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# **National Plan of Action of the Republic of Korea to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing**

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Drafted by  
the Ministry of Oceans and Fisheries of the Republic of Korea

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## I . Introduction

The issue of illegal, unreported and unregulated (IUU) fishing was tabled for the first time at the 23rd session of the Committee on Fisheries (COFI) of the UN FAO held in February 1999. After two years of discussions, COFI adopted the *International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing* (IPOA-IUU), which aimed to effectively address all types of IUU fishing activities.

The IPOA calls upon all States to develop and adopt national plans of action (NPOA) to achieve the objectives of the IPOA and to take measures to give full effect to its provisions within three years following the adoption of the IPOA, i.e., before February 2004, and to review the NPOA every four years thereafter. Despite the voluntary nature of the instrument, a number of countries developed their National Plan of Action following the recommendations of the IPOA, recognizing the seriousness of the problem of IUU fishing.

Since the adoption of the IPOA, the international community has increasingly taken more seriously the need to eliminate IUU fishing. For example, the EU adopted its *IUU Regulation* (Council Regulation (EC) No 1005/2008) and the US reauthorized the *Magnuson-Stevens Fisheries Management Act* to strengthen the control over IUU fishing.

Korea developed and submitted to FAO its first National Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (NPOA-IUU) in February 2005. To follow the recommendation of the IPOA, the Korean government should have reviewed its NPOA-IUU in 2009, four years after Korea established its first NPOA-IUU. However, the government went through a major cabinet reshuffle in 2008 that led to the breakup of the Ministry of Maritime Affairs and Fisheries. It was not until 2011 the NPOA was reviewed, with a two-year delay from the recommended schedule. Now the NPOA has been reviewed for the third time, with the re-establishment of the Ministry of Oceans and Fisheries in 2013.

Looking back on the implementation of the NPOAs for the last decade, there have been some improvements in terms of the cooperation with adjacent countries such as Russia, China and

Japan in the fight against IUU fishing. However, there is still a long way to go to effectively manage and control Korean-flagged fishing vessels operating in distant waters and to implement policies that ensure the deterrence to IUU fishing. Korea also recognizes that IUU fishing cannot be sufficiently addressed unless all states work together to tackle the problem.

At the third review of the NPOA, Korea has attempted to incorporate the lessons learned from the past and to address the concerns expressed by the international community. The third revision of the NPOA contains, among others,:

- i. strengthening the level of sanctions against IUU fishers;
- ii. mandatory installation of VMS on all Korean distant water fishing vessels;
- iii. enhancing Monitoring, Control and Surveillance (MCS) through, inter alia, the port state inspection scheme with broader application and coverage;
- iv. rebuilding the internal/external governance for the fight against IUU fishing;
- v. strengthening the cooperation with coastal developing states.

However, there is still much room for improvements to catch up with the global leaders in the fight against IUU fishing. Considering that this is an on-going process, progresses are still being made in addition to the recent amendment to the *Distant Water Fisheries Development Act* (DWFD Act). Short, medium and long term tasks will be undertaken to further improve the IUU control systems, giving due consideration on such matters as the budget, organization, human resources and legal institutions.

To fulfill its responsibilities under the international laws, Korea intends to review the NPOA at least every four years as recommended by the IPOA, and will take the initiative to combat IUU fishing around the globe.

## **II. Objectives and Principles**

The NPOA aims at establishing a system that supports the full achievement of the objectives envisioned in the IPOA and at taking the leading role in the combat against IUU fishing, thereby promoting the sustainability of the global fisheries.

The NPOA is based on the following principle laid down in the IPOA:

- i. **Comprehensive and integrated approach**: In taking such an approach, States should embrace measures building on the primary responsibility of the flag State and using all available jurisdictions in accordance with international law, including port State measures, coastal State measures, market-related measures and measures to ensure that nationals do not support or engage in IUU fishing.
- ii. **Participation and coordination**: To be fully effective, the NPOA should be implemented either directly, in cooperation with other States, or indirectly through relevant regional fisheries management organizations or through FAO and other appropriate international organizations. An important element in successful implementation will be close and effective coordination and consultation, and the sharing of information to reduce the incidence of IUU fishing, among States and relevant regional and global organizations. The full participation of stakeholders in combating IUU fishing, including industry, fishing communities, and nongovernmental organizations, should be encouraged.
- iii. **Phased implementation**: Measures to prevent, deter and eliminate IUU fishing should be based on the earliest possible phased implementation of national plans of action, and regional and global action in accordance with the IPOA.
- iv. **Conservation**: Measures to prevent, deter and eliminate IUU fishing should be consistent with the conservation and long-term sustainable use of fish stocks and the protection of the environment.
- v. **Transparency**: The IPOA should be implemented in a transparent manner in accordance with Article 6.13 of the Code of Conduct.
- vi. **Non-discrimination**: The IPOA should be developed and applied without discrimination in form or in fact against any State or its fishing vessels.

### **III. Better Governance for the Control over IUU Fishing**

IUU fishing cannot be effectively tackled only with a patchwork of bits and pieces of efforts by individual agencies. Close cooperation and coordination amongst internal agencies and with international organizations are of utmost importance in this regard.

The lack of a robust, deterrent governance framework was one of the factors behind Korea's sub-standard control over IUU fishing. This is one of the important areas that have been addressed in this NPOA.

## **1. Internal Governance**

When it comes to the effective control over IUU fishing, the coordination amongst internal and external agencies and organizations is of great importance. Over the past years, it has been pointed out that Korea has a weak link in terms of the MCS over the Korean-flagged fishing vessels. To strengthen the system, the Korean government intends to build a governance structure that involves all relevant agencies including the Ministry of Oceans and Fisheries; the East Sea Fisheries Management Service (MCS authorities); the National Fisheries Research and Development Institute (fisheries observers and scientific research); and the National Fisheries Quality Management Service (Catch Certificate Issuing authorities). This structure will facilitate a closer inter-agency cooperation, coordination and information sharing.

The cooperative governance structure will also include the Customs Service, sharing information on customs clearance of fish and fisheries products of interest. All relevant information that supports the allegation of an IUU fishing activity, e.g. VMS records of the fishing vessel in question, reports from other states, RFMOs and NGOs will also be shared with the Prosecutors' Office for possible criminal proceedings.

In addition to the coordination amongst fisheries-related internal agencies, the fisheries authorities of Korea will work with other Ministries with different competence. For example, the relevant provisions under the *Foreign Currency Exchange Act* of the Ministry of Finance will be applied to address Korean nationals who own foreign-flagged vessels engaged in IUU fishing. Korea also intends to lay a legal ground to require suspicious operators to submit relevant documents to tighten the government's monitoring and control over their investment in overseas fisheries.

The Korean government intends to engage more closely with the industry to ensure the

effective implementation of the government's anti-IUU policies. The market system will be improved so that law-abiding fishers are incentivized for their full participation in the fight against IUU fishing.

