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PACIFIC ISLANDS FORUM  
CHAIR: OLIVIA OTT  
DIRECTOR: TBA

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## **[PACIFIC ISLANDS FORUM] PMUNC 2018**

### **LETTER FROM THE CHAIR**

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Dear delegates,

Welcome to PMUNC 2018! My name is Olivia Ott, and I am honored to be serving as the Chair of the Pacific Islands Forum this year. I was born in Naples, Florida, but currently live in Sun Valley, Idaho. In high school, I competed as a delegate and Chaired conferences on the east and west coasts, and founded one of the first MUN teams and conferences in Idaho. I have continued to compete as a delegate on the college circuit, and this will be my third year staffing PMUNC. At Princeton, I am majoring in the Woodrow Wilson School of Public and International Affairs, with minors in Spanish and Entrepreneurship. In addition to doing MUN, I'm involved with undergraduate student government, an entrepreneurship pitch competition called TigerLaunch, and the club tennis team. I also love spending time outside (hiking, running, and sports), reading anything and everything that I can get my hands on, and binge-watching political dramas on Netflix.

Both of the topics for our committee this year are very relevant to current global affairs, and the decisions that we reach (or don't!) in committee will have strong implications for all nations, inside and outside of the Pacific Islands region. The first topic, Combating Climate Change and Disaster Risk Management, combines two issues that the Pacific Islands Forum often seeks to address in a challenging and unique way. In 2016, the Intergovernmental Panel on Climate Change released a report in which it stated that the survival of several Pacific smaller islands can only be ensured if a concerted global effort is made to reduce greenhouse gas emissions in order to maintain the global temperature increase below 1.5 degrees Celsius. This threat to survival from climate change is further complicated by the fact that the Pacific Islands are one of the regions most at-risk to natural hazards and disasters in the world, and global temperature increases are expected to increase the severity and

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frequency of such extreme weather patterns. Delegates will need to consider both short and long term solutions to this complicated issue during PMUNC this year.

Our second topic, Addressing the Rise in Fishery Crimes, is similarly pressing and constitutes an issue that is truly unique to the Pacific Islands region. Because of their geographical locations, limited law enforcement capabilities, and porous jurisdictional boundaries, the nations of the Pacific Islands Forum remain particularly vulnerable to fishery crimes. This type of criminal activity often results in severe environmental effects from unsustainable fishing practices and leads to the rapid depletion of fish stocks, which can heavily impact the economy of the Pacific region and the global food supply as a whole. In light of the fact that the amount of fishery crimes is believed to have increased in recent years, the Pacific Islands Forum must determine how best to mitigate this type of criminal activity and generate a better mechanism for policing and patrolling its waters.

While researching these complicated and fascinating topics, I strongly encourage all delegates to take full advantage of this background guide and the resources it provides in order to fully grasp these issues. MUN is about creating effective, comprehensive, and interesting solutions that can be strongly conveyed to your peers, and it is important to work on your research, writing, and speaking skills before and during the conference! If you have any questions or concerns, please feel free to reach out to me at [oott@princeton.edu](mailto:oott@princeton.edu). I love chatting about all things related to MUN, and I'm here to help, so don't hesitate to reach out!

Sincerely,

Olivia Ott

## **COMMITTEE DESCRIPTION**

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The Pacific Islands Forum was established in 1971, and was initially known as the South Pacific Forum. This organization's first meeting was held in Wellington, New Zealand, and its original members included Australia, the Cook Islands, Fiji, Nauru, New Zealand, Tonga, and Western Samoa. Leaders from these seven nations came together in order to discuss and develop a collective response to regional issues, and began to meet annually in different locations; the original founding nations were particularly concerned about trade access into Australia and New Zealand in the context of a rapidly globalizing world, and wanted to ensure that each member nation was able to fully develop its economy. In 1972, the second South Pacific Forum decided to establish a regional 'Trade Bureau' that would serve as a means of consultation on trade and economic matters and prepare specific proposals in economic areas of particular concern to the Pacific Island nations. This agency was formalized and became officially known as the South Pacific Bureau for Economic Cooperation in 1973, and acted as the executive body of the South Pacific Forum; it existed under this title until it became known as the 'Forum Secretariat' at an annual meeting in 1988. Eleven years later, in 1999, the South Pacific Forum once again underwent a name change and transformed into the Pacific Islands Forum, and reorganized its governing framework in order to provide for more extensive and formal ways of discussion and organization. Today, the Pacific Islands Forum is comprised of eighteen permanent members, and meets on an annual basis.

In recent years, the work of the Forum has been guided by the 'Framework for Pacific Regionalism', which is a document that was first endorsed by Forum Leaders in July of 2014. This documents reaffirms the Forum's commitment to developing a strong sense of regional cooperation and prosperity, and lays out specific goals surrounding sustainable development, economic growth,

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improved governance and legal systems, and security. Delegates should remember that, as a voluntary international organization, the Pacific Islands Forum has no binding power and cannot infringe on a country's sovereignty by either forcing it to take certain actions or operating within its borders without consent. The Forum can, however, take certain economic and political actions against member states that refuse to comply with its policies, and its regional suggestions are normally taken very seriously by Pacific nations and other international organizations. Regional policies and initiatives are coordinated by the Pacific Islands Forum Secretariat and implemented through the Council of Regional Organizations of the Pacific (CROP), and delegates are encouraged to look at both of these agencies in order to better understand how the Pacific Islands Forum operates in international politics. Researching the past actions and resolutions of the Forum would serve as a good starting point, but delegates should also do their best to bring new ideas and approach old solutions in innovative ways during the conference.

## **TOPIC A: CLIMATE CHANGE AND DISASTER RISK MANAGEMENT**

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### **Introduction**

Over the past two decades, the international community has been forced to recognize global climate change as one of the largest threats to continued human safety and habitation. While the Earth's climate has changed and evolved throughout history, numerous scientists have concluded that the most recent warming trend is of particular significance because it has been largely driven by increased carbon dioxide and other human-made emissions into the planetary atmosphere.<sup>1</sup> Since the late 19th century, the planet's average surface temperature has risen about 1.62 degrees Fahrenheit and is expected to continue to increase. This has resulted in numerous environmental problems, including extensive loss of sea ice, accelerated sea level rise, and longer, more intense heat waves, along with many other consequences.<sup>2</sup> Climate change has also been associated with widespread changes in weather patterns, and numerous studies have indicated that extreme weather events such as hurricanes, droughts, and heat waves are likely to become more frequent and intense if this trend continues.<sup>3</sup>

While climate change is a phenomenon that affects the entire world, the nations of the Pacific Islands region have been disproportionately impacted, in spite of the fact that their contributions to greenhouse gases in the atmosphere are negligible. Rising sea levels, warming temperatures, intensified storm surges and extended droughts caused by climate change have begun to impede economic development, damage access to clean water, and contaminate the soil that the inhabitants of this region

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<sup>1</sup>"Climate Change Evidence: How Do We Know?" NASA. August 08, 2018. Accessed September 08, 2018. <https://climate.nasa.gov/evidence/>.

<sup>2</sup>"Climate Change Evidence: How Do We Know?" NASA. August 08, 2018. Accessed September 08, 2018. <https://climate.nasa.gov/evidence/>.

<sup>3</sup>"Climate Change Indicators: Weather and Climate." EPA. August 02, 2016. Accessed September 09, 2018. <https://www.epa.gov/climate-indicators/weather-climate>.

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rely on for agricultural production and food security; certain experts also believe that some nations will confront literal obliteration if the warming trend were to continue.<sup>4</sup>

In light of this harsh reality, it is vital that the delegates from the Pacific Islands Forum work together to make progress and develop solutions in two critical areas: climate change mitigation (regionally and internationally) and disaster risk management/preparedness. While no perfect solution exists for these issues, delegates should work together to identify concrete steps that can be taken in order to address both aspects of this topic.

### **History of the Topic**

Climate change is an issue with which the international community has only relatively recently begun to grapple. In the late 1950s, scientists began to use recently-invented equipment to systematically measure the atmospheric absorption rates of various gases, and began to particularly monitor the concentration of carbon-dioxide (CO<sub>2</sub>) in the atmosphere. Charles David Keeling, an American scientist, was involved with the initial stages of this project, and was the first scientist to provide “unequivocal proof that CO<sub>2</sub> concentrations are rising”.<sup>5</sup> In 1972, the first United Nations conference on the environment was held, but climate change is not actually discussed, and the event instead focuses on chemical pollution, whaling, and atomic bomb testing. In the years following this conference, there was a distinct lack of collective international discussion surrounding this subject until the International Panel on Climate Change (IPCC) was formed in 1988 to collect and assess evidence on climate change; the organization published its ‘First Assessment Report’ in 1990, and

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<sup>4</sup>“The Pacific Islands.” Cop23. Accessed September 09, 2018. <https://cop23.com.fj/fiji-and-the-pacific/pacific-islands/>.

<sup>5</sup>“A Brief History of Climate Change.” BBC News. September 20, 2013. Accessed September 09, 2018. <https://www.bbc.com/news/science-environment-15874560>.

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determined that global temperatures had risen over the last century and “humanity’s emissions are adding to the atmosphere’s natural complement of greenhouse gases and...the addition would be expected to result in warming”.<sup>6</sup>

Following the publication of the IPCC’s second Assessment Report in 1995, 192 members nations gathered together in Japan, to ratify the Kyoto Protocol, which was a landmark piece of international legislation that linked its signatories to the United Nations Framework Convention on Climate Change by asking them to commit to binding greenhouse gas (GHG) emissions reduction targets. The document recognizes that developed countries are principally responsible for “the current high levels of GHG emissions in the atmosphere as a result of more than 150 years of industrial activity”, and holds developed nations to higher standards of emission reductions as a result.<sup>7</sup> The United States is currently one of the only nations in the world that has not ratified the treaty.

After the Kyoto Protocol officially went into effect in 2005, climate change began to crop up more frequently as a topic of discussion in international forums. The United Nations met to hammer out a series of agreements with varying degrees of success in 2007, 2009, and 2010, and most notably met in 2015 in France to generate and ratify the Paris Agreement. This international accord “sets out a global action plan to put the world on track to avoid dangerous climate change by limiting global warming to below 2 degrees Celsius through the adoption of emissions-reducing and climate adaptation policies, and was ratified by 195 member nations.<sup>8</sup> It is perhaps the most important piece of

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<sup>6</sup>“A Brief History of Climate Change.” BBC News. September 20, 2013. Accessed September 09, 2018. <https://www.bbc.com/news/science-environment-15874560>.

