and therefore maritime security is of utmost importance for Oceanian countries. Australia being the largest, has taken notable efforts to join other countries in combating piracy. For example, Australia is part of the Australia-India-Japan-US Security Quadrilateral Dialogue, or the Quad, which includes Japan, India, and the US, and has dedicated resources to facilitate exercises in anti piracy protection⁴⁵. Although New Zealand and Papua New Guinea are not as large as Australia, both nations are still adamant about protecting their own coasts, as piracy has become a growing threat along

⁴⁴ “Report by the ReCAAP Information Sharing Centre for the Ninth Meeting of the United Nations Open-Ended Informal Consultative Process on Oceans and the Law of the Sea.”

⁴⁵ Lavina Lee, “Assessing the Quad: Prospects and Limitations of Quadrilateral Cooperation for Advancing Australia’s Interests.”

the PNG coasts in the past couple of years⁴⁶.

New Zealand does not currently have major concerns with piracy, but is aware of the effects of piracy on trade and the economy.



⁴⁶ APR editor, “Piracy a Growing Threat along PNG Coasts, Warns Water Police Chief.”

Glossary

Depredation: an act of attacking or plundering

Europol: the European Union Agency for Law Enforcement Cooperation is the law enforcement agency of the EU

Gross Domestic Product: the standard measure of value added created through production of goods and services in a country during a certain period of time

The Gulf of Guinea: part of the eastern tropical Atlantic Ocean off the western African coast, including the countries of Nigeria, Ghana, Democratic Republic of Congo, and many more; this area has proved a hotspot for modern day piracy.

ICC: The International Criminal Courts are a court system run by the United Nations. The primary function is litigating and prosecuting perpetrators of breaking laws set by the UN.

INTERPOL: The International Police Organization coordinates investigations made by police forces of member countries internationally; includes 195 member states

Medvedyev 2002: a piracy case occurring in 2002 that brought light to the lack of uniformity and comprehensive laws in piracy prosecution and arrest

Niger Delta: region through which the waters of the Niger River drain into the Gulf of Guinea

Pirate Financiers: an investor that illegally supports piracy for personal economic gain

Piracy: maritime attacks, classified as either robberies (stealing a maritime vessel or its goods) or hijackings (threatening the vessel and/or crew until a ransom is paid)

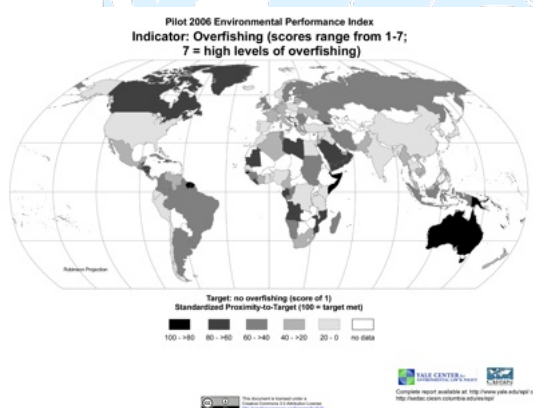
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TOPIC B: REGULATING FISHING AND WHALING

Statement Of The Problem

One of the most important responsibilities of the IMO is the protection of the marine environment. Though shipping is the most environmentally friendly mode of transport when considering productive value and is a minor contributor to marine pollution, as the climate crisis evolves, all components need to be analyzed.⁴⁷ A major component of maritime environmental protection is the prevention of overfishing and whaling.



Map of overfishing globally⁴⁸

Overfishing occurs when too many fish are caught at once, reducing the breeding population to the point where it is too small

⁴⁷ "Marine Environment." IMO, n.d.

<https://www.imo.org/en/OurWork/Environment/Pages/Default.aspx>.

⁴⁸ "Overfishing." Academic Accelerator, n.d.

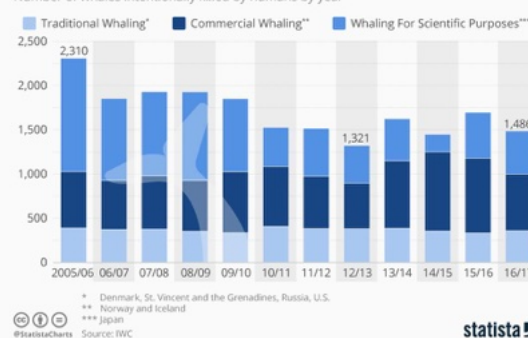
<https://academic-accelerator.com/encyclopedia/overfishing>.

to recover. This disrupts ecosystems, causing a critical domino effect on the ocean's biodiversity. Not only will that fish population be unable to recover, but those organisms that feed on the fish will die and the organisms that the fish consume will overpopulate and run out of resources.

This issue is tied to the related problem of bycatch, which occurs when unwanted marine life is captured when fishing for another species. This has caused the unnecessary waste of billions of creatures including fish, sea turtles, and cetaceans.⁴⁹

Whaling: Still No End In Sight

Number of whales intentionally killed by humans by year



Whaling has not significantly decreased over time⁵⁰

⁴⁹ World Wildlife Fund. "Overfishing." Accessed October 1, 2023.

<https://www.worldwildlife.org/threats/overfishing>.

⁵⁰ Statista Daily Data. "Infographic: Whaling: No End In Sight," July 1, 2019.

https://www.statista.com/chart/9835/whaling_-no-end-in-sight.

Similarly, whaling is the hunting of whales for food or for blubber or oil. By the mid twentieth century, whaling had become so prolific that whale populations fell to critical levels, and has since been conducted on a very limited basis.⁵¹ In September 2022, the IMO declared the North-Western region of the Mediterranean a Particularly Sensitive Sea Area (PSSA) in an effort to protect endangered whales.⁵²

In addition to the ecological ramifications of overfishing and whaling, there are severe consequences for humans as well. Fishing business will fail because they run out of fish to sell. If the problem of overfishing continues to escalate, those who are employed by fishing companies will lose their livelihoods. Furthermore, there may be food shortages, especially in regions where seafood is a key diet component and critical source of protein.⁵³

⁵¹ “Whaling | Definition, History, & Facts | Britannica,” August 31, 2023.
<https://www.britannica.com/topic/whaling>.

⁵² “IMO Regulates Shipping in NW Mediterranean to Protect Whales.” Accessed October 1, 2023.
https://www.oceancare.org/en/stories_and_news/imo-nw-mediterranean/.

⁵³ New item...

Environmental Defense Fund. “Overfishing: The Most Serious Threat to Our Oceans.” Accessed October 1, 2023.

The number of overfished stocks has tripled over the past fifty years and a third of all assessed fisheries operate beyond biological limits. A major contributor to overfishing is illegal fishing. Illegal, unreported, and unregulated (IUU) fishing generates \$36.4 billion per year. The IUU fishing supply chain is incredibly hard to trace, due to a lack of import controls and tracking of fish from catch to the consumer.⁵⁴ Without being able to monitor where fish is coming from, states cannot impose regulations that would ensure responsible fishing practices.

Subsidies also contribute to overfishing. Subsidies are a form of financial support given to the fishing industry to offset business costs. Thanks to these subsidies, fishing companies can continue to profit where the market would have otherwise limited them, meaning that they will continue to operate beyond what consumers demand.⁵⁵ Instead of having to scale back operations to be in line with rates of consumption, subsidies allow fishing companies to harvest more fish than they can reasonably sell.

<https://www.edf.org/oceans/overfishing-most-serious-threat-our-oceans>.

⁵⁴ World Wildlife Fund. “Overfishing.” Accessed October 1, 2023.

<https://www.worldwildlife.org/threats/overfishing>.

⁵⁵ Ibid

Traditionally, the IMO has focused primarily on maritime law and the regulation and safety of shipping vessels. Fishing is one maritime subject in which the IMO has not been especially active. Historically, the IMO has taken a few steps to address the preservation of the oceans' ecology. In 1959, the Organization took responsibility for pollution by maritime operations, as dictated by the International Convention for the prevention of pollution of the sea by oil (OILPOL Convention).⁵⁶ However, as the environment continues to suffer from human activities, it will become increasingly necessary for the IMO to take an active approach toward the protection of the seas. Not only is it critical to address overfishing and whaling as a part of protecting marine environments, failing to do so could have extreme economic consequences. If ocean ecologies were to collapse, millions of people who rely on fish and other sea creatures as a source of food and income would suffer terribly.

The IMO can serve as an excellent forum for all member states to convene and find creative and cooperative solutions to these environmental concerns. This will help

ensure the future for both the beauty and biodiversity of the oceans and those who rely on the oceans for their livelihoods and survival.

History Of The Problem

Fishing



*Fishing boat*⁵⁷

Official reports of fisheries production began in 1950, and have revealed a shocking escalation in the volume of fishing in the last decades. Since 1950, fish production has surged from an estimated 20 million tons per year to a formidable 90 million tons today⁵⁸.

This was a product of many factors, mainly the exponential growth of the human population and technological advancements during this time period. This explosion of

⁵⁷ Project, The TerraMar. Cocos Island. photo, 14 Apr. 2010. Flickr, <https://www.flickr.com/photos/theterramarproject/23574764671/>.

⁵⁸ Christensen, "Illegal, Unreported and Unregulated Fishing in Historical Perspective."

⁵⁶ Ibid

fishery production over the course of half of a century has resulted in a scarcity in fish “that has yet to be remedied through large-scale and sustained recovery of over-exploited stocks”⁵⁹. Today, even with regulations, it is estimated that 20% of all fishery production is supplied through **Illegal, Unreported, and Unregulated fishing**. As 45% of international waters fall between jurisdictions, there are abundant areas to participate in **IUU** fishing.⁶⁰

The increase in IUU fishing varies across different oceans of the world. Studies have shown that over the years 1989-2009, IUU fishing in the Eastern Central Atlantic as well as the Northwest Pacific has increased while areas such as the Western Indian Ocean and Southwest Pacific have experienced a decrease in IUU fishing. While IUU fishing increased in the Northeast Atlantic from the mid 1970s to the 1980s, between the years 1989 to 2009 IUU fishing began to decrease⁶¹. Experts point to efforts by various organizations such as the Northeast Atlantic Fisheries Commission where efforts have

⁵⁹ Christensen.

⁶⁰ “EVERYTHING YOU NEED TO KNOW ABOUT ILLEGAL FISHING.”

⁶¹ Agnew et al., “Estimating the Worldwide Extent of Illegal Fishing.”

been made to tighten port state controls. However, this small achievement is overshadowed by the fact that over half of the top fishing countries assessed for compliance with their fishing activities failed in 2009⁶². The World Wildlife Fund advertises that global economic losses due to IUU fishing are estimated to be 36.4 billion dollars every year⁶³.

Overfishing and damage to wildlife has become increasingly a side effect of the globalization of the industry. In fact, until the 20th century, most marine fisheries in Southeast Asia, the Southwest Pacific Ocean, and Northern Australian waters were governed by **Customary Marine Tenure (CMT)**. Rule by CMT proved to be in general more sustainable compared to other laws and jurisdictions created by national governments. However, these CMTs are also increasingly vulnerable to colonialism and globalization which both lead to smaller available stocks, and drive small scale fishers towards illegal practices. Stocks that were once voluminous enough to support entire communities now dwindle away, leaving such communities with food insecurity and

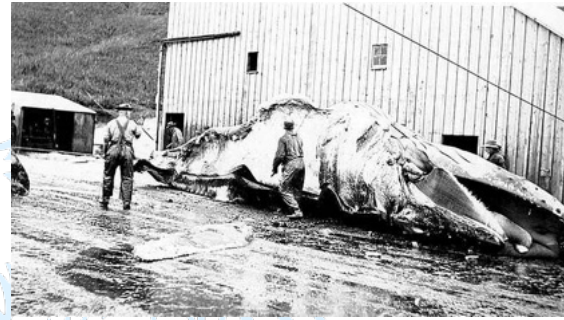
⁶² Agnew et al.

⁶³ “Illegal Fishing Overview.”

therefore vulnerable to more rapid colonization and an accelerated depletion of the ocean's stores⁶⁴. More recently, the UN has made efforts to examine traceability in seafood production as a key strategy in this fight for marine wildlife and the global economy.⁶⁵

Whaling

The beginning of commercial whaling dates back to the 12th century in the North Atlantic Ocean, specifically in the Bay of Biscay Area. This whaling, though lasting for centuries, does not mark the origin of modern whaling, which would arrive in the middle of the 19th century. This inception was catalyzed by the invention of the explosive grenade harpoon, a critically effective weapon that would spur the decline of whale stocks all over the world, beginning in Norwegian whaling lines in Eastern Asia. However, as it became clear that the whale stocks of the earth were depleting at alarming rates, conventions and protocols from 1931 through 1950 set the stage for pausing, and eventually banning commercial whaling altogether.



Whaling Station in Alaska⁶⁶

The first international step towards whaling regulation occurred in 1931 and was the Convention for the Regulation of Whaling in Geneva. This convention only introduced limits on baleen whales, and was not very effective overall in limiting whaling as countries such as Japan and Germany, prime contributors in the whaling industry, did not adhere to the convention. In 1944, an attempt was made to limit the overall catch in the Antarctic, which was only a realistic standard after World War II had sunk a considerable amount of whaling vessels. The International Convention for the Regulation of Whaling in 1946 established the International Whaling Commission, which had limited success in its early years. Countries such as the Netherlands and Norway left the commission in 1959 after national quotas were under dispute.

⁶⁴ Christensen, "Illegal, Unreported and Unregulated Fishing in Historical Perspective."

⁶⁵ "Illegal Fishing Overview."

⁶⁶ Flensing a Whale at a Whaling Station.

<https://picryl.com/media/flensing-a-whale-at-a-whaling-station-akutan-alaska-ca-1915-cobb-42-50a443>.

Eventually both countries rejoined in 1962, but not after two seasons of unlimited catching. In 1975, the IWC adopted the 1975 Procedure to place stricter catch regulations on whaling based on individual stocks rather than as a whole as a response to calls for a ten-year moratorium on commercial whaling. After reviewing more scientific evidence, the IWC decided to add the possibility of a commercial whaling moratorium to the Procedure as well as thoroughly investigate whale stock conditions in 1982. This led to the most comprehensive whale stock review to date.