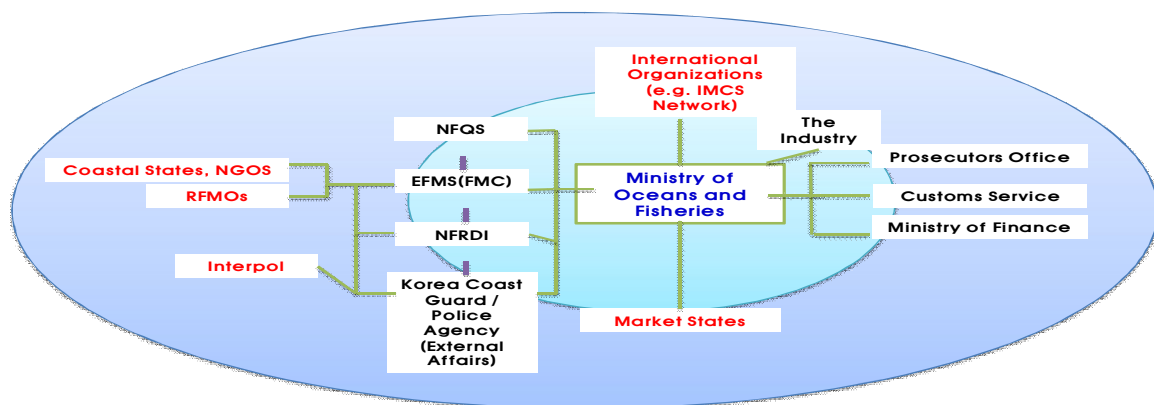
## 2. External Governance

A similar cooperative structure will be built to work more closely with regional fisheries management organizations (RFMOs), coastal states and NGOs to collect and share information on IUU vessels and the trade of IUU products, thereby ensuring the effectiveness of the prevention, deterrence and elimination of IUU fishing.

The cooperation between the External Affairs Office of Korea's Police Service and Interpol will be of great help to investigate into various types of IUU fishing activities. Korea also took the first step to formalize its cooperation with the International MCS Network (IMCS Network) by sending its membership application to work closely with international MCS experts.

Korea intends to cooperate more closely with market states such as the EU members, the US and Japan to prevent the trade of IUU fish and fisheries products.

**IUU Control Governance Structure**





## IV. All State Responsibilities

Korea is committed to fulfilling the state responsibilities laid down in the IPOA as follows:

### 1. International Instruments

Korea is a Party to a number of important international arrangements and agreements. Korea ratified or accepted, among others, the *Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)* in 1993, the *UN Convention of the Law of the Sea* in 1996, the *UN Fish Stocks Agreement* in 1996, and the *FAO Compliance Agreement* in 2003. Korea also has been actively participating in the discussions of the Fisheries Committees of FAO, OECD and APEC to contribute to promoting the compliance with international laws and regulations related to the prevention, deterrence and elimination of IUU fishing.

So far, Korea has made efforts to give full effect to the provisions of these international instruments as an integral part of Korea's national legislation. For example, in 2004, Korea enacted the "*Wild Fauna and Flora Protection Act*" to keep in line with the CITES requirements. In 2009, the "*Ministerial Directive for the Implementation of the UNGA Resolution on the Bottom Fishing on High Seas*" was established following the UNGA Resolutions 61/105 (2006) and 64/72 (2009) to protect vulnerable marine ecosystems from the effect of high seas bottom fishing activities which were not covered by any RFMOs. In 2011, the "*Guidelines for Reduction of Bycatch in the Longline Fisheries*" and the "*National Plan of Action for the Conservation and Management of Sharks*" were established.

Korea intends to maintain its proactive participation in the development of international regulations and agreements, especially those that are developed and adopted by the relevant UN System. As part of this effort, Korea intends to finalize its ratification processes to the FAO Port State Measures Agreement (PSMA) of 2009 by the end of 2014 or in the first half of 2015. Pending the ratification, the Korean government already introduced a port inspection scheme as a national system for port state measures on January 31, 2014, which is more stringent than the requirements of the PSMA.

As of 2014, Korea is a member of 14 RFMOs, taking the leading role in the development of conservation and management measures, the compliance with the existing requirements and strengthening the scientific base for sound fisheries management advice. Korea is a founding member of the Indian Ocean Tuna Commission (IOTC) and the Western and Central Pacific Fisheries Commission (WCPFC), and is currently taking part in the preparation of the establishment of the North Pacific Fisheries Commission (NPFC). Section IX “*Measures to be Implemented through Regional Fisheries Management Organizations*” of this NPOA deals in greater detail with the RFMOs of which Korea is a member.

## **2. National Legislation**

Korea’s national legislation that supports the prevention, deterrence and elimination of IUU fishing includes: the *Fisheries Act*, the *Fishery Resource Management Act*, the *Distant Water Fisheries Development Act*, the *Fishing Vessel Act*, the *Inland Water Fisheries Act*, the *Act on the Exercise of Sovereign Rights over the Fishing Activities by Foreign Fishing Vessels in the Exclusive Economic Zone of Korea* and the *Wild Fauna and Flora Protection Act*. More detailed explanations have been provided at Annex 1.

The Korean government is working to identify areas of improvement that have not been addressed through the recently amended DWFD Act and to make further amendments by the end of 2014 or in the first half of 2015. Those areas that have been currently identified include:

- i. zero-tolerance against IUU fishing vessels by deleting leniency provisions (e.g. the deletion of administrative fines in lieu of criminal sanctions and reduction provisions, along with the increase in the upper limit of administrative fines)
- ii. re-categorization of “serious violations (IUU fishing)” in line with the international standards;
- iii. prohibition of vessels under IUU investigation from changing the ownership and/or name;
- iv. maintenance of IUU fishing vessel lists and IUU history and
- v. depriving IUU listed fishing vessels of the eligibility for fishing authorizations
- vi. stronger reporting requirements for better MCS, e.g. transshipment and landing

### 3. State Control over Nationals

The *Fisheries Act* and the *Fishery Resource Management Act* make it unlawful for Korean nationals to engage with the capturing and harvesting of fishery resources and the possession, distribution, processing, storing and selling of illegal catches in areas under Korea's jurisdiction. The violators of the provisions of these Acts are sanctioned accordingly.

Korean nationals engaged in IUU fishing on high seas or in EEZs outside Korea's jurisdiction are subject to sanctions in accordance with the DWFD Act.

The review on the performance of the NPOAs in the past revealed that Korea has a rather weak control over its nationals who engage in IUU fishing outside Korea's jurisdiction by:

- i. having an ownership or control of a foreign vessel engaged in IUU fishing;
- ii. being employed as the master or crew member of a foreign vessel engaged in IUU fishing; or
- iii. knowingly importing IUU fish or fisheries products from other states.

The control remained weak because there was no Korean national law that explicitly allows the prosecution of nationals who acted in violation of a foreign country's laws and regulations.

This weakness will be duly addressed through the improved cooperative governance referred in Section III, *"Better Governance for the Control over IUU Fishing."*

Realizing that its own MCS effort at home alone cannot sufficiently identify the implication of Korean nationals in IUU fishing overseas, Korea intends to make use of the existing international cooperation mechanisms, such as the IMCS Network, to tighten the control over fishing activities that take place in waters outside Korea's jurisdiction. Korea has already sent its membership application to the Network in May, 2014 to join the global MCS efforts. Also, new cooperation channels will be established through various means including a Memorandum of Understanding (MOU) with the relevant coastal states that usually accommodate flagging of convenience, so as to prevent Korean vessels from flagging to the countries to avoid Korea's control.

Under the system of statute law in Korea, it takes a long time for a law to be newly introduced or amended. However, the government will exercise its statutory authorities to apply relevant provisions of the Criminal Law to Korean nationals who have been confirmed to have engaged in IUU fishing outside Korea's jurisdiction by having an ownership or control of a foreign vessel engaged in IUU fishing; being employed as the master or crew member of a foreign vessel engaged in IUU fishing or in any other ways.

Also, Korea is considering introducing a new provision to the current DWFD Act to allow the government to revoke the officers' or crew's license from those engaged in IUU fishing outside Korea's jurisdiction.

#### **4. Stateless Vessels**

Korean laws and regulations do not provide a direct means to take measures against stateless vessels conducting IUU fishing on high seas. However, that does not mean that Korea is not taking any measures in that regard. Korea is currently taking part in the high seas boarding and inspection scheme in the Western and Central Pacific Ocean, under the purview of the WCPFC. Korea intends to broaden its participation to such at-sea inspections implemented in other RFMOs as well. Also, Korea is taking measures against vessels confirmed by other states and RFMOs to be stateless. These measures include port entry denials, port inspections and the prohibition of transshipment with these vessels.

#### **5. Sanctions**

Korea now has in place a sanction system of a sufficient level that deters IUU fishing by nationals subject to Korea's jurisdiction. The system aims to deprive the offender of the gains from the illegal activities. IUU fishing conducted in Korea's national waters is subject to an imprisonment of up to three years or a criminal fine of up to KRW 20 million, plus the confiscation of all gears and catches involved in the illegal activities depending the gravity of the violation.

Those who conducted IUU fishing in the EEZs outside Korea's jurisdiction or on high seas are subject to an imprisonment of up to three years or a criminal fine of up to three times the amount of the value of the illegal catches. The Korean government is now working to expand the application to those who indirectly engaged in such activities to ensure the effectiveness of sanctions. The Korean government is planning to complete the amendment to the current DWFD Act including this element by the end of 2014 or June, 2015.

The level of sanctions is still low, compared to the US cases where fines of USD 300,000-750,000 were imposed together with the enforcement costs incurred by the US Coast Guard in 1996, 1997 and 2000<sup>1</sup>. However, when compared to other domestic laws in Korea, the sanction level is quite robust. As the awareness of Korea as a nation on the detrimental impacts of IUU fishing is being raised, the level of sanctions against IUU fishers will be further increased.

## **6. Economic Disincentives**

Upon confirmation of IUU fishing, the pertinent vessel will be immediately deprived of government loans provided to them in accordance with the DWFD Act, the *Fisheries Act* and the *Act on the Restructuring and Supporting of EEZ Fisheries*. They will also lose their eligibility for all relevant policy supports provided by the government.

## **7. Monitoring, Control and Surveillance (MCS)**

To maximize the effectiveness of MCS, which is one of the most important elements in the IPOA, a comprehensive system that tracks the entire chain of catching, transshipment, landing, processing, wholesale and retail trades of fish and fisheries products should be in place. The MCS system should be closely linked to market-related tools such as a catch certification system. However, at the current stage, Korea has yet to have a system and expertise to widely cover all the points in the chain. Korea's MCS mainly takes place on the catching and landing to prevent illegal fish and fisheries products from the market. At-sea transshipment still poses compliance risks and this area needs to be addressed to eliminate

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<sup>1</sup> The US NPOA, third revision

IUU fishing.

The most readily available option for enhancing the effectiveness of MCS activities is strengthening the cooperation with RFMOs. While closely engaging in multilateral cooperative mechanisms, Korea will step up its effort to implement a more robust MCS system on catching and landing, and will work to expand the system to cover the weak areas such as processing, wholesale and retail trades.

Korea also aims to develop various tools that facilitate MCS activities, based on advanced information and communication technologies. These tools should be cost-effective and affordable to ensure an easy access by developing states which hitherto could not actively participate in the global effort in the fight against IUU fishing due to budgetary and administrative constraints.

### **7.1 Vessel Authorization and Schemes for Access to Fishery Resources**

All Korean-flagged vessels must be registered to the relevant regional offices of Maritime Affairs and Port Administration under the Ministry of Oceans and Fisheries, in accordance with Article 8 of the *Fishing Vessel Act*. Article 13 of the same Act also requires that no vessels can be used for fishing operations unless they are duly included in the vessel registry maintained by the competent local authorities of the port of registry.

The *Fishery Resource Management Act* and the *Act on the Restructuring and Supporting of EEZ Fisheries* provide various systems under which domestic fisheries are operated under proper management. Some examples of these systems include the Total Allowable Catch system, Community Based Management (CBM) and the vessel decommissioning scheme.

As a responsible Party to the UNCLOS, Korea introduced a Total Allowable Catch system for certain species in 1999, realizing there was much room for improvement in terms of fisheries management, going beyond conventional fisheries management schemes in the face of a growing trend of overfishing and rapid stock declines. As of 2014, around 40 % of fishery

resources in Korea's EEZ are subject to TAC<sup>2</sup>. Korea intends to expand the TAC coverage to more species in the coastal fisheries. To this end, the government is working to strengthen the TAC implementation system, recruiting more TAC observers, reviewing and amending the current training manuals<sup>3</sup> for them and increasing the relevant budget.

Recognizing that indirect fisheries management schemes such as licensing and authorization are not cost effective in terms of resource protection and recovery, the Korean government, since 2001, has been encouraging the coastal communities to take their own initiatives to manage their fishing grounds and resources and to prevent IUU fishing. This approach is called the Community Based Fisheries Management, under which the stakeholders make their own rules to manage and protect the fisheries resources and marine ecosystems, to restructure their business in line with sustainability and to promote compliance with relevant rules and regulations. The Community Based Fisheries Management system that started with 5,107 fishers in 63 communities in 2001 has grown significantly. As of 2013, 67,687 fisheries in 1,039 communities are participating in this fisheries management approach. However, the qualitative growth has not kept up with the quantitative growth. To fill this gap, the Korean government plans to introduce an Act on the Promotion and Support of Community Based Fisheries Management by the end of December 2014, along with education and outreach activities to raise the awareness of fishers on the importance of sustainable fisheries management.

In accordance with the *Act on the Restructuring and Supporting of EEZ Fisheries* of 1994, Korea has been decommissioning fishing vessels in the EEZ to the level commensurate with fishery resources that can produce sustainable yield. The decommissioning scheme also aims at streamlining vessel operation structures to improve governance and profitability. So far, 18,453 vessels have been decommissioned under this scheme and 463 more vessels are going to be further decommissioned in 2014. This effort will be continued for the sustainable management of fisheries resources.

## **7.2 Vessel Registration and the Maintenance of All Relevant Information**

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<sup>2</sup> 11 species including chub mackerel, blue crab, squid whose combined weight is approximately 415,308 tonnes.

