



Food and Agriculture  
Organization of the  
United Nations

## National plan of action to prevent, deter and eliminate Illegal, Unreported and Unregulated (IUU) fishing, Bangladesh

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Prepared by the Department of Fisheries in close coordination with all key stakeholders, and with technical guidance from the Food and Agriculture Organization of the United Nations (FAO).

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### ACRONYMS AND ABBREVIATIONS

ABNJ	Areas Beyond National Jurisdiction
APFIC	Asia-Pacific Fishery Commission
AREP	Advanced Request to Enter Port
BCG	Bangladesh Coastguard
BFDC	Bangladesh Fisheries Development Corporation
BFRI	Bangladesh Fisheries Research Institute
BIMSTEC	Bay of Bengal Initiative Multi-Sectoral Technical and Economic Cooperation
BN	Bangladesh Navy
BOBP-IGO	Bay of Bengal Programme Inter-Governmental Organisation
BOBLME	Bay of Bengal Large Marine Ecosystem
CA	Competent Authority
CBD	Convention on Biological Diversity
CC	Catch certificate
CCRF	Code of Conduct for Responsible Fisheries (FAO, 1995)
CCS	Catch Certification Scheme (under the EU-IUU Regulation)
CDS	Catch Documentation Scheme
CGIAR	Consultative Group of International Agriculture Research
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
CMS	Convention on the Conservation of Migratory Species of Wild Animals
COFI	The Committee on Fisheries, UN FAO
DFO	District Fisheries Officer
DoF	Department of Fisheries
DWFN	Distant Water Fishing Nations
EAFM	Ecosystem Approach to Fisheries Management
EC	European Commission
ECA	Ecologically critical areas
EEZ	Exclusive Economic Zone
ESBN	Estuary set bag net
EU-IUU	European Union - Council Regulation (EC) 1005/2008 and Commission Regulation (EC) 1010/2009 on IUU fishing
EU	European Union
EUR	Euro
FAO	Food and Agriculture Organisation of the United Nations
FAOCA	FAO Compliance Agreement (1993)
FD	Forest Department
FIQC	Fish Inspection and Quality Control (Section of the Department of Fisheries)
FLID	Fisheries and Livestock Information Department
FMP	Fishery Management Plan
FOC	Flag of Convenience
FVO	Food and Veterinary Office (of DG SANCO)
GDP	Gross Domestic Product

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GoB	Government of Bangladesh
GRT	Gross Registered Tonnage
HACCP	Hazard analysis and critical control points
HFMP	Hilsa Fisheries Management Plan
HP	Horsepower
ILO	International Labour Organisation
IMO	International Maritime Organisation
IONS	Indian Ocean Naval Symposium
INTERPOL	The International Criminal Police Organization
IOTC	Indian Ocean Tuna Commission
IPOA-IUU	International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (FAO, 2001)
IUU	Illegal, Unreported and Unregulated (related to fishing)
JMC	Joint Monitoring Center
m	Metre
MCS	Monitoring, Control and Surveillance
MFA	Marine Fisheries Academy
MFO	Marine Fisheries Ordinance
MFR	Marine Fisheries Rule
mm	Millimetre
MMD	Mercantile Marine Department
MoFL	Ministry of Fisheries and Livestock
MOU	Memorandum of understanding
MPA	Marine protected area
MSBN	Maritime set bag net
MT	Metric ton(s)
NACA	Network of Aquaculture Centres in Asia-Pacific
NAPA	National Adaption Program of Action
NPOA-IUU	National Plan of Action to Prevent, Deter and Eliminate IUU Fishing
PL	Post-larvae
PSMA	Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (2009)
RFB	Regional Fishery Bodies
RFMO	Regional Fisheries Management Organisation
R/V	Research Vessel
SCMFP	Sustainable Coastal and Marine Fisheries Project - World Bank
SDG	Sustainable Development Goal
SMF	Sunderbans Mangrove Forests
TCP	Technical Cooperation Programs
UN	United Nations
UNFSA	UN Fish Stocks Agreement (1995)
UNCLOS	UN Convention on the Law of the Sea
VMC	Vessel Monitoring Center
VMS	Vessel Monitoring System

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## EXECUTIVE SUMMARY

This is Bangladesh' National Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (NPOA-IUU). The Plan has been developed in accordance with the FAO International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing, adopted by the Food and Agriculture Organization of the United Nations in 2001. **The development of this NPOA-IUU is a key step towards the Sustainable Development Goal 14: Life Below Water.**

Protection of the coastal and marine ecosystem is a priority for Bangladesh. The fisheries sector plays a key role in the sustainable management of the marine resources and conservation of threatened aquatic species, while supplying essential food, nutrition, employment, income and export earnings to Bangladesh. All fishing activities that degrade the marine environment and threaten the health of fish stocks in the Exclusive Economic Zone (EEZ) of Bangladesh and the wider Bay of Bengal region are also a threat to the health and livelihoods of the people in Bangladesh. In order to ensure long-term benefits from fisheries for the people of Bangladesh, and to place the livelihoods of the fisherfolk and those dependent on the fisheries value chain at the core of decision making and management processes, this NPOA-IUU has been developed in a participatory manner through stakeholder consultations held in October 2019, followed by a validation workshop in December 2019. The scope of the action items demands the Government of Bangladesh to cultivate ownership and active participation by fisherfolk, their representative organizations as well as partnering with other government agencies and NGOs to achieve the successful implementation of this NPOA-IUU.

As a Bay of Bengal developing state with many neighbors, Bangladesh must draw on regional and bilateral cooperation to prevent, deter and eliminate IUU fishing. The Government of Bangladesh is committed to developing its fisheries management capacity and working with neighboring States, both in the region and internationally, to ensure the conservation and long-term sustainable use of fish stocks and the protection of the marine environment. Bangladesh has adopted fisheries management measures and recommendations developed regionally within the frameworks of the Asia-Pacific Fishery Commission (APFIC). The ongoing efforts to enact and amend new legislation will seek to incorporate the best practices and principles contained in the 1995 UN Fish Stocks Agreement, the 1993 FAO Compliance Agreement, the 1995 FAO Code of Conduct for Responsible Fisheries, the 2009 FAO Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (PSMA), the 2014 Voluntary Guidelines on Flag State Performance.

Bangladesh's coastal marine resources are already under stress from legitimate industrial and small-scale fisheries activities so the additional impact on these resources – that are also important for coastal protection and aquatic biodiversity - by illegal, unreported and unregulated (IUU) fishers will be disastrous. To prevent these additional stressors, the Government of Bangladesh commits to prioritizing efforts to capturing more robust information on fishing fleets, increasing visibility on fishing vessel activity, and promoting regional and international partnerships to close the loopholes exploited by IUU fishing vessels and the company's that support them.

This NPOA-IUU contains a record of ongoing actions and focal areas to prevent, deter and eliminated IUU fishing. **The Government of Bangladesh commits to reviewing this plan on an ongoing basis and submitting any revisions to FAO, as required**

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## 1. INTRODUCTION

### 1.1 Purpose

This document represents Bangladesh's National Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (NPOA-IUU). The NPOA-IUU has been developed in accordance with the Food and Agriculture Organization of the United Nations (FAO) International Plan of Action to prevent, deter and eliminate IUU fishing (IPOA-IUU<sup>1</sup>). The IPOA-IUU was adopted by the Committee on Fisheries (COFI) of the Food and Agriculture Organization of the United Nations (FAO) in 2001, and later in that year, endorsed by the FAO Council. Through a Technical Cooperation Project<sup>2</sup> [TCP/RAS/3621: Support to countries to address Illegal Unreported and unregulated (IUU) Fishing] the FAO supported the Department of Fisheries (DoF), Ministry of Fisheries and Livestock (MoFL), and the Government of Bangladesh (GoB) efforts to develop this NPOA-IUU.

This Technical Cooperation Project is a part of regional cooperation in five countries namely, Bangladesh, Cambodia, Myanmar, Thailand, and Viet Nam in response to the requests from Member Countries during the 33<sup>rd</sup> Asia-Pacific Regional Conference 2016 and individual requests from governments, to provide technical assistance in combatting IUU fishing. To assist developing States in the implementation of the Agreement on Port State Measures (PSMA), complementary instruments, regional mechanisms, guidelines and tools to combat and deter IUU fishing, a three-pronged approach is foreseen:

- i. Capacity building and technical assistance through FAO Technical Cooperation Programmes (TCPs);
- ii. Capacity building and technical assistance through FAO's PSMA Global Capacity Development Programme;
- iii. Support under the PSMA Assistance Fund to be established by the Parties to the PSMA within the framework of Part 6 of the Agreement.

In addressing PSMA implementation under any of these initiatives, FAO would seek to promote synergies, complementarities and exchanges among relevant programmes, projects, and institutions, whilst avoiding overlapping and the duplication of interventions.

The NPOA-IUU further demonstrates Bangladesh's commitment to achieving the 2030 Agenda for Sustainable Development, adopted by United Nations Member States in 2015, and the Sustainable Development Goals (SDGs) which provide a framework to "free the human race from the tyranny of poverty and want and to heal and secure our planet support peace and prosperity for people and the planet, now and into the future<sup>3</sup>." This plan meets Bangladesh's commitments under SDG 14, Life Below Water, to implement international instruments aiming to combat IUU fishing by developing a National plan of action to prevent, deter and eliminate Illegal, Unreported and Unregulated fishing.

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<sup>1</sup> The full text of the IPOA -IUU can be found at: <http://www.fao.org/docrep/003/y1224e/y1224e00.htm>

<sup>2</sup> FAO has the custodianship of indicator 4.6.1 of SDG 14.

<sup>3</sup> United Nations General Assembly -A/RES/70/1 - Transforming our world: the 2030 Agenda for Sustainable Development, [https://www.un.org/ga/search/view\\_doc.asp?symbol=A/RES/70/1&Lang=E](https://www.un.org/ga/search/view_doc.asp?symbol=A/RES/70/1&Lang=E)

## 1.2 FAO International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing

The IPOA-IUU was developed as a voluntary instrument within the framework of the 1995 FAO Code of Conduct for Responsible Fisheries<sup>4</sup>. The international framework for marine conservation and fisheries management has been developing since the adoption of the United Nations Convention on the Law of the Sea (UNCLOS) in 1982. This framework is comprised of both binding agreements and voluntary instruments, which facilitate the management of fisheries at the global, regional and national level. Within this framework, a number of provisions and requirements specifically address IUU fishing, with provisions and guidance relating to port State measures, flag State performance, coastal State responsibilities, market State measures, or a combination of all or some of these<sup>5</sup>.

The objective of the IPOA-IUU is to combat illegal, unreported and unregulated (IUU) fishing by providing all States with comprehensive, effective and transparent measures by which to act, including through appropriate regional fishery management organizations (RFMOs) or arrangements established in accordance with international law.

The IPOA-IUU called on States to develop and implement NPOAs-IUU by June 2004, to further achieve the objectives of the IPOA-IUU, and to give full effect to its provisions as an integral part of their fisheries management programmes and budget.

The IPOA-IUU serves as a comprehensive “toolbox” of measures to address IUU fishing in a range of situations and contexts. The IPOA-IUU contains general measures targeted at all States, as well as measures targeted specifically at flag States, coastal States and port States. It also contains market-related measures, ways to support the special requirements of developing countries in their achievement of the objectives of the IPOA-IUU, and measures to be taken by States through RFMOs. Some of the IPOA-IUU provisions reflect obligations that many States have accepted as binding, either through internationally agreed instruments, RFMOs or through national legislation.

The IPOA and this NPOA-IUU accordingly incorporate the following principles and strategies:

**Participation and coordination:** To be fully effective, the IPOA-IUU should be implemented by all States either directly, in cooperation with other States, indirectly through relevant RFMOs or through FAO and other appropriate international organizations. The participation of stakeholders in combating IUU fishing, including industry, fishing communities and non-governmental organizations is encouraged.

**Phased implementation:** Measures to prevent, deter and eliminate IUU fishing should be based on the earliest possible phased implementation of NPOAs-IUU together with regional and global action in accordance with the IPOA-IUU.

**Comprehensive and integrated approach:** Measures to prevent, deter and eliminate IUU fishing should address factors affecting all capture fisheries. In taking such an approach, States should embrace measures building on the primary responsibility of the flag State and using all available jurisdiction in accordance with international law, including port State measures, coastal State measures, market-related measures and measures to ensure that nationals do not support or engage in IUU fishing. States are encouraged to use all

<sup>4</sup> The Code of conduct for Responsible Fisheries can be found at: <ftp://ftp.fao.org/docrep/fao/005/v9878e/v9878e00.pdf>

<sup>5</sup> Inception Workshop on the Regional Technical Cooperation Project, Support to Countries to Address Illegal, Unreported and Unregulated Fishing (TCP/RAS/3621), 13–15 November 2018, Bangkok, Thailand

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these measures, as appropriate, and to cooperate to ensure that measures are applied in an integrated manner. NPOAs-IUU should address all economic, social and environmental impacts of IUU fishing.

Conservation: Measures to prevent, deter and eliminate IUU fishing should be consistent with the conservation and long-term sustainable use of fish stocks and the protection of the environment.

Transparency: The IPOA-IUU should be implemented in a transparent manner in accordance with Article 6.13 of the 1995 FAO Code of Conduct for Responsible Fisheries.

Non-discrimination: The IPOA-IUU should be applied without discrimination in form or in fact against any State or its fishing vessels.

### **1.3 Definition of Illegal, Unreported and Unregulated fishing**

The term IUU fishing is used to broadly describe fishing activities that contravene or disregard national, regional or international fisheries legal frameworks or to describe a lack of regulation or control in fisheries. The term covers a wide variety of fishing activities and reflects three distinct and separate components; illegal, unreported and unregulated. The 2001 FAO International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (IPOA-IUU) provides a description of these three components.

In addition to IUU fishing, the activities of fishers and vessels that engage in IUU fishing can constitute, lead to, or go hand-in-hand with fisheries-related crimes and crimes associated with the fisheries sector. Tackling each of these three different categories requires particular, concerted action by different agencies and different operational and legal frameworks. FAO, the International Labour Organization (ILO) and the International Maritime Organization (IMO) have been joining efforts in this regard.

Section II of the IPOA-IUU defines IUU fishing. Bangladesh uses this internationally accepted definition in this NPOA-IUU and other fisheries related legislation.

