

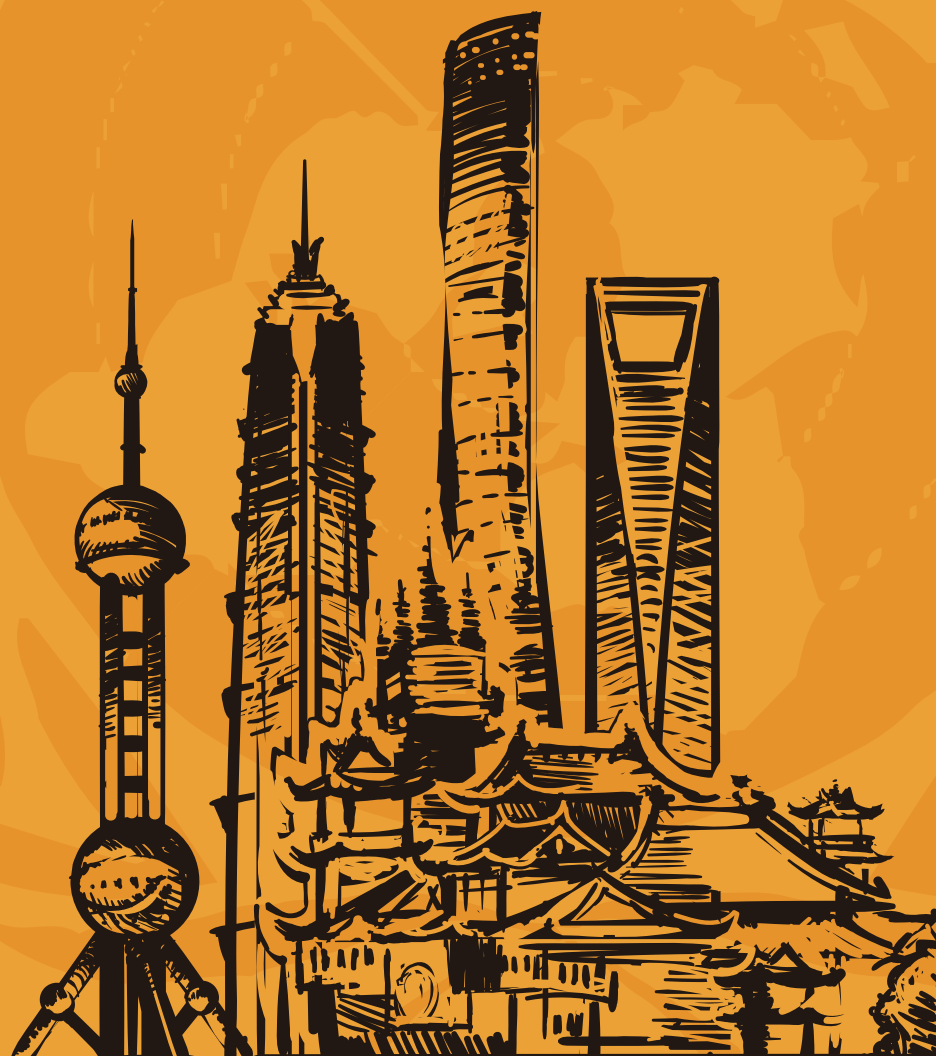
2025

MUNUC-SFLS

Conference

上海外国语大学附属外国语学校
芝加哥大学国际模拟联合国大会

International Maritime Organization (IMO)



International Maritime
Organization

IMