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**World crime trends and emerging issues and responses in
the field of crime prevention and criminal justice****Outcome of the UNODC/WWF Fisheries Crime Expert
Group meeting, 24-26 February 2016, Vienna***Summary*

In order to facilitate an understanding of fisheries crime and its scope, including serious crime and transnational organised fisheries crime, and to identify criminal justice and law enforcement tools to address such crime, the United Nations Office on Drugs and Crime (UNODC) and World Wildlife Fund (WWF) co-hosted an Expert Group Meeting on Fisheries Crime on 24 to 26 February 2016 in Vienna. The multi-disciplinary expert meeting brought together international participants from national agencies, research institutions, law enforcement bodies, intelligence agencies as well as legal experts and NGOs with expertise in the emerging field of fisheries crime. The three main goals of the meeting were to identify ways to most effectively use criminal justice and law enforcement tools to tackle transnational organised fisheries crime and develop necessary new tools; to discuss means to enhance international cooperation and inter-agency coordination in investigating and prosecuting fisheries crime; and finally to discuss the capacity building needs and opportunities to improve knowledge and skills to better address fisheries crime along the entire value chain (eg document fraud, tax evasion, human trafficking, illegal fishing), and how the international community, and in particular UNODC Global Programme for Combating Wildlife and Forest Crime, can provide support. The meeting provided a platform to discuss and better understand what constitutes fisheries crime and what supplementary law enforcement and criminal justice system tools, demarcated from Illegal Unreported and Unregulated Fishing and compliance control measures, can be used to address this organized crime. The meeting focused

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on practical law enforcement and prosecution case examples highlighting fisheries crime's economic, organised and transnational nature. The meeting discussed challenges in the criminal justice and law enforcement sector with regards to investigating and prosecuting such crime, and sought cooperative, collaborative solutions in better addressing fisheries crime. Following the presentations and working group discussions, participants highlighted several challenges and opportunities concerning fisheries crime law enforcement and, therefrom, elaborated recommendations for improvement which form the basis of this conference room paper; a list of nine key recommendations can be found in Annex I.

I. Background: understanding what fisheries crime is and why it must be urgently addressed

The wild capture fisheries sector involves a wide range of actors, from small artisanal fishers to globalized industrial corporations, all constrained by sustainability concerns. Fish and fish products from many of these fisheries are some of the most traded food commodities globally, representing a significant source of employment and wealth creation in coastal communities and of foreign currency earnings, particularly in developing countries. The sector also has an important role as a generator of household income and employment throughout supply chains.¹ In 2010, both wild capture fisheries and aquaculture provided fish with a total value of USD 217.5 billion, with developing countries providing over 50% of the world fish trade.² Over 500 million people in developing countries depend on fisheries (directly or indirectly) for their livelihoods.³ The value added by the marine fisheries sector in Africa alone amounts to just under USD 24 billion; 1.3% of the GDP of all African countries.⁴ The current state of world fisheries resources - namely, 85% of globally commercial stocks are over and fully exploited (of this, 29% is over-exploited),⁵ - renders fish ever more valuable which, in turn, increasingly attracts the attention and involvement of transnational organised crime syndicates to the fisheries sector.⁶

Parts of the sector are particularly vulnerable to organised criminal activity due to the transnational nature of global industrial fishing and associated law enforcement challenges combined with the porous regulatory regime associated with sea-borne activities.⁷ The United Nations recognises the link between illegal fishing and transnational organised crime⁸ as reflected in UNGA Resolution 67/79.⁹ The 2011 UNODC Report on Transnational Organised Crime in the Fishing Industry highlighted the vulnerability of the fisheries sector to multiple crimes, with its findings endorsed by UNGA Resolution 67/79 and UNGA Resolution 68/71.¹⁰ Under the United Nations Convention against Transnational Organised Crime (UNTOC) and United Nations Convention against Corruption (UNCAC), of which UNODC is also the guardian, UNODC works on addressing various forms of transnational organised crime, including migrant smuggling and trafficking in persons, drugs trafficking, arms trafficking, money laundering, among others. In a number of General Assembly, Commission on Crime Prevention and Criminal Justice and Economic and Social Council resolutions, application of these conventions to wildlife crime is explicitly recognised. The UNODC's Global Programme for Combating Wildlife and Forest Crime operates to strengthen States' law enforcement, prosecutorial and judicial capacity, including technical skills to address wildlife crime, where 'wildlife' refers to all aquatic and terrestrial flora and fauna species, including marine living resources, which includes fish, sharks and other commercially exploited marine taxa.