#### **Illegal fishing refers to activities:**

- conducted by national or foreign vessels in waters under the jurisdiction of a State, without the permission of that State, or in contravention of its laws and regulations;
- conducted by vessels flying the flag of States that are parties to a relevant regional fisheries management organization but operate in contravention of the conservation and management measures adopted by that organization and by which the States are bound, or relevant provisions of the applicable international law; or
- in violation of national laws or international obligations, including those undertaken by cooperating States to a relevant regional fisheries management organization.

#### **Unreported fishing refers to fishing activities:**

- which have not been reported, or have been misreported to the relevant national authority, in contravention of national laws and regulations; or
- undertaken in the area of competence of a relevant regional fisheries management organization which have not been reported or have been misreported, in contravention of the reporting procedures of that organization.

#### **Unregulated fishing refers to fishing activities:**

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- in the area of application of a relevant regional fisheries management organization that are conducted by vessels without nationality, or by those flying the flag of a State not party to that organization, or by a fishing entity, in a manner that is not consistent with or contravenes the conservation and management measures of that organization; or
  - in areas or for fish stocks in relation to which there are no applicable conservation or management measures and where such fishing activities are conducted in a manner inconsistent with State responsibilities for the conservation of living marine resources under international law.

#### **1.4 Why is IUU fishing a problem for Bangladesh?**

IUU fishing undermines efforts to conserve and manage fish stocks in capture fisheries. In the face of IUU fishing, the Department of Fisheries of Bangladesh and regional fishery management organizations or arrangements Bangladesh is member of (i.e. IOTC) can fail to achieve the agreed fisheries management goals and objectives. This situation leads to the loss of both short- and long-term social and economic opportunities and to negative effects on food security and environmental protection. In the extreme, IUU fishing can lead to the collapse of a fishery or seriously impair efforts to rebuild stocks that have already been depleted. If IUU fishing continues it can completely destroy the benefits of effective fisheries management.

Those who conduct IUU fishing are unlikely to observe rules and regulations to protect the aquatic environment and stocks from harmful fishing activities, such as harvesting juvenile fish or targeting fish during spawning activities. To avoid detection these illegal fisheries often violate basic safety-at-sea requirements, putting themselves and others at risk. Moreover, they tend to deny the crew members the basic labour rights including those concerning wages, safety standards and working conditions.

IUU fishers gain an unjust advantage over legitimate fishers. They benefit unfairly from sacrifices made by legitimate fishers for the sake of stock conservation and fisheries management. IUU fishers are “free riders,” who don’t care about the other fisher’s livelihoods and income. They put the coastal fisheries community social cohesion at risk, cause conflicts and their illegal practices can lead to violence, accidents and sometimes even casualties.

Illegal fishing undermines the morale of legitimate fishers and encourages them to disregard rules as well. Therefore, if IUU fishing is not dealt with by the government and fisheries stakeholders, it will increase and create a downward spiral that ends in management failure. IUU fishing is a dynamic, multi-faceted problem that cannot be effectively addressed by any single strategy. A multi-pronged approach is required at international, regional and national levels, with ownership and buy-in from all stakeholders involved in fisheries in Bangladesh.

The main threats of IUU fishing in Bangladesh can be distinguished by three broad categories: 1) foreign fishing vessels, 2) industrial fishing vessels and 3) artisanal fishing vessels.

- 1) There are no foreign fishing vessels licensed to operate within the Bangladesh EEZ so any foreign flagged vessel fishing in Bangladesh waters is operating illegally. Illegal incursions are most common from neighboring states, however the incidence of foreign incursions has reduced significantly through patrols by BN and BCG. The remaining principle threat from foreign fleets resides during misaligned seasonal breeding season closures. Illegal incursions can be further reduced by the implementation of internal cooperation through the Joint Monitoring Centre (JMC), increase in the capacity of the Bangladesh Coast Guard and Bangladesh Navy, having regionally consistent fisheries closures and stronger communication and collaboration with both neighboring states and regionally within both the Bay of Bengal and South East Asia.

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- 2) Industrial fishing vessels are relatively well regulated with logbook reporting and VMS on board some vessels. However, regulation will be greatly improved through the development of Vessel Monitoring Centre (VMC) in Chattogram enabling monitoring of compliance with depth-based restrictions and fisheries closures, implementing e-reporting, as well as the further development of fisheries observer program to monitor on the water compliance with fisheries regulations.
  - 3) Artisanal fisheries in Bangladesh are largely unreported and unregulated, some illegal fishing occurs through the use of prohibited monofilament gill nets, set bag nets and non-compliance with fisheries closures. The artisanal fishing fleet is substantial, and regulation will be best achieved by first registering and licensing the vessels then phasing in e-reporting of effort and catches. This will provide an understanding of the total fishing effort and its distribution enabling targeted allocation of resources for successful community-based fisheries management. Regulation will likely achieve best results by taking a phased approach and first targeting the larger semi-industrial motorized vessels operating offshore, followed by the smaller inshore motorized vessels and finally the non-motorized vessels operating in coastal and inland open waters.

The unreported nature of IUU fishing makes it particularly difficult to quantify; available information strongly suggests that, despite apparent improvement in some regional situations, the amount of IUU fishing worldwide is increasing as IUU fishers seek to avoid compliance with stricter fishing regulations that are being imposed to deal with downturns in a growing number of fish stocks. While some estimates suggest that IUU fishing may account for as much as one-third of total catch in the world's oceans, fully reliable data on IUU fishing are by definition scarce. For Bangladesh, the ability of the DoF to close the gap of unreported fishing and effectively manage fish stocks requires capturing accurate information about the artisanal and industrial fishing fleet, their effort, discards, and landed catch.

## 1.5 Fisheries profile

Bangladesh, a riverine country blessed with many rivers-canals, depressions and oxbow lakes, ponds and floodplains, covering a huge area of inland water resources of over 4 million hectares. Besides, there is a huge marine fisheries resources expanding over an Exclusive Economic Zone (EEZ) of 118,813 sq. km. Since time immemorial, these inland, coastal and marine waters are the main sources of fish. As an agro-based country, the contribution of fisheries sector to national economy has always been important and main source of animal protein, employment opportunities, food and nutritional security, foreign earnings, aquatic biodiversity conservation and socio-economic development. Fisheries sector contributes 3.57% to GDP and 25.30% to agricultural GDP<sup>6</sup>. The fisheries sector provides full and part time employment for over 17 million people, and includes 1.38 million women<sup>7</sup>. This equates to about 10% of the population relying directly or indirectly on the fisheries sector for their livelihood. Equally as important as its financial contributions, fish also accounts for approximately 60% of Bangladeshis daily animal protein. The fisheries sectors in Bangladesh produced approximately 4.28 million MT in 2017-2018 with the inland closed water (culture) sector accounting for 56.2%, the inland open water (capture) leading to 28.5%, and the marine sector (artisanal and industrial) producing 15.3%<sup>8</sup>.

A diversified fish and fishery products are produced and exported by Bangladesh to around 60 countries of the world. However, major export destinations of Bangladeshi fish and fishery products remain the member countries of the European Union (EU). Among others, USA, Russia, China, Japan, Canada, Australia, India, Saudi Arabia, Malaysia, Thailand, Vietnam etc. are also major importing countries of Bangladeshi seafood.

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<sup>6</sup> National Fish Week Compendium-2019. Department of Fisheries, Ministry of Fisheries & Livestock, Bangladesh. 160 p.

<sup>7</sup> National Fish Week Compendium-2019. Department of Fisheries, Ministry of Fisheries & Livestock, Bangladesh. 160 p.

<sup>8</sup> National Fish Week Compendium-2019. Department of Fisheries, Ministry of Fisheries & Livestock, Bangladesh. 160 p.

Around 50-60% of total export is composed of shrimp contributing about 75-85% of total value. Shrimp is the major exporting seafood item of the country most of which are of aquaculture origin and organic that grows naturally with minimal or no inputs.

The Bangladeshi fisheries sector consists of both inland fisheries and marine fisheries. Around 265 species of freshwater fin-fish and 475 marine fish species are reported in Bangladesh, together with 68 species of shrimps and prawns, 26 marine and freshwater turtles and tortoises, and 12 aquatic marine mammal species. Of the marine species there are more than 100 commercially important species. Hilsa (*Tenualosa ilisha*), croakers (species of *Johnius*, *Panna*), mackerels (species of *Rastrelliger*, *Scomberomorus*), catfish (*Arius* sp.), hair-tail (*Lepturacanthus* sp. and Trachiuridae), sardines (species of *Dussumeria*, *Srdinalla* and Clupeidae), pomfret (species of *Pampus*, *Parastromateus* and Stromataeidae), jacks and scuds (Carangidae), anchovies (Engraulidae), Bombay duck (*Harpodon nehereus*), grunter (species of *Pomadysis*), jewfish (species of *Johnius*, *Otolithoides*), and small tunas (*Auxis thazard*, *Euthymus affinis*) are the major commercial fin-fish species in Bangladesh<sup>9</sup>. The marine fish stocks of Bangladesh are exploited by industrial and artisanal fishing vessels.

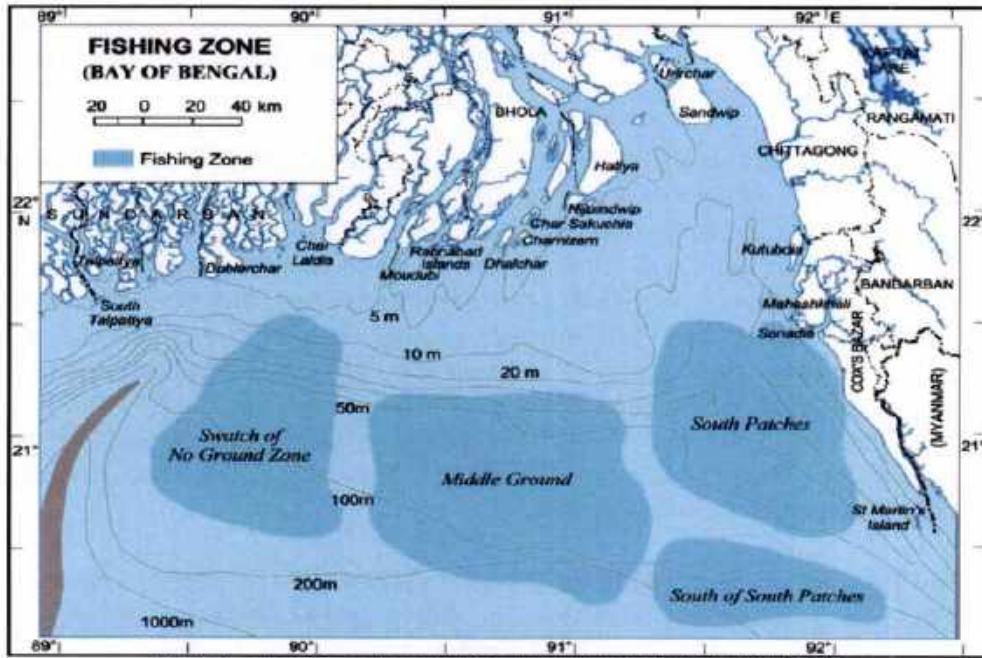
The water areas within and off the Sunderbans Mangrove Forests (SMF) comprise the most important nursery area for the fisheries of the Bay of Bengal. The SMF is around 10,000 km<sup>2</sup> in total area of which 6,017 km<sup>2</sup> is in the southern coastal districts of Khulna, Satkhira and Bagerhat of Bangladesh. The remaining part is in the north and south 24 Parganas of West Bengal, India. It has been estimated that every hectare of mangrove generates upwards of 450 kg/ha of marine fisheries catch. Forest Department (FD) exercises sole authority over Sundarbans fisheries, and issues permits for resource exploitation. FD banned fishing in the Sundarban areas under the *Forest Conservation Act, 1927* and its subsequent amendments of 1990, 2000, 2012. Joint management over the SMF is a high priority issue.

There are four major fishing grounds (Fig. below) in the marine water of Bangladesh. i. The South Patches and ii. South of South Patches lies between 20°50'N to 21°40'N latitude and 91°00'E to 91°50'E Longitude, covering an area of about 6200 km<sup>2</sup>. iii. The Middle fishing ground situated between 20°50'N to 21°20'N latitude and 90°00'E to 91°00'E longitude that covers an area of about 4600 km<sup>2</sup>. Finally, iv. the Swatch of no ground lies between 21°00'N to 21°25'N latitude and 89°00'E to 90°00'E longitude, which covers an area of about 3,800 km<sup>2</sup>.

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<sup>9</sup> Hoq, ME, AK Yousuf Haroon and SC Chakraborty 2013. Marine fisheries of Bangladesh: Prospects and potentialities. SBOBLME Pub./Rep 8, Support to Sustainable Management of the Bay of Bengal Large Marine Ecosystem (BOBLME) project. Bangladesh Fisheries Research Institute, Mymensingh. 92 p.

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Ref: Pre-Investment Survey Project of BFDC and FAO/UNDP (UNSF-PAK-22): 1968-1971

### 1.5.1 Artisanal marine fisheries

An estimated 67,669 small-scale artisanal fishing boats operate in the Bangladesh Exclusive Economic Zone. Of these small-scale vessels 32,896 are mechanized and 34,810 are non-mechanized. The artisanal fishing fleet can be separated into three subcategories:

- 1) Large mechanized vessels are generally less than 15m in length of wooden construction with a small superstructure and weigh less than 20GT. These vessels carry a crew of 10 to 25 people, depending on the gear utilized, and operate offshore out to depths of 40m.
- 2) Small mechanized vessels generally have less horsepower (<40hp) and an open deck construction. These vessels generally operate in the coastal zone out to 10m depth zone.
- 3) Unmechanized vessels are generally 5 to 10m in length, powered by oars and generally operate day trips with 3 to 5 crew in estuaries and near shore areas.

The fishing fleet and fishing gears used in Bangladesh to target the marine fisheries are mostly artisanal in nature. The small-scale artisanal gears utilized in Bangladesh include five different types of gillnet (drift gillnet, fixed gillnet, large mesh drift gillnet, bottom set gillnet, mullet gillnet), three types of set bag net (estuarine set bag net, marine set bag net, large mesh set bag net), bottom longline and beach seine. The marine artisanal fishing sector produced 0.53 million metric tons in 2017-2018.

### 1.5.2 Industrial marine fisheries

In Bangladesh, traditional fisheries exist side by side with commercial industrial fisheries. In 2016/17 fiscal year, 201 industrial trawlers were actively in fishing out of a total fleet of 255<sup>10</sup>. There are two categories of industrial trawlers; trawlers with or without freezer capacity or ice trawlers. The gross tonnage capacity of industrial fishing fleet ranged between 56 to 148 mt for wooden body, ice trawlers, and 251 to 668 mt for steel hulled freezer trawlers. The industrial trawl fleet is regulated to operate beyond 40m in depth and

<sup>10</sup> DoF. 2018. Annual Report 2017. Department of Fisheries, Bangladesh. 79 p.

fishing becomes uneconomic around 200m on the continental shelf edge. The industrial trawl fleet mainly targets shrimp, demersal fin fish and small pelagics. There has been a move in recent years away from demersal bottom trawlers and toward more ecofriendly midwater trawling. The industrial trawlers produced 0.12 million metric tons in 2017-2018.

The monitoring (as per the *Marine Fisheries Ordinance, 1983* and the *Marine Fisheries Rules, 1983*) of the industrial fleet is comprised of several mechanisms, including:

- Industrial vessels are required to receive pre-sailing permission from MFO;
- Freezing trawlers are restricted to 30 days per cruise;
- Ice trawlers are restricted to 13 days per cruise;
- 133 industrial vessels are required to carry and broadcast under the Vessel Monitoring System (VMS) program. DoF, under the SCMF project, intends to add coverage for another 100 vessels.

There are currently no Bangladesh flagged fishing vessels active in the Areas Beyond National Jurisdiction (ABNJ) and EEZs of other countries. The government has sanctioned ten pelagic longline vessels and seven purse seine vessels to target highly migratory species beyond the continental shelf which is the current limit to Bangladesh's commercial fisheries. This opportunity for longline and purse seine vessels will be challenging as the industry lacks expertise in these fishing methods and there is an unknown quantity of tuna present in Bangladesh's EEZ. As a result, any new longline and purse seine vessels allowed to join Bangladesh's industrial fishing fleet may need to operate in ABNJ to be economical.

### **1.5.3 Aquaculture**

Aquaculture of Bangladesh is flourishing with the rapid expansion of public and private hatcheries providing support for good quality fish seed. But with the expansion of private hatcheries and for earning immediate profit the quality of fish seeds has declined over the years. The quality reduction is mostly observed in private hatcheries. There are many reasons for the low quality, for instance, inbreeding, inter-specific hybridization, negative selection, improper brood-stock management. Furthermore, hybridization and cross breeding are threatening the genetic diversity of indigenous wild stocks of Indian Major Carps. To protect these undesirable practices, Bangladesh government promulgated the *Fish Hatchery Act 2010* and *Fish Hatchery Rules 2011* for the quality of artificial seed production in both public and private hatcheries. Under the act and rules, every hatchery must be taken registration from competent authority of DoF. Bangladesh is a member of the Network of Aquaculture Centres in Asia-Pacific (NACA) which fosters regional collaboration on aquaculture research, training and information sharing.

### **1.5.4 Fisheries legal framework, policies and management**

#### **Fisheries legal framework and policies**

In 2014, Bangladesh was chosen as a pilot country for Blue Economy development, the current management and exploration focuses on the United Nations Sustainable Development Goal (SDG) 14: Conserve and sustainably use the oceans, seas and marine resources for sustainable development. SDG 14 has a 2020 target. To achieve the SDG 14 goals, Bangladesh is currently in the process of modernizing policy and legal framework to effectively regulate harvesting and end overfishing, illegal, unreported and unregulated fishing and destructive fishing practices. Bangladesh will then implement science-based fishery management plans to restore fish stocks and ensure fisheries can be maintained at a maximum sustainable yield.

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The basic fisheries law is the *Marine Fisheries Ordinance, 1983* which is supported by a series of *Marine Fisheries Rules, 1983* and subsequent amendments of 1993, 2000, 2004, 2005, 2006, 2007 and 2010, is the main legal instrument for the management of coastal and marine fisheries. The rules restricted different depth zones, mesh sizes, harvestable fish sizes, seasons and areas for different fisheries which could be quite reasonable for management, if implemented properly. The *Marine Fisheries Ordinance, 1983* is applied between (i) the baseline (10 fathoms or 18.29 m) and 40 m (for the artisanal fishery) and (ii) beyond the 40 m depth contour (industrial fisheries). However, certain activities by artisanal fishermen inside 18 m are covered by the Marine Fisheries Ordinance, as are prohibitions covered in the *Maritime Zones Act, 1974* and *Bangladesh Coast Guard Act, 1994*. The distinction is that any specific provisions, which are contained within the Marine Fisheries Ordinance but are also required inside 18.29 m depth, have to be specified through the issuance of a notification. They regulate the issuance and conditions of fishing licenses for national and foreign fishing vessels, determining license conditions, allowed fishing gear, mesh size, etc. Licenses, unless determined otherwise in an individual license, shall expire on 31 December of the year of issuance. Allowed fishing areas are determined according to type of fishing gear used.

The *Marine Fisheries Ordinance, 1983* covers the territorial waters and economic zone of Bangladesh as declared by the Government under the *Territorial Waters and Maritime Zones Act, 1974*, and any other marine waters over which it has, or claims to have, jurisdiction under law with respect to the management, conservation and development of the marine living resources<sup>11</sup>. This law has authorized the Government to specify the types, classes and number of fishing vessels that can be deployed in Bangladesh waters having in regard to the requirement of fisheries management and development plans. Under Section 28 of the Ordinance the Government may declare any area of Bangladesh waters and an adjacent or surrounding land to be a marine reserve. Under the *Territorial Waters and Maritime Zones Act, 1974*, various maritime zones like internal waters, territorial sea, exclusive economic zone and continental shelf were defined. *Territorial Waters and Maritime Zones Rules, 1977* were enacted under the Act. It regulates the activities of foreign ships in territorial waters in the exclusive economic zone, etc. In the *Bangladesh Merchant Shipping Ordinance, 1983*: requirement of registration and boat certification were made mandatory for fishing boats. It also has provisions for marking of fishing boats and certification of the skippers and drivers as mandatory. The Ministry of Water Resources formulated the *Coastal Zone Policy, 2005* to integrate coastal zone management including the marine fisheries component. It also emphasizes on the ECAs and special measures to conserve natural environment of Sundarbans. Further, it also outlines the issue of marine pollution briefly. *The National Fisheries Policy, 1998* and *National Fisheries Strategy, 2006* further refines the framework for fisheries management.

The other basic laws directing efforts to combat IUU fishing include:

- *Protection and Conservation of Fish Act, 1950 (East Bengal Act 18 of 1950) and its subsequent amendments of 1963, 1970, 1982, 1985, 1987, 2003, 2005, 2006, 2007 and 2011*
- *The Protection and conservation of fish rules, 1985 (amended 2008);*
- *The Fish and Fish Products (Inspection and Quality Control) Rule, 1997 (amended 2008);*
- *Hilsa Fisheries Policy 1998*
- *The Fish Feed and animal feed Act, 2010;*
- *The Fish Hatchery Act, 2010.*
- *Roadmap for Blue Economy (2014-2030)*

The DoF intends to seek amendments to the various acts and rules periodically to address emerging IUU fishing issues and policy needs.

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<sup>11</sup> Hussain, M.G. and M.E. Hoq 2010. Marine and coastal resources of Bangladesh: BOBLME project implication. pp 107-120. In: Hussain, M.G. and Hoq, M.E. (eds.), Sustainable Management of Fisheries Resources of the Bay of Bengal. Support to BOBLME Project, Bangladesh Fisheries Research Institute, Bangladesh. 122 p.

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The other laws pertaining to oversight and management of fishing activities include:

- The *Merchant shipping Ordinance of 1983* that provides for the registration of all vessels up to the highwater mark;
- The *Inland Shipping Ordinance of 1983* for the registration of vessels in inland water;
- *The Coastguard Act, 1994*, established the Coastguard's responsibility for enforcing the territorial Waters;
- *National Biodiversity Strategy and Action Plan, 2004* which provides a framework for conservation, sustainable use and sharing the benefits of biodiversity of the country
- *National Adaptation Program of Action (NAPA), 2005* updated in 2009 provides compatible insight for biodiversity and environmental conservation;
- *The Environmental Conservation Act, 1995* has empowered the Government to declare an area as an 'ecologically critical area' (ECA,) if its eco-system appears to be under serious threats of degradation or is degraded. *The Environmental Conservation Rules, 1995* were passed subsequently under this *The Environmental Conservation Act, 1995*.

While effective, DoF recognized these rules and regulations needed to accommodate the necessary tools to account for evolving international fisheries laws and standards. In response, DoF took steps to improve transparency in the traceability of fish and fish products exported and within domestic markets. Specifically, in order to consider the requirements of the EU IUU Regulation, *the Marine Fisheries Rules 1983* were amended under Section 55 of the *Marine Fisheries Ordinance* (Ordinance No. XXXV of 1983). This action introduced rules on the IUU Regulation through Gazette Notification on 25 February 2010 (S.R.O. no. 59-Act/2010) and instituted a catch certificate documentation scheme for the industrial fleet. While this action addressed a portion of the IUU fishing threat, the lack of human capacity, as well as an outdated framework to manage and enforce regulations has caused insufficient compliance amongst fishers. As a result, the DoF is pursuing approval for improvements to the existing rules, relating to monitoring, control and surveillance as well the Blue Economy, through a new National Marine Fisheries Policy. The Policy is designed to modernize the management of coastal and marine fisheries, including licensing and registration of all fishing vessels and implementing the FAO's Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries.

### **Fisheries management**

The *Marine Fisheries Ordinance, 1983* designates the Director, Marine Fisheries Office, Chattogram as responsible for implementing the ordinance and "responsible for management, conservation, supervision and development of marine fisheries" (Part II, Art. 5) under the guidance of the MoFL. However, the ability of the coastal districts to manage marine fisheries is extremely limited, both in terms of numbers and skill sets – at present the District Fisheries Officers (DFOs) and their staff tend to be inland fisheries and aquaculture specialists. Fortunately, there is a recent move to provide marine specialists to coastal districts to assist the coastal DFOs who have been delegated by the government in 2005 to exercise the power of MCS under the rules of the *Marine Fisheries Ordinance, 1983* as a part of decentralization strategy, but its materialization pace is slow. DFOs in the coastal districts are empowered to issue licenses to mechanized boats, but they lack the manpower needed to effectively enforce and promote compliance with the marine fisheries legislations.

### **Rules and regulations**

The central monitoring and management issues pertaining to the *Marine Fisheries Ordinance, 1983* and *marine Fisheries Rules, 1983* are:

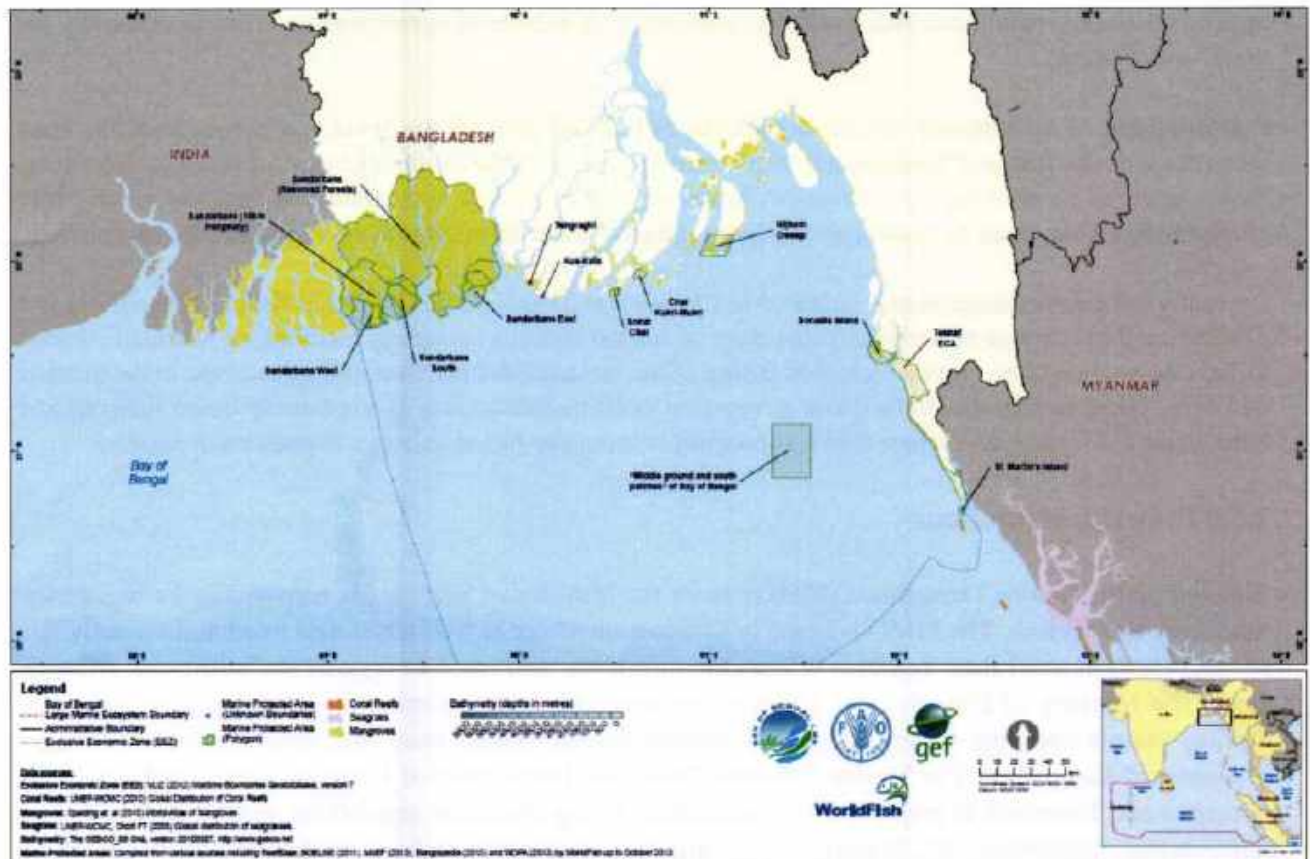
- Demarcation of fishing areas: Industrial trawlers to fish beyond 40 m depth contour zone, while artisanal fishing fleets to fish within 40 m depth contour zone.