<sup>3</sup> developed in September, 2013

Article 13 of the *Fishing Vessel Act* requires that no fishing vessel can engage in fishing operations unless it is duly included in the vessel registry maintained by the competent local authorities of the port of registry. The fishing vessel record is properly managed through a system called “*Sae-ol Admin*, ” which is also linked to the “Fisheries Policy Admin System” maintained by the central government (the Ministry of Oceans and Fisheries), the competent authorities for distant water fisheries authorization. Information on all registered fishing vessels, including the certificate of nationality, registration certificate, owner and operator information, keeps being updated and can be accessed through the system.

### 7.3 VMS

The *Fishing Vessel Act* provides that all fishing vessels operating in Korea’s EEZ and larger than 5 GT shall have a vessel position transmitting device (AIS, VHF, etc.). The application is going to be expanded to cover vessels less than 1 GT by December 31, 2016. The Ministry of Oceans and Fisheries and East Sea and West Sea Fisheries Management Services monitor the activities of around 20,000 fishing vessels operating exclusively in the EEZ.

Until 2013, distant water fishing vessels other than those operate in the areas under the purview of RFMOs had not been required to have a VMS fitted on board. The amended *Distant Water Fisheries Development Act* makes it mandatory for all Korean-flagged distant water fishing vessels to have a VMS on board by July 31, 2014. As the Korean government has been working diligently to address the concerns expressed by the international community regarding IUU-related issues, all fishing vessels subject to this requirement are in full compliance and have a VMS devices on board (INM-C, ARGOS, THORIUM, INM-D) as of March 20<sup>th</sup> 2014, well ahead of schedule.

To monitor the activities of these distant water fishing vessels, the Fisheries Monitoring Center (FMC) was established on March 28, 2014. The Center conducts 24-7, near real-time monitoring to prevent IUU fishing and maintains VMS records for access by relevant authorities, including Catch Certificate issuers. Korea expects that the FMC will contribute much to the elimination of IUU fishing by Korean-flagged distant water fishing vessels. The



Center will also facilitate the verification of vessel track records in the process of issuing Catch Certificates for fish and fisheries products exported to other countries.\_

## 7.4 Observer Program

The Korean government operates two types of observer programs—one is dedicated to domestic fisheries to observe the compliance with TAC and the other is for observers sent on board vessels operating in waters outside the judicial waters of Korea, especially RFMO Convention Areas for compliance monitoring and scientific work.

The TAC observer program was introduced in 1999 for the effective implementation of the TAC system and started on July 24, 2000, with 9 observers. As of December, 2013, 70 observers are carrying out their duties in 121 domestic fish markets, verifying the compliance of 985 vessels engaged in 12 different types of fisheries<sup>4</sup> with the respective quotas on the 11 species (e.g. chub mackerel, blue crab, squid, etc) and other relevant regulations. They also collect samples for scientific research and analyses.

Korea plans to double the number of observers to 150 by 2015 to strengthen the monitoring of the implementation of the TAC system and intends to introduce an on-board observer system to collect information on the compliance, catches by fisheries and vessel types and species, fishing areas, dates and time for domestic fisheries and the Chinese and Japanese vessels operating in Korean waters.

Region	Number of TAC observers	Species under TAC
All Regions	70	mackerel, horse mackerel, red snow crab, comb pen shell, snow crab, blue crab, squid, sailfin sandfish, butter clam, skate, top shell
<i>Gangwon</i>	10	squid, red snow crab, snow crab, sailfin sandfish
<i>Incheon, Gyeong-gi</i>	6	blue crab, skate
<i>Busan</i>	8	mackerel, horse mackerel, snow crab, squid, butter clam
<i>Ulsan</i>	2	squid, red snow crab

<sup>4</sup> large-scale purse seiners, coastal pole and line and gillnets, etc

<i>Chungnam</i>	5	butter clam, blue crab
<i>Gyeongbuk</i>	13	red snow crab, snow crab, squid, sailfin sandfish
<i>Gyeongnam</i>	7	butter clam, squid, snow crab
<i>Jeonbuk</i>	2	blue crab, skate
<i>Jeonnam</i>	9	butter clam, skate
<i>Jeju</i>	8	top shell, squid

**Table 1.** Number of TAC observers by regions and species

Currently, 27 Korean observers go on board distant water fishing vessels, operating in 8 RFMO Areas, where Regional Observer Programs have not been established. On-board observers are tasked to collect operational and biological information, to collect samples for scientific analyses and to monitor the vessel's compliance with relevant rules and regulations, such as individual quotas.

Year	Number of Observers	Number of Deployment	RFMO Areas
2003	4	4	CCAMLR, SPRFMO, NPFC
2004	5	3	WCPFC, CCSBT, IATTC
2005	4	10	ICCAT, CCAMLR, IATTC, NAFO, WCPFC, CCSBT
2006	5	9	ICCAT, CCAMLR, IOTC, WCPFC
2007	6	12	ICCAT, CCAMLR, SEAFO, IATTC, WCPFC, IOTC
2008	9	12	ICCAT, CCAMLR, SEAFO, SPRFMO, WCPFC
2009	9	15	ICCAT, CCAMLR, SEAFO, WCPFC, CCSBT, IOTC
2010	13	16	ICCAT, CCAMLR, FAO41, NPFC, SEAFO, SIOFA
2011	7	14	ICCAT, CCAMLR, SIOFA, SEAFO, FAO41
2012	11	22	ICCAT, CCAMLR, SIOFA, SEAFO, IOTC, FAO41, FAO51
2013	19	34	ICCAT, CCAMLR, WCPFC, SIOFA, SEAFO, IOTC, FAO41, NPFC

**Table 2.** Number of Korean observers deployed on board DW fishing vessels by year and areas

Korea intends to strengthen its observer program to increase the coverage and to ensure the quality of observation, thereby contributing to the international MCS efforts. To this end,

Korea plans to implement a three-year plan (2014-2016) to nurture quality on-board international observers in a step-wise manner.

## **7.5 Training and Education of MCS Officials**

MCS activities are conducted by enforcement officials and judicial police officers from the National Fisheries Products Quality Management Service (NFQS), East Sea and West Sea Fisheries Management Services (ESFM and WSFM), Korea Coast Guard and local fisheries enforcement authorities. They are required to complete relevant mandatory training—fisheries enforcement (enforcement officials), criminal investigation (judicial police officers) and port inspection (inspectors)—and other training courses provided by MCS-related agencies.

The FMC agents and relevant officials are scheduled to visit the FMCs of other countries, e.g. Spain and France, to see first-hand and learn from the advanced FMC operations.

## **7.6 MCS Plans and Budgets**

The Ministry of Oceans and Fisheries establishes a plan for MCS activities on a yearly basis, which is implemented by the relevant agencies—NFQS, ESFM, WSFM, Korea Coast Guard and local enforcement authorities.

Korea has recently introduced an important measure as part of the effort to enhance its MCS capacity. As of January 31, 2014, the Port State Inspection Scheme on foreign fishing vessels has been expanded in its application and coverage. With the operation of the FMC that commenced its operation on March 28, 2014, Korea's MCS system now broadly covers the activities of both Korean-flagged distant water fishing vessels and foreign fishing vessels seeking to enter Korean ports. This MCS system has now been linked to the catch certificate issuance system, thereby increasing the reliability of the certificates issued by the Korean authorities. These systems have been strongly supported by human resource recruitment and budget allocation efforts.

## **7.7 Stakeholder Inclusion and Cooperation in MCS Activities**

In international negotiations and RFMO meetings where industry and public interest groups are stakeholders, the Korean government often includes representatives from the industry and NGOs in the delegation so that their interest could be incorporated in the decision making processes and their awareness on the need for MCS activities could be raised.

The government also makes IUU-related information publicly available and maintains a hotline for IUU reporting in the EEZ. Various outreach activities are being conducted to engage the industry stakeholders and the general public in the effort to promote compliance and combat IUU fishing.

## **7.8 Judicial Systems**

The ESFM, WSFM, Korea Coast Guard and local fisheries enforcement agencies have the judicial authorities to investigate IUU fishing allegations. The court decisions and other information related to the investigation and prosecution of IUU cases are made accessible to various fisheries law enforcement agencies.

The Ministry of Oceans and Fisheries, the Police Agency and the National Tax Service are sharing information with Interpol under the initiative “Project Scale” to detect paper companies established by Korean nationals to avoid the government’s control. Any illegal activities and irregularities such as document forging and tax evasion identified through monitoring the companies will be forwarded to Korea’s judicial authorities for legal proceedings including prosecution.

## **7.9 Collection, Storage and Dissemination of MCS Data**

Data collected through various MCS activities are maintained by the ESFM, WSFM, NFQS, Korea Coast Guard and local fisheries enforcement agencies. These comprehensive data are compiled and distributed by the Ministry of Oceans and Fisheries.

To better connect and more closely work with the MCS experts around the world and thereby enhancing its MCS capacity and contributing to the global MCS efforts, Korea sent its membership application to the International MCS Network (IMCS Network) in May, 2014.

#### **7.10 At-sea Inspection Scheme**

For effective on-board inspections, Korea has established a set of procedures for on-board inspections in line with the relevant international standards. Following the procedure, Korean fisheries inspectors conducted two rounds of at-sea inspection in the Convention Area of the WCPFC--from November 10 to December 16, 2008 and June 4 to July 31, 2013. Korea intends to broaden its participation to such at-sea inspections implemented in other RFMOs as well, to join the global effort to strengthen the effectiveness of at-sea inspection schemes.

### **8. International Cooperation**

In tackling IUU fishing, bilateral and multilateral cooperation plays an important role. Realizing the importance, Korea is cooperating with various partners, including adjacent countries like Russia, Japan China and Pacific island countries such as Papua New Guinea, the Solomon Islands and Tuvalu, with whom Korea signed Fisheries Cooperation Agreements.

On December 22, 2009, Korea and Russia signed the Agreement to Prevent Illegal, Unreported and Unregulated Fishing on Marine Living Resources, which took effect on July 15, 2010. This Agreement was based on the Intergovernmental Agreement on the Fisheries Cooperation signed by the governments of Korea and Russia on September 16, 1991. Under the Agreement, contact points were designated through which the two Parties exchange the information on vessels flagged to Russia or Korea that carry marine living resources taken from Russian or Korean waters. This Agreement contributes much to the prevention of illegal fishing on marine living resources in the waters off the Far East Area of Russia, addressing Russia's grave concern over the illegal trade of Russian crabs, which are being detected and prevented through more stringent port state measures taken by Korea.

The fisheries cooperation between Korea and Japan dates back to 1965, when the two

countries signed the Fisheries Cooperation between the governments of Korea and Japan. The Cooperation Agreement, which had been maintained until 1998, came to an abrupt halt when Japan unilaterally terminated the Agreement and demanded a re-negotiation. On November 28, 1998, the two Parties signed a new Agreement that established the Fisheries Committee, which came into force on January 22, 1999. Since then, the two countries have discussed quotas, fishing areas and terms and conditions for fishing access, and have reaffirmed the strong mutual commitment to the prevention of IUU fishing at the annual meeting of the Fisheries Committee.

After the introduction of 200 nautical miles Exclusive Economic Zone (EEZ) under the UNCLOS, Korea and China signed the Fisheries Agreement on August 3, 2000, to manage the operation that takes place in the overlapping areas of the two countries' EEZs, striking the right balance between the mutual fishing access and aiming to ensure the compliance by fishers of both countries with the relevant rules and regulations. Since the Agreement took effect on June 30, 2001, the two countries have engaged in close cooperation, maintaining the proper level of fishing access and addressing illegal operations.

Korean-flagged distant water fishing fleets mainly operate in the Western and Central Pacific Ocean (WCPO), the Falkland Islands waters and West African waters. With the Western and Central Pacific Fisheries Commission (WCPFC) in place, most of the operation in the WCPO is under proper management and control in close cooperation amongst the members. However, in West African waters, where the control of RFMOs is not as strong as other areas, compliance risks tend to be greater than other areas. There have been several cases of IUU fishing involving Korean-flagged vessels in the waters and it called for a closer cooperation between Korea and West African coastal states.

Actions have been taken in this regard. Korea, in cooperation with Spain, established the Korea-Spain Fisheries Cooperation Center in Las Palmas in 2013 to step up its control over the activities of Korean-flagged fishing vessels in West African waters. This Center will coordinate the cooperation between Korea, West African coastal states and relevant NGOs in joint MCS activities. The Center will also recruit and train observers to be sent on board vessels to enhance the compliance in the region.

Korea and relevant West African coastal states agreed to establish a hot-line to share information on IUU activities by Korean vessels in their waters. Korea will be signing a Memorandum of Understanding with Guinea on the fight against IUU fishing in July 2014. The Korean government requested the governments of Guinea and Guinea Bissau, in whose water a number of Korean-flagged vessels operate, to provide the copy of the logbooks recorded by their observers on those vessels to cross-check the information with what had been reported to the Korean government from the vessel operators. Korea also requested these governments not to grant their flags to Korean fishing vessels.

As a spirit of cooperation, the issuance of Catch Certificates were denied on April 17, 2014, to the catches taken by 11 fishing vessels allegedly involved in IUU fishing in the West African waters.

## **9. Information Sharing**

Korea makes IUU-related information available for its fisheries cooperation partners such as Russia, Japan and China and relevant RFMOs. Any suspicious activities detected through port inspection conducted in accordance with the strengthened port state inspection scheme of January 31, 2014, and subsequent measures and actions taken by the Korean government are forwarded to the relevant flag states and RFMOs in a timely manner.

## **V. Flag State Responsibilities**

Korea intends to fulfill its responsibilities as a flag state as laid down in the IPOA to prevent, deter and eliminate IUU fishing.

### **1. Registration of Fishing Vessels**

The DWFD Act and the Fisheries Act prohibits Korean nationals to directly or indirectly engage in IUU fishing. Article 13 of the *Fishing Vessel Act* requires that no fishing vessel can neither engage in fishing operations nor be authorized to fish by the central and local

governments unless it is included in the vessel registry maintained by the competent local authorities of the port of registry. Any modification or changes regarding the vessel information (e.g. owner) must be notified to the relevant authorities for the update.

Local fishing vessel operators send their application for registration and fishing authorization to the local government agency that registered the vessel. When it comes to distant water fishing vessels, the local government is in charge of vessel registration and the central government deals with fishing authorization.