<sup>7</sup>“KP Introduction.” UNFCCC. Accessed September 09, 2018. <https://unfccc.int/process/the-kyoto-protocol>.

<sup>8</sup>Anonymous. “Paris Agreement - Climate Action - European Commission.” Paris Agreement. February 16, 2017. Accessed September 09, 2018. [https://ec.europa.eu/clima/policies/international/negotiations/paris\\_en](https://ec.europa.eu/clima/policies/international/negotiations/paris_en).

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international climate change legislation ever introduced, and is still in the process of being implemented by its signatories in 2018.

During these two decades of international climate change discussion, the Pacific Islands Forum has also sought to address this issue, and some of its member nations have consistently been leading advocates on the international stage. In 2005, the Pacific Leaders officially endorsed the Pacific Islands Framework for Action on Climate Change (PIFACC), which was a document that outlined regional policies surrounding the mitigation of climate change and disaster risk management until 2015; its vision was “Pacific island people, their livelihoods, and the environment resilient to the risks and impact of climate change”.<sup>9</sup> This framework was followed simultaneously by the implementation of the Pacific Disaster Risk Reduction and Disaster Management Framework for Action (RFA) at the 36th Pacific Islands Forum in October of 2005, which was designed to help Pacific Island member nations develop natural disaster risk management and response strategies.

Both the PIFACC and the RFA frameworks guided the Pacific Islands Forum’s policies regarding climate change and disaster management until they expired in 2015. Since then, the Forum released a document titled the “Framework for Resilient Development in the Pacific” (FRDP) in 2016, which is a “regional framework that provides high level strategic guidance to different stakeholder groups on how to enhance resilience to climate change and disasters, in ways that contribute to and are embedded in sustainable development”.<sup>10</sup> The Framework was developed after the Pacific Island Forum Leaders meeting of 2012, at which the Forum decided to support the development of a single integrated regional framework in order to succeed the PIFACC and RFA Frameworks on climate

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<sup>9</sup>“Framework for Resilient Development in the Pacific.” Secretariat of the Forum. Accessed September 8, 2018.

<sup>10</sup>“Framework for Resilient Development in the Pacific.” Secretariat of the Forum. Accessed September 8, 2018.

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change and disaster risk management. The creation of this document was supported and advised by numerous representatives from different international organizations, including the United Nations Office for Disaster Risk Reduction (UNISDR) and the United Nations Development Programme (UNDP), and the Framework also ultimately became part of the Paris Agreement in 2015.

### **Current Situation**

In the three years since the enactment of the Paris Agreement and the Framework for Resilient Development in the Pacific (FRDP), the Pacific Islands have felt the impact of climate change and natural disasters to an unprecedented extent.

#### Threats to Human Settlement and Infrastructure

The Pacific is an extremely unique region that is more vulnerable to natural disasters and climate change than the majority of the world's other zones. Most of the nations in this region are islands whose surface areas are almost exclusively at sea level, and more than half of their populations live within 1.5 kilometers of the shore. Because of this, any factors that impact coastal areas - such as extreme weather events, erosion, and rising sea levels - will have a very high human and economic cost. A sea level increase of as little as half a meter, along with increased incidents of storm surges, will significantly threaten domestic infrastructure and secure housing, which is further complicated by the fact that it would be extremely difficult to relocate such large portions of populations to the interior of each island. Rising insurance costs for vulnerable coastal structures in other human development sectors also mean that many critical components (such as airports, roads, hospitals, etc.) are no longer

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insured, and “their loss would present a {significant} setback to social development, economic growth, and business competitiveness” across the entire region.<sup>11</sup> Building codes and other design standards for commercial, residential, and infrastructure developments also do not address climate change impacts, and need to be updated in order to better protect the inhabitants of the Pacific Islands .

### **Food and Water Security**

Climate change and natural disasters also disproportionately threaten food and water security in the Pacific Islands. Staple food crops include bananas, breadfruit, sweet potatoes, taro, yams, cassava, and coconuts. Wheat flour and rice are also very important, but are almost entirely imported. Cacao, coconut, coffee, palm oil, and sugar are also the main crops that are exported to the rest of the world.<sup>12</sup> Farming of these food sources is often concentrated on fertile coastal plains, which are on the front lines of rising sea levels and coastal erosion. While some inhabitants of the larger islands can move their fields and crops inland and uphill, this is not an option for the smaller islands, and such action often leads to the destruction of forests, increased soil erosion and stream sedimentation, which exacerbates the underlying agricultural issues.

Similarly, rising global temperatures have led to more extreme weather events, increased irregularity of rainfall (causing floods and droughts), and unsustainable levels of saltwater intrusion from rising sea levels and storm surges.<sup>13</sup> In the short term (2030-2050), it is believed that the increase in such natural disasters and intense weather events will have a greater negative impact on agriculture

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<sup>11</sup>“PACIFIC RISKS, VULNERABILITIES, AND KEY IMPACTS OF CLIMATE CHANGE AND NATURAL DISASTERS.” Asian Development Bank. Accessed September 8, 2018. <https://www.adb.org/sites/default/files/linked-documents/E-Pacific-Risks-Vulnerabilities-Climate-Change.pdf>.

<sup>12</sup>Bell J, Taylor M, Amos M, Andrew N. 2016. Climate change and Pacific Island food systems. CCAFS and CTA. Copenhagen, Denmark and Wageningen, the Netherlands.

<https://cgspace.cgiar.org/bitstream/handle/10568/75610/Pacific%20Booklet%20Final%20web.pdf?sequence=6&isAllowed=y>

<sup>13</sup>UNDP. “Food Security in the Pacific.” United Nations Development Program on Exposure. Accessed September 09, 2018. <https://stories.undp.org/food-security-in-the-pacific>.

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in the Pacific than rising global temperatures. The cash crops discussed previously are extremely susceptible to extreme weather, which could lead to significant production and economic losses across the region. High winds and intense rain from tropical cyclones and hurricanes could also have a significant impact on staple crops such as bananas and breadfruit, which could contribute to increased food insecurity.<sup>14</sup> Together, these phenomena have led to an increased reliance on imported, more expensive foods that are energy-dense and nutritionally poor among the people of the Pacific, which in turn has led to a sharp rise in obesity and non-communicable diseases; nine of the top ten nations in the world with the highest levels of obesity are members of the Pacific Islands Forum, and this number is expected to increase as food security continues to worsen.<sup>15</sup>

The fishery industry has also been disproportionately impacted by climate change. According to a report released by the National Institute of Health in the United States, 14 separate studies indicated that fresh fish is the primary food source for all Pacific Islanders, despite the fact that overall fish consumption varies by nation. Tropical tuna species, including skipjack, yellowfin, bigeye, and albacore, are the primary types of fish that are caught, consumed, and sold domestically and globally in this region. Rising sea temperatures in the tropical Pacific will impact the distribution of these species and cause them to progressively shift eastwards. The total abundance of these species is also expected to decline because ocean warming will reduce the number of fish that spawn successfully and affect their growth, and will also cause coral reefs to bleach more often; this phenomenon, combined with the effects of increased ocean acidification from the absorption of higher levels of carbon dioxide, will lead to the destruction of coral reefs and impact their ability to support the survival of fish. As a result,

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<sup>14</sup>Bell J, Taylor M, Amos M, Andrew N. 2016. Climate change and Pacific Island food systems. CCAFS and CTA. Copenhagen, Denmark and Wageningen, the Netherlands.

<sup>15</sup>"World Rankings: Obesity Rates by Country (July 2017)." Renew Bariatrics. July 02, 2018. Accessed September 09, 2018. <https://renewbariatrics.com/obesity-rank-by-countries/>.

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“the production of coastal fisheries from coral reefs is expected to decline by up to 50% by the end of the century”.<sup>16</sup>

These losses in fish production and subsequently consumption, combined with the agricultural decline mentioned previously, indicate that climate change and the resulting rise in natural disasters significantly threaten food security in the Pacific. Numerous international organizations have recently begun to take steps to address these issues. The United Nations Development Program (UNDP) has designated the improvement resilience of food production systems as one of the main priorities of its Pacific Adaptation to Climate Change (PACC) program, and has dedicated financing and resources towards the improvement of sustainable farming methods, the introduction of climate-resilient crops, and training in traditional food processing and preservation.<sup>17</sup> Other PACC projects have included the construction and updating of agricultural drainage systems and the testing of water-tolerant and drought-resistant crops in key areas of the Pacific. The Pacific Islands Forum has also undertaken certain efforts to address food insecurity, and has focused the most attention on the protection and development of fisheries in recent years. It established a joint Task Force comprised of representatives from various international organizations whose role includes “providing technical support and capacity building at the national level as well as advice and coordination of regional/sub-regional activities and agreements”.<sup>18</sup> However, the Pacific Islands Forum has yet to take any significant, organized steps to address food security on a larger scale, and it is clear that more needs to be done to confront this growing issue.

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<sup>16</sup>Bell J, Taylor M, Amos M, Andrew N. 2016. Climate change and Pacific Island food systems. CCAFS and CTA. Copenhagen, Denmark and Wageningen, the Netherlands.

<sup>17</sup>UNDP. "Food Security in the Pacific." United Nations Development Program on Exposure. Accessed September 09, 2018. <https://stories.undp.org/food-security-in-the-pacific>.

<sup>18</sup>"Fisheries." Forum Secretariat. Accessed September 09, 2018. <https://www.forumsec.org/fisheries/>.

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### Natural Disasters

While natural disasters have already been mentioned, they merit significant independent consideration and represent one of the largest threats to the prosperity of the Pacific Islands region. According to a report released by the World Bank, the Pacific is “one of the most natural disaster prone regions on earth...{and is} vulnerable to natural hazards that included floods, droughts, tropical cyclones, earthquakes, volcanic eruptions, and tsunamis”.<sup>19</sup> Since 1950, approximately 9.2 million people have been affected by extreme natural occurrences, and the Pacific Islands nations have accumulated over \$3.2 billion USD in damages. The average annual direct losses caused by natural disasters in this region are estimated to be close to \$284 million USD, and numerous nations could potentially face losses from a single event that would exceed their annual gross domestic product (GDP). Such an occurrence would severely impact the economic well-being, food security, and domestic infrastructure of each impacted country, and would harm the region’s long-term development and growth.<sup>20</sup> The Pacific is also particularly vulnerable to natural disasters because of its characteristic “geographical remoteness and isolation, dispersion across a large area in the Pacific ocean, {unique} economic and social challenges, and the degradation of natural resources”. Vulnerability to extreme climate events is now also increasing because of a wide variety of socioeconomic factors, including “population growth and migration, poor coastal development and land use planning,

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<sup>19</sup>“Pacific Islands: Disaster Risk Reduction and Financing in the Pacific.” World Bank. Accessed September 09, 2018. <http://www.worldbank.org/en/results/2012/04/01/pacific-islands-disaster-risk-reduction-and-financing-in-the-pacific>.