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- Limiting the fishing days for industrial trawlers: The freezer trawlers are permitted to fish for 30 days while non-freezer trawlers are permitted to sail for up to 15 days.
  - Measure to limit discard of by-catch: Shrimp trawlers must have at least 30% fin-fish in the total catch.
  - Control of mesh size to facilitate the escape of small size fish, shrimp and the juveniles of larger fish: Mesh size of cod-end of marine/ estuarine set bag net mandated at least 30 mm; cod-end of shrimp trawl nets mandatory to be 45 mm; cod-end of fin-fish trawler net should be 60 mm; mesh size of small-meshed gill net should be 100 mm; mesh size of large-meshed gill net should be 200 mm.
  - Depth zone area restriction: Fin-fish and shrimp industrial trawlers are to fish beyond 40 m depth zone during high tide; Set bag net, hook, lines, small- and large-meshed gill net to fish up to 40 m depth zone during high tide. All these restrictions are to protect the nursery grounds of marine fish and shrimp and preserve the interest of artisanal fishers.
  - Restriction on post-larvae (PL) collection: Govt. has restricted prawn and shrimp PL collection in coastal areas in 2000, which was later reinforced in 2002.
  - Ban on throwing any fish into the sea: Govt. has imposed restriction on throwing any catch of fish or aquatic resource except turtles in the sea.
  - Encouragement to fish beyond 500 m isobaths of EEZ: Govt. has decided to encourage industrial fishing fleet to fish outside 500 m isobaths within EEZ, in order to reduce pressure in the coastal fish population.

There are adequate regulations governing gear restrictions but the absence of fishing capacity controls and harvest limits have contributed to the difficulty in managing marine capture fisheries.

#### **Marine Protected Areas**

The GoB has declared a number of Marine Protected Areas (MPA) within the EEZ (see figure below). MPAs are mostly located in the coastal zone including Cox's Bazar-Teknaf sea beach, St. Martin's Island, Sonadia Island, Sonar Char, Char Kukri Mukri, Himcharl, and at network of MPAs throughout the Sundarbans. Two large MPAs have been recently established; one between the Middle Ground and South Patches fishing grounds which encompassing a 9,800 ha<sup>2</sup> area and in 2019 a marine reserve south of Nijhum Island, the largest in Bangladesh, encompassing 3,188 km<sup>2</sup>.



### Fisheries Management Plans

The Hilsa Fisheries Management Plan (HFMP) utilizes seasonal closures to prevent harvest during the peak hilsa breeding season in October. The main element of the strategy is spatial protection of four critical spawning grounds and five hilsa and juvenile hilsa or ‘jatka’ sanctuary areas/nursery grounds through temporary bans, with compliance incentivized by social support to small-scale fishers through the WorldFish Enhanced Coastal Fisheries in Bangladesh project. The HFMP was first implemented in 2003 and has been hugely successful resulting in an increase in both the size and number of hilsa.

The successful implementation of the HFMP should encourage the development of further Fisheries Management plans for commercially important species. Through the Technical Support for stock assessment of marine fisheries resources project draft stock assessment results have been produced for all commercially important species in 2019. Future fisheries management plans need to be underpinned by scientific information, and where possible stock assessment to ensure that appropriate catch and/or effort limitations are implemented to prevent overfishing and ensure the sustainability of Bangladesh’s fisheries resource.

### Community based fisheries management

Fish is the primary source of protein for much of the population of Bangladesh and the vast majority of participants in the fishing industry operate in the artisanal fishing sector. These two factors make community-based fisheries management integral to the success of Bangladesh’s fisheries resource. Bangladesh achieved some success in community-based management projects with the Consultative Group on International Agricultural Research (CGIAR) awarding CGIAR Science Award-2004 to Community Based Fisheries Management Project. The Social Development Fund has made strides in building capacity

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in rural communities and increase livelihood opportunities outside of agriculture and fishing especially for youth and women.

Establishment of Community Based Organizations (CBOs) and village level sub committees has been recognized as the first and fundamental step in creating sustainable co-management of fisheries resources. Initial work on networking by community-based organizations has been started at regional level. More emphasis has been given to work with community-based fisheries management in inland capture fisheries.

Currently fisheries management is centered in Chattogram alongside the industrial fishing fleet. There is a general need to increase fisheries infrastructure in coastal districts including establishing Marine Fisheries Offices inspection sites, surveying and licensing of the artisanal fishing fleet and an increase in the number of DFOs. These factors should facilitate an increase in the understanding of community-based fisheries and help foster the further development of a successful community-based fisheries management regime.

### **1.5.5 Fisheries institutions**

The Mercantile Marine Department (MMD) under the Ministry of Shipping is responsible for registering vessels in Bangladesh. The MMD is based in Chattogram where is well positioned to administer activities of the industrial trawl fleet, however it lacks the manpower and reach to register the substantial artisanal fleet. The Ministry of Fisheries and Livestock is responsible for updating the sanctioning of industrial fishing vessels and also control the policy regulations for management and conservation of fisheries resources in Bangladesh. The Marine Fisheries Office the Department of Fisheries under the Ministry of Fisheries and Livestock is responsible for licensing, fishing operation regulations, catch monitoring and enforcement mechanisms (MCS) activities. It is also responsible for certifying catches designated for export to EU under the catch certification regulations of the EU. As well as the Marine Fisheries Office, the DoF has a Fish Inspection and Quality Control section, which is the competent Authority (CA) for the purposes of HACCP and fish health and hygiene issues.

The DoF's activities are supported by four other organizations, all falling under the Ministry of Fisheries and Livestock. The Bangladesh Fisheries Research Institute (BFRI) was created by an Ordinance entitled "The Fisheries Research Institute Ordinance, 1984" on 11 July 1984. In pursuance of this Ordinance, the Institute was established in July 1984. In 1997, the Institute was renamed the Bangladesh Fisheries Research Institute (BFRI). The Bangladesh Fisheries Development Corporation (BFDC) was established in 1964 to help fisheries product development and distribution through management of harvesting of fishery resources and by developing marketing facilities. BFDC has established fish harbors, landing and distribution centres, ice plants and processing plants at various sites in the country. The Marine Fisheries Academy (MFA) was established for training personnel for fishing vessels and provides three-year training programmes up to entry level cadet training. The Fisheries and Livestock Information Department (FLID) administered under the direct supervision and guidance of the Ministry of Fisheries and Livestock supports dissemination of extension messages and materials, and fisheries related information, to fishers and fish farmers.

Bangladesh Coastguard falling under the Ministry of Home, is mandated is to protect the marine economy and environment, to defend maritime borders, to save those in peril, to preserve the national interest at sea and to prevent pollution, smuggling and trafficking. One of the agency's principal tasks is to protect marine fisheries resources, however, their ability to complete that task is limited by the availability of ships with the necessary capabilities to achieve the mission's objectives. Specifically, the Coastguard need vessels capable of conducting patrols out to the edge of the EEZ. Bangladesh Navy, falling under the Ministry of

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Defense, also conducts MCS patrols to promote compliance and protect the fisheries interest at-sea. Both the Coastguard and Navy are involved in fisheries inspection activities.

### 1.5.6 Fisheries information and research

One of the primary responsibilities of the DoF is the collection of data to assess the status of the various fisheries target stocks and the marine ecosystem in general. Fisheries-related statistics are compiled for integration into national economic development planning and environmental management and planning. However, these activities are curtailed by the limited staff available to collect data and information at the fish landing sites, for analysis and reporting.

The recently completed Technical Support for stock assessment of marine fisheries resources in Bangladesh (TCP/BGD/3061) focused on three outcomes:

- Building capability to conduct a marine stock assessment;
- Improve and upgrade the human and equipment capabilities aboard the R/V Meen Sandhani; and
- Develop the capacity to complete fisheries management plans that account for marine stock assessment results.

The project addressed data and information needs, development of annual survey programmes for shrimp, demersal and pelagic fisheries, and establishment of specifications for a fisheries monitoring database, web application, and mobile application. In June 2019, marine fisheries survey and stock assessments results were produced for the major commercial species. This important research will underpin the successful development of Fisheries Management Plans for commercial fish species in Bangladesh.

The FAO project also highlighted areas in Bangladesh where action is necessary to close gaps and address IUU fishing, specifically: improvement to the vessel registration and fisheries licensing processes, expanding vessel monitoring and electronic reporting within the artisanal and industrial fleets, increasing observer coverage of fishing activities and landings, enhancing patrol efforts, and strengthen stakeholder engagement and support during the management cycle.

### 1.6 Treaties and agreements

Bangladesh has ratified and is party to the following international treaties and agreements:

- **1973 Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES):** Bangladesh signed in 1975 and ratified in 1982; Bangladesh supports closer cooperation between CITES and FAO to improve the applicability of CITES provisions to commercial fisheries and trade in aquatic species.
- **Convention on Biological Diversity (CBD)** signed in 1992 and ratified in 1994.
- **Convention on the Conservation of Migratory Species of Wild Animals (CMS or the Bonn Convention)** ratified in 2005.
- Signed MoU in 2004 to conserve **Marine Turtles in the Indian Ocean and South-East Asia.**
- **1982 United Nations Convention on the Law of the Sea (UNCLOS):** provides, *inter-alia*, the framework for the rational management of marine resources and confers on coastal States rights and responsibilities for the management and use of fishery resources within the area of their national jurisdiction; and
- **1995 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**, also called the **UN Fish Stocks Agreement (UNFSA)**. This agreement promotes good

order in the oceans through the effective management and conservation of high seas resources by establishing, among other things, international standards for the conservation and management of straddling fish stocks and highly migratory fish stocks. The UNFSA aims to ensure that measures taken for the conservation and management of those stocks in areas under national jurisdiction and in the adjacent high seas are compatible and coherent, and that there are effective mechanisms for compliance and enforcement of those measures on the high seas.

### **1.6.1 Membership of regional fishery bodies**

#### **Indian Ocean Tuna Commission**

The IOTC was established in 1993 at the 105th Session of the Council of the FAO under Article XIV of the FAO constitution. As such, the IOTC Members can make decisions concerning the management of tuna and tuna-like resources, and their associated environment, binding on all Members and Cooperating non-Contracting Parties. The Agreement was signed on November 25th, 1993 and entered into force on March 27th, 1996. Membership of IOTC is open to Indian Ocean coastal countries and to countries or regional economic integration organizations which are members of the UN or one of its specialized agencies and are fishing for tuna in the Indian Ocean. There are currently 31 Contracting Parties, the majority of which are Nation States. Bangladesh achieved Cooperating Non-Contracting Party status in 2016 and was accepted as an IOTC Contracting Party on April 24, 2018.

### **1.7 Impact of IUU Fishing**

IUU has affected the economic and social livelihood of the fishers as well as the Bangladesh fishing industry. Illegal fishing by foreign fishing vessels in Bangladesh waters poses a security threat to the country and a strong and an unhealthy competition with the local fishers. Illegal fishing by the locals also contributes to social conflicts between licensed fishing operators and unlicensed fishing operators and between encroaching commercial fishing vessels and artisanal fishers. If IUU fishing is not stopped or prevented, it will lead to negative impacts on the Bangladesh's fishing industry, such as the loss of valuable wild broodstocks, degradation of the marine ecosystem and over exploitation of fishery resources.

Bangladesh is limited in its fisheries management capacity and resources, thus relies on regional and bilateral cooperation to combat IUU fishing. Bangladesh is committed to further develop its own management capacity, using an Ecosystem Approach to Fisheries Management (EAFM), fostering community-based fisheries management and through fisheries co-management arrangement. Coupled with this Bangladesh plans to work with neighbouring States in the region, IOTC, and International Organizations to ensure the conservation and long-term sustainable use and conservation of fish, shrimp, and the protection of the aquatic environment.

### **1.8 Scope of the NPOA-IUU**

Bangladesh's NPOA-IUU closely follows the structure of the IPOA-IUU. Like the IPOA-IUU, this NPOA-IUU addresses general measures targeted at all States, as well as measures targeted specifically at flag States, coastal States and port States. The NPOA-IUU focuses on both coastal, small-scale fisheries conducted within the EEZ of Bangladesh, and on industrial fisheries in the Areas Beyond National Jurisdiction (ABNJ), and the high seas under the auspices of the respective RFMOs.

Bangladesh is in the process of adopting its new fisheries policies that is consistent with the 1993 FAO Compliance Agreement, the 1995 UN Fish Stocks Agreement, the 1995 FAO Code of Conduct for Responsible Fisheries, the 2009 FAO Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (PSMA), and the 2014 Voluntary Guidelines on Flag State

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Performance. The legislation also makes provision for management measures that may be required by RFBs and RFMOs, including the IOTC. As a result, Bangladesh's NPOA-IUU is largely a record of actions already underway.

At the end of this document is a list of priority actions aimed at enhancing Bangladesh's ability to address IUU fishing. This NPOA-IUU will be reviewed, and if necessary, revised every four years and formally submitted to FAO.

## 2. ALL STATE RESPONSIBILITIES

### 2.1 International instruments

The IPOA-IUU calls on States to give full effect to relevant norms of international law in order to prevent, deter and eliminate IUU fishing. States are encouraged as a matter of priority to ratify, accept or accede to the 1982 UN Convention, the 1995 Fish Stocks Agreement, the 1993 FAO Compliance Agreement and to implement the 1995 FAO Code of Conduct for Responsible Fisheries, including its related IPOA-IUUs and strategy and to become members of, or cooperate to establish new, RFMOs where appropriate.

The following table provides a summary of Bangladesh's usage of the major international instruments to combat IUU:

**TABLE 2: LIST OF INSTRUMENTS RATIFIED BY BANGLADESH**

Instrument	Status
1982 UN Convention on the Law of the Sea (UNCLOS)	Ratified 2001
1993 FAO Compliance Agreement	Not Ratified
1995 UN Fish Stocks Agreement	Ratified 1995
2001 International Plan Of Action - IUU	In progress
2009 FAO Port State Measures Agreement	Ratified 2019
2014 Voluntary guidelines for Flag State Performance	Some Steps
2017 Voluntary guidelines for Catch Documentation Scheme	Some Steps
2018 Voluntary guidelines for Marking of Fishing Gear	Planned

In November 2019 Bangladesh ratified the 2009 FAO Port State Measures Agreement (PSMA). This National Plan of Action (NPOA) is a step towards implementing the International Plan of Action (IPOA) for combatting IUU. Bangladesh has not ratified the 1993 FAO compliance agreement although Bangladesh does not have any vessels operating in Areas Beyond National Jurisdiction or in other countries EEZs. However, if this changes, Bangladesh intends to validate incorporation of the necessary portions of the FAO Compliance Agreement as it relates to authorization of vessels to engage in fishing activity outside its EEZ.