Over the course of the 1980s, the IWC also spent considerable time and resources in researching the basis for the aboriginal subsistence procedure. Aboriginal communities across the globe from Eskimos in the US to West Greenland inhabitants received thorough review from the IWC, and aboriginal subsistence whaling allowances were stringent. A plethora of research was conducted to monitor the conditions of the ocean's whale stocks. The astonishing and disturbing results precipitated the ban of all commercial whaling for all members of the **International Whaling Commission**

(IWC), beginning in the 1986 whaling season⁶⁷.

Today, the IWC recognizes three types of whaling: **commercial, aboriginal subsistence, and special permit (also known as scientific) whaling**⁶⁸. Aboriginal subsistence whaling involves the conservation of small communities, and allows for certain whaling under strict conditions such as limited technology use and an inability to sell whale products to third parties. In other words, communities granted aboriginal subsistence whaling permits must use it minimally and exclusively for their community's survival⁶⁹. Scientific whaling is a limited use intended only for research purposes. Commercial whaling, as mentioned before, has been illegal for almost four decades now. However, despite their membership in the IWC, some countries have continued openly encouraging the sale of whale meat in markets, and have continued commercial whaling for many

⁶⁷ Gambell, "International Management of Whales and Whaling: An Historical Review of the Regulation of Commercial and Aboriginal Subsistence Whaling."

⁶⁸ "Commission Overview."

⁶⁹ Gambell, "International Management of Whales and Whaling: An Historical Review of the Regulation of Commercial and Aboriginal Subsistence Whaling."

years under the guise of “scientific research”. Namely, in 2014 the Japanese government was successfully sued by Australia under UN law, for continuing to fund commercial whaling and the selling of whale meat while labeling it as scientific research waste. Most recently in 2019, Japan withdrew itself from the IWC in protest after a failed attempt to pass proposals that would make some commercial whaling legal again⁷⁰. Many conservation groups have expressed their disapproval of Japanese and Norwegian actions regarding whaling, and the debates for and against whaling continue to fire back and forth today.



This figure shows in blue the countries that are currently members of the IWC⁷¹.

Past Actions

In 2012, the IMO established the Cape Town Agreement (CTA). The CTA,

⁷⁰ Yanxi Fang, “A Whale of a Problem: Japan’s Whaling Policies and the International Order.”

⁷¹ “International Convention for the Regulation of Whaling.”

while primarily aimed at establishing minimum safety requirements, also promotes the limiting of illegal, unregulated, and unreported (IUU) fishing.⁷² This statute also works to advance the United Nations’ Sustainable Development Goal 14, “Life Below Water,” addressing the environmental protection of the world’s oceans.⁷³ The hope is that by creating more stringent requirements for vessel safety, the amount of IUU fishing will be reduced, given that IUU fishing vessels tend also be unsafe, contribute to marine litter, and utilize prohibited fishing methods.⁷⁴

The IMO also has provisions to establish Particularly Sensitive Sea Areas (PSSAs) that receive special protection for ecological or socio-economic importance. There are currently seventeen PSSAs including the Great Barrier Reef, the Galapagos

⁷² 2012 Cape Town agreement to enhance fishing safety. IMO, n.d.

<https://www.imo.org/en/MediaCentre/HotTopics/Pages/CapeTownAgreementForFishing.aspx>.

⁷³ “Supporting Safe, Legal Fishing,” n.d.

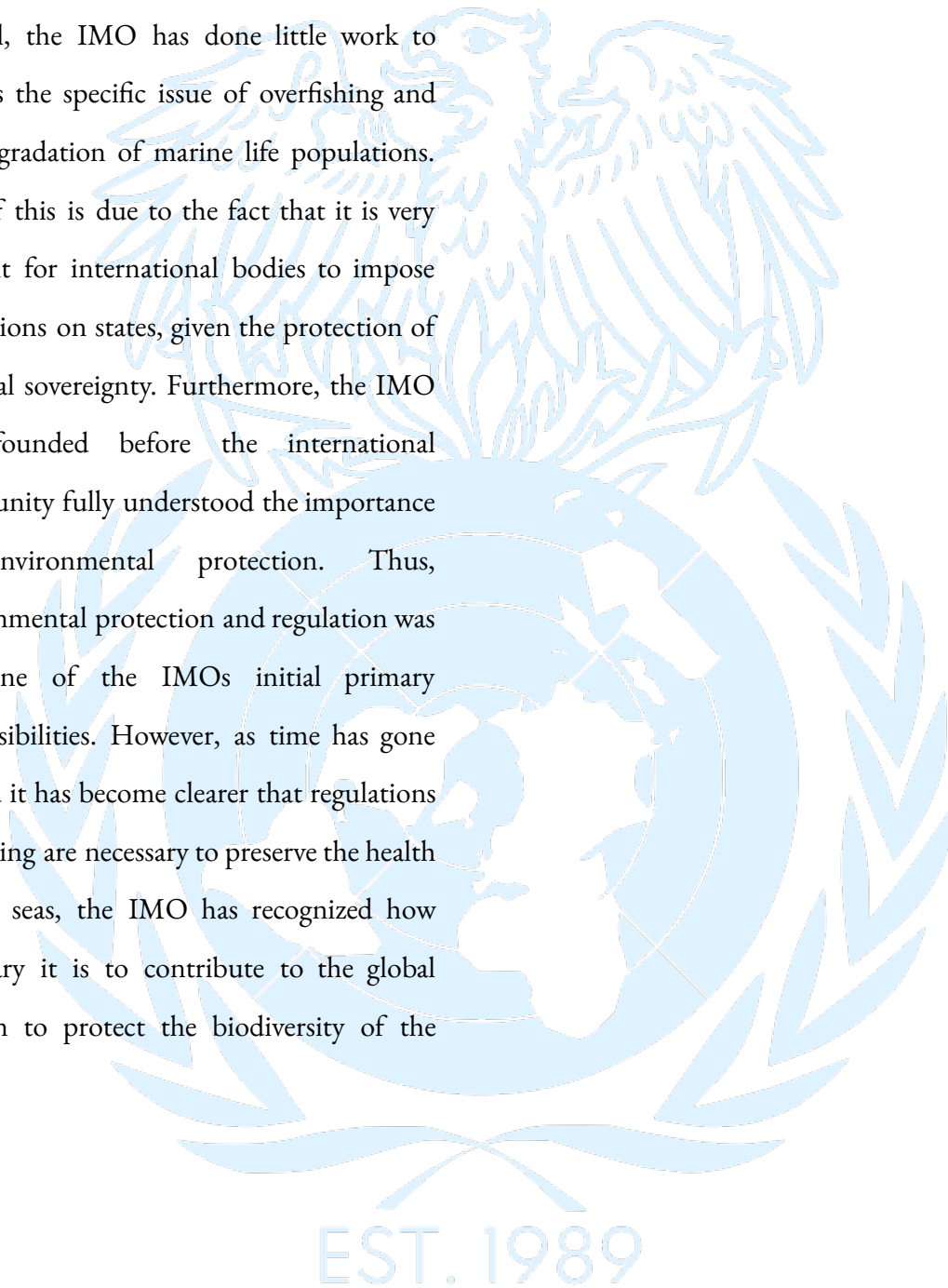
https://wwwcdn.imo.org/localresources/en/About/Events/Documents/The%20Cape%20Town%20Agreement%20+%20SDGs%20FACT%20SHEET_online.pdf.

⁷⁴ “IUU Fishing.” IMO, n.d.

<https://www.imo.org/en/OurWork/IIS/Pages/IU-U-FISHING.aspx>.

Archipelago, the Canary Islands, and the sea around the Florida Keys.

Overall, the IMO has done little work to address the specific issue of overfishing and the degradation of marine life populations. Part of this is due to the fact that it is very difficult for international bodies to impose regulations on states, given the protection of national sovereignty. Furthermore, the IMO was founded before the international community fully understood the importance of environmental protection. Thus, environmental protection and regulation was not one of the IMO's initial primary responsibilities. However, as time has gone on and it has become clearer that regulations on fishing are necessary to preserve the health of the seas, the IMO has recognized how necessary it is to contribute to the global mission to protect the biodiversity of the planet.



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Possible Solutions

One possible way to encourage better fishing practices is to change the financial incentives within the industry. Such regulations could come in the form of banning fishing subsidies as a means of preventing overfishing. These subsidies benefit large-scale fishing operations which often engage in destructive fishing methods and IUU. The World Trade Organization (WTO) secured a deal to curb fishing subsidies and overfishing. There could even be positive incentives that would allow fishing companies to once again be eligible for subsidies once they demonstrate that they utilize sustainable practices and have rebuilt fish stocks to biological sustainable levels.⁷⁵

Another option would be to regulate the kind of equipment used in fishing. In an effort to reduce bycatch — unintentionally catching non targeted species like sea turtles, birds, and sharks. The Food and Agriculture Organization has found that dropping nets two meters lower reduces the bycatch mortality of marine mammals by 98%.⁷⁶

A third solution could be to implement traceability standards, allowing products to be tracked from initial catch to market sale. This would inform governments and consumers that products were meeting fishing regulations and food safety standards. Such catch documentation schemes (CDS) issue certificates and trade documents validated by responsible authorities.⁷⁷

Finally, the number of PSSAs could be increased to make more of the ocean not eligible for fishing. An even more extreme version of this would be to ban fishing in international waters, 99% do not belong to an individual country. Because states cannot unilaterally impose limitations on the high seas or any international territory, this would limit fishing to waters governed by individual nations that would be able to implement regulations.⁷⁸

⁷⁵ Igini, Martina. “7 Solutions to Overfishing We Need Right Now.” Earth.Org, February 22, 2023. <https://earth.org/solutions-to-overfishing/>.

⁷⁶ Ibid

⁷⁷ Ibid

⁷⁸ Ibid

Bloc Positions

Illegal Fishing And Whaling Not Only Have Gargantuan Impacts On The Environment, But Also Local, National, And International Economies. Depending On The Needs And Cultures Of Each Individual Nation, Separate Ideologies Surrounding These Topics Arise. Most Blocs Have Moderate To Strong Stances Against Iuu Fishing And Whaling; However, Some Blocs Such As The Eu And Asia-Pacific Region Consist Of Countries With Widely Differing Views On The Topic Based On Cultural And Economic Factors.

European Nations

Since the 1970s, overfishing in the Mediterranean Sea has been a grave concern for environmentalists. Much of this was attributed to technological developments that allowed for deeper, further, more efficient fishing with a lack of regulation in the area. The **Common Fisheries Policy (CFP)** shared by EU nations strives to create equal access to EU waters while ensuring the fishing that does occur is sustainable. The main policy areas of the CFP include fisheries management, international policy and cooperation, market and trade policy, and funding. After the UK left Brexit, a Fisheries Bill was introduced to create a structure for the fishing policies regarding the UK as an

independent coastal state⁷⁹. Another critical move for the EU was signing the ministerial declaration, Malta MedFish4Ever in April 2017, which is a pact agreement for countries to follow scientific advice for the sake of the oceans and its resources⁸⁰. Since 2020, all overfishing of EU nation stocks has been illegal, a great step for the EU towards protecting its seas⁸¹. However, illegal seafood products were still widely available in markets as of September 2022, calling for a more stringent effort by the EU to crack down on unsustainable fishing practices⁸².

No countries in the EU are actively participating in nationally legal commercial whaling, and there is strong opposition to whaling across the globe by the members. Currently, 25 out of 27 states of the EU are members of the International Whaling Commission, having signed the **International Convention for the Regulation of Whaling (ICRW)**, and thus

⁷⁹ Maddy Thimont Jack, “Common Fisheries Policy.”

⁸⁰ “Mediterranean Countries Sign Historic Political Pact on Ocean Governance and Fisheries Management.”

⁸¹ “Overfishing Crisis.”

⁸² Martine Valo, “The EU Has Failed to Prevent Illegal Fishing.”

being members of the International Whaling Commission.

Not all European countries follow the IWC guidelines. Iceland defied the IWC moratorium, resuming commercial whaling in 2006. However, in 2022, Iceland announced that it would put an end to whaling in 2024 due to the decline in demand for whale products. This decline is partially due to the return to open commercial whaling in Japan, creating an open supply of whale meat to the largest market, Japan itself⁸³.

Norway whaling continues today with no end in sight. While the decrease in demand for whale meat also has affected the Norway whaling industry, unlike Iceland, Norwegian politicians and fishermen attempt to keep the practice alive and even further grow the market. Norway advertises the sustainability of their whaling, as well as its cultural significance to the Norwegian people. Norway exclusively endorses the whaling of Minke whales, which are not endangered in their areas, and emphasizes that they

continue to take precaution through scientific research⁸⁴.

North America

Canada and the United States of America have both been very active in combating IUU fishing. In 2022, the Canadian government established the Shared Ocean Fund, committing \$84.3 million USD over the course of 5 years towards the creation of and enforcement of stronger international rules against IUU fishing. Canada has dedicated resources to combat IUU fishing in particularly vulnerable areas as well, including the Indo-Pacific region⁸⁵. In early 2023, Canada, the US, and the UK also launched the IUU Fishing Action Alliance to continue opposing IUU threats around the world⁸⁶. The US has also been very active in acting against international IUU fishing. Most recently, the US released a National Five-Year Strategy for Combating IUU Fishing in 2022. This strategy entails improvements in global governance,

⁸³ “Iceland to End Whaling in 2024 as Demand Dwindles.”

⁸⁴ “Whaling, Ministry of Trade, Industry and Fisheries.”

⁸⁵ “Statement - Canada Is a World Leader in the Fight against Illegal, Unreported and Unregulated Fishing.”

⁸⁶ “Statement - Canada Is a World Leader in the Fight against Illegal, Unreported and Unregulated Fishing.”

conservation, and management of fishing all over the world, with an emphasis on building public and private sector relationships to support the fight against IUU fishing. Ecuador, Panama, Senegal, Taiwan, and Vietnam are five priority flag states that will be focused most on, and the strategy will call for better inspection of market seafood origins⁸⁷.