The fishing vessel record is properly managed through a system called “*Sae-ol Admin*, ” which is also linked to the “Fisheries Policy Admin System” maintained by the central government (the Ministry of Oceans and Fisheries), the competent authorities for distant water fisheries authorization. Information on all registered fishing vessels, including the certificate of nationality, registration certificate, owner and operator information-keeps being updated and can be accessed through the system.

Korea has yet to introduce a legislation that prevents flag hopping of fishing vessels owned by its nationals. However, Korea intends to strengthen the cooperation with other states that usually accommodate flagging of convenience through various means including a Memorandum of Understanding (MOU) not to register Korean vessels to their countries. Also, the Korean government is reaching out to the International Monitoring, Control and Surveillance Network (IMCS Network) of international MCS experts to join a membership to contribute to the global information sharing on IUU fishing and MCS activities. Korea also intends not to authorize vessels with a history of frequent flag changes.

Korea allows its nationals to engage in vessel charter arrangements as long as these arrangements are legitimate under RFMOs. This is because a number of RFMOs have in place measures that aim to prevent the unlawful use of charter arrangements.

## **2. Fishing Vessel Records**

Article 13 of the *Fishing Vessel Act* of 1979 and Article 23 of the *Implementation Rules of the*



*Fishing Vessel Act* provide that all information on registered fishing vessels as required by IPOA (except for the photo and history of violations), along with the information in all certificates issued to the fishing vessels, shall be maintained in the fishing vessel record keeping system “*Sae-ol Admin.*” The Korean government will require the photo of the vessel taken within one month to be submitted with the application for the renewal of distant water fishing authorization that takes place every five years.

Local governments can track the ownership and encumbrances (mortgages, liens, etc.) for all fishing vessels registered, through the relevant Vessel Nationality Certificate and Vessel Registration Certificate accessible to the above-mentioned system.

### **3. Fishing Authorization**

Authorizations to fish in Korea’s national waters are issued by the local government to which a fishing vessel is registered, in accordance with Articles 8, 41, 42, 57 and 66 of the *Fisheries Act*. Distant water fishing is authorized by the central government (the Ministry of Oceans and Fisheries) pursuant to Article 6 of the DWFD Act. No fishing vessel can operate without authorization, and a breach of this requirement is subject to sanctions prescribed in the *Fisheries Act* and the *Distant Water Fisheries Development Act*.

As required by the FAO Compliance Agreement, all Korean-flagged fishing vessels operating on high seas must be authorized pursuant to Article 6 of the DWFD Act, on condition that conservation and management measures adopted by relevant international/regional fisheries management organizations are fully complied with. The Korean government is making efforts to ensure that authorization holders operate in line with the Compliance Agreement, relevant conservation and management measures and Korea’s domestic laws.

Korea’s fishing authorizations cover individual types of fisheries. Different terms and conditions and criteria for the approval are applied to EEZ fisheries and distant water fisheries. The authorization is subject to renewal every 5 years for the efficiency of management. The history of non-compliance is checked, but it is not a disqualification for future permits as long as past penalties have been paid.

Korean national laws require or recommend that all fishing vessels have on board their fishing authorization. Article 13(4) of the DWFD Act stipulates that all Korean-flagged distant water fishing vessels shall have their fishing authorization on board, otherwise shall be subject to administrative sanctions. Local fishing vessels operating exclusively in the Korean EEZ are recommended to have one of the two authentic copies of authorization issued to them, but it is not mandatory. Local fishers will not face administrative sanctions even if they do not carry one of the two authentic copies of authorization issued to them.

To address this issue, the Korean government introduced, in January 2013, an “e-authorization” system, whereby fishing authorizations are issued in the form of a smart card that has an IC chip containing all necessary information on the relevant vessel. As of April 2014, a large number of the local fishing vessels operating in the EEZ have their paper authorization replaced with smart card authorizations. The Korean government is going to have all paper local fishing authorizations replaced with smart card authorizations by December 2014.

The current format of Korea’s distant water fishing authorization indicates the vessel name, vessel operator (including legal entities), fishing areas, periods, species, gear, fisheries types and vessel identification numbers. However, some of the elements, e.g. a VMS, catch reporting, transshipment reporting, observer duties and the maintenance of logbooks, required by the IPOA are not explicitly indicated in the format. Even so, these requirements are clearly provided in the DWFD Act, and the vessels shall have a VMS on board and report their catches accordingly. Korea intends to incorporate all types of information required by the IPOA in the fishing authorizations issued to Korean fishing vessels through the further amendment of the DWFD Act scheduled to be completed by June 2015.

Korea also prohibits its fishing vessels, carrier and supporting vessels from engaging in IUU fishing and other activities that support this fishing. All transshipment must be taken place in accordance with relevant provisions adopted by the relevant coastal states or RFMOs. Failure to comply with these requirements will result in the sanctions prescribed in Article 13 of the DWFD Act.

## **VI. Coastal State Measures**

Korea intends to fulfill its responsibilities as a coastal state as laid down in the IPOA to prevent, deter and eliminate IUU fishing.

MCS activities in the EEZ are conducted by enforcement officials and judicial police officers from the East Sea and West Sea Fisheries Management Services (ESFM and WSFM), Korea Coast Guard and local fisheries enforcement authorities. The Ministry of Oceans and Fisheries oversees all MCS activities that take place in the waters under national jurisdiction.

### **1. Cooperation with Adjacent Coastal States**

Korea is working to establish a fisheries cooperation mechanism with Russia, Japan and China to strengthen fisheries enforcement. No foreign fishing vessel without authorization issued by their flag state in accordance with mutual fishing access agreements can have fishing access to Korea's EEZ. If fishing vessels flagged to Russia, Japan or China are detected while operating in Korea's EEZ without authorization, they are subject to arrest and prosecution.

Korea and its adjacent coastal state partners share information and discuss mutual fishing access plans and anti-IUU measures at bilateral meetings that take place every year in accordance with the Fisheries Cooperation Agreements.

### **2. Operation by Foreign Fishing Vessels in Korea's Judicial Waters**

Only foreign fishing vessels that have the access rights under Korea-Japan and Korea-China Fisheries Agreements are allowed to fish in Korea's EEZ. Currently, Chinese and Japanese fishing vessels are operating under such Agreements.

When a foreign fishing vessel is caught while operating in Korea's EEZ without authorization, the vessel is arrested and taken to a port for legal proceedings. Usually, a significant amount

of fines are imposed and sometimes the vessel and the catches on board are confiscated. In some cases, the Korean government defers the handling of the violation to the flag state.

## **VII. Port State Measures**

Korea is making efforts to fulfill its responsibilities as a port state as laid down in the IPOA to prevent, deter and eliminate IUU fishing.

The amendment of DWFD Act, which took effect on January 31, 2014, includes a port state inspection scheme with a broader application and coverage to control vessels engaged in IUU fishing or carrying IUU fish/fisheries products. Now all vessels seeking to enter Korean ports carrying fish caught in waters outside Korea's jurisdiction are required to submit a prior notification with the information on the vessel and fish/fisheries products on board to the relevant regional office of the NFQS.