¹ United Nations Food and Agriculture Organisation (FAO). *The State of World Fisheries and Aquaculture: Opportunities and Challenges*. Rome; 2014.

² OECD Tax crimes in the fisheries sector 2013.

³ FAO, (2012), *Strategy for Fisheries, Aquaculture and Climate Change*.

⁴ *The Value of African Fisheries*. FAO Fisheries and Aquaculture Circular No. 1093, FIPS/C1093 (En). Rome; 2014.

⁵ United Nations Food and Agriculture Organisation (FAO). *The State of World Fisheries and Aquaculture: Opportunities and Challenges*. Rome; 2014.

⁶ 2011 UNODC Report at 17 and 110.

⁷ 2011 UNODC Report at 3,4.

⁸ *Ibid* at para 100. See subsequently UNGA Resolution 63/112 (5 December 2008) UN Doc A/RES/63/112.

⁹ 30 April 2013) UN A/RES/ 67/79 at operative clause 68.

¹⁰ (25 November 2013) UN Doc A/68/71 /L. 19.

Many jurisdictions' legislative, institutional, administrative, policy and budgetary arrangements have been geared towards treating transgressions in the fisheries sector as a fisheries management problem only, attracting relatively lenient administrative sanctions, rather than as a broad criminal concern throughout the value chain. The result is largely ineffective identification of fisheries crime and a severe lack of requisite criminal justice sector cooperation and coordination to address complex global fisheries crime involving several criminal offences along supply and value chains, often involving multiple jurisdictions both within and between countries. An improved understanding of what fisheries crime is and its relationship to transnational organised crime is imperative to address the issue.

To facilitate the understanding of fisheries crime and to identify appropriate criminal law enforcement tools to address such crime UNODC and WWF jointly hosted an Expert Group Meeting on Fisheries Crime on 24-26 February 2016 in Vienna. The multi-disciplinary expert meeting brought together international experts from national agencies, research institutions, law enforcement bodies, intelligence agencies as well as legal experts and NGOs with expertise in the emerging field of fisheries crime throughout supply and value chains. The purpose of the meeting was threefold, namely: (i) to identify ways to most effectively use criminal justice and law enforcement tools to tackle transnational organised fisheries crime and develop new tools as necessary; (ii) to identify means to enhance international cooperation and inter-agency coordination in investigating and prosecuting fisheries crime; and (iii) to discuss the capacity-building needs and opportunities to improve knowledge and skills to better address fisheries crime along entire supply and value chains and how the international community, and in particular UNODC Global Programme for Combating Wildlife and Forest Crime, can provide support.

A common understanding emerged amongst the experts of what constitutes fisheries crime, namely, serious offences within the fisheries resource sector that take place along the entire food products supply chains and associated value chains, extending into the trade, ownership structures and financial services sectors. The 'seriousness' of fisheries crimes was highlighted with reference to the extent of harm such crimes can cause to society at large; this is independent of whether or not such crimes fulfil the legal definition of 'serious' under UNTOC. Fisheries crime is not only associated with fishing per se, but include also the planning of fishing activities (financial, insurance, ownership and registration of vessels etc) and a wide variety of related criminal offences including corruptly obtained permits and licences, document fraud, tax evasion, money laundering, kidnapping, human trafficking, and drug trafficking (listed in Annex 2). Fisheries crime is wide-spread, usually transnational, largely organised, and can have severe adverse social, economic and environmental impacts both domestically and internationally.