There is a suite of voluntary guidelines available for nations to help deal with common fisheries challenges that contribute to IUU. Bangladesh applies the Voluntary Guidelines for Flag State Performance in terms of record keeping of vessels that are flying its flag, and includes, for vessels authorized to engage in fishing and fishing related activities on the high seas, the information set out in paragraphs 1 and 2 of Article VI of the FAOCA.

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Bangladesh introduced rules on the IUU Regulation through Gazette Notification on 25 February 2010 (S.R.O. no. 59-Act/2010) to comply with the catch certification requirements as outlined in European Commission Regulation 1005/2008. Bangladesh plans to take further steps in improving catch documentation and aligning with the FAO guidelines for catch documentation schemes.

Bangladesh recognizes the growing problem of abandoned, lost or otherwise discarded fishing gear (ALDFG) and plans to modify regulations in line with the 2018 Voluntary Guidelines for Marking Fishing gear, these regulations are especially relevant for the proposed longline and purse seine vessels which will operate in the outer EEZ and potentially ABNJ.

Bangladesh National Marine Fisheries Policy 1998 applies some of the FAO Voluntary guidelines for by-catch management and reduction of discards through the prohibition of discards and the acceptable by-catch percentages in landings. Bangladesh plans to take further steps to follow the Voluntary guidelines for the industrial trawl fleet, followed by the artisanal fleet.

Fish is the primary protein source for a large proportion of the population in Bangladesh, consequently ensuring the sustainability of the resource for small-scale fisherman is crucial for the success of Bangladesh fisheries. The updated National Marine Fisheries Policy plans to implement steps outlined in the 2015 Voluntary guidelines for Securing Sustainable Small-Scale Fisheries to ensure the sustainability of the substantial artisanal fleet.

Further to this Bangladesh is a member of the International Maritime Organization (IMO) and a party to a number of international agreements relating to Biodiversity, Climate change, Climate Change-Kyoto Protocol, Desertification, Endangered Species, Environmental Modification, Hazardous Wastes, Ozone layer Protection, Ship pollution and Wetlands.

Bangladesh has taken steps to align fisheries regulations with the 1999 International Plan of Action for the Conservation and Management of Sharks and is planning to modify fisheries regulations to align with the 2009 Guidelines to Reduce Sea Turtle Mortality in Fishing Operations including the regulation of Turtle Exclusion Devices.

	<b>Action Items</b>	<b>Responsible Agencies (Lead/Support)</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>
2.1.1	Ratify FAO Port State Measures Agreement		√				
2.1.2	Ratify FAO Compliance Agreement			√			
2.1.3	Implement Voluntary guidelines for Flag State Performance			√	√		
2.1.4	Implement Voluntary guidelines for Catch Documentation Schemes		√I			√A	
2.1.5	Implement Guidelines to Reduce Sea Turtle Mortality			√			
2.1.6	Implement Voluntary guidelines for Securing Sustainable Small-Scale Fisheries						√
2.1.7	Implement Voluntary guidelines for Marking of Fishing Gear			√			
2.1.8	Implement Voluntary guidelines for by-catch management and reduction of discards			√I			√A

√I Industrial fishing vessels, √A artisanal fishing vessels

## 2.2 National legislation

### 2.2.1 Legislation

The IPOA-IUU states that national legislation should address, in an effective manner, all aspects of IUU fishing.

The base fisheries law is the *Marine Fisheries Ordinance 1983* and the subsequent amendment to the Ordinance of 1993. The *National Fisheries Policy 1998* and *National Fisheries Strategy, 2006* and *Bangladesh Marine Action Plan, 2006* further refines the framework for overall fisheries management. While effective these rules failed to provide the necessary tools to account for evolving international fisheries laws and standards. In response, DoF took steps to improve transparency in the traceability of fish and fish products exported and within domestic markets. Specifically, in order to consider the requirements of the EU IUU Regulation, the Marine Fisheries Rules 1983 were amended under Section 55 of the Marine Fisheries Ordinance (Ordinance No. XXXV of 1983). This action introduced rules on the IUU Regulation through Gazette Notification on 25 February 2010 (S.R.O. no. 59-Act/2010) and instituted a catch certificate documentation scheme for the industrial fleet. In addition, the *Marine Fisheries Policy, 2014* is drafted and awaiting GoB approval. This will further enhance coastal and marine fisheries monitoring and management capability.

While this action addressed a portion of the IUU fishing threat, the lack of human capacity, as well as an outdated framework to manage and enforce regulations has caused insufficient compliance amongst fishers. As a result, the DoF is pursuing approval for improvements to the existing rules, relating to monitoring, control and surveillance as well the Blue Economy, through a new National Marine Fisheries Policy. The Policy is designed to modernize the management of coastal and marine fisheries, including licensing and registration of all fishing vessels and implementing the FAO's Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries.

#### Amendment of legislations and policy to prevent IUU fishing

- I. Bring all fishing vessels under registration and fishing licenses to determine the total number of vessels operating, as well as enabling control over the total number of vessels and prevent over capacity in Bangladesh Marine Fisheries.
- II. Investment in Bangladesh Coastguard and Bangladesh Navy to increase the ability to deter illegal entry from neighboring countries, as well as undertaking other activities like preventing piracy and marine pollution. This includes aerial surveillance.
- III. Implementation of a National Plan of Action to prevent, deter and eliminate IUU fishing.
- IV. Implement Fisheries Management Plan as a consequence of the scientific research and stock assessment results.
- V. Take appropriate steps to protect endangered and protected species
- VI. Poverty reduction and improvement of the socio-economic position of fisherman to ensure food security, especially for artisanal and subsistence fishers. Following the FAO 2015 Voluntary guidelines for Securing Sustainable Small-Scale Fisheries.
- VII. Raise awareness of updated National Marine Fisheries Policy as well as all other fisheries rules and regulations to stakeholders throughout the fishing industry through education and training.
- VIII. Establish a number of Marine Fisheries Surveillance check points to in Coastal and Maritime Areas to effectively monitor the fishing activities of mechanical and non-mechanical artisanal fishing vessels

IX. Take steps toward implementing the International Labor Organization (ILO) working in fishing convention No.188

	<b>Action Items</b>	<b>Responsible Agencies (Lead/Support)</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>
2.2.1.1	Updated National Marine Fisheries Policy Accepted		√				
2.2.1.2	IUU specific modifications to fishing regulations		√				√
2.2.1.3	Approve National Plan of Action for IUU		√				√*
2.2.1.4	Raise awareness of National Marine Fisheries rules and regulations through education and training		√	√	√	√	√
2.2.1.5	Ratify ILO working in fishing convention No.188				√		

√\* IPOA-IUU calls for updates to National Plan of Action (NPOA) every 4 years.

### 2.2.2 State control over nationals

The IPOA–IUU calls on States, to the greatest extent possible, to take measures or cooperate to ensure that their nationals do not support or engage in IUU fishing, and to cooperate to identify those nationals who are the operators or beneficial owners of IUU fishing vessels.

Bangladesh applies the Voluntary Guidelines for Flag State Performance in terms of record keeping of vessels that are flying its flag, and includes, for vessels authorized to engage in fishing and fishing related activities on the high seas, the information set out in paragraphs 1 and 2 of Article VI of the FAOCA.

Bangladesh plans to update regulations to require registered vessels in Bangladesh to require authorization to fish on the high seas (ABNJ) and within the EEZ zones of other countries. However, there are currently no Bangladesh flagged fishing vessels, or fishing support vessels, that operate in ABNJ or in the EEZs of other countries. In the event of Bangladesh flagged fishing vessels or fishing support vessels operating in other countries EEZs or in ABNJ, Bangladesh will register these vessels in the Global Record of Fishing Vessels, Refrigerated Transport Vessels and Supply Vessels (Global Record). Bangladesh will also follow the guidelines outlined in the FAOCA in relation to these vessels.

Bangladesh will maintain a register of the operators or beneficial owners of vessels flying its flag, including their nationality. In this way, Bangladesh can identify its nationals should a vessel be involved in IUU fishing.

	<b>Action Items</b>	<b>Responsible Agencies (Lead/Support)</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>
2.2.2.1	Provisions for vessels operating in ABNJ and within other countries EEZ added to Fisheries Regulations		√				

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	Action Items	Responsible Agencies (Lead/Support)	2020	2021	2022	2023	2024
2.2.2.2	Register of owners and beneficial owners of all vessels flying Bangladesh flag.		√I	√L	√M	√S	

√I Industrial fishing vessels, √L Large motorized artisanal vessels, √M Medium sized motorized artisanal vessels, √S Small non-motorized artisanal vessels

### 2.2.3 Vessels without nationality

The IPOA-IUU calls on States to take measures consistent with international law in relation to vessels without nationality on the high seas that are involved in IUU fishing.

Bangladesh is a member of the International Maritime Organization (IMO) and will support any effort of that body to prevent vessels from becoming stateless<sup>12</sup> during their transfer to a new flag.

Any information received on vessels without nationality will be passed on to neighboring States and relevant RFMOs, as appropriate.

	Action Items	Responsible Agencies (Lead/Support)	2020	2021	2022	2023	2024
2.2.3.1	Leverage existing or establish new procedures to share information on IUU fishing with regional partners		√				

### 2.2.4 Sanctions

The IPOA-IUU provides that sanctions for IUU fishing by vessels and nationals under its jurisdiction should be of sufficient severity to effectively prevent, deter and eliminate IUU fishing and to deprive offenders of the benefits accruing from such fishing.

The current penalties and sanctions for fisheries offences in Bangladesh are regulated under *Marine Fisheries Ordinance 1983* and provide a disincentive to infringe against regulations. Penalties for fisheries-related offences under the regulations include fines, suspension or revocation of a license, forfeiture of fish/catch, vessel, gears and imprisonment.

There is a need to modernize the current sanctions, especially increasing the monetary fines, to dissuade non-compliance and create a culture of compliance within the fisheries sector or Bangladesh. Updates to the regulations should lead to differential sanctions to artisanal and industrial fishing vessels.

<sup>12</sup> Stateless vessels are those that are unregistered or that have two or more registrations contrary to international law

In collaboration with the relevant RFMOs and RFBs Bangladesh will, as required, publish IUU fishing vessels in the Regional Fishing Vessel Register. This action would deny the vessel the possibility to be licensed to fish in any RFMO member State's EEZ.

Establishment of the regional fishing vessel register is foreseen in 2019 as part of the RPOA-IUU currently being developed.

	<b>Action Items</b>	<b>Responsible Agencies (Lead/Support)</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>
2.2.4.1	Evaluate and modify sanctions for artisanal and industrial fishing vessels		√I	√A			

√I Industrial fishing vessels, √A Artisanal fishing vessels

### 2.2.5 Non-cooperating States

The IPOA-IUU recommends that all possible steps should be taken, consistent with international law, to prevent, deter and eliminate the activities of non-cooperating States to a relevant RFMO that engage in IUU fishing.

Bangladesh will work together with all RFMOs to which it belongs or cooperates with to prevent, deter and eliminate the activities of non-cooperating States that engage in IUU fishing.

### 2.2.6 Economic incentives

The IPOA-IUU provides that States should avoid conferring economic support, including subsidies, to companies, vessels or persons that are involved in IUU fishing.

Economic support will be withheld from companies, vessels and persons that are involved in IUU fishing. In particular, access to any fuel subsidy and duty-free importation of vessels, fishing equipment and gears, will be denied to anyone involved in IUU fishing.

	<b>Action Items</b>	<b>Responsible Agencies (Lead/Support)</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>
2.2.6.1	Implement economic disincentives for IUU vessels, operators and owners		√				

## 2.2.7 Monitoring, control and surveillance

The IPOA-IUU calls on all States to undertake comprehensive and effective MCS of fishing from its commencement, through the point of landing, to final destination.

Bangladesh currently has the following Monitoring Control and Surveillance (MCS) Processes:

- Responsibility for on the water MCS falls to the Bangladesh Coastguard, who take primary responsibility for policing waters up to 40m deep, and Bangladesh Navy, who have jurisdiction over offshore areas and the maritime boundaries. At sea enforcement focuses on policing the maritime boundaries for encroachment of foreign vessels, checking vessel registration, vessel licenses, depth-based area restrictions and fishing gear.
- Vessel Monitoring Systems are currently installed on 130 industrial trawl vessels.
- Bangladesh has a fisheries observer program for the industrial trawl fleet, however there has been problems effectively implementing this mainly due to lack of staff.
- Landings are based inspections are conducted by Department of Marine Fisheries officers
  - For industrial fishing vessels landings are cross checked by the Marine Fisheries office against the reported logbook data.
- Marine Fisheries office has a check points to inspect artisanal and industrial fishing vessels as they depart for and return from fishing trips.
  - Industrial trawl vessels are required to obtain sailing permission from the Marine Fisheries Office before departing from port.
- Industrial fishing vessels in Bangladesh operate a good catch documentation scheme, fish are sold to traders who on sell to exporters and processors. Industrial catch that is exported is traceable through batch numbers from vessel to export retailer.
- Artisanal vessels of all size classes are largely regulated by inspection of DFOs.

Coordination and collaboration between the key institutions involved in MCS (Department of Fisheries, River Police, Police, Coast Guard and Navy), is being fostered by the creation of the Joint Monitoring Centre (JMC) in 2018, the purpose of this is to improve communication between the relevant parties and coordinate MCS activities. During both the Hilsa closure and the national fisheries closure cross organization MCS plans are developed and meetings are conducted with all stakeholders to discuss enforcement and conduct joint enforcement operations. Building on this, regular workshops with all key MCS institutions will help foster communication and collaboration between organizations, as well as, joint training to build capacity and standardize MCS regulation e.g. vessel inspection.

The Bangladesh Coast Guard and Bangladesh Navy have limited capacity, this is being addressed in the draft *Marine Fisheries Policy 2019*. To increase efficiency in patrol asset planning, as well as aiding live asset targeting, utilizing remote sensing data, e.g. satellite radar and optical imagery, should be explored to help empower enforcement actions. The utilization of remote sensing technology in collaboration with neighboring states should be explored to reduce cost, share knowledge and enable quick and effective monitoring of large areas of ocean.