The inspection authorities examine the information and check if the vessel has engaged in IUU fishing before determining the approval or denial of port entry. In this process, all relevant information—fishing authorizations, transshipment certificates, VMS records, logbooks, fishing gears, equipment, documents and fish/fisheries products on board—is examined.

Once IUU allegation on a foreign fishing vessel is confirmed as a result of the examination or through other means, the vessel is not allowed to enter or land their consignments in a Korean port. The result of inspections is forwarded to the flag state of the pertinent vessel and relevant RFMOs. Since January 31, 2014, three cases involving illegal fish/fisheries products have been detected and reported to the relevant flag states. If a Korean vessel is detected for IUU activities, the vessel will be detained in port for legal proceedings in accordance with national laws.

Korea hopes that the Port State Measures Agreement (2009) will take effect soon to facilitate the coordination amongst port states in the fight against IUU fishing. The government is working to finalize the ratification process by the first half of 2015.

## **VIII. Internationally Agreed Market-related Measures**

Korea is making efforts to fulfill its responsibilities as a market state as laid down in the IPOA to prevent, deter and eliminate IUU fishing.

### **1. Catch Documentation and Certification Schemes under RFMOs**

Korea is in full compliance with various measures adopted by RFMOs to eliminate IUU fishing. For example, Korea does not allow the import of bluefin tuna, bigeye tuna and swordfish and products from these species from states that do not issue statistical documents in accordance with the relevant measures adopted by ICCAT. All fish species managed by RFMOs must be accompanied with required documents in order to be imported to the Korean market.

To support the implementation of catch documentation and certification schemes adopted by RFMOs, Korea established the following Ministerial Directives on: the Implementation of Fisheries Regulations Adopted by RFMOs; the Implementation of CCSBT Catch Document Scheme; the Implementation of ICCAT Bluefin Tuna Catch Certification Scheme and the Guidelines for Verification Processes for Swordfish Trades.

Korea supports the introduction of an e-documentation and certification scheme, which promotes the efficiency, catering to the needs of each RFMO. Korea fully cooperated with other Members in converting paper documents for toothfish into an electronic format, and is currently working closely with the Members of ICCAT and CCSBT through working groups to introduce an e-documentation and certification system.

### **2. Consideration of General Certification Program for Fish and Fish Products in Korea**

It is not always easy to find ways to trace every fish and fish product from the vessel to the final market. Even so, Korea keeps working to enhance the transparency and traceability of the fish and fisheries products moving in and out of the Korean market. For example,

currently, all fish and fisheries products introduced into the Korean market are required to be labeled with place of origin (e.g. country, province, etc). 20 types of farmed fish and fisheries products and 13 types of imported fish and fisheries products are subject to the management under a traceability system. The Korean government intends to keep improving its system for market transparency and traceability.

The *Fisheries Act* and the *Fishery Resource Management Act*, make it unlawful for Korean nationals to engage with the capturing and harvesting of fishery resources and the possession, distribution, processing, storing and selling of illegal catches in areas under Korea's jurisdiction. IUU fishing conducted in waters outside Korea's jurisdiction (EEZs and high seas) by Korean distant water fisheries operators who are authorized by the Korean government is subject to prosecution and subsequent sanctions in accordance with the *Distant Water Fisheries Development Act*. The landing of catches from these illegal vessels is not allowed and the catches are confiscated.

In order to strengthen the control over its nationals, Korea intends to make further amendment to this Act by June 2015 to expand its application not only to those who are directly engaged in distant water IUU fishing but also to those who support these activities by transporting, processing, distributing and selling the illegal catches.

### **3. Trade Data Collection and Standardization of Certification Schemes**

As it is called upon by the IPOA, Korea is using the Harmonized Commodity Description and Coding System (HS) for fish and fisheries products.

## **IX. Measures to be Implemented through RFMOs**

Korea is actively participating in the works of RFMOs that are relevant to the implementation of the IPOA. Korea is a member of a number of RFMOs and has given full effect to the conservation and management measures adopted by these organizations as an integral part of the *Distant Water Fisheries Development Act*.

Currently, Korea is playing a leading role in the establishment of a new RFMO, the North Pacific Fisheries Commission (NPFC) and considering a membership of RFMOs under establishment such as the Southern Indian Ocean Fisheries Agreement (SIOFA). The table below indicates the RFMOs of which Korea is a member or is considering a membership.

<b>Organizations</b>	<b>Date of Accession (yy.mm)</b>	<b>Mandate</b>
Fishery Committee for the Eastern Central Atlantic (CECAF)	Jan.1968	Fisheries resources management in the Eastern Central Atlantic Area
International Commission for the Conservation of Atlantic Tuna (ICCAT)	Aug.1980	The conservation and management of Atlantic Tuna
Fisheries Committee for the Western and Central Atlantic (WECAFC)	Jan.1974	Fisheries resources management in the Western and Central Atlantic Area
International Whaling Commission (IWC)	Dec.1978	Conservation and Management of whales and controls over commercial whaling
Commission for the Conservation and Management of Antarctic Marine Living Resources (CCAMLR)	Apr.1985	Conservation and management of Antarctic marine living resources
North Atlantic Fisheries Organization (NAFO)	Dec.1993	Fisheries resources management in the North Atlantic Area
Central Bering Sea Pollack Commission (CBSPC)	Dec.1995	Conservation and management of pollacks in Central Bering Sea
Indian Ocean Tuna Commission (IOTC)	Mar.1996	The conservation and management of tuna in the Indian Ocean
Commission for the Conservation and Management of Southern Bluefin Tuna (CCSBT)	Oct. 2001	Conservation and management of Southern Bluefin Tuna
North Pacific Anadromous Fisheries Commission (NPAFC)	May. 2003	Conservation and management of salmon in the North Pacific Area
Western and Central Pacific Fisheries Commission (WCPFC)	Nov.2004	Conservation and management of tuna in the Western and Central Pacific Area

Inter American Tropical Tuna Commission (IATTC)	Dec.2005	Conservation and management of tuna in the Eastern Pacific Area
South East Atlantic Fisheries Organization (SEAFO)	Apr.2011	Optimum utilization of the fisheries resources in the South East Atlantic Area
South Pacific Regional Fisheries Management Organization (SPRFMO)	Apr.2012	Non-tuna, pelagic species management in the South Pacific Area
South Indian Ocean Fisheries Agreement (SIOFA)	<b>preparing for accession</b>	Fisheries resources management in the Western and Central Atlantic Area
North Pacific Fisheries Commission (NPFC)	<b>preparing for accession</b>	Bottom fishing and non-tuna pelagic species management in the North Pacific Area

**Table 3.** RFMOs and international fisheries-related organizations of which Korea is a member or considering the membership

## X. Special Requirements of Developing Countries

Korea is making efforts to consider special requirements of developing countries in the implementation of the IPOA to prevent, deter and eliminate IUU fishing.

Since 2011, Korea has hosted an annual international capacity building conference, inviting officials from developing coastal states on a wide range of issues. Korea's National Fisheries University is running a three-week training and education program for researchers and officials from developing countries in the Pacific, West African and Indian Ocean regions to transfer fisheries and aquaculture technologies.