The complexity of fisheries crime was illustrated with reference to practical international examples, highlighting the constantly changing business models and modus operandi of organised criminal networks (clusters, pyramid, flat organisations) in response to criminals' desire to maximise profit and exploit confidentiality, legal and enforcement weaknesses. Flexibility in response strategies is thus vital. Ultimately, there is an urgent need to address fisheries crime globally via action at appropriate and cost-effective points along fish product supply chains and associated value chains, including via control of ports, market controls and control of nationals, through a cooperative criminal law enforcement approach.

Participants highlighted the need to recognise the existence and potentially broad scope of fisheries crime regardless of the extent to which individual States may have developed

‘fisheries crime’ as a legal concept and/or included relevant provisions in domestic laws, regulations, administrative arrangements, policies and institutions. The review and strengthening of related criminal laws may be required to better facilitate addressing fisheries crime more broadly, especially where it is transnational and organised. There was also agreement that more awareness is needed about how to use the UNTOC as a legal basis for cooperation to investigate and prosecute fisheries crimes. All State Parties to the UNTOC consent to make all ‘serious’ crimes ‘punishable by a maximum deprivation of liberty of at least four years or a more serious penalty’. Addressing fisheries crime on a practical level requires a shared understanding of what fisheries crime is and the ability to identify fisheries crime along the need to take steps to address them, including ensuring compliance with the UNTOC requirements.

Additionally, at management and operational levels there is a need to enhance understanding of the broad nature and existence of all forms of fisheries crime, and how to combat them. Awareness-raising via advocacy and education is key to sensitising States to what fisheries crime constitutes, who fisheries criminals are, and the need to urgently address the challenges associated with this form of crime.

II. Key findings and recommendations - tools to address fisheries crime

A. Law enforcement tools

Jurisdiction

Criminal investigation of fisheries crime should be instigated, conducted and facilitated by relevant agencies within appropriate national jurisdictions along the entire fisheries supply and value chains. Examples of jurisdictions include national jurisdictions from which crews are drawn in instances of human trafficking; jurisdictions where insurers of vessels operate and beneficial owners reside; market state jurisdictions for illegally harvested resources; and the jurisdictions from which corruption money originates, as well as where it ends up. Additionally, the need for market and money destination countries to take a more active role in the exercise of their jurisdictional authority was stressed. This is premised on the need to attack the organised fisheries crime business model from all angles, along the entire value chain as the initial fisheries jurisdiction alone rapidly ‘runs out of road’. These jurisdictions have a particularly important role to play concerning fisheries crime associated with ‘stateless vessels’ that do not have a flag state.

Intelligence gathering and sharing

The meeting underscored the vital need for improved gathering of intelligence around fisheries crime, both predicate and associated, and effective sharing of this information between agencies within States and between States. Intelligence used to successfully solve cases and prosecute criminals should be fed back into identifying and solving new fisheries crime cases. It was recognised that there are severe evidential difficulties in proving fisheries crime, especially offences committed at sea, and the current challenge is thus to transform information from a variety of sources into actionable intelligence and into evidence that can be used for successful prosecutions. The need to find and improve channels for gathering information from non-state actors, especially other actors along supply chains, and converting this into actionable intelligence, evidence and witness testimony was recognised.

Information-flow

A core challenge highlighted was the need to facilitate more fluid information flow around fisheries crime. The requisite processes should be not so formal as to frustrate the flow of information but not too informal so as to render the information unreliable or unusable. The key role of documentation indicating evidence of criminal activity at all points in supply and value chains in the globalised fisheries sector, and the particular difficulty in gathering it from throughout the value chain and sharing it with relevant agencies and jurisdictions in fisheries crime cases, was emphasised with reference to a number of practical cases (most noteworthy the South African/US *Bengis* case, where this obstacle was overcome by persistent international cooperation). In this regard the need for greater access to vessel documents, including log books, licensing, and Vessel Monitoring Systems (VMS), was highlighted.

Overall, better use of information along the entire fisheries and fish product and value chains, including relating to trade, financial matters, and vessel ownership, preferable in 'real time', to facilitate identification of and gathering of evidence with a view to building a case and securing successful prosecution is required. Such information can be gleaned from export/import data, corporate structures and service providers etc.