Vessel Monitoring Systems (VMS) are currently installed on 130 industrial trawl vessels further VMS is planned to be installed across the Industrial Trawl Fleet with a Vessel Monitoring Centre (VMC) to be established at Chattogram. VMS monitoring will enable the Marine Fisheries Office to engage in more effective administrative checks by comparing the observed VMS data with the reported logbook data. VMS would enable the MFO to effectively implement the depth-based trawl restriction as well as ensure

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compliance with Marine Reserves and seasonal fishing closures. Under the Sustainable Coastal and Marine Fisheries Project (SCMFP) 1800 Automatic Identification System (AIS) units are planned to be installed on the greater than 40hp motorized artisanal vessels that operate in offshore areas out to 40m, this will enable monitoring of their activities at the VMC.

Landings based inspections are based at the Marine Fisheries Office who have a check point at the mouth of the Karnaphuli river. This enables effective monitoring of the Chattogram based industrial trawl fleet and some of the artisanal fleets. However, only approximately 5% of the total number of artisanal vessels operate out of Chattogram and the remainder of the fleets have a far lesser scrutiny over their activities and landings. Under the updated National Fisheries Plan, funded by the SCMFP, 16 additional surveillance checkpoints are to be created, along with the accompanying manpower. This will increase the coverage of both landing inspections and on the water inspections in the artisanal sector. Establishing official landing sites for both the industrial and artisanal sectors will more readily enable successful MCS implementation.

Bangladesh is planning to implement an electronic catch document scheme through e-reporting of catch and e-logbooks to increase transparency of fish moving through the supply chain, this is intended to be introduced to the artisanal fleet in a phased approach starting with the large motorized vessel operating offshore.

There is a general need to improve and modernize the MCS tools, regulations and coordination within Bangladesh. The industrial fishing fleet has an established MCS process, which will be enhanced with the adoption of VMS systems across the industrial trawl fleet, the establishment of a VMC to monitor the vessels and the further development of a fisheries observer program. Establishing a holistic process for the artisanal fishing fleet will be challenging but key steps are planned to include licensing of the artisanal fleet, the development of further Marine Fisheries Office Checkpoints and establishing artisanal fishing fleet landing sites. After these key steps, the next steps will be introduced in phases, first on the large motorized artisanal vessels which operate offshore, before moving to smaller motorized and unmotorized vessels. This includes installing AIS to monitor vessels and the introduction of mobile based e-reporting. These initiatives are being fostered through the World Bank funded SCMFP fisheries project.

To be more effective in its MCS functions, the Marine Fisheries Office will require additional skilled staff particularly in the fisheries inspection area and the operations of the national VMC. Additional trained personnel will also be required to achieve adequate observer coverage and ensure that the PSMA compliant practices are guaranteed. Coupled with this the impending ratification of the PSMA will require capacity building of port, customs and fisheries inspection officers to further enhance MCS capabilities. Bringing the organization involved together for standardized training will enhance capacity and encourage communication and collaboration between organization which is essential for successful PSM implementation.

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	<b>Action Items</b>	<b>Responsible Agencies (Lead/Support)</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>
2.2.7.1	Vessel Monitoring Centre developed		√				
2.2.7.2	VMS installed on entire industrial trawl fleet			√			
2.2.7.3	Established Fisheries Observer Program			√			
2.2.7.4	Establish Marine Fisheries Offices inspection sites		√	√	√	√	√
2.2.7.5	Establish Official Landing Sites				√L	√M	√S
2.2.7.6	VMS/AIS install on mechanized artisanal fleet			√L		√M	
2.2.7.7	Establish e-reporting system for fishing catch and effort		√I	√L	√M		√S
2.2.7.8	MCS Capacity Building including PSMA training		√	√			
2.2.7.9	Further development of interorganizational coordination through JMC, developing information sharing networks, regular workshops and joint training sessions to building capacity		√	√	√	√	√

√I Industrial fishing vessels, √L Large motorized artisanal vessels, √M Medium sized motorized artisanal vessels, √S Small non-motorized artisanal vessels

## 2.2.8 Cooperation between States

The IPOA-IUU calls on States to coordinate their activities and cooperate directly, and as appropriate through relevant RFMOs, in preventing, deterring and eliminating IUU fishing.

Bangladesh is a member of IOTC and APFIC and participates to its best ability in the implementation of RFMO and RFB measures to combat IUU fishing. Bangladesh expects to benefit from technology and knowledge transfer by other countries and APFIC members in particular. Bangladesh has been participating in Regional and Sub-regional workshops working towards the development of a Regional Plan of Action on IUU Fishing (RPOA-IUU).

Bangladesh is a member of the Bay of Bengal Initiative for Multi-Sectorial Technical and Economic Cooperation (BIMSTEC). One of the priority sectors of BIMSTEC is fisheries which is led by Thailand, a delegation from the DoFs Marine Sector recently visited the Royal Thai Government Department of Fisheries in Bangkok. Bangladesh is also a member of the Indian Ocean Naval Symposium (IONS) which seeks to increase maritime co-operation among the Navies of the Indian Ocean Region.

Bangladesh is a member of the International Criminal Police Organization (INTERPOL), with the national central bureau located in Dhaka, and as such participates in international law enforcement cooperation in the fisheries sector. INTERPOL Global Fisheries Enforcement helps Bangladesh access information outside of its jurisdictional boundaries by coordinating international cooperation. The program was launched in 2013 to support enforcement agencies in identifying, deterring and disrupting transnational fisheries crime. This is especially important in a fisheries context because of the transnational nature of fisheries crimes.

In accordance with the PSMA Bangladesh will exchange data and information and investigate IUU fishing activities. Harmonization of measures to combat IUU fishing, as taken by the RFMOs and RFBs is encouraged by Bangladesh.

As of 2012 Bangladesh has resolved its EEZ boundaries with Myanmar, and as of 2014 also settled its maritime boundary with India. At the bilateral level, collaboration on marine surveillance is good with the neighboring Myanmar and India but the intention is to strengthen this further. Bangladesh is coordinating with India to implement a cross country Hilsa management plan. Bangladesh also hopes to foster coordination and synchronization with neighboring states on the holistic fishing ban introduced in 2019. Synchronized closures help with enforcement as no vessels should be operating and they also relieve pressure on fish stocks across the upper Bay of Bengal.

	<b>Action Items</b>	<b>Responsible Agencies (Lead/Support)</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>
2.2.8.1	South East Asia RPOA-IUU developed		√				
2.2.8.2	Synchronization of fisheries closures with neighboring states		√	√			

### 2.2.9 Publicity

The IPOA-IUU calls on States to publicize widely, including through cooperation with other States, full details of IUU fishing and actions taken to eliminate it, in a manner consistent with any confidentiality requirements.

Bangladesh will use the media to publicize IUU fishing incidents and resulting convictions as a means of deterring IUU fishing and supporting compliance with international agreements and domestic fisheries laws. Notifications of IUU fishing incidents will also be passed to the relevant RFMOs and RFBs for publication on their websites (as appropriate).

Bangladesh will establish and publicize, as required, a vessel 'blacklist' detailing vessels who have been identified as violating fisheries regulations and had fishing licenses denied and/or removed. The blacklist will be shared with neighboring states to discourage vessels from reflagging and operating elsewhere in the region.

	<b>Action Items</b>	<b>Responsible Agencies (Lead/Support)</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>
2.2.9.1	Publication of Bangladesh vessel blacklist		√	√	√	√	√

## 3. FLAG STATE RESPONSIBILITIES

As a Flag State, Bangladesh is obligated to control vessels flying Bangladesh Flag to comply the national, regional and international laws and regulations in order to prevent the IUU fishing and related illegal activities.

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### 3.1 Fishing vessel registration

The IPOA-IUU calls on States to ensure, including through appropriate fishing authorization and vessel registration procedures, that their flag vessels and vessels under charter do not engage in or support IUU fishing.

Under Chapter 3 and 32 of the *Merchant Shipping Ordinance 1983*, Bangladesh mechanized fishing vessels over 15 net tons are required to be registered. The management and implementation of these registrations is the responsibility of the Mercantile Marine Department (MMD). The Ordinance requires all vessels to register once and subsequently obtain an annual certificate of safety. In addition to monitor and control the number of the fishing vessels, MMD and MoFL partner to ensure that fishing vessels cannot obtain a valid registration certificate without prior authorization for the building or importation of the vessel. Further, a fishing vessel seeking to reflag to Bangladesh and receive an industrial vessel registration must provide proof of de-registration and undergo a background check by the Marine Fisheries Office for any IUU fishing history prior to approval by MMD.

MMD currently retains documentation and the list of all registered vessels, including fishing vessels. All non-mechanized boats and many mechanized vessels fall outside the Merchant Shipping Ordinance requirement to possess a vessel registration. To address this situation, MMD and DoF coordinated closely and jointly to resolve any differences in records of the number of industrial and artisanal fishing vessels registered and licensed. Given the fact that the DoF can only issue a license to a fishing vessel with valid registration and Certificate of Inspection, a significant percentage of fishing vessels are not eligible for registration leading to a significant number of fishing vessels operating without a fishing license. The MMD and Marine Fisheries Office are engaged in joint campaigns to increase vessel registration and licensing in the artisanal sector. However, these efforts are moving forward slowly due to MMD's manpower constraints.

Under the Sustainable Coastal and Marine Fisheries Management Project (SCMFP) a database and registration campaign is planned out of 64 key artisanal landing sites. The purpose of this is to expand on the numbers of artisanal fishing vessels that are registered through a moratorium on registration and the associated cost, as well as surveying the number of vessels.

There is a need to institutionalize and strengthen regional cooperation with other coastal States to exchanging information of vessels e.g. fishing permit, vessel registrations.

	<b>Action Items</b>	<b>Responsible Agencies (Lead/Support)</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>
3.1.1	Registration enhancements to cover fishing vessels under 15 net tons		✓	✓			
3.1.2	Registration of artisanal fishing fleet		✓	✓	✓	✓	✓
3.1.3	Exchange of fishing vessel registration and license information with regional partners and RFMOs		✓	✓			

### 3.2 Record of fishing vessels

The IPOA-IUU calls on each flag State to maintain a record of fishing vessels entitled to fly its flag. Each flag State's record of fishing vessels should include, for vessels authorized to fish on the high seas, all information set out in paragraphs 1 and 2 of Article VI of the 1993 FAO Compliance Agreement, as well as the additional information specified in paragraph 42 of the IPOA-IUU.

Bangladesh applies the Voluntary Guidelines for Flag State Performance in terms of record keeping of vessels that are flying its flag, and includes, for vessels authorized to engage in fishing and fishing related activities on the high seas, the information set out in paragraphs 1 and 2 of Article VI of the FAOCA.

This record also includes, inter alia:

- a) the previous names, if any and if known;
- b) name, address and nationality of the natural or legal person in whose name the vessel is registered;
- c) name, street address, mailing address and nationality of the natural or legal persons responsible for managing the operations of the vessel;
- d) name, street address, mailing address and nationality of natural or legal persons with beneficial ownership of the vessel;
- e) name and ownership history of the vessel, and, where this is known, the history of noncompliance by that vessel, in accordance with national laws, with conservation and management measures or provisions adopted at a national, regional or global level; and
- f) vessel dimensions, and where appropriate, a photograph, taken at the time of registration or at the conclusion of any more recent structural alterations, showing a side profile view of the vessel.

Bangladesh will keep a record of vessels in accordance with relevant sub regional, regional and international standards and requirements, including these of FAO, IMO, and IOTC.

Bangladesh will regularly update its national Fishing Vessel Registry and will carry out, prior to registration, verification of vessel records and, where applicable, history. Standards and criteria will be introduced for these registries to avoid flagging of non-compliant vessels, reduce incentives for reflagging and flag hopping practices.

The international Maritime Organization (IMO) Assembly agreed to include fishing vessels of 100 gross tonnage or more in the IMO Number Scheme, through the adoption of Resolution A.1078 (28)<sup>13</sup>. This action links the vessel's IMO Number for its entire life, even when subject to changes of flag, ownership, name, etc. The IMO number will also be used as Unique Vessel Identifier (UVI) in the lists transferred to the Global Record, similar as is done with regards to the exchange of information with Information Handling Services (IHS) Fair play. Bangladesh will review the IMO Number Scheme and where appropriate develop solutions to implement the voluntary scheme for all motorized inboard fishing vessels of less than 100 gross tonnage down to a size limit of 12m in length overall authorized to operate outside waters under national jurisdiction of the flag State. Further, Bangladesh will develop the mechanism and procedures to supply, on an annual basis, the updated vessel information and records to the Global Record and will progressively implement over the coming years new measures as smaller vessels will be included as well.

<sup>13</sup> Available at: <http://www.fao.org/fi/static-media/MeetingDocuments/GlobalRecord/GRWG4/A30Res1117e.pdf>

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	Action Items	Responsible Agencies (Lead/Support)	2020	2021	2022	2023	2024
3.2.1	Increase compliance with fishing vessel registry requirements		✓	✓	✓	✓	✓
3.2.2	Implementation of IMO Number Scheme for vessels operating outside waters of national jurisdiction			✓	✓		

### 3.3 Authorization to fish

The IPOA-IUU calls on States to ensure that no vessel is allowed to fish unless so authorized, in a manner consistent with international law for the high seas. A flag State should ensure that each of the vessels entitled to fly its flag fishing in waters outside its sovereignty or jurisdiction holds a valid authorization to fish issued by that flag State. Where a coastal State issues an authorization to fish to a vessel, that coastal State should ensure that no fishing in its waters occurs without an authorization to fish issued by the flag State of the vessel.

The Director of the Marine Fisheries Office, DoF Chattogram is the competent authority regarding authorizations to fish and for fishing related activities (e.g. licensing) and ensures that no vessel operates unless so authorized in a manner consistent with international and national laws and the with sustainability of the fish stocks in mind.