<sup>20</sup>“Pacific Islands: Disaster Risk Reduction and Financing in the Pacific.” World Bank. Accessed September 09, 2018. <http://www.worldbank.org/en/results/2012/04/01/pacific-islands-disaster-risk-reduction-and-financing-in-the-pacific>.

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unplanned urban growth, and water and ecosystem degradation including the pollution of sub-surface and coastal waters".<sup>21</sup>

These grave consequences of natural disaster events in the Pacific are also expected to worsen over the next few decades because scientific reports published in recent years have stated that the frequency and severity of extreme weather events in the Pacific region are expected to increase as a result of global climate change. The predicted rise in average land and ocean temperatures will change the seasonality and duration of rainfall and the intensity of tropical cyclones and hurricanes. In addition, rising sea levels are worsening coastal erosion and saline intrusion, which will in turn magnify the damage caused by storm surges and high winds. This has led to concerns that the literal existence of low-lying atoll island nations like Kiribati and Tuvalu could be more intensely threatened by extreme weather events and storm surges because their elevations are only one to three meters above sea level on average. With such predicted climate trends that point to more extreme conditions and increased climate volatility in the future, Pacific Island countries "have little choice but to develop comprehensive risk management plans for the natural hazards they face" in order to avoid total physical and socioeconomic destruction.<sup>22</sup>

### **Moving Forwards**

In short, it is evident that the situation with climate change and natural disasters in the Pacific Islands is extremely pressing, and merits significant consideration by the international community.

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<sup>21</sup>"Climate Change and Disaster Management - Pacific Possible Background Paper No.6." ReliefWeb. Accessed September 09, 2018.

<https://reliefweb.int/report/world/climate-change-and-disaster-management-pacific-possible-background-paper-no6>.

<sup>22</sup> "Adapting to Hazards in the Pacific Islands Region." World Bank. Accessed September 8, 2018.

<http://siteresources.worldbank.org/INTPACIFICISLANDS/Resources/Natural-Hazards-report.pdf>.

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Moving forwards, it is vital that the nations of the Pacific Islands Forum work to establish strategies designed to address not only the immediate implications of climate change and natural disasters, but also the serious indirect issues that can arise over time, including human infrastructure destruction, food and water security, and agricultural degradation. While efforts have been made by Pacific nations in recent years to address these issues, “financing remains a constant impediment for these small nations to source capital needed to protect their vulnerable populations”, and it has proven difficult to obtain enough funding from the international community to fully address all components of these complex issues.<sup>23</sup>

From December 3-14, 2018, the member nations of the Pacific Islands Forum will gather with the rest of the international community in Katowice, Poland, for the 24th Conference of the Parties (COP24) to the United Nations Framework Convention on Climate Change (UNFCCC).<sup>24</sup> COP24 will provide a critical opportunity for Pacific Island nations to raise awareness of specific issues on a global platform, influence the generation of international climate policy during the next several years, and request aid to address concerns. As the Pacific Islands Forum prepares for this conference and looks to the future, it is important that delegates prioritize the aspects of climate change and disaster risk management that they deem most important in order to obtain sufficient funding to fully address critical issues and guide their advocacy on the international stage. As such, delegates to the Forum’s meeting before COP24 should focus on identifying the most important issues related to climate change and disaster risk management and creating strategic plans to address their consequences in

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<sup>23</sup>“The Pacific Islands.” Cop23. Accessed September 09, 2018. <https://cop23.com.fj/fiji-and-the-pacific/pacific-islands/>.

<sup>24</sup>“COP24.” COP24. Accessed September 09, 2018. <http://cop24.gov.pl/>.

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order to be able to effectively ask for funding and present a united front to the wider international community in December.

### **Country Policy**

Despite the fact that the Pacific Islands Forum is a regional committee, member states do still possess different priorities and perspectives surrounding climate change and disaster risk management, and delegates must understand the specific policies of their countries in order to be successful in committee.

#### *Marshall Islands, Tokelau, Solomon Islands, Nuatambu, and Tuvalu*

The Marshall Islands, Tokelau, Solomon Islands, Nuatambu and Tuvalu are five of the Pacific Island nations whose very existence is most threatened by climate change. Scientists in recent years have become concerned that the total landmass of these countries will soon be entirely consumed by rising seas because their average elevations amount to no more than several meters above sea level. All five nations have already experienced the submersion of different parts of their coastlines, and several are in particularly desperate situations. Nuatambu, for example, had already lost over half of its habitable area by the end of 2017, and Tuvalu is predicted to be uninhabitable by 2050. Five reefs in the Solomon Islands have become entirely submerged, while an additional six have completely eroded.

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<sup>25</sup> In Tokelau, numerous portions of their coastline and several inlets have also been lost to rising sea levels, and concerns are rising that such continued destruction of land will impact agricultural activities and the national food supply.<sup>26</sup> A large percentage of habitable land in the Marshall Islands has also already become submerged underneath the waterline, and its government is currently exploring plans to move the entirety of its population to the United States, in accord with a 1986 agreement.<sup>27</sup>

In short, the Forum's consideration of climate change and disaster risk management is vitally important to these five nations because their prospects for survival could be significantly impacted by the outcome of these deliberations. They may specifically be interested in discussing the idea that a new visa category based on island displacement and environmental consequences should be created for Pacific Islanders with the wider international community.

### *Kiribati*

Kiribati is a 266-square-mile republic that is comprised of 32 atolls and one island. Most of this island nation does not lie more than a couple of meters above sea level, which means that its very existence has been severely threatened by the recent trend of rising sea levels. In 2012, the government

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<sup>25</sup>"Pacific Island Nations Are Slowly Being Eaten Away." NewsComAu. November 14, 2017. Accessed September 09, 2018.

<https://www.news.com.au/technology/environment/pacific-island-nations-urge-world-leaders-to-act-as-islands-expected-to-sink/news-story/9416ac1726d1f8d02a1ae435924e364f>.

<sup>26</sup>"The Pacific Islands." Cop23. Accessed September 09, 2018. <https://cop23.com.fj/fiji-and-the-pacific/pacific-islands/>.

<sup>27</sup>Davenport, Coral, and Josh Haner. "The Marshall Islands Are Disappearing." The New York Times. December 02, 2015. Accessed September 09, 2018.

<https://www.nytimes.com/interactive/2015/12/02/world/The-Marshall-Islands-Are-Disappearing.html>.

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of Kiribati purchased nearly 6,000 acres of land on Viti Levu, Fiji's main island, and currently plans to move all of its citizens off of Kiribati over the next three decades. It is thus evident that climate change has impacted Kiribati to an extent greater than some of its peers, and this nation desperately needs support from the Pacific Islands Forum.

### *The United States and China*

While the United States, China, and India are not traditional members of the Pacific Islands Forum, these three nations have played a large role in discussions of climate change and natural disasters on the international stage. The United States is one of the largest emitters of GHGs on the planet, and has taken some steps to address climate change. However, in June of 2016, the US announced that it was going to withdraw from the Paris Climate Agreement because of its economic expected economic consequences, and this action has caused concern that other withdrawals from important international actors could soon follow.<sup>28</sup> China, in contrast, was the world's leading emitter of heat-trapping gases by a wide margin in 2017, but has announced that it plans to take significant action to mitigate its future environmental impact. During the past several years, the Chinese government has enshrined numerous wide-ranging climate policies in its national Five-Year Plan and is working on generating incentives for sustainable development on a local level; the nation has been

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<sup>28</sup>"Trump Withdrew from the Paris Climate Deal a Year Ago. Here's What Has Changed." The Washington Post. June 01, 2018. Accessed September 09, 2018. [https://www.washingtonpost.com/news/energy-environment/wp/2018/06/01/trump-withdrew-from-the-paris-climate-plan-a-year-ago-heres-what-has-changed/?noredirect=on&utm\\_term=.cc1aee854d5](https://www.washingtonpost.com/news/energy-environment/wp/2018/06/01/trump-withdrew-from-the-paris-climate-plan-a-year-ago-heres-what-has-changed/?noredirect=on&utm_term=.cc1aee854d5).

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recognized as a global leader in policy and diplomacy in relation to climate change, but still needs to make significant strides in order to reduce its emissions to sustainable levels.<sup>29</sup>

During this session of the Pacific Islands Forum, both the United States and China have the ability to provide significant financial resources and assistance to smaller Pacific states, and it could be difficult to enforce and implement any resolution or policy solution without the support of at least one of these nations.

### *Other Countries*

The country descriptions listed above only highlight a few key regional players in the Pacific Islands, and the remaining nations are just as important. Every single nation in the region is impacted by climate change and natural disasters in distinct and unique ways, and delegates should direct their attention to the nuances of these issues that are the most important to the nations that they're representing.

### **Keywords**

***Greenhouse Gases (GHGs):*** Greenhouse gases are gases that trap heat in the atmosphere. Common examples of GHGs include carbon dioxide (CO<sub>2</sub>, produced through the burning of fossil fuels, waste, and trees), methane (CH<sub>4</sub>, emitted during the production and transport of coal, natural

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<sup>29</sup>Wong, Edward. "China Is a Climate Leader but Still Isn't Doing Enough on Emissions, Report Says." The New York Times. July 19, 2018. Accessed September 09, 2018.  
<https://www.nytimes.com/2018/07/19/world/asia/china-climate-change-report.html>.

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gas, and oil and from livestock and other agricultural practices), and nitrous oxide (NO<sub>2</sub>, emitted during agricultural and industrial activities and combustion of fossil fuels and solid waste).

*The United Nations Framework Convention on Climate Change (UNFCCC):* The UNFCCC is an international environmental treaty that was adopted on May 9th, 1992, and entered into force in 1994. Its objective is to stabilize greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system, and it sets non-binding limits on GHG emissions for individual countries. It contains no enforcement provisions, but instead outlines how specific international treaties ('protocols' or 'Agreements') may be negotiated to specify further action necessary to achieve the UNFCCC's objectives.