There is a clear need to improve capacity to identify beneficial owners of vessels - particular attention needs to be given to law reform and international cooperation in this regard to expose them to deterrent sanction, both criminal and civil, recognising that exposure to severe financial penalty can be as effective a deterrent as jail time.

It was suggested that international agencies or bodies should cooperate to use existing law enforcement platforms, such as those available through INTERPOL and World Customs Organisation. Additionally, it was suggested that the development of a more broadly accessible global information 'clearing-house mechanism', facilitating information gathering and exchange pertinent to fisheries crime in its broadest sense, would be beneficial; such a mechanism could be used, for example, to track national revision of legislation pertaining to fisheries crime and act as a repository of information on fisheries crimes committed, prosecutions pursued and penalties imposed, including linking to other existing information systems, for example human trafficking, document fraud and financial crimes.

Financial investigation

Experts acknowledged that fisheries crime are, at their core, economic crimes in that they are rooted in opportunities to make an enhanced profit. Financial crime in the fisheries sector, such as tax fraud and money-laundering, are thus important forms of fisheries crime offences. Accordingly, financial investigation should play a key role in investigation of fisheries crime. In particular, such investigations are useful in efforts to identify 'beneficial owners' of companies and vessels that hide behind complex corporate structures and confidentiality arrangements with a view to penalising them; this may require piercing of the 'corporate veil'. Further, financial investigations have an important role to play in uncovering forgery and corruption in the acquisition of relevant licenses, permits and other requisite paperwork, especially in the conduct of distant water fishing and international trade, and can assist in identifying who falls within the corrupt 'protection economy' surrounding and supporting the committing and concealing of fisheries crime. Ultimately the aim in investigating fisheries crime should be to identify, deter and eliminate the criminals controlling and profiting from the full suite of criminal activities, that is, the

organisers and beneficiaries of fisheries crime. In this regard, restitution should be part of an appropriate sentence for fisheries crime offences (e.g. *Bengis* case).

The vital need for greater transparency surrounding information and its gathering and exchange to deter and prosecute fisheries crime was acknowledged. This is particularly relevant to the identification of beneficial owners of vessels as well as, more broadly, in the context of identifying and investigating potential financial and other crimes associated with predicate fisheries crimes.

Enhanced transparency was also emphasised as a key factor in seeking to disrupt and address corruption. Corruption at multiple points along supply and value chains was identified as a significant impediment to fighting crime in the fishing industry and transparency was identified as an important deterrent. This can facilitate countering corruption through supply chain security including the criminal justice sector, by strengthening and developing mechanisms to deter corrupt conduct by officials. Use of UNCAC cooperation mechanisms was identified as one way in which corruption issues could best be pursued.

Compliance and criminal investigation

Greater use should be made of the broad range of potential laws in which investigations of fisheries crime throughout supply and value chains can be grounded, in addition to often narrowly focused fisheries legislation often with weak penalty regimes. In particular this includes criminal codes, tax legislation, anti-corruption law, labour laws, organised crime laws and the law criminalising document fraud. It was emphasised that, where there is suspicion that a minor fishery offence may be linked to broader organised criminal activity, reliance should be made on all and any laws applicable so as to allow the identification of the full suite of potential offences warranting further investigations by relevant authorities.

In this regard it was acknowledged that it would be beneficial for fisheries crime experts to help develop checklists and manuals for fisheries control and law enforcement agencies involved in identifying, investigating and prosecuting both predicate and associated fisheries crime to assist each other in fulfilling their respective roles. Such checklists should cite all potential laws and offences alongside the relevant implementing agencies of such laws. Manuals on specific investigative techniques in fisheries crime, e.g. financial investigations, may also be useful.

A Toolkit for States to assess their legislative, law enforcement criminal justice capacity to address fisheries crime domestically and to collaborate internationally, with a view to reforming their laws to the extent warranted, would be beneficial. An expansion of the International Consortium on Combating Wildlife Crime (ICWC) Wildlife and Forest Crime Analytic Toolkit to cover the full range of fisheries crimes in more detail may serve this purpose or provide a template.