Russia

Russia has had a more controversial stance on some aspects of IUU fishing compared to many other nations. The nation has rejected certain scientific evidence, for example, regarding the overfishing of redfish in international waters. Russia has put forth its own scientific claims in fish stock assessments through its own scientific research, however these efforts have been frowned upon by the North-East Atlantic Fisheries Commission⁸⁸. Russia has been adamant about following its own scientific research, against other international organizations and nations across the globe.

⁸⁷ “Federal Agencies Release Joint U.S. Strategy for Combating Illegal, Unreported, and Unregulated Fishing.”

⁸⁸ Regin Winther Poulsen, “‘They Might Be Fishing the Last School’: Russia Rouses International Anger with Redfish Overfishing.”

On the other hand, Russia has recently been compliant with whaling restrictions, immediately accepting the IWC commercial whaling moratorium in 1986, making a timely end to its whaling industry in 1987 (then known as the Soviet Union). The only modern whaling that occurs under Russia is aboriginal subsistence whaling and is approved by the IWC⁸⁹.

Africa

IUU fishing is a prevalent issue across the continent of Africa with approximately one in four fish in Africa being caught illegally. This illegal activity is detrimental to the management of fish stocks, and threatens livelihoods of fishermen as well as food security, notably along the western African coast. In 2020, there was an attempt to gain better control of ports, a key strategy in combating IUU fishing⁹⁰. South Africa, Kenya, and 21 other nations signed the UN FAO Port State Measures Agreement (PSMA). However, not all African nations, such as West Africa and Uganda, ratified the

⁸⁹ Ryan Jones, “The Soviet Union Once Hunted Endangered Whales to the Brink of Extinction – but Its Scientists Opposed Whaling and Secretly Tracked Its Toll.”

⁹⁰ “Enough Is Enough. African Nations Must Unite against Illegal Fishing.”

agreement, rendering the efforts far less effective than required of the dire situation⁹¹.

African countries have not contributed greatly to modern whaling, and some countries such as South Africa have openly opposed other countries' agendas to expand the whaling industry. Some of the arguments against whaling put forward by South Africa were protecting the whale watching industry and a worry of overkilling whale stocks⁹².

Asia-Pacific Group

The stances on IUU fishing and whaling vary from nation to nation, especially in the Asia-Pacific region. The Association of Southeast Asian Nations (ASEAN), while having attempted to make unified efforts against IUU fishing, has not been effective in its attempts. IUU fishing continues to be a large issue despite the fact that IUU critically impacts this region. The total economic loss in 2019 from IUU fishing is estimated to surpass the total revenue of the Southeast Asian fishery sector. The lack of success in ASEAN efforts is likely due to the conflicting interests of member countries, and an absence of adherence to ASEAN actions.

Countries like Vietnam and China have been reported to have allowed some IUU fishing brought to attention by other nations to go unpunished⁹³.

In Japan, whaling is still a large part of the culture and market, despite the fact that commercial whaling has been banned by the IWC since 1986. In 2014, Australia successfully brought legal action against Japan's whaling actions which were advertised as scientific, but then found to be commercial by the UN. Since then in 2019, Japan has withdrawn from the IWC entirely after a failed attempt to make limited commercial whaling legal within the organization. Japan argues that the natural population increase of whales since the 1980s allows for limited, sustainable whaling, which was not possible before since in the past, whales were hunted for oil instead of meat. They argue that meat-based whaling is significantly more sustainable, there are many international safeguards in place today to keep countries from over-whaling, and, in fact, whaling will help with dwindling fish

⁹¹ "Agreement on Port State Measures (PSMA)."

⁹² "S Africa Opposes Japan's Whaling Agenda."

⁹³ Asmiati Malik, "Why ASEAN Nations Need to Jointly Fund Their Fight against Illegal, Unreported and Unregulated Fishing."

populations since whales consume such a great amount⁹⁴.

Latin American And The Caribbean

Latin America and the Caribbean have suffered many adverse effects from IUU fishing, including economic and income losses and the loss of sustainable local fisheries. Since many IUU fishing vessels do not comply with health and navigation standards, and foreign fishers do not sell to the ports they fish from, local fishers are faced with industry collapse. The most pervasive issue that contributes to overfishing is the lack of ability by Latin American and Caribbean country governments to surveille the waters. Even in countries where monitoring of local fishing is stringent such as Panama, foreign ships contribute to IUU fishing volume at a dangerously high rate. Depending on the country, IUU fishing is regulated differently, and such regulations have varied effectiveness, strongly depending on the individual nations' interests. Countries such as Costa Rica, Ecuador, and Uruguay have been especially compliant with International Fisheries Treaties and

compliance measures such as the Convention on International Trade in Endangered Species of Wild fauna and Flora (CITES) and the Convention on Migratory Species (CMS). Others, such as Jamaica and Suriname vary in their compliance and agreements towards such treaties and measures.

Most Latin American and Caribbean countries do take a stance against commercial whaling, and are in support of the IWC's mission. However, Suriname has supported Japan's commercial whaling interests in certain forums after receiving fisheries centers, and financial and material donations from Japan⁹⁵.