*The Paris Agreement:* The Paris Agreement is an international accord about GHG mitigation, adaptation, and finance that was negotiated by representatives from 196 countries at the 21st Conference of the Parties of the UNFCCC in Paris in December of 2015. The Paris Agreement's long-term goal is to keep the increase in global average temperature to well below 2 degrees Celsius, and to limit the overall increase to 1.5 degrees Celsius in order to mitigate the negative effects of climate change.

*COP24:* The 24th Conference of the Parties to the UNFCCC is an international conference that will take place in Poland in December of 2018. Two of the most important tasks of COP24 will be to generate and adopt a package of decisions ensuring the full implementation of the Paris Agreement and to start a dialogue intended to support the implementation of national commitments to climate mitigation targets.

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### **Questions**

- What specific geographical and cultural elements make the Pacific region particularly vulnerable to the effects of climate change and natural disasters?
- What specific issues and aspects related to climate change are the most pressing for the Pacific Islands Forum moving forwards?
- What forms of help (if any) do the Pacific Island nations need from the wider international community?
- What should Forum member nations prioritize as they begin to prepare for COP24 in December? How can the Pacific Island nations convince the rest of the world to pay attention to the effects of climate change in this region?
- How can the Forum begin to address the threats to literal existence that some of its member nations are facing?
- How does the physical size and geography of each member nation influence its domestic priorities and approach to addressing climate change and disaster risk management?

## **TOPIC B: ADDRESSING THE RISE IN FISHERIES CRIME**

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### **Introduction**

In 2016, the United Nations released a report titled “Transnational Organized Crime in the Pacific: a Threat Assessment” that detailed its concerns surrounding the rising rate of transnational crime in the Pacific Islands region. While this document also mentioned other issues, environmental crimes represented one of its main areas of focus, and the United Nations stated that they are one of the “most serious transnational organized crime types impacting the Pacific”.<sup>30</sup> It then went on to further specify that crimes specifically related to fisheries and the fishing industry constitute a particularly unique challenge, and significantly threaten the economic stability and environmental viability of the Pacific Islands.

Because of their geographical locations, limited law enforcement capabilities, and porous jurisdictional boundaries, the nations of the Pacific Islands Forum remain particularly vulnerable to and disproportionately impacted by fisheries crime. This type of criminal activity often results in severe environmental effects via unsustainable fishing practices and leads to the rapid depletion of fish stocks, which could heavily impact the economy of the Pacific region and the global food supply as a whole.<sup>31</sup> Factors such as the transnational mobility of fishing vessels and limited law enforcement capabilities also mean that fisheries crime has been associated with other forms of illegal transnational organized activities, including drug trafficking, human trafficking, and migrant smuggling.<sup>32</sup>

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<sup>30</sup>“Transnational Organized Crime in the Pacific.” UNODC. September 2016. Accessed September 8, 2018. [https://www.unodc.org/documents/southeastasiaandpacific/Publications/2016/2016.09.16\\_TOCTA\\_Pacific\\_web.pdf](https://www.unodc.org/documents/southeastasiaandpacific/Publications/2016/2016.09.16_TOCTA_Pacific_web.pdf).

<sup>31</sup>“Fisheries.” Forum Secretariat. Accessed September 09, 2018. <https://www.forumsec.org/fisheries/>.

<sup>32</sup>“Transnational Organized Crime in the Pacific.” UNODC. September 2016. Accessed September 8, 2018. [https://www.unodc.org/documents/southeastasiaandpacific/Publications/2016/2016.09.16\\_TOCTA\\_Pacific\\_web.pdf](https://www.unodc.org/documents/southeastasiaandpacific/Publications/2016/2016.09.16_TOCTA_Pacific_web.pdf).

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In light of the fact that the amount of fisheries crime is believed to have increased in recent years and its impacts could be exacerbated in the future by climate change, it is vital that the Pacific Islands Forum determine how best to mitigate this type of criminal activity and generate a better mechanism for policing and patrolling its waters. Ensuring adequate cooperation and transparent communication amongst all relevant nations and regional parties will be critical to resolving this issue, and delegates should keep this in mind as they begin to draft solutions and resolutions.

### **History of the Topic**

The international community has historically taken some steps to address fisheries crime during the last century. The first piece of international legislation designed to prevent abuses in the fishing industry was the International Convention for the Regulation of Whaling (ICRW). Signed in 1946, this landmark agreement originated from rising concerns about the overfishing of some species of whales and established the International Whaling Commission in order to “ensure effective conservation of whales and an orderly development of the whaling industry”.<sup>33</sup> The implementation of the ICRW was then followed by the occurrence of the first United Nations Conference on the Law of the Sea, which was held in Geneva, Switzerland in 1958. At this integral conference, the United Nations adopted four major conventions: the Convention on the Territorial Sea and the Contiguous Zone (CTS), the Convention on the High Seas (CHS), the Convention on Fishing and Conservation of the Living Resources of the High Seas (CFCLR), and the Convention on the Continental Shelf (CCS).<sup>34</sup> These four documents contained codified and contained new regulations for “the regime of

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<sup>33</sup>“An Introduction to International Fisheries Law Research.” NYU Law. Accessed September 09, 2018. [http://www.nyulawglobal.org/globalex/International\\_Fisheries\\_Law.html](http://www.nyulawglobal.org/globalex/International_Fisheries_Law.html).

<sup>34</sup>“United Nations Conference on the Law of the Sea.” United Nations. Accessed September 09, 2018. [http://legal.un.org/diplomaticconferences/1958\\_los/](http://legal.un.org/diplomaticconferences/1958_los/).

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territorial waters and that of the high seas”, and dealt with numerous elements of marine life and jurisdiction; the Convention on Fishing and Conservation of the Living Resources of the High Seas (CFLCR), however, specifically “dealt with the conservation and management of marine fisheries”, and represented the first time that the management of the fishing industry was codified into international law.<sup>35</sup>

The first initial United Nations Conference on the Law of the Sea was then succeeded by two more conferences and nine years of negotiations that culminated in the creation of the UN Convention on the Law of the Sea (UNCLOS), which was adopted at the third UN conference in 1982. It “lays down a comprehensive regime of law and order in the world’s oceans and seas establishing rules governing all uses of the oceans and their resources”, and discusses topics including the limits of the territorial sea, navigational rights, the exclusive economic zone, legal status of resources on the seabed beyond the limits of national jurisdiction, conservation and management of living marine resources, protection of the marine environment, marine scientific research, and settlement of disputes between States, among other things.<sup>36</sup> It specifies that individual States are responsible for policing and governing fishing activity within their own waters and possess “jurisdiction over the environmental protection” of fish and other marine life.<sup>37</sup>

After the adoption of UNCLOS, several smaller treaties and agreements were passed in subsequent years, including a measure meant to promote compliance with international conservation and management measures by fishing vessels known as the Compliance Agreement of 1993. However,

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<sup>35</sup>“Convention on Fishing and Conservation of the Living Resources on the High Seas.” United Nations. 1958. Accessed September 8, 2018. [https://www.gc.noaa.gov/documents/8\\_1\\_1958\\_fishing.pdf](https://www.gc.noaa.gov/documents/8_1_1958_fishing.pdf).

<sup>36</sup>“Overview - Convention & Related Agreements.” United Nations. Accessed September 09, 2018. [http://www.un.org/Depts/los/convention\\_agreements/convention\\_overview\\_convention.htm](http://www.un.org/Depts/los/convention_agreements/convention_overview_convention.htm).

<sup>37</sup>“Overview - Convention & Related Agreements.” United Nations. Accessed September 09, 2018. [http://www.un.org/Depts/los/convention\\_agreements/convention\\_overview\\_convention.htm](http://www.un.org/Depts/los/convention_agreements/convention_overview_convention.htm).

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the next substantive international accord was not adopted until 1995, and was called the UN Fish Stocks Agreement. Ratified at the UN Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks, this agreement was designed to create an implementation mechanism for the provisions detailed in UNCLOS from 1982, and established a “management regime based on the precautionary principle and the best available scientific information”.<sup>38</sup> The Fish Stocks Agreement is important to discuss because it established “detailed minimum international standards for the conservation and management of fish stocks and highly migratory fish stocks”, and created “effective mechanisms” for the compliance and enforcement of conservation measures in fisheries and on the high seas.<sup>39</sup>

In the twenty-first century, two additional pieces of international legislation have been passed that pertain to fisheries crime. The first piece of legislation worth noting exists underneath the umbrella of the UN’s Food and Agricultural Organization (FAO), and consists of four instruments known as International Plans of Action (IPOAs). Adopted between 2000 and 2001, the IPOAs are “voluntary instruments elaborated within the framework of the Code of Conduct for Responsible Fisheries”, which is a separate FAO agreement that was passed in 1995.<sup>40</sup> The IPOAs each incorporate measures to address the four issues that the FAO classified as the most pressing in the context of fishing and fisheries, which include “the incidental bycatch of seabirds in longline fisheries, conservation and managements of sharks, management of fishing capacity, {and} combating IUU

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<sup>38</sup>“An Introduction to International Fisheries Law Research.” NYU Law. Accessed September 09, 2018. [http://www.nyulawglobal.org/globalex/International\\_Fisheries\\_Law.html](http://www.nyulawglobal.org/globalex/International_Fisheries_Law.html).

<sup>39</sup>“The United Nations Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 Relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (in Force as from 11 December 2001) Overview.” United Nations. Accessed September 8, 2018. [http://www.un.org/depts/los/convention\\_agreements/convention\\_overview\\_fish\\_stocks.htm](http://www.un.org/depts/los/convention_agreements/convention_overview_fish_stocks.htm).

<sup>40</sup>“FAO Fisheries & Aquaculture - International Plans of Action.” Fao.org. Accessed September 09, 2018. <http://www.fao.org/fishery/code/ipoa/en>.

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fishing".<sup>41</sup> All four agreements are non-binding pieces of legislations, which means that each state has to choose whether or not to adopt and implement the specific measures that they describe.

The second piece of notable twenty-first century legislation, known as the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing, was adopted in 2009 once again by FAO, and seeks to address illegal, unreported, and unregulated (IUU) fishing by implementing increased security measures and registration requirements at international ports and markets. Unlike many of its predecessors, the port State Measures are legally binding, and all of its signatories must adhere to the list of minimum port State standards that it contains.<sup>42</sup> It is believed that its binding nature has made the port State Measures more effective in mitigating fisheries crime than previous international legislation.