B. Cooperation and coordination

Greater law enforcement cooperation domestically between agencies and at an international level is imperative. Nationally, the relevant legal frameworks granting mandates to agencies in question must facilitate cooperation between them. Cooperation across borders between governments and law enforcement agencies, as well as broader inter-agency cooperation at national and international level, is key to conducting

successful international criminal operations and investigations that can trigger prosecutions and secure convictions and deterring penalties.

Relevant international bodies with a criminal law and law enforcement mandate, including UNODC, INTERPOL, ILO and OECD, are encouraged to coordinate and cooperate. The cooperation extends to the FAO in its fisheries law reform work. Cooperation with non-state actors, especially those in fisheries and fish product supply chains and value chains exposed to fisheries crimes, can also be very helpful. Practical experience shows that informal cross-border cooperation between officials during operations may be as prompt and productive as cooperation through formal channels. When it comes to prosecution, particularly regarding evidence gathering and extraditions, however, formal channels become necessary – here, existing mutual legal assistance agreements (MLAA) or the provisions of UNTOC can provide the requisite legal basis. Inter-state bilateral agreements may also provide an appropriate avenue and existing agreements need to be reviewed and revised to ensure that they explicitly include fisheries crimes, broadly defined, within their scope.

There was unanimous agreement that in light of the cross-disciplinary, complex nature of fisheries crime, extending well beyond ‘traditional’ fisheries management ambits, multi-agency task teams or units would be beneficial at national level to facilitate more effective and comprehensive law enforcement across the full range of relevant legislation. Ideally, such teams or units would facilitate cooperative involvement of all relevant agencies and departments including tax, customs, revenue, ports, police, fisheries, environment etc. Clear agency mandates and rules must be put in place regarding both the running of the team or unit, including operational aspects. It was identified that high level political support of such teams or units is valuable to their successful functioning. To this end, States’ formal acknowledgment of the serious nature of fisheries crimes at national political level will be a key driver in developing adequate political, and thence resource, support of such internal and international mechanisms to better address fisheries crimes throughout supply and value chains. The value of leadership of such teams or units by experienced and competent individuals was underscored.

C. Capacity-building

The experts recognised that capacity building can support States to significantly improve national criminal law enforcement responses to all forms of fisheries crimes. In particular, this need was highlighted in relation to conducting investigations, and subsequent criminal justice responses, specifically with regards to the identification, securing and analysis of relevant evidence; responding to this evidence and effectively punishing offenders. The need to deliver awareness raising and capacity building training to all relevant agencies, (including the police) as well as in particular to prosecutors and judges was underscored. Capacity building at ports would also be valuable (e.g. intelligence led risk profiling of containers in support of inspection regimes).

The positive role that such training can play in building and facilitating good working relationships between officials in the various key agencies involved in fisheries crime law enforcement was highlighted. The importance of ensuring that capacity building is ‘owned locally’ and delivered in a coordinated manner as part of sustained, on-going programmes, not as one-off events, was strongly emphasised. Financial sustainability will thus be key. Capacity building programmes must keep pace with the changing and complex nature of fisheries crime and therefore need to be flexible to promptly adapt accordingly. The use of

experts for skills transfer, mentoring and operational training in particular is necessary as well as with regards to follow-up training and ongoing operational support.

The meeting highlighted the acute need, within both developed and developing countries, for the sensitisation of legal practitioners, prosecutors and judges to the existence and seriousness of fisheries crimes throughout both supply and value chains. In particular they must be made aware of the array of potential offences beyond those found in fisheries regulations, including in other jurisdictions, which may be used as grounds for a fisheries crime prosecution. This recommendation arose from the observation that prosecutors often ‘drop the fisheries ball’ too early, settling for a moderate administrative fine for a fishing offence, instead of pursuing ordinary criminal law offences as a potentially serious criminal investigation aimed at identifying the ‘heads’ of the criminal organisation involved. Even in the event that fishing offence-cases make it to court, penalties are frequently far too lenient, failing to reflect the serious nature of fisheries crime or to act as a deterrent.

