

Crisis in the Oceans:

Sustaining Fisheries in International Waters



United States
Diplomacy Center

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Simulation Background

Oceans and fisheries are a key source of protein for over 3 billion people worldwide and are vital to the economic strength of many countries. As the world's population has grown, the pressure on available fish stocks has greatly increased. Over 30% of the world's fisheries have been **overfished**, and another 58% are already producing their maximum **sustainable** harvest. The ocean cannot provide an endless supply of seafood, and our current demand and practices run the risk of depleting ecosystems that are critical to the survival of marine life. **Sustainable** solutions must be found for this multi-faceted problem to ensure the future of our world's oceans and fisheries.

Overfishing is not the only threat to the health of our oceans. Unintended impacts of frequently used commercial fishing methods are also problematic. **Bycatch** – unintentional catch by fishing vessels – can harm species such as sea turtles, seabirds, and dolphins that are caught and killed by fishing gear. **Bycatch** can also be harmful to young fish that are important to the future population of a species. Habitat damage is another consequence of certain kinds of fishing practices, including things like **bottom trawlers** dragging nets through vulnerable marine ecosystems and destroying the places where fish and other species breed and live.

The concept of regulating access to and use of international waters for trade and military purposes has existed for centuries. Protecting and enforcing laws regarding the health of marine life and preserving fish stocks, however, is a more recent development. In 1982, as part of a solution, the United Nations (UN) Convention of the Law of the Sea (UNCLOS) specified that each country would protect and control the waters off their coasts. In the first 12 **nautical miles** off shore, called the territorial sea, countries have similar rights and jurisdiction as they do in their land territories. From there to up to 200 **nautical miles** off their coasts, countries have the right to control access to the resources within those waters, including fish, minerals, oil, and gas. UNCLOS labeled these areas **Exclusive Economic Zones (EEZs)**. The rest of the ocean, beyond the **EEZs**, is called the **high seas** and is generally open to everyone.

Most of the world's fish resources can be found within these **EEZs**, but some kinds of fish move freely between different territorial waters and the **high seas**. The establishment of **EEZs**, therefore, did not provide a global solution to the problems of **overfishing** and **bycatch**. In some places, it created **high seas pockets** that can present particular challenges. Consequently, UNCLOS established a clear legal obligation for countries to cooperate to manage the fish stocks that can range across different parts of the ocean.

UNCLOS, which aims to cooperate in the conservation and management of shared fish resources, has been expanded through other international agreements.

- In 1993, the UN Food and Agricultural Organization (FAO) adopted the Compliance Agreement, which sets out the obligations of countries that authorize vessels to fish on

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the **high seas**, including ensuring these vessels do not undermine internationally agreed upon fishing rules.

- In 1995, the UN concluded negotiations of the UN Fish Stocks Agreement that covers how nations must cooperate to manage certain kinds of shared fishery resources in much more detail, including through negotiating agreements to establish Regional Fishery Management Organizations (RFMOs). These international organizations bring countries together to scientifically assess the status of fish stocks, adopt legally binding rules for fishing, and coordinate monitoring and enforcement.
- In 1995, the FAO also adopted the Code of Conduct for Responsible Fisheries to spell out best practices for managing fishing and **aquaculture**, including managing fishing capacity, protecting the broader ecosystem, and basing decisions on the best available science.
- In 2009, the FAO adopted the Port State Measures Agreement, the first binding global treaty designed to combat **illegal, unreported, and unregulated fishing (IUU)** by specifying how countries must prevent vessels from offloading **IUU** fish in their ports.

As resources become scarcer, more harvesters are willing to break the rules in order to catch fish. Competition among vessels, companies, and sometimes nations can be fierce, and these interests have led to **IUU** fishing and a disregard for the long-term sustainability of fish and other marine life. To complicate matters further, not all cases of **IUU** fishing are easily condemned – some countries and fisheries are vying for resources to feed starving people or save a failing economy. Many developing countries lack the resources to monitor and control all activity in their **EEZs** or the tools to punish those they catch breaking the rules. In addition, it is difficult to regulate all of the activity that occurs on the **high seas**. The ocean covers 71% of the Earth's surface and much of that does not belong to a specific nation. Countries must cooperate to monitor fishing.