Since the enactment of the Agreement on Port State Measures in 2009, no other significant pieces of legislation have been adopted on a global scale to date.<sup>43</sup> The Pacific Islands Forum, however, has also taken steps to address this issue on a regional level, and their efforts from the past century are worth noting. Most significantly, it established the Pacific Islands Forum Fishery Agency (FFA) in 1979 in order to "help countries sustainably manage their fishery resources that fall within their 200 mile Exclusive Economic Zones (EEZs)".<sup>44</sup> Since its inception, the organization "has facilitated regional cooperation so that all Pacific countries benefit from the sustainable use of tuna", and serves as "an advisory body providing expertise, technical assistance, and other support to its members who

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<sup>41</sup>"An Introduction to International Fisheries Law Research." NYU Law. Accessed September 09, 2018. [http://www.nyulawglobal.org/globalex/International\\_Fisheries\\_Law.html](http://www.nyulawglobal.org/globalex/International_Fisheries_Law.html).

<sup>42</sup>"An Introduction to International Fisheries Law Research." NYU Law. Accessed September 09, 2018. [http://www.nyulawglobal.org/globalex/International\\_Fisheries\\_Law.html](http://www.nyulawglobal.org/globalex/International_Fisheries_Law.html).

<sup>43</sup> As of August 2018

<sup>44</sup>"Pacific Islands Forum Fisheries Agency (FFA)." Pacific Islands Forum Fisheries Agency (FFA) » Strengthening National Capacity and Regional Solidarity for Sustainable Tuna Fisheries. Accessed September 09, 2018. <https://www.ffa.int/about>.

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make sovereign decisions about their tuna resources and participate in regional decision-making on tuna management". Currently, the seventeen Pacific Island members of the FFA are Australia, Cook Islands, Federated States of Micronesia, Fiji, Kiribati, Marshall Islands, Nauru, New Zealand, Niue, Palau, Papua New Guinea, Samoa, Solomon Islands, Tokelau, Tonga, Tuvalu, and Vanuatu.<sup>45</sup> The three most significant agreements created and managed by the FFA are the Tokelau Arrangement (adopted in 2014 with the intent of setting a limit on the amount of albacore tuna each nation could fish in its EEZ per year and its fishing methods)<sup>46</sup>, the Niue Treaty (signed in 2015 as an agreement that provides regulations for the monitoring, control and surveillance of fishing activities in the Pacific)<sup>47</sup>, and the US Multilateral Treaty (implemented in 1987 as an agreement between the FFA member states and the United States that grants the US a limited number of fishing rights in Pacific waters in exchange for financial compensation).<sup>48</sup> Together, these three accords form the basis for regional intergovernmental cooperation on fisheries management and crime mitigation in the Pacific Islands, and help to guide the work of the FFA and the general Pacific Islands Forum on these topics.

## **Current Situation**

### What is Fisheries Crime?

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<sup>45</sup>"Pacific Islands Forum Fisheries Agency (FFA)." Pacific Islands Forum Fisheries Agency (FFA) » Strengthening National Capacity and Regional Solidarity for Sustainable Tuna Fisheries. Accessed September 09, 2018.  
<https://www.ffa.int/about>.

<sup>46</sup>"Tokelau Arrangement Signed with FFA." Tokelau Government. Accessed September 09, 2018.  
[https://www.tokelau.org.nz/Bulletin/November 2014/Tokelau Arrangement signed with FFA.html](https://www.tokelau.org.nz/Bulletin/November%202014/Tokelau%20Arrangement%20signed%20with%20FFA.html).

<sup>47</sup>"Pacific Islands Forum Fisheries Agency (FFA)." Pacific Islands Forum Fisheries Agency (FFA) » Strengthening National Capacity and Regional Solidarity for Sustainable Tuna Fisheries. Accessed September 09, 2018.  
<https://www.ffa.int/about>.

<sup>48</sup>"Ensuring the Sustainability of Pacific Tuna: The US Treaty." WWF. Accessed September 8, 2018.  
[http://macbio-pacific.info/wp-content/uploads/2017/08/us\\_treaty\\_factsheet\\_2.pdf](http://macbio-pacific.info/wp-content/uploads/2017/08/us_treaty_factsheet_2.pdf).

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In order to adequately understand the history and current situation related to this issue, it is vital to first establish a sufficient definition of fishery and fishing crimes. According to the United Nations Office on Drugs and Crime (UNODC), “fisheries crime is an ill-defined legal concept referring to a range of illegal activities in the fisheries sector. These activities - frequently transnational and organized in nature - include illegal fishing, document fraud, drug trafficking, money laundering”, tax evasion, corruption, and human trafficking.<sup>49</sup> This wide range of offences can be committed at any point “along the value and supply chain of the fisheries sector, on land and at sea”, and “is wide-spread, usually transnational, largely organised, and negatively impacts states’ economies, distorts markets, harms the environment, and undermines human rights including food security”.<sup>50</sup> Despite the fact that fisheries crime often encompasses a wide range of numerous illicit activities, it typically revolves and includes some form of illegal fishing and is, at its core, “economic crime aimed at increasing profits of outwardly legitimate fishing businesses or facilitating organised crime”.<sup>51</sup> It is estimated that illegal fishing accounts for 20% of the world’s annual catch and as much as 50% in some fisheries, which supports the notion that this type of crime is extremely wide-spread and supports a large global industry.<sup>52</sup> Please refer to the infographic below that displays some of the most common types of illegal activities associated with fisheries crime.

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<sup>49</sup> "Fisheries Crime." UNODC. Accessed September 8, 2018.

[https://www.unodc.org/documents/about-unodc/Campaigns/Fisheries/focus\\_sheet\\_PRINT.pdf](https://www.unodc.org/documents/about-unodc/Campaigns/Fisheries/focus_sheet_PRINT.pdf).

<sup>50</sup>"What Is Fisheries Crime? » FishCRIME." FishCRIME. Accessed September 09, 2018.

<http://fishcrime.com/what-is-fisheries-crime/>.

<sup>51</sup>"What Is Fisheries Crime? » FishCRIME." FishCRIME. Accessed September 09, 2018.

<http://fishcrime.com/what-is-fisheries-crime/>.

<sup>52</sup>"Overfishing." WWF. Accessed September 09, 2018. <https://www.worldwildlife.org/threats/overfishing>.



## Transnational Nature

The diverse and varied nature of fisheries crime and the lack of clarity associated with the usage of this term has complicated the international community's collective recognition of and response to this issue. Many experts, in fact, agree that fisheries crime has received "insufficient attention" on the international stage precisely because it is not well understood as an illicit activity and can occur in

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many different forms depending on its scale and the region in which it occurs.<sup>53</sup> Prevention and prosecution of fisheries crime has also traditionally proven to be difficult because of “its transnational nature”, which means that this type of illicit activity often takes place in, around, and within the borders and waters of multiple countries. The transnational nature of fisheries crime “can derive from elements such as the nationality of the fishers (who may be of various nationalities and are often recruited by criminal groups due to their knowledge of the high seas and ability to move undetected across borders); the flag of the vessel; the waters in which the fisheries crime takes place; and the port where the vessel docks or where the catch is landed”.<sup>54</sup>

These transnational elements have led to “uncoordinated, ineffective domestic and cross-border law enforcement efforts” due to a lack of clarity surrounding legal and law enforcement jurisdictions. Numerous nations have found it difficult to prioritize and coordinate their responses and policies to a type of criminal activity that often takes place within the boundaries of different countries, and this type of border-hopping has led to communication, coordination, and jurisdictional issues.<sup>55</sup> Similarly, these transnational components have also complicated enforcement and prosecution efforts related to fisheries crimes. Different nations possess different regulations surrounding fishing and its associated activities, and overfishing often only carries small administrative penalties in some of the regions where its impact is the most severe.<sup>56</sup> This inconsistency in legal regulation means that fisheries crime cases have become notoriously difficult to prosecute and often

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<sup>53</sup> "Fisheries Crime." UNODC. Accessed September 8, 2018.

[https://www.unodc.org/documents/about-unodc/Campaigns/Fisheries/focus\\_sheet\\_PRINT.pdf](https://www.unodc.org/documents/about-unodc/Campaigns/Fisheries/focus_sheet_PRINT.pdf).

<sup>54</sup> "Fisheries Crime." UNODC. Accessed September 8, 2018.

[https://www.unodc.org/documents/about-unodc/Campaigns/Fisheries/focus\\_sheet\\_PRINT.pdf](https://www.unodc.org/documents/about-unodc/Campaigns/Fisheries/focus_sheet_PRINT.pdf).

<sup>55</sup> Stølsvik, Gunnar. "Transnational Organised Fisheries Crime as a Maritime Security Issue." United Nations. Accessed September 8, 2018. [http://www.un.org/depts/los/consultative\\_process/documents/9\\_gunnarstolsvikabstract.pdf](http://www.un.org/depts/los/consultative_process/documents/9_gunnarstolsvikabstract.pdf)

<sup>56</sup> "Fishing Problems: Poor Fisheries Management." WWF. Accessed September 09, 2018.  
[http://wwf.panda.org/our\\_work/oceans/problems/fisheries\\_management/](http://wwf.panda.org/our_work/oceans/problems/fisheries_management/).

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take years to work through the legal process on the international stage; such an inefficient legal system, in addition to poor management and enforcement, significantly results from the transnational nature of fisheries crime, and further complicates the mitigation of this type of activity.

### **Who are the Perpetrators of Fisheries Crime?**

One aspect of fisheries crime that complicates prevention and policy efforts is the fact that it is perpetrated by a wide variety of differently-sized organizations and individuals. On a local level, it is estimated that numerous individuals and crews that operate small-scale fishing operations in the Pacific Islands regularly ignore fishing regulations and conservatory limits. A recent study found that fleets licensed to operate in the Pacific Islands “accounted for over 95 percent of the total volume and value of illegal, unregulated, and unreported fishing activity”, which indicates that fisheries crime is typically perpetrated by Pacific Islanders that local knowledge of specific waters.<sup>57</sup> While these people often carry out these activities intentionally and in full knowledge that they are violating domestic and international fishing laws, fisheries crime also sometimes occurs accidentally because regional and rural fishermen are not properly educated about the relevant fishing legislation and conservation efforts.<sup>58</sup> The fact that fishing is practiced on such a large and widespread scale makes it difficult to properly track and monitor the activities of smaller fishing operations, which leaves this portion of the fishing sector particularly vulnerable to exploitation and incidental criminal abuse.

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<sup>57</sup>“Illegal Fishing Costs Pacific Islands Millions Annually in Lost Tuna Revenue.” Pew Trusts. Accessed September 09, 2018.  
<http://www.pewtrusts.org/en/research-and-analysis/articles/2016/05/02/illegal-fishing-costs-pacific-islands-millions-annually-in-lost-tuna-revenue>.