In this regard, States should further ensure that their judicial systems have sufficient discretion to proportionately address fisheries crime, including ordering restitution where appropriate.

D. Law and policy

It emerged at the meeting that many States are not aware that they can employ the mutual legal assistance arrangements under UNTOC to facilitate criminal investigation and prosecution of transnational organised fisheries crime where bilateral agreements are not in place to this end. Alternatively, UNTOC’s mechanisms can be used to supplement existing bilateral or multilateral agreements to the extent that they do not adequately include fisheries crime in their ambit. At the same time, such bilateral agreements may benefit from adjustment to better incorporate provisions covering the full suite of offences constituting fisheries crime. The greater potential for use of UNTOC’s mutual legal assistance provisions as a legal basis for cooperation to facilitate investigating and prosecuting transnational fisheries crime should be brought to States’ attention. More broadly, States should consider the extent to which UNTOC can be used to complement existing law enforcement efforts to fight ‘serious’ fisheries crimes.

The value of all States enacting US Lacey Act-like provisions at domestic level was emphasised with particular relevance to granting market States criminal jurisdiction over fisheries crimes throughout supply chains. Such provisions would criminalise the import, distribution and possession of natural resources or derived products within a market state that had been acquired in breach of the domestic laws of an originating or exporting state, including flag States.

States should review, and revise where necessary, the full range of relevant domestic law pertaining to the entire fisheries supply and value chains. This entails assessment of criminal codes and all other legislation covering the array of potential fisheries crimes in the fisheries sector, broadly defined. This scope includes money-laundering, document fraud, organised crime, racketeering, bribery and corruption, tax evasion, insurance fraud, violation of labour standards, human trafficking, obstruction of justice, customs violations, violation of hygiene and food safety standards etc. It is necessary to ensure that all such offences are appropriately criminalized, and attract commensurate criminal and/or equivalent administrative penalties, reflecting the seriousness of fisheries crime, and their economic nature, taking into account that jail time may be no substitute for economic loss, with a view to offering both effective deterrence and appropriate penalty.

Ideally such criminal offences should attract four or more years' imprisonment or 'a more serious penalty' to meet the serious crime element under the UNTOC and so trigger use of its cooperation mechanisms. It is important that hefty administrative penalties (including potential loss of fishing licenses for example) are included.

Whilst there is value in criminalizing fisheries offences, this is not imperative to pursue successful investigation and prosecution of fisheries crime provided that other offences, such as document fraud or tax evasion, are appropriately criminalised. In this regard, the need to make use of the 'full range of the law' was underscored. The complementary roles of different international organizations (particularly UNODC and FAO) in assisting States that request law reform/legislative review was recognised. States should ensure that steps to combat fisheries crime, especially transnational organised crime, do not have a disproportionate impact on compliant trade and that, where appropriate, small scale fishers should be offered alternative livelihood programmes, as an alternative to participation in illegal or corrupt fish supply chains.

E. Awareness-raising

Current law enforcement practice in many jurisdictions reflects that fisheries crime is rarely prosecuted in court with the result that opportunities to investigate and prosecute the organisers of such crimes are lost, along with effective deterrence opportunities throughout supply and value chains. It is recognised that this is in part due to a lack of awareness at political and judicial level of the serious nature and extent of fisheries crimes and, thus, a lack of commitment to effectively address it.

At a political level, States need to be made aware of the scale and importance of the issue and the extent of their responsibilities for taking appropriate and effective action at relevant points in these supply and value chains. This is likely best achieved by emphasising the economic loss to governments that fisheries crime causes either directly through lost revenue and tax evasion, or indirectly through loss of potential domestic economic activity and adverse social impacts, moving beyond solely focusing on the harm to the natural resource itself. Political buy-in is key to effectively addressing all forms of fisheries crime.

Awareness-raising efforts should thus be pitched at state level, highlighting, inter alia, the scale of the loss of taxation and other economic revenue associated with fisheries crimes throughout supply and value chains and related severe adverse social, economic and environmental impacts with additional costs to governments, legitimate businesses and the wider community. The value of these 'top down' drivers in pursuit of improved criminal law enforcement concerning fisheries crime was underscored, as was the value of non-state actors, especially within fish product supply chains, in helping to generate the political will needed to trigger commitments from the highest levels.

Annex 1

Key Recommendations

1. Conduct awareness-raising at the highest political levels to ensure States' understanding of the full range of fisheries crimes, particularly their organised, transnational nature, and of the extent of the serious harm they cause, to urgently bolster cooperative efforts to address fisheries crime both domestically and globally.
2. Conduct awareness-raising aimed at States' acknowledgement of fisheries crime as 'real' crime and 'serious' crime necessitating an appropriate and proportionate criminal justice system and law enforcement response.
3. Make greater use of financial mechanisms, within the context of enhancing transparency and traceability, to investigate and punish fisheries crimes, in particular with reference to uncovering beneficial ownership of vessels and companies throughout supply and value chains.
4. Make greater use of 'alternative' and supplementary criminal jurisdictions throughout the fisheries supply and value chains to pursue fisheries crime law enforcement efforts. All countries affected by fisheries crime are strongly urged to more actively exercise their authorities in this field.
5. States are encouraged to establish cooperative cross-disciplinary multi-agency fisheries crime task teams at national level and UNODC is encouraged to support requesting States in establishing such task teams.
6. Develop practical manuals and Standard Operating Procedures to assist fisheries crime law enforcement officials, including in the criminal justice sphere, in addressing fisheries crime; to include at minimum a list of all potentially relevant laws, offences, agencies and investigation techniques, (particularly financial investigation) based on best practices. For example, extend the ICCWC Wildlife and Forest Crime Analytic Toolkit to include a broadly defined fisheries crime component.
7. States are urged to make better use of existing cooperation mechanisms including provisions under UNTOC and UNCAC, and support development of further bilateral regional and multilateral mechanisms, recognising the critical role of cooperation in facilitating enhanced information-flow, intelligence development and -sharing regarding the investigation and prosecution of fisheries crimes, especially with regard to use of UNODC, INTERPOL and WCO databases.
8. States are encouraged to conduct comprehensive reviews of national legislation to ensure all potential fisheries crimes are adequately criminalised with penalties commensurate with the seriousness of the crimes, including penalties of four or more years' imprisonment and equivalent administrative penalties where possible. In particular, States should adopt US Lacey Act type legislation.
9. There is a clear need to build capacity and transfer technical skills in the criminal justice sector and law enforcement arena to address fisheries crime along the entire supply and value chains, including bringing together coastguard and port enforcement agencies with 'traditional' land based enforcement bodies, via comprehensive training and mentorship for all relevant agencies facilitated by appropriate agencies such as UNODC and INTERPOL.
10. States are urged to pursue fisheries crime as a critical emerging oceans issue for discussion in appropriate international fora.

Examples of fisheries crimes throughout the entire fisheries supply and value chains

Bribery and corruption

Customs offences

Arms trafficking

Document forgeries, including falsification of permits, licences, catch documentation, etc.

Drugs trafficking Fraud

Human rights violations, especially crew conditions tantamount to slavery, kidnapping or human trafficking

Illegal fishing/ violation of flag state and/or coastal state fisheries laws and regulations

Insurance fraud and related offences

Migrant smuggling

Misrepresentation

Mislabelling

Money laundering

Murder and greivous bodily harm

Obstruction of justice

Offences under international marine/environmental law (eg the 1973 International Convention for the Prevention of Pollution from Ships (MARPOL) and its annexes)

Organised crime and racketeering

Tax violations

Theft

Violation of corporation law

Violation of hygiene and food safety standards

Violation of international labour law standards

Violation of vessel safety laws and regulations (crew and vessel)

Violation of navigation laws

Violations of merchant shipping laws