The measures taken by Bangladesh, in line with the Voluntary Guidelines for Flag State Performance include the following:

- a. appropriate scope for authorization of fishing and fishing related activities, including conditions for the protection of marine ecosystems;
- b. prior assessment of a vessel's history of compliance and ability to comply with applicable measures; and
- c. minimum information requirements in the authorization that allow identification of accountable persons, areas and species, including:
  1. the name of the vessel, and, where appropriate, the natural or legal person authorized to engage in fishing and fishing related activities;
  2. the areas, scope and duration of the authorization to engage in fishing and fishing related activities;
  3. the species, fishing gear authorized, and where appropriate, other applicable management measures; and
- d. relevant conditions under which an authorization issued may, where required, include those in paragraph 47 of the 2001 IPOA-IUU.

### 3.4 Measures to control transport and re-supply vessels

The IPOA-IUU calls on flag States to ensure their fishing, transport and support vessels do not support or engage in IUU fishing. The IPOA-IUU also calls on States to ensure that, to the greatest extent possible, all of their fishing, transport and support vessels involved in transshipment at sea have a prior authorization to transship issued by the flag State, and report specified information to the national fisheries administration or other designated institution.

Transshipment of catches from a foreign fishing vessel to any vessel and vice versa in Bangladesh's waters is not allowed unless it is authorized to do so by the Director, Marine Fisheries Office, DoF, Chattogram under the *Marine Fisheries Ordinance 1983*.

Any authorized transport and support vessels that have been involved in IUU fishing in the Bangladesh EEZ or an area of the high seas subject to international conservation and management measures adopted by RFMOs and promoted by RFBs will be subject to prosecution. It is an offence under the Marine Fisheries Ordinance for such vessels not registered in Bangladesh, to carry out related activities, such as refueling and transshipping within Bangladesh's EEZ.

All fish and fisheries products transshipments at sea by its flagged vessels in ABNJ require authorization by the Director, Marine Fisheries Office. Transshipments at sea shall be done in accordance with the relevant rules established by the relevant coastal State, the relevant RFMO and any relevant rules of international law.

### **3.5 Implementing obligations to discharge the role of the flag State under the FAO Agreement on Port State Measures**

Consistent with the intent to ratify the PSMA, particularly its Article 20 on the "Role of flag States", Bangladesh will:

1. Require the vessels entitled to fly its flag to cooperate with the port State in inspections carried out pursuant to the PSMA.
2. Request other Port States to inspect a vessel entitled to fly its flag if there are clear grounds to believe that this vessel has engaged in IUU fishing or fishing related activities in support of such fishing and is seeking entry to or is in a port.
3. Encourage vessels entitled to fly its flag to land, transship, package and process fish, and use other port services, in ports of States that are acting in accordance with, or in a manner consistent with the Agreement.
4. Where, following port State inspection of one of its flagged vessels, Bangladesh receives an inspection report indicating that there are clear grounds to believe that the vessel has engaged in IUU fishing or fishing related activities in support of such fishing, Bangladesh, through the DoF, shall immediately and fully investigate the matter, and upon sufficient evidence, take enforcement action without delay in accordance with its laws and regulations.
5. Report to other Parties of the PSMA, relevant port States and, as appropriate, other relevant States, regional fisheries management organizations and FAO on actions it has taken in respect of vessels entitled to fly its flag that have been involved in IUU fishing, as a result of port State measures taken pursuant to the PSMA.

## **4. COASTAL STATE RESPONSIBILITIES**

In the exercise of sovereign rights of coastal States for exploring and exploiting, conserving and managing the living marine resources under their jurisdiction, the IPOA-IUU calls on coastal States to implement measures to prevent, deter and eliminate IUU fishing in waters under their jurisdiction. Measures which coastal States should consider are: effective MCS; cooperation and exchange of information with other States and RFMOs; ensuring that all fishing is authorized; ensuring all vessels are registered; logbook requirements;

controls on transshipment/processing of fish; regulation of fishing access; and avoiding licensing vessels with an IUU fishing history.<sup>14</sup>

Bangladesh is taking measures to combat IUU fishing by foreign fishing vessels through use of its own MCS systems and through strengthened regional and international cooperation. This is being achieved through regional cooperation (see also sections 2.2.7 and 2.2.8), including collaboration in regional databases and information exchanges, enforcement cooperation and progressive introduction of the VMS system in the coming years.

The MCS system, supported by the necessary legal provisions, will include improvements in the registration and licensing of fishing vessels, licensing of fishers, a well-functioning record keeping system of vessels, enforcement of logbook use (reconciled with VMS), establishing an observer program, establishing a vessel monitoring center, further fisheries monitoring centers, collaboration with agencies in neighboring countries and the RFBs/RFMOs.

Moreover, possibilities for joint enforcement actions especially during times of combined seasonal fishing closures, including air surveillance patrols, should be explored. Existing coordination exists with IONS and bilateral agreements with neighboring countries. The development of a RPOA-IUU and a sub-regional RPOA should enhance these collaborations.

As highlighted in community based fisheries management section (section 1.5.4), Bangladesh has a unique relationship between fish, its citizens, and the fishing sectors. The GoB recognizes that the success of fisheries management resides in coordination with CBOs to create sustainable and socially acceptable policy decisions. Bangladesh intends to leverage the Voluntary Guidelines for Security Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines) as a source for principles and guidance for small-scale fisheries governance and development. These guidelines are directed “at all those involved in the sector and intend to guide and encourage government, fishing communities and other stakeholders to work together and ensure secure and sustainable small-scale fisheries to the benefit of small-scale fishers, fish workers and their communities as well as for society at large<sup>15</sup>.” The SSF Guidelines are underpinned by a human rights approach and the GoB will use this instrument to empower small-scale fishing communities – including vulnerable and marginalized groups – to participate in decision-making processes and to assume responsibility for sustainable use of fishery resources.

Bangladesh has a unique challenge as a coastal state, due to the presence of the ship breaking industry established north of Chattogram, the one of the largest ship breaking areas in the world. Whilst the majority of vessels dismantled are large merchant ships, foreign flagged fishing vessels also come to be dismantled. The operation of these vessels in Bangladesh waters needs careful scrutiny, as vessels reported to be broken up have been known to reappear, with a new identity, as a ‘new’ vessel. Bangladesh has a responsibility to ensure this vessel laundering does not occur within its EEZ and this requires coordination between the Mercantile Marine Department, Bangladesh Navy, Bangladesh Coastguard and the Port Authority at Chattogram.

<sup>14</sup> See 2.2.7 Monitoring, control and surveillance.

<sup>15</sup> Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication, <http://www.fao.org/documents/card/en/c/14356EN>

## 5. PORT STATE MEASURES

The IPOA-IUU calls on States to use port State measures, in accordance with international law, to control port access by fishing vessels in order to prevent, deter and eliminate IUU fishing.

In November 2019 Bangladesh ratified the 2009 FAO Port State Measures Agreement (PSMA)<sup>16</sup> and aims to ensure, through port State measures, the long-term conservation and sustainable use of living marine resources and marine ecosystems in the EEZ of the country, as well as elsewhere by its flag vessels.

Bangladesh intends to integrate or coordinate fisheries related port State measures with the broader system of port State controls, take appropriate measures to exchange information among relevant national agencies, and to coordinate the activities of such agencies in the implementation of the PSMA. MOUs between the relevant departments will be prepared to facilitate coordination and joint action.

Bangladesh will implement the requirements of the PSMA in its legislation and procedures following the Legislative Template prepared by FAO.

### 5.1 Advance notice of access

The IPOA-IUU calls on States to require vessels seeking access to their ports to seek prior permission to enter their ports and to provide reasonable advance notice of their entry into port, a copy of their authorization to fish, and details of their fishing trip and quantities of fish on board, in order to ascertain whether the vessel may have engaged in, or supported, IUU fishing.

The master of any foreign fishing vessel that wishes to enter Bangladesh waters must give at least 48-hour advance notice of their intention to do so and 24-hour notice prior to port entry this process is called an Advanced Request to Enter Port (AREP). The foreign vessel should supply along with the request for port entry, the information as can be found in Annex A of the PSMA. The *Marine Fisheries Rules 1983* requires foreign fishing vessels to be inspected and cleared by a fisheries officer upon arrival in Bangladesh and for each port call, before any cargo or personnel can be off-loaded. The Rules also require the skipper to bring the fishing vessel into any Bangladesh port for inspection at any time when required to do so by the Director, Marine Fisheries Office or authorized persons.

Bangladesh plans to build capacity within the Marine Fisheries Office to enable full compliance assessments of the AREP documentation submitted by foreign flagged fishing vessels and fish carrier vessels. This is an essential step in PSMA implementation to audit the reported activities of vessels through the analysis of the array of available data e.g. vessel tracking data and vessel licenses to ensure documentation is consistent, direct port inspection efforts and ultimately ensure no IUU fish is offloaded in Bangladesh.

In conformity with international law and Article 10 of the PSMA, Bangladesh provides port access to foreign flagged vessels for reasons of *force majeure* or distress or for rendering assistance to persons, ships or aircrafts in danger or distress.

<sup>16</sup> The PSMA is available at: <http://www.fao.org/port-state-measures/resources/detail/en/c/1111616/>

	Action Items	Responsible Agencies (Lead/Support)	2020	2021	2022	2023	2024
5.1.1	Capacity building in the investigation of AREPs		✓	✓			

### 5.2 Denial of access

The IPOA-IUU calls on each port State, where it has clear evidence that a vessel has engaged in IUU fishing activity, to prohibit the vessel from landing or transshipping fish in its port, and to report the matter to the vessel's flag State.

Under *The Marine Fisheries Ordinance 1983 Part V*, the Director may deny a permit and thus entry to any foreign fishing vessel, including a vessel that is suspected of IUU Fishing. As mentioned in Section 5.1, this authority is tempered by international law reasons of *force majeure* or distress or for rendering assistance to persons, ships or aircrafts in danger or distress.

In line with article 9 (paragraph 3) of the PSMA, Bangladesh intends to communicate any denial of entry to its assigned ports, based on its decision taken pursuant to paragraph 1 of Article 9 of the PSMA to the flag State of the vessel as well as relevant coastal States, RFBs, RFMOs and other international organizations.

If a vessel is in port and there is clear evidence that it has been involved in IUU fishing, an offence is considered to have been committed within the EEZ of Bangladesh (such as in case the required information or evidence is not provided) therefore legal action can be initiated. In such a case, Bangladesh would inform the flag State and respective RFMO of the details of the case as well as any RFMO member State affected. In accordance with paragraph 6 of article 9 of the PSMA, Bangladesh intends to “deny such vessel the use of its ports for landing, transshipping, packaging, and processing of fish and for other port services including, inter alia, refueling and resupplying, maintenance and dry docking. Denial of such use of ports shall be in conformity with international law.” In terms of the use of ports and their facilities Bangladesh will utilize Part 3 (Use of Ports), article 11 of the PSMA to the extent possible.

### 5.3 Designated ports

The IPOA-IUU encourages States to publicize ports to which foreign flagged vessels may be permitted admission and to ensure that these ports have the capacity to conduct inspections.

Bangladesh has two ports that are designated to which GFessels may request entry, these are Chattogram and Mongla at Khulna, and exercises its sovereign right to inspect any fishing vessel in these ports. In accordance with the PSMA's Article 7, Bangladesh will designate and publicize these as the ports to which vessels may request entry pursuant to the PSMA. These ports will also be provided to FAO for further publicity.

Inspection of foreign vessels in port (including those that are not licensed to fish but come for duty free fuel or repair) will follow Part 4 (Inspections and Follow-up Actions) of the PSMA. While no foreign fishing and fish transshipment vessels are arriving currently, Bangladesh aims to have in place by the end of 2021 a proper inspection procedure. Inspectors shall then be capable carrying out their work according to Annex

B of the PSMA. The inspectors will use the reporting format on the results of the inspection, as presented in Annex C of the PSMA.

Bangladesh desires initial capacity building for port inspection procedures and introduction of standard operating procedures through support from FAO and from the World Bank funded SCMFP after ratification of the PSMA.

In the longer term it would be beneficial to have at-port inspectors trained to a regional standard and a role is foreseen for IOTC in terms of implementing a capacity building programme.

	<b>Action Items</b>	<b>Responsible Agencies (Lead/Support)</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>
5.3.1	Designated authorized ports under PSMA		√				
5.3.2	Institute Port State inspection procedures and train personnel			√	√		

#### **5.4 Evidence indicating IUU fishing**

If, in the course of an inspection, a port State finds that there are reasonable grounds to suspect that a vessel has engaged in or supported IUU fishing, the IPOA–IUU calls on port States to immediately report the matter to the flag State of the vessel and, where appropriate the RFMO. The port State may take other action with the consent of, or upon the request of, the flag State.

Bangladesh will continue its policy of informing the flag State of a vessel, if it has reasonable grounds to suspect any of its vessels have engaged in or supported IUU fishing. Reports will also be made to IOTC and other regional bodies as appropriate and as may be required by ratified agreements. Where evidence is found indicating that a foreign vessel in port has encouraged or supported IUU fishing, Bangladesh will apply Article 18 (port actions following inspection) of the PSMA.

#### **5.5 Cooperation with port States and through RFMOs**

The IPOA–IUU calls on States to cooperate, as appropriate, bilaterally, multilaterally and within relevant RFMOs, to develop compatible measures for port State control of fishing vessels. The IPOA–IUU also encourages States to consider developing, within relevant RFMOs, port State measures building on the presumption that fishing vessels entitled to fly the flag of States not parties to a RFMO and which have not agreed to cooperate with that RFMO, which are identified as being engaged in fishing activities in the area of that particular organization, may be engaging in IUU fishing.

Bangladesh will continue to cooperate, mainly through regional organizations (APFIC, IOTC), with other port States in the Bay of Bengal region, to agree on mechanisms and information exchange to combat IUU fishing. Bangladesh aims to implement the IOTC’s Resolution 16/11 on Port State Measures to Prevent, Deter, and Eliminate Illegal, Unreported and Unregulated Fishing and other relevant conservation and management measures adopted by RFBs/RFMOs.

Through FAO, RFBs/RFMOs and the port authorities, all flag states will be informed of PSMA ratification and implementation by Bangladesh.

	Action Items	Responsible Agencies (Lead/Support)	2020	2021	2022	2023	2024
5.5.1	Implement IOTC Resolution 16/11 on Port State Measures		√	√			

## 6. INTERNATIONALLY AGREED MARKET RELATED MEASURES

Bangladesh has been a member of the World Trade Organization (WTO) since 1995 and is obliged to conduct its international trade in accordance with the principles, procedures, rights and obligations established under the WTO agreements.