<sup>58</sup>“What is IUU Fishing.” FAO. Accessed September 09, 2018.  
<http://www.fao.org/iuu-fishing/background/what-is-iuu-fishing/en/>.

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However, the international community has also become aware of evidence in recent years that has linked large, organized crime syndicates to fisheries crime, and has come to understand that a large percentage of fisheries crime as a whole is committed on a large scale. These types of organizations are often extremely difficult to trace and prosecute, and “often hide through a web of financial havens, privacy laws, and corporate structures present in more than one legal jurisdiction”; they also frequently collaborate with different local players in order to mask the true nature of their activities.<sup>59</sup> Some economists have also predicted that fish as a commodity are becoming more valuable because the current climate of extreme overfishing results in less fish in the sea, which means that the fisheries crime industry is expected to become more lucrative as a whole in the future. This in turn means that fisheries are “increasingly attracting the attention and involvement of transnational organized crime syndicates”, and certain nations have expressed concern at the prospect that larger, more dangerous criminal organizations are starting to become involved in this arena.<sup>60</sup>

### Regional Economic Dependence on Fishing

In order to fully understand the necessity of mitigating fisheries crime, it is first necessary to establish the importance of fishing and marine life to the Pacific Islands as a region. From a geographic perspective, ninety-eight percent of the Pacific Islands region is ocean, which means that “the ocean and its extensive resources remain central to {the} health and well-being” of its inhabitants.<sup>61</sup> According to a report released by the FAO in 2011, two primary types of fishing activity occur in the

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<sup>59</sup> "Fisheries Crime." UNODC. Accessed September 8, 2018.

[https://www.unodc.org/documents/about-unodc/Campaigns/Fisheries/focus\\_sheet\\_PRINT.pdf](https://www.unodc.org/documents/about-unodc/Campaigns/Fisheries/focus_sheet_PRINT.pdf).

<sup>60</sup> "Fisheries Crime." UNODC. Accessed September 8, 2018.

[https://www.unodc.org/documents/about-unodc/Campaigns/Fisheries/focus\\_sheet\\_PRINT.pdf](https://www.unodc.org/documents/about-unodc/Campaigns/Fisheries/focus_sheet_PRINT.pdf).

<sup>61</sup> "Pacific Ocean Economy: Exploring Opportunities for Sustainable Economic Development." Government of New Zealand. September 2014. Accessed September 8, 2018.

<https://www.mfat.govt.nz/assets/Aid-Prog-docs/Research/Pacific-Ocean-Economy-SEPT-2014-v2.pdf>.

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Pacific Islands region: offshore and coastal fishing.<sup>62</sup> Together, the revenue earned from fishing accounts on average for approximately four to ten percent of each Pacific Islands nation's annual GDP, which constitutes a significant percentage of each country's national income. Tuna is the most valuable fish caught in the region, and the sale of this species is estimated to have generated over \$5 billion in revenue in 2014 alone for the greater Pacific. Additionally, exports from fisheries represent over fifty percent of all exports in half of the Pacific countries and territories, and produced almost a billion dollars in revenue in 2007 alone; American Samoa, New Caledonia, and French Polynesia are the three entities that traditionally receive the largest value of exports from the fishery industry. All independent countries in the region also obtain revenue by giving foreign vessels fishing access in their offshore waters, and approximately \$135 million USD in foreign fishing fees was collected in 2011.<sup>63</sup>

Together, these statistics support the conclusion that fisheries constitute an extremely important part of the economy of the Pacific Islands, and help to put the region's problems with fisheries crime into perspective. According to the United Nations Office on Drugs and Crime, "the value of fish lost to criminal activities alone is suggested to be between \$10-23.5 billion annually", and "the value lost to associated criminal activities in the fisheries sector, such as document fraud, tax evasion, money-laundering and others" must be added to this figure in order to "get a full picture of the extent of the value lost to organized criminal activities in the fisheries sector".<sup>64</sup> Considering the fact that the size of a Pacific Island nation's annual GDP is only approximately \$800 million on average, it is evident that this illegal activity represents an extremely significant economic loss to

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<sup>62</sup>Please refer to the "Keywords" section of this background guide for detailed definitions of coastal and offshore fishing.

<sup>63</sup>"Pacific Perspectives on Fisheries and Sustainable Development." United Nations ESCAP. Accessed September 8, 2018. [https://www.unescap.org/sites/default/files/Pacific\\_Perspectives\\_2014\\_0.pdf](https://www.unescap.org/sites/default/files/Pacific_Perspectives_2014_0.pdf).

<sup>64</sup>"Fisheries Crime." UNODC. Accessed September 8, 2018.

[https://www.unodc.org/documents/about-unodc/Campaigns/Fisheries/focus\\_sheet\\_PRINT.pdf](https://www.unodc.org/documents/about-unodc/Campaigns/Fisheries/focus_sheet_PRINT.pdf).

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nations that already struggle with limited resources and jobs, and limits the extent to which the economy for the entire region can continue to develop and expand.<sup>65</sup>

### Impact on Food Supply

In addition to influencing the economy, fisheries crime also threaten food and health security for the citizens of the Pacific Island nations. According to a report released by the National Institute of Health, fish has been identified as the primary food source for Pacific Islanders, and numerous studies have identified fish and seafood as the primary source of dietary protein. Consumption of locally caught fish varies somewhat depending on the socioeconomic status of each nation, with the citizens of nations with more developed economies (as in Guam and Fiji) less likely to consume as much fish per person on average. Other factors that influence the consumption of fish in the Pacific Islands region include “geographical location (rural coastal villages versus urban centres), availability of alternative food sources (from both agriculture and imported foods) and whether {a} community has a subsistence or cash-based economy”.<sup>66</sup> Despite these differences, however, fish are still believed to provide 50 to 90% of the dietary animal protein that Pacific Islanders consume on average across the region, and provide numerous nutritional benefits that help to counter critical malnutrition and health issues that have been generated by a recent increase in the consumption of imported, processed foods that are low in nutritional value.

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<sup>65</sup><http://www.pewtrusts.org/en/research-and-analysis/articles/2016/05/02/illegal-fishing-costs-pacific-islands-millions-an-nually-in-lost-tuna-revenue>

<sup>66</sup>Charlton, Karen E., Joanna Russell, Emma Gorman, Quentin Hanich, Aurélie Delisle, Brooke Campbell, and Johann Bell. "Fish, Food Security and Health in Pacific Island Countries and Territories: A Systematic Literature Review." US National Library of Medicine. 2016. Accessed September 09, 2018. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4806432/>.

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Considering the dependency of the Pacific Islands on fish as a major component of their food supply, it is evident that fisheries crime distinctly threaten food and health security for the entire region. Illegal and unsanctioned activity in the fishing industry frequently results in overfishing due to a failure to adhere to size of catch regulations and the use of fishing techniques that are harmful to the environment. Scientists from numerous countries have predicted that such overfishing, if left unchecked, will eradicate whole species, and “could within a few decades contribute to a total collapse of the world’s fisheries”.<sup>67</sup> According to one source, over 30% of global fisheries have been “pushed beyond their biological limits and are in need of strict management plans to restore them”, and several “important commercial fish populations...have declined to the point where their survival as a species is threatened.”<sup>68</sup> Such declines in the world’s fish population severely threaten the stability of the food supply in the Pacific Islands as a result of this region’s dependency on fish as a food source, and it is clear that action needs to be taken in order to mitigate overfishing as a component of fisheries crime.

### Links to Other Forms of Transnational Crime

In addition to generating detrimental impacts on the regional economy and food supply, fisheries crime is also believed to be closely linked to several other serious types of criminal activity, and the international community has collectively expressed its concerns surrounding this issue in recent years. Human trafficking is one of the largest criminal activities that the fishery industry has been linked to. According to a report released in 2011 by the United Nations Office on Drugs and Crime (UNODC), the most common form of human trafficking visible in the fishing industry is the

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<sup>67</sup>Kemp, Ted. "Shadowy Criminals Are Prowling the Seas and Putting Food Supplies in Danger." CNBC. February 19, 2018. Accessed September 09, 2018.

<https://www.cnbc.com/2018/02/15/illegal-fishing-worlds-seafood-supply-endangered-by-criminals-at-sea.html>.

<sup>68</sup>Fishing Problems: Poor Fisheries Management." WWF. Accessed September 09, 2018.

[http://wwf.panda.org/our\\_work/oceans/problems/fisheries\\_management/](http://wwf.panda.org/our_work/oceans/problems/fisheries_management/).

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trafficking of persons for forced labor “on board fishing vessels, rafts or fishing platforms, in port, or in fish processing plants”.<sup>69</sup> Trafficking groups operate on regional and international levels, and the “main actors identified in trafficking for the purpose of forced labor on board fishing vessels are recruiters, senior crew on board fishing vessels, and the fishing company or ‘operator’”; these individuals are often part of mid- to large-size crime syndicates, and the primary motivation for each trafficking group is profit.<sup>70</sup>

In the Pacific Islands region specifically, forced labor in the fishing industry takes place both at sea and on shore, and victims often become severely malnourished and ill as a result of excessive exposure to sun and seawater. Violence is often used to control exploited workers, and it is believed that the fishing sector uses the highest number of child workers on average than any other commercial industry in this region.<sup>71</sup> Evidence also suggests that humans are trafficked through fisheries in the Pacific Islands for the purposes of sexual exploitation, and this type of illicit activity has increased in the region in recent years.<sup>72</sup> Sex trafficking through the fishing industry in the Pacific often occurs in key port cities, and Australia, Fiji, the Federated States of Micronesia, the Republic of the Marshall Islands, Tonga, Palau and the Solomon Islands have been identified as nations of particular concern for this type of activity.<sup>73</sup> Please refer to the graphic below that illustrates common source and destination countries relating to trafficking in persons within, to and from the Pacific region.