In addition to capacity building programs mentioned above, Korea intends to expand its Official Development Assistance (ODA) programs and EDCF-based programs in the field of fisheries. Korea is also planning to transfer its decommissioned vessels to Vietnam and provide a cleaning vessel for the fishing ground cleaning project in the waters around the Gulf of Guinea.



Given that coastal developing states rely heavily on fisheries resources for their nutritional needs, IUU fishing can significantly affect the food security of those coastal communities. Korea intends to keep transferring its knowledge and technologies for fisheries conservation management to its African partners while providing capacity building assistance to address IUU fishing. As ghost fishing by abandoned gears has become a serious problem that threatens the health of the fisheries resources, Korea is planning to work with a West African coastal state to develop and implement an abandoned gear recovery program in 2014.

Other than its own initiatives, Korea is also participating in various multilateral arrangements to assist developing countries. Korea intends to broaden its participation in the global efforts to engage developing partners in the fight against IUU fishing and promoting sustainable fisheries.

**Korea's national legislation that supports  
the control over IUU fishing**

<b>Title of the Act</b>	<b>Enforcement Authorities</b>	<b>Geographic Application</b>	<b>Type of Violation</b>	<b>Level of Sanctions</b>
<i>Fisheries Act</i>	MOF*  local gov.  KCG**	EEZs of Korea and adjacent countries	- fishing without license/authorization (Art. 8, 41, 42, 57 and 66)  -Unauthorized fishing in the EEZs of adjacent countries (Art.67)	- imprisonment of up to 3 yrs or criminal fine of up to KRW 20 m  - imprisonment of up to 1 yr or criminal fine of up to KRW 3 m  -Confiscation of gears and catches involved in illegal activities
<i>Fishery Resource Management Act</i>	MOF  local gov.  KCG	Korea's EEZ	- illegal capturing and harvesting of fish, possession, distribution, processing, storing, sales of illegal catches (Art. 17, 25, 37)  - fishing in contravention of the protection measures for fishery resources (Art. 14, 15 and 37)	- imprisonment of up to 2 yrs or criminal fine of up to KRW 20 m  -criminal fine of up to KRW 10 m  -Confiscation of gears and catches involved in illegal activities

<i>Distant Water Fisheries Development Act</i>	MOF	Waters outside Korea's jurisdiction, including EEZs and high seas	<ul style="list-style-type: none"> <li>- fishing without license/authorization (Art. 6)</li> <li>- Non-compliance with the obligations of distant water fisheries operators (Art.13)</li> <li>-Non-compliance with port state inspection measures (Art. 14)</li> <li>-Non-compliance with the mandatory installation of VMS (Art. 14)</li> <li>-un-reporting or misreporting of catches (16)</li> </ul>	<ul style="list-style-type: none"> <li>- imprisonment of up to 3 yrs or criminal fine of up to KRW 20 m</li> <li>- imprisonment of up to 3 yrs or criminal fine of up to 3 times the amount of the values of illegal catches</li> <li>- imprisonment of up to 2 yrs or criminal fine of up to KRW 10 m</li> <li>- imprisonment of up to 1 yr or criminal fine of up to KRW 5 m</li> <li>-Administrative fine of up to KRW 5 m</li> <li>-Confiscation of gears and catches involved in illegal activities</li> </ul>
<i>Fishing Vessel Act</i>	local gov.	-	<ul style="list-style-type: none"> <li>- concealing, tampering or removing the vessel marks and identifiers (Art. 16)</li> <li>- operation with unregistered vessels (Art.13)</li> <li>-Non-compliance with the mandatory installation of VMS (Art. 15)</li> </ul>	<ul style="list-style-type: none"> <li>- imprisonment of up to 1 yr or criminal fine of up to KRW 10 m</li> <li>-prohibition of the use of the vessel for fishing</li> <li>- Administrative fine of up to KRW 100,000</li> </ul>
Wild Fauna and Flora Protection Act	MOE***	All waters in and outside	<ul style="list-style-type: none"> <li>- illegal catching of level-1 endangered wild fauna and flora (Art.14)</li> </ul>	<ul style="list-style-type: none"> <li>- imprisonment of up to 5 yrs or criminal fine of KRW5m(min)-</li> </ul>

		Korea's jurisdiction	- illegal catching of level-2 endangered wild fauna and flora (Art.14)  -illegal trade of globally endangered wild fauna and flora (Art.16)	50m(max)  - imprisonment of up to 3 yrs or criminal fine of KRW3m(min)- 30m(max)  - imprisonment of up to 3 yrs or criminal fine of KRW3m(min)- 30m(max)
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\*MOF: Ministry of Oceans and Fisheries

\*\*KCG: Korea Coast Guard

\*\*\* MOE: Ministry of Environment

### Korea's Fisheries Law Enforcement and MCS-related Agencies

Organization	Website
The Ministry of Oceans and Fisheries The Distant Water Fisheries Division The Fisheries Policy Division The Fisheries Resource Management Division	<a href="http://www.mof.go.kr">http://www.mof.go.kr</a>
Korea Coast Guard	<a href="http://www.kcg.go.kr">http://www.kcg.go.kr</a>
National Fisheries Research and Development Institute	<a href="http://www.nfrdi.re.kr">http://www.nfrdi.re.kr</a>
National Fishery Products Quality Management Service	<a href="http://www.nfqqs.go.kr">http://www.nfqqs.go.kr</a>
The East Sea Fisheries Management Service	<a href="http://eastship.mifaff.go.kr">http://eastship.mifaff.go.kr</a>
The West Sea Fisheries Management Service	<a href="http://westship.mafra.go.kr">http://westship.mafra.go.kr</a>
Busan Metropolitan Municipal Office	<a href="http://www.busan.go.kr">http://www.busan.go.kr</a>
Incheon Metropolitan Municipal Office	<a href="http://www.incheon.go.kr">http://www.incheon.go.kr</a>
Ulsan Metropolitan Municipal Office	<a href="http://www.ulsan.go.kr">http://www.ulsan.go.kr</a>
Gyeong Gi-do Provincial Government	<a href="http://www.gg.go.kr">http://www.gg.go.kr</a>
Chungcheongnam-do Provincial Government	<a href="http://www.chungnam.net">http://www.chungnam.net</a>
Chungcheongbuk-do Provincial Government	<a href="http://www.jeonbuk.go.kr">http://www.jeonbuk.go.kr</a>
Jeollanam-do Provincial Government	<a href="http://www.jeonnam.go.kr">http://www.jeonnam.go.kr</a>
Jeollabuk-do Provincial Government	<a href="http://www.jeonnam.go.kr">http://www.jeonnam.go.kr</a>
Jeju Special Self Governing Provincial Government	<a href="http://www.jeju.go.kr">http://www.jeju.go.kr</a>
Gyeongsangnam-do Provincial Government	<a href="http://www.gsnd.net">http://www.gsnd.net</a>
Gyeongsangbuk-do Provincial Government	<a href="http://www.gyeongbuk.go.kr">http://www.gyeongbuk.go.kr</a>
Gangwon-do Provincial Government	<a href="http://www.provin.gangwon.kr/">http://www.provin.gangwon.kr/</a>