### 6.1 Trade-related measures

The IPOA-IUU encourages States to take steps, consistent with international law, to prevent fish caught by vessels identified by the relevant RFMO to have been engaged in IUU fishing being traded or imported into their territories.

Bangladesh plans to update the Marine Fisheries Policy to make it an offence to import into Bangladesh fish and fishery products that have been taken illegally in another State or in areas of high seas that are subject to international conservation and management measures. This will be implemented through strengthened MCS capability (section 2.2.7), the establishment of joint and reciprocal surveillance and enforcement arrangements with neighboring states Myanmar and India (section 2.2.8) and implementation of stricter regulations of foreign flagged fishing vessels landing fish in Bangladesh through the PSMA (section 5).

Bangladesh will continue to supply (as requested) information to APFIC, IOTC and other relevant RFMOs on vessels suspected of IUU fishing in their respective areas of competence and implement relevant trade related measures adopted by these RFBs.

Bangladesh has ratified the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) this is particularly important in the context of the Endangered Species of sawfish, certain sharks, cetaceans, porpoises, seahorse, sea turtles and corals within the Bangladesh EEZ.

	Action Items	Responsible Agencies (Lead/Support)	2020	2021	2022	2023	2024
6.1.1	Prohibit import of IUU fish and fish products		√	√			

## 6.2 Catch documentation schemes

The IPOA–IUU suggests that certification and documentation requirements should be standardized to the extent feasible, and electronic schemes developed where possible, to ensure effectiveness, reduce opportunities for fraud, and avoid unnecessary burden on trade.

Bangladesh introduced rules on the IUU Regulation through Gazette Notification on 25 February 2010 (S.R.O. no. 59-Act/2010) to comply with the catch certification requirements as outlined in European Commission Regulation 1005/2008 ("the IUU Regulation") to prevent, deter and eliminate illegal, unregulated and unreported (IUU) fishing<sup>17</sup>, and in particular with the format as presented in Annex II of this regulation.

Industrial fishing vessels in Bangladesh operate a good catch documentation scheme, fish are sold to traders who sell to exporters and processors. Industrial catch that is exported are traceable through batch numbers back to the vessel. This is not the case for artisanal fishing vessels where catch is generally sold to the local market. A common system within artisanal fisheries leads to fishers borrowing money from Aratdar's (or dadondar) this leads to fish being sold back to the lender at below market rates. This system undermines catch documentation, as well as value addition in artisanal catches.

Bangladesh aims to take further steps to standardize catch documentation including following the FAO voluntary guidelines for catch documentation. This will be aided by the introduction of e-reporting and e-log books planned as a component of the Sustainable Coastal and Marine Fisheries Project which will improve catch transparency.

	Action Items	Responsible Agencies (Lead/Support)	2020	2021	2022	2023	2024
6.2.1	Implement FAO guidelines for catch documentation schemes		√I	√L	√M		√S
6.2.2	Establish e-reporting system for fishing catch and effort		√I	√L	√M		√S
6.2.3	Institute catch certification rules within the artisanal fleet enabling access to the EU market			√L	√M		√S

√I Industrial fishing vessels, √L Large motorized artisanal vessels, √M Medium sized motorized artisanal vessels, √S Small non-motorized artisanal vessels

## 6.3 Transparency of markets

The IPOA–IUU calls on States to take steps to improve transparency of their markets to allow the traceability of fish or fish products.

Bangladesh aims to develop measures to improve the transparency of both export and import markets, to allow the traceability of fish and fish products. Introduction FAO voluntary guidelines for catch documentation schemes alongside the introduction of electronic reporting will help traceability in domestic markets, regulation will dictate the traceability of import markets.

<sup>17</sup> Available at: <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:02008R1005-20110309&from=EN>

	<b>Action Items</b>	<b>Responsible Agencies (Lead/Support)</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>
6.3.1	Implement measures to improve transparency and traceability of export and import markets			√			

### 6.4 Information dissemination

The IPOA-IUU calls on States to take measures to ensure that their importers, transhippers, buyers, consumers, equipment suppliers, bankers, insurers, other service suppliers and the public are aware of the detrimental effects of doing business with vessels identified as engaged in IUU fishing, and should consider measures to deter such business. Similarly, the IPOA-IUU calls on States to take measures to ensure that their fishers are aware of the detrimental effects of doing business with importers, transhippers, buyers, consumers, equipment suppliers, bankers, insurers and other service suppliers identified as doing business with vessels identified as engaged in IUU fishing.

In an endeavor to prevent, deter and eliminate IUU fishing, Bangladesh will include awareness raising and information dissemination on IUU fishing in its Fishery Management Plans (FMPs). The Hilsa Fisheries Management Plan (HFMP) provides a good example of this because of the coordination and communication of the seasonal closure with all stakeholders. Under the HFMP fishers are provided with rice under the Vulnerable Group Feeding Program this consideration and the significant wider outreach of the program have led to widespread understanding of closure which has created a culture of compliance which makes it hard for stakeholders to engage in IUU fishing. Bangladesh has successfully implemented a similar approach with the general fisheries closure introduced in 2019 for all fisheries and will utilize similar approach with future FMPs adopted nationally and regionally.

Bangladesh plans to include in the update Marine Fisheries Ordinance regulations to make it an offence to conduct business or trade in fish or fishery products derived from IUU fishing. A listing of businesses involved in trade of IUU caught fisheries products and non-compliant businesses in Bangladesh will be produced by the Department of Marine Fisheries to raise awareness among fishers, importers, is foreseen in the coming years.

	<b>Action Items</b>	<b>Responsible Agencies (Lead/Support)</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>
6.4.1	Disseminate and publicize businesses involved in or supporting IUU fishing		√	√			

## 7. REGIONAL FISHERIES MANAGEMENT ORGANIZATIONS

### 7.1 Party compliance

The IPOA-IUU calls on States to ensure compliance with and enforcement of IUU fishing-related policies and measures adopted by any RFMOs by which they are bound. States should cooperate in the establishment of such organizations in regions where none currently exists.

Bangladesh recognizes the significance of RFMOs in preventing, deterring and eliminating IUU fishing. The RFMOs have proven to be effective agents of cooperation among nations, gaining leverage for the food

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of its members in dealing with entities whose nonactions on issues such as IUU fishing threatens international fisheries. Currently, Bangladesh is a member of three RFMOs (IOTC, APFIC, and NACA). The IOTC is a management body that directly establishes management measures. The APFIC is an advisory body that provides its members with scientific and management advice, while the NACA is a scientific body that provides scientific and information advice. In response to the growing challenge to many RFMOs have imposed stricter rules against IUU fishing, targeting both members and nonmembers allowing or engaged in IUU fishing. Section 6 of this NPOA contains a portion describing the actions of some RFMOs on trade-related matters. As a member of the above RFMOs, Bangladesh will fully comply with the directives and will support the agenda of the RFMOs to which it is a party.

## 7.2 Non-party compliance

The IPOA-IUU calls on States to give effect to their duty to cooperate by agreeing to apply the conservation and management measures by RFMOs to which they are not members, or by adopting measures consistent with those conservation and management measures, and should ensure that vessels entitled to fly their flag do not undermine such measures.

Consistent with the 1995 UN Fish Stocks Agreement which was acceded on 5 November 2012, Bangladesh will cooperate and act consistently with the conservation and management measures agreed by RFMOs to which it is not a member.

## 7.3 Innovation

The IPOA-IUU encourages States, acting through relevant RFMOs, to take action to strengthen and develop innovative ways, in conformity with international law, to combat IUU fishing.

The GoB remains supportive of RFMO and RFB measures to combat IUU fishing, including submission and exchange of statistics and other information, adherence to management measures (where appropriate), VMS and MCS initiatives, etc. Bangladesh, through the DoF, will be an active partner in the regional initiatives and working group to prevent, deter and eliminate IUU fishing.

## 7.4 Inclusion of non-contracting parties

The IPOA-IUU encourages States, acting through relevant RFMOs, to encourage non-contracting parties with a real interest in the fishery concerned to join those organizations and to participate fully in their work. Where this is not possible, the RFMOs should encourage and facilitate the participation and cooperation of non-contracting parties, in accordance with applicable international agreements and international law, in the conservation and management of the relevant fisheries resources and in the implementation of measures adopted by the relevant organizations. RFMOs should address the issue of access to the resource in order to foster cooperation and enhance sustainability in the fishery, in accordance with international law.

Currently, there are other RFMOs in the broader region to which Bangladesh is not a party. The Government of Bangladesh will keep its options open to apply for membership in established as well as upcoming RFMOs whose agenda will be considered relevant to its fisheries situation. Furthermore, it will support conservation and management measures prescribed by these RFMOs.

## 8. SPECIAL REQUIREMENTS OF DEVELOPING COUNTRIES

FAO encourages States, with the support of FAO and relevant international financial institutions and mechanisms, to cooperate in supporting training and capacity building and consider providing financial, technical and other assistance to developing countries, including in particular the least developed among them and small island developing States, so that they can more fully meet their commitments under the IPOA-IUU and obligations under international law. Such assistance should be directed in particular to help such States in the development and implementation of national plans of action.

FAO also encourages States, with the support of FAO and relevant international financial institutions and mechanisms, where appropriate, to cooperate to enable: review and revision of national legislation and regional regulatory frameworks; the improvement and harmonization of fisheries and related data collection; the strengthening of regional institutions; and the strengthening and enhancement of integrated MCS systems, including satellite monitoring systems.

In order to strengthen the capacity of Bangladesh to implement the IPOA-IUU and this NPOA-IUU, the GoB welcomes any assistance it may be provided by other states, NGOs and regional and international organizations in the form of capacity building, training and technical assistance. DoF is actively working with the World Bank funded Sustainable Coastal and Marine Fisheries Project (SCMFP) to build capacity to prevent, deter and eliminate IUU fishing. Besides, Bangladesh hopes developed countries will support her capacity building program in relation with IUU fishing and MCS activities such as vessel monitoring, port inspection, and observation programs.

ANNEX

	Action Items	Responsible Agencies (Lead/Support)	2020	2021	2022	2023	2024
2.1.1	Ratify FAO Port State Measures Agreement		√				
2.1.2	Ratify FAO Compliance Agreement			√			
2.1.3	Implement Voluntary guidelines for Flag State Performance			√	√		
2.1.4	Implement Voluntary guidelines for Catch Documentation Schemes		√i			√A	
2.1.5	Implement Guidelines to Reduce Sea Turtle Mortality			√			
2.1.6	Implement Voluntary guidelines for Securing Sustainable Small-Scale Fisheries						√
2.1.7	Implement Voluntary guidelines for Marking of Fishing Gear			√			
2.1.8	Implement Voluntary guidelines for by-catch management and reduction of discards			√i			√A
2.2.1.1	Updated National Marine Fisheries Policy Accepted		√				
2.2.1.2	IUU specific modifications to fishing regulations		√				√
2.2.1.3	Approve National Plan of Action for IUU		√				√*
2.2.1.4	Raise awareness of National Marine Fisheries rules and regulations through education and training		√	√	√	√	√
2.2.1.5	Ratify ILO working in fishing convention No.188				√		
2.2.2.1	Provisions for vessels operating in ABNJ and within other countries EEZ added to Fisheries Regulations		√				
2.2.2.2	Register of owners and beneficial owners of all vessels flying Bangladesh flag.		√i	√L	√M	√S	
2.2.3.1	Leverage existing or establish new procedures to share information on IUU fishing with regional partners		√				
2.2.4.1	Evaluate and modify sanctions for artisanal and industrial fishing vessels		√i	√A			
2.2.6.1	Implement economic disincentives for IUU vessels, operators and owners		√				
2.2.7.1	Vessel Monitoring Centre developed		√				
2.2.7.2	VMS installed on entire industrial trawl fleet			√i			
2.2.7.3	Established Fisheries Observer Program			√i			
2.2.7.4	Establish Marine Fisheries Offices inspection sites		√	√	√	√	√
2.2.7.5	Establish Official Landing Sites				√L	√M	√S
2.2.7.6	VMS/AIS install on mechanized artisanal fleet			√L		√M	

	Action Items	Responsible Agencies (Lead/Support)	2020	2021	2022	2023	2024
2.2.7.7	Establish e-reporting system for fishing catch and effort		√I	√L	√M		√S
2.2.7.8	MCS Capacity Building including PSMA training		√	√			
2.2.7.9	Further development of interorganizational coordination through JMC, developing information sharing networks, regular workshops and joint training sessions to building capacity		√	√	√	√	√
2.2.8.1	South East Asia RPOA-IUU developed		√				
2.2.8.2	Synchronization of fisheries closures with neighboring states		√	√			
2.2.9.1	Publication of Bangladesh vessel blacklist		√	√	√	√	√
3.1.1	Registration enhancements to cover fishing vessels under 15 net tons		√	√			
3.1.2	Registration of artisanal fishing fleet		√	√	√	√	√
3.1.3	Exchange of fishing vessel registration and license information with regional partners and RFMOs		√	√			
3.2.1	Increase compliance with fishing vessel registry requirements		√	√	√	√	√
3.2.2	Implementation of IMO Number Scheme for vessels operating outside waters of national jurisdiction			√	√		
5.1.1	Capacity building in the investigation of AREPs		√	√			
5.3.1	Designated authorized ports under PSMA		√				
5.3.2	Institute Port State inspection procedures and train personnel			√	√		
5.5.1	Implement IOTC Resolution 16/11 on Port State Measures		√	√			
6.1.1	Prohibit import of IUU fish and fish products		√	√			
6.2.1	Implement FAO guidelines for catch documentation schemes		√I	√L	√M		√S
6.2.2	Establish e-reporting system for fishing catch and effort		√I	√L	√M		√S
6.2.3	Institute catch certification rules within the artisanal fleet enabling access to the EU market			√L	√M		√S
6.3.1	Implement measures to improve transparency and traceability of export and import markets			√			
6.4.1	Disseminate and publicize businesses involved in or supporting IUU fishing		√	√			

√ – Planned implementation time  
 √A – Artisanal fishing vessels  
 √I – Industrial fishing vessels,  
 √L – Large motorized artisanal vessels,

√M – Medium sized motorized artisanal vessels,  
 √S – Small non-motorized artisanal vessels  
 √\* – IPOA-IUU calls for updates to National Plans of action every 4 years.