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<sup>69</sup>“Transnational Organized Crime in the Fishing Industry.” United Nations. 2011. Accessed September 12, 2018.[https://www.unodc.org/documents/human-trafficking/Issue\\_Paper\\_-\\_TOC\\_in\\_the\\_Fishing\\_Industry.pdf](https://www.unodc.org/documents/human-trafficking/Issue_Paper_-_TOC_in_the_Fishing_Industry.pdf)

<sup>70</sup>“Transnational Organized Crime in the Fishing Industry.” United Nations. 2011. Accessed September 12, 2018.[https://www.unodc.org/documents/human-trafficking/Issue\\_Paper\\_-\\_TOC\\_in\\_the\\_Fishing\\_Industry.pdf](https://www.unodc.org/documents/human-trafficking/Issue_Paper_-_TOC_in_the_Fishing_Industry.pdf)

<sup>71</sup>“Transnational Organized Crime in the Fishing Industry.” United Nations. 2011. Accessed September 12, 2018.[https://www.unodc.org/documents/human-trafficking/Issue\\_Paper\\_-\\_TOC\\_in\\_the\\_Fishing\\_Industry.pdf](https://www.unodc.org/documents/human-trafficking/Issue_Paper_-_TOC_in_the_Fishing_Industry.pdf)

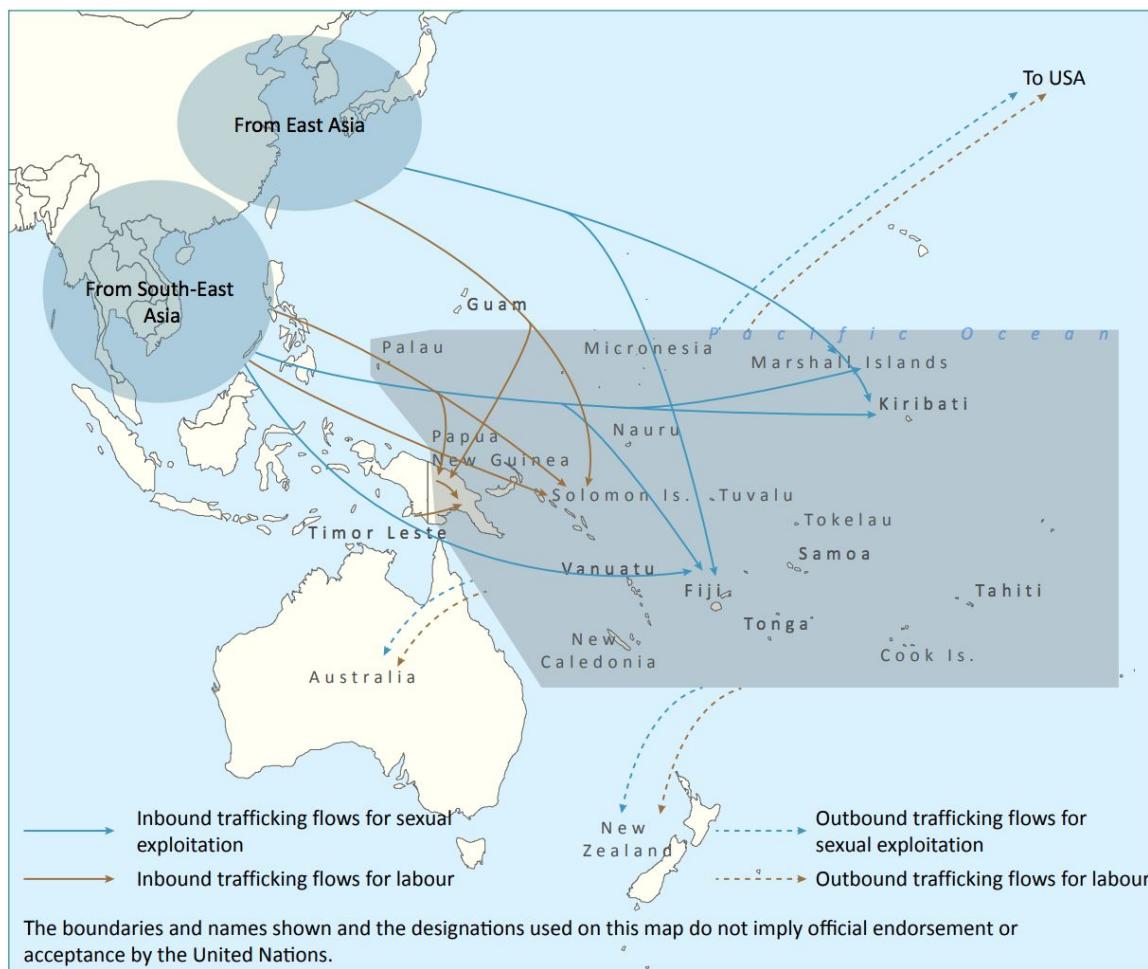
<sup>72</sup>“Human Trafficking Increasing In Pacific, Immigration Conference Told.” Pacific Islands Report. June 20, 2017. Accessed September 12, 2018.

<http://www.pireport.org/articles/2017/06/20/human-trafficking-increasing-pacific-immigration-conference-told>.

<sup>73</sup>“Transnational Organized Crime in the Fishing Industry.” United Nations. 2011. Accessed September 12, 2018.[https://www.unodc.org/documents/human-trafficking/Issue\\_Paper\\_-\\_TOC\\_in\\_the\\_Fishing\\_Industry.pdf](https://www.unodc.org/documents/human-trafficking/Issue_Paper_-_TOC_in_the_Fishing_Industry.pdf)

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**Figure 8: Common source and destination countries relating to trafficking in persons within, to and from the Pacific region**



Source(s): UNODC elaboration based on information from the 2014 Transnational Crime Threat Assessments, PIFS, and the 2015 Trafficking in persons report, U.S. Department of State.

While prosecuting senior crew members for their role in trafficking victims for forced labor and sexual exploitation on board fishing vessels may yield some relief in individual cases, it is believed that pursuing larger organizational structures will have a larger and more permanent effect on trafficking in the fishing industry as a whole. However, it has proven difficult to track and prosecute criminal fishing operators because they often utilize “the protection of non-transparent corporate

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structures in jurisdictions that....hide the identity of the ownership interests in the fishing company...and the profit gained from their criminal activities will often be laundered through their seemingly legitimate business operations".<sup>74</sup> In order to effectively combat human trafficking in the context of fisheries crime, the United Nations has stated that more research into "the role of fishing operators in human trafficking for the purpose of forced labour at sea, how they are structured, and how they launder the proceeds of their criminal activity" is necessary.<sup>75</sup>

Outside of human trafficking, the fishing industry has also been linked to drug trafficking in the Pacific Islands. Main origin points for illicit drugs include Asia and South America, and common destinations are typically Australia and New Zealand. Common types of drugs trafficked through the region include cannabis, heroin, cocaine, and amphetamines, and recent seizures of large quantities of these substances have raised concerns surrounding "the risk of spillover effects of illegally manufactured and trafficked substances into local markets {in the Pacific Islands}...in consideration of the numerous social and health consequences associated with drug consumption".<sup>76</sup> Cannabis is the drug with the largest presence in trafficking and consumption, and accounts for approximately 10% of the drugs used in the region.<sup>77</sup> It is believed that these illegal substances are primarily trafficked into the region by organized criminal groups that seek to use the Pacific Islands as a transit point to sell drugs across Asia, the United States, South America, and parts of Europe. Fishing vessels are frequently used to transport illicit cargo from one nation to the next, and the crews of such operations often possess

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<sup>74</sup>"Transnational Organized Crime in the Fishing Industry." United Nations. 2011. Accessed September 12, 2018.[https://www.unodc.org/documents/human-trafficking/Issue\\_Paper\\_-\\_TOC\\_in\\_the\\_Fishing\\_Industry.pdf](https://www.unodc.org/documents/human-trafficking/Issue_Paper_-_TOC_in_the_Fishing_Industry.pdf)

<sup>75</sup>"Transnational Organized Crime in the Fishing Industry." United Nations. 2011. Accessed September 12, 2018.[https://www.unodc.org/documents/human-trafficking/Issue\\_Paper\\_-\\_TOC\\_in\\_the\\_Fishing\\_Industry.pdf](https://www.unodc.org/documents/human-trafficking/Issue_Paper_-_TOC_in_the_Fishing_Industry.pdf)

<sup>76</sup>"Human Trafficking Increasing In Pacific, Immigration Conference Told." Pacific Islands Report. June 20, 2017. Accessed September 12, 2018.

<http://www.pireport.org/articles/2017/06/20/human-trafficking-increasing-pacific-immigration-conference-told>.

<sup>77</sup>"Human Trafficking Increasing In Pacific, Immigration Conference Told." Pacific Islands Report. June 20, 2017. Accessed September 12, 2018.

<http://www.pireport.org/articles/2017/06/20/human-trafficking-increasing-pacific-immigration-conference-told>.

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varying levels of knowledge about the contents of the cargo that they transport. Drugs are also trafficked on board private yachts and commercial cruise ships in the Pacific, and the difficulties inherent in monitoring the movement of smaller vessels through remote outer islands have made sea patrols and law enforcement efforts especially challenging.<sup>78</sup>

Despite the fact that drug trafficking in the fishing industry constitutes a considerable public health and law enforcement concern, little research and accurate information is available surrounding the true extent of these activities due to a lapse in legislation and international focus on this issue. Only four Pacific Island nations - Fiji, Tonga, the Marshall Islands, and the Federated States of Micronesia - are party to all three United Nations Drug Control Conventions in the region, and drug-related legislation is “outdated and ill-equipped to address emerging and pertinent drug issues” across the region.<sup>79</sup> Similar, the Pacific Islands’ “only transnational, drug-focused research association, the Pacific Drug and Alcohol Research Network (PDARN), has been inactive since 2011 due to financial constraints”, and this lack of a transnational regional body devoted to combatting this issue has significantly harmed enforcement and prosecution efforts. There is also a lack of formal drug surveillance system, funding, resources, and staff trained in drug-related issues in the Pacific, which has limited drug-related data collection, monitoring, and prevention efforts.<sup>80</sup> In short, it is evident that drug trafficking in the fishing industry poses a significant threat to the health and safety of the Pacific Islands, and is not being adequately addressed by the member nations of the Pacific Islands Forum.

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<sup>78</sup>“Transnational Organized Crime in the Fishing Industry.” United Nations. 2011. Accessed September 12, 2018.[https://www.unodc.org/documents/human-trafficking/Issue\\_Paper\\_-\\_TOC\\_in\\_the\\_Fishing\\_Industry.pdf](https://www.unodc.org/documents/human-trafficking/Issue_Paper_-_TOC_in_the_Fishing_Industry.pdf)

<sup>79</sup>“Transnational Organized Crime in the Fishing Industry.” United Nations. 2011. Accessed September 12, 2018.[https://www.unodc.org/documents/human-trafficking/Issue\\_Paper\\_-\\_TOC\\_in\\_the\\_Fishing\\_Industry.pdf](https://www.unodc.org/documents/human-trafficking/Issue_Paper_-_TOC_in_the_Fishing_Industry.pdf)

<sup>80</sup>“Transnational Organized Crime in the Fishing Industry.” United Nations. 2011. Accessed September 12, 2018.[https://www.unodc.org/documents/human-trafficking/Issue\\_Paper\\_-\\_TOC\\_in\\_the\\_Fishing\\_Industry.pdf](https://www.unodc.org/documents/human-trafficking/Issue_Paper_-_TOC_in_the_Fishing_Industry.pdf)

## **Country Policy**

Despite the fact that the Pacific Islands Forum is a regional committee, member states do still possess different priorities and perspectives surrounding fisheries crime, and delegates must understand the specific policies of their countries in order to be successful in committee.