Through the RFMOs and various agreements, most **high seas** fisheries are now managed by nations that establish common fisheries rules, cooperative enforcement programs, and clear consequences for **IUU** fishing. Violators may face a loss of fishing rights or access for their fishing vessels to ports in other countries. Countries found supporting illegal fishing risk the threat of trade sanctions. In many areas, these agreements have created effective management that has allowed depleted fish stocks to rebuild and virtually eliminate **IUU** fishing.

The FAO and a number of **Non-Governmental Organizations (NGOs)** work to build countries' abilities to manage their fisheries sustainably, including providing technical and financial support for monitoring their **EEZs**, and raising awareness of the need for better laws and practices.

In this simulation exercise, you will focus on the declining fish population in the waters off the shores of the Confederated Islands of Hiroot (CIH). The citizens of Uzan, a close neighbor of

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the CIH, thrive on fish from the waters around Hiroot. As you try to address the issues in this situation, you will find that the **stakeholders** have different objectives. You will need to find common ground to solve the fish crisis, maintain jobs for the Hiroot people, and keep up with the demand for fish as food and as a marketable commodity.

The facilitator or teacher will assign each participant to a delegation representing one of the following **stakeholders**:

1. United Nations Food and Agriculture Organization (FAO)
2. Government of the Confederated Islands of Hiroot (CIH)
3. Government of Uzan (GOU)
4. United States Department of State (DOS)
5. Global Oceans Fund (GOF)

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Simulation Scenario*

In a region in the Pacific, the crisis in the oceans is growing. **Overfishing, bycatch, illegal, unreported, and unregulated (IUU) fishing** and depletion of marine life persist. In the Confederated Islands of Hiroot (CIH), coral reefs and fish supplies are threatened, especially an endangered species of tuna. With a 1.3 million square mile **Exclusive Economic Zone (EEZ)** surrounding the CIH, visible and effective enforcement is difficult for a small nation without large financial resources. The CIH uses 35% of fish caught in its **EEZ** as local food supply, thus the fishing industry is indispensable to its food security. Exports of marine products, mainly to Uzan, account for nearly 85% of export revenues. Uzan is one of the largest consumers of tuna in the world. It relies on tuna from the South Pacific and, as a result, holds strong economic and political interests in the CIH.

In addition, foreign fishing fleets pay more than \$14 million annually for the right to operate in the CIH territorial waters. These licensing fees account for 28% of the Hiroot government's revenue, so the CIH must present visible and effective enforcement of their fishing laws. The CIH, however, has difficulty providing fuel for the patrol boats that police the **EEZ**.

In hopes of further reducing **overfishing**, some of the region's island nations are trying to restrict fishing in the **high seas pockets**. The Uzanese government, however, has shown resistance to this effort because it would further decrease the supply of tuna available to Uzan. As a result, recent monitoring operations have identified Uzanese vessels illegally fishing in several nations' (including the CIH) **EEZs**.

Hiroot has explored the idea of beginning **aquaculture**, or the domestic cultivation of fish, but the country has not yet invested in it. Uzan has a small industry of **aquaculture**, but the fishing industry opposes it because they fear competition to their livelihood.

As is evident, there are many competing interests and a great number of challenges in addressing this issue. The crisis in the oceans therefore needs a **multilateral**, comprehensive, and enforceable solution. Regulating this cross-boundary exchange requires international cooperation and support in order to ensure that irresponsible fishing practices are not causing irreparable damage to our precious resources and to ensure a future for the populations in our oceans.

**This is a hypothetical scenario, though it is grounded in real issues and circumstances. The statistics, geography, and details in this exercise do not describe any specific, real world situation.*





Questions to Think About:

- What countries and organizations are taking the lead on the issue?
- How does the crisis facing the fish industry and marine life impact larger countries like Uzan differently than smaller countries like the Confederated Islands of Hiroot?
- Have multi-national organizations like the FAO and **NGOs** like the Global Oceans Fund been able to ease the problem of **IUU** fishing?
- How do the different economic concerns of Uzan and the Confederated Islands of Hiroot pose obstacles to easing the problem of **IUU** fishing in the region?
- Which stakeholders and populations (human and marine) are most vulnerable to the consequences of **IUU** fishing if nothing is done?
- What programs or international agreements are already in place to improve the problem of **IUU** fishing and harm to marine life?
- How are current laws to protect the oceans and its resources enforced?
- How do the challenges of protecting ocean life fit into the larger issues of climate change, sustainability of world resources, and conservation?





Crisis in the Oceans Map