⁹⁴ "Why The Whaling Issues So Important Now," October 20, 2000.

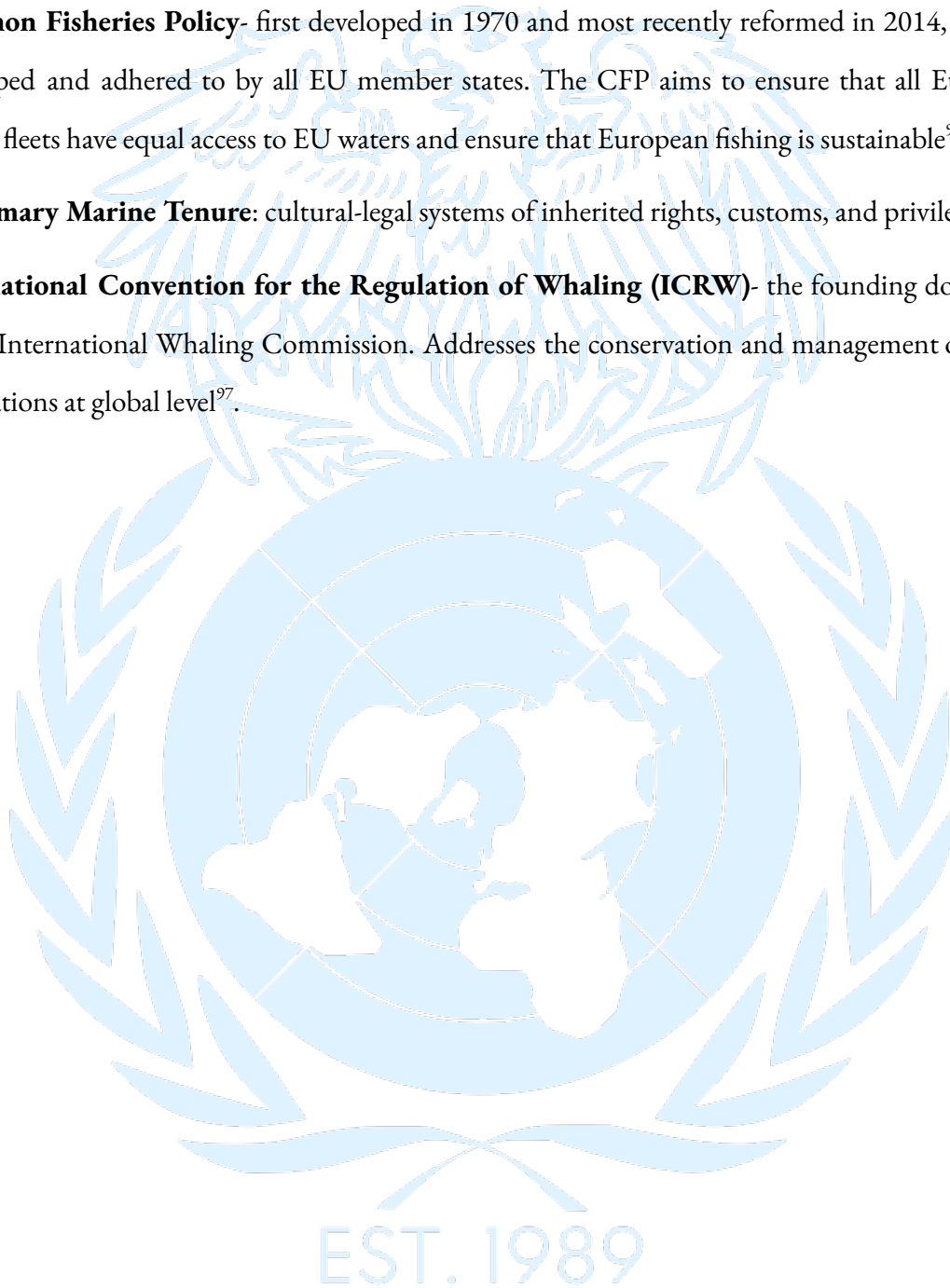
⁹⁵ Rps Submitter and Crime, "IUU Fishing Crimes in Latin America and the Caribbean."

Glossary

Common Fisheries Policy- first developed in 1970 and most recently reformed in 2014, a policy developed and adhered to by all EU member states. The CFP aims to ensure that all European fishing fleets have equal access to EU waters and ensure that European fishing is sustainable⁹⁶.

Customary Marine Tenure: cultural-legal systems of inherited rights, customs, and privileges

International Convention for the Regulation of Whaling (ICRW)- the founding document of the International Whaling Commission. Addresses the conservation and management of whale populations at global level⁹⁷.



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⁹⁶ Maddy Thimont Jack, “Common Fisheries Policy.”

⁹⁷ “International Whaling.”

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