### *New Zealand and Australia*

New Zealand and Australia are the two largest and wealthiest nations located in the Pacific Islands region. While these two nations are not as dependent on fishing for economic and food supply stability, their relative wealth and higher level of development in comparison to other Forum member states mean that they are more directly equipped to address fisheries crime and finance prevention and mitigation efforts. As destination points for illegal substances, these two nations are also disproportionately influenced by drug trafficking in the fishing industry.

### *Papua New Guinea, Kiribati, Federated States of Micronesia, Solomon Islands, Marshall Islands, and Nauru*

These six countries are the members of the Pacific Islands Forum that have the largest amount of marine fish production across the entire region. Although the Marshall Islands possesses a relatively large contribution of offshore locally-based production of other species, most of the fish caught in these nations are tuna. However, with the exception of Papua New Guinea, most of the tuna caught in

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these countries is taken by foreign-based vessels for commercial distribution outside of the region.<sup>81</sup> As such, these six nations are in the unique position where large percentages of their economies are dependent on the revenues gained from selling fish abroad, but very small portions of their catch actually stay in-country for domestic sale and consumption. Additionally, the importance of fishing to their economies also means that these nations are disproportionately impacted by fisheries crime in comparison to some of their peers.

### *Cook Islands*

The fishery industry is of vital importance to the Cook Islands. According to the FAO, fish contributed an average of 21.6 percent of all protein to the diet of the inhabitants of the Cook Islands in 2007, and the contributions are much higher in rural areas of the country. From an economic perspective, fishery products accounted for approximately 79% of all international exports in 2007, and generated nearly 7% of the nation's GDP for that year.<sup>82</sup> Recognizing the importance of fisheries to the stability of the food supply and economy, the government of the Cook Islands has identified increasing protecting fisheries as a priority, and major factors affecting the local supply of fish include overfishing, transport links to the outer islands, cost of fuel, and the offloading of fish by the offshore fleet.<sup>83</sup>

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<sup>81</sup>Gillett, R. (2011). Fisheries of the Pacific Islands: Regional and national information. FAO Regional Office for Asia and the Pacific, Bangkok, Thailand. RAP Publication 2011/03, 279 pages.  
<http://www.fao.org/docrep/014/i2092e/i2092e00.pdf>

<sup>82</sup>Gillett, R. (2011). Fisheries of the Pacific Islands: Regional and national information. FAO Regional Office for Asia and the Pacific, Bangkok, Thailand. RAP Publication 2011/03, 279 pages.  
<http://www.fao.org/docrep/014/i2092e/i2092e00.pdf>

<sup>83</sup>Gillett, R. (2011). Fisheries of the Pacific Islands: Regional and national information. FAO Regional Office for Asia and the Pacific, Bangkok, Thailand. RAP Publication 2011/03, 279 pages.  
<http://www.fao.org/docrep/014/i2092e/i2092e00.pdf>

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### *Fiji*

Fish are extremely important to the economy of Fiji. A large number of people are employed in the fisheries sector and fish constitutes an important part of the diet of local residents. Fishing is also cherished for its recreational and social aspects, and fisheries have been designated as the third largest natural resource sector. Tourism in the fisheries industry is also particularly important to the economy of Fiji. Issues in the fishing sector of Fiji that have been identified in recent years include overfishing, the fully-exploited nature of many inshore resources (particularly in urban areas), competition by offshore vessels for access to limited infrastructure and services, and fuel cost increases which have a disproportionate effect on the small-scale motorized fisheries, and lack of awareness on the part of coastal communities of the development limitations and the consequences of over-exploitation.<sup>84</sup>

### *Member States Located Outside of the Pacific*

Despite the fact that some of the countries that will participate in this session of the Forum are located outside of the Pacific Islands, these nations will still play a significant role in the development of policy solutions to this issue. In particular, nations like the United States, China, Canada, and France possess the financial and personnel resources necessary to help the Pacific Island nations effectively combat fisheries crime, and would perhaps be able to offer foreign support. Additionally, these nations are often the largest consumers of illegal fishery products, and steps can be taken in order to tighten regulations and implement more effective law enforcement techniques on this end of the supply chain.

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<sup>84</sup> Gillett, R. (2011). Fisheries of the Pacific Islands: Regional and national information. FAO Regional Office for Asia and the Pacific, Bangkok, Thailand. RAP Publication 2011/03, 279 pages.  
<http://www.fao.org/docrep/014/i2092e/i2092e00.pdf>

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### *Other Countries*

The country descriptions listed above only highlight a few key regional players in the Pacific Islands, and the remaining nations are just as important. Every single nation in the region is impacted by fisheries crime in distinct and unique ways, and delegates should direct their attention to the nuances of this issue that are the most important to the nations that they're representing.

### **Keywords**

*Exclusive Economic Zones (EEZs):* An exclusive economic zone is a sea territory denominated by the United Nations Convention on the Law of the Sea over which a state has special rights regarding the exploration and use of marine resources. It stretches from the baseline of a nation out to 200 nautical miles from its coast, and nations possess “sovereign rights for the purpose of exploring and exploiting, conserving and managing the natural resources...of the waters...and with regard to other activities for the economic exploitation and exploration of the zone”.<sup>85</sup> Nations also possess sovereign jurisdiction in their EEZs over the “establishment and use of artificial islands, installations and structures; marine scientific research; {and} the protection and preservation of the marine environment”.<sup>86</sup>

*Offshore Fishing:* Offshore fishing is conducted mainly by large, commercial-scale fishing vessels. It is estimated that approximately 1500 of these vessels operate in the EEZs of the Pacific Islands, and mainly utilize purse seine, longline, and pole-and-line gear to catch tuna. The amount of

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<sup>85</sup>“PREAMBLE TO THE UNITED NATIONS CONVENTION ON THE LAW OF THE SEA.” United Nations. Accessed September 12, 2018. [http://www.un.org/Depts/los/convention\\_agreements/texts/unclos/part5.htm](http://www.un.org/Depts/los/convention_agreements/texts/unclos/part5.htm).

<sup>86</sup>“PREAMBLE TO THE UNITED NATIONS CONVENTION ON THE LAW OF THE SEA.” United Nations. Accessed September 12, 2018. [http://www.un.org/Depts/los/convention\\_agreements/texts/unclos/part5.htm](http://www.un.org/Depts/los/convention_agreements/texts/unclos/part5.htm).

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tuna captured by offshore vessels in the region is many times greater than the catch from coastal fisheries.<sup>87</sup>

*Coastal Fishing:* Coastal fishing is of fundamental economic and social importance in the Pacific Islands. It is primarily conducted by the citizens of the region, and “the Pacific Island fisheries that are based on coastal resources provide most of the non-imported fish supplies to the region”.<sup>88</sup> Unlike tuna fisheries, Pacific Islanders take almost all of the coastal catch for the personal consumption and domestic sale, and foreign fishing vessels have very little access to this industry.

*IUU:* IUU stands for illegal, unreported, and unregulated fishing. It “includes all fishing that breaks fisheries laws or occurs outside the reach of fisheries laws and regulations”.<sup>89</sup> This term is used in a large percentage of international legislation and policy initiatives surrounding the fishing industry.

*Secretariat of the Pacific Community (SPC):* The SPC is based in Noumea, New Caledonia, and “helps its member countries and territories in matters relating to (a) coastal fisheries development and management, and (b) scientific research and catch data compilation on the tuna resources of the region.”<sup>90</sup>

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<sup>87</sup> Gillett, R. (2011). Fisheries of the Pacific Islands: Regional and national information. FAO Regional Office for Asia and the Pacific, Bangkok, Thailand. RAP Publication 2011/03, 279 pages.

<http://www.fao.org/docrep/014/i2092e/i2092e00.pdf>

<sup>88</sup> Gillett, R. (2011). Fisheries of the Pacific Islands: Regional and national information. FAO Regional Office for Asia and the Pacific, Bangkok, Thailand. RAP Publication 2011/03, 279 pages.

<http://www.fao.org/docrep/014/i2092e/i2092e00.pdf>

<sup>89</sup> “FAQ: Illegal, Unreported, and Unregulated Fishing.” Pew Trusts. Accessed September 12, 2018.

<http://www.pewtrusts.org/en/research-and-analysis/fact-sheets/2013/08/27/faq-illegal-unreported-and-unregulated-fishing>.

<sup>90</sup> Gillett, R. (2011). Fisheries of the Pacific Islands: Regional and national information. FAO Regional Office for Asia and the Pacific, Bangkok, Thailand. RAP Publication 2011/03, 279 pages.

<http://www.fao.org/docrep/014/i2092e/i2092e00.pdf>

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*The Forum Fisheries Agency (FFA):* The FFA is based in the Solomon Islands. Since its inception, the organization “has facilitated regional cooperation so that all Pacific countries benefit from the sustainable use of tuna”, and serves as “an advisory body providing expertise, technical assistance, and other support to its members who make sovereign decisions about their tuna resources and participate in regional decision-making on tuna management”.<sup>91</sup>

### **Questions**

- What are some of the most common challenges that Pacific Island nations face as they attempt to combat fisheries crime? Why have international efforts to address this issue proven to be so ineffective?
- Should fisheries crime be left to individual nations to police and prosecute, or is this something that the Forum and other international agencies should handle?
- How can the Forum adjust and generate policies in order to better cope with the transnational nature and the resulting jurisdictional issues associated with fisheries crime?
- What specific issues and aspects related to fisheries crime are the most pressing for the Pacific Islands Forum?
- How should the Forum address the link between fisheries and other types of transnational crime, including human trafficking and drug smuggling?
- What forms of help (if any) do the Pacific Island nations need from the wider international community?

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<sup>91</sup>“Pacific Islands Forum Fisheries Agency (FFA).” Pacific Islands Forum Fisheries Agency. Accessed September 12, 2018. <https://wwwffa.int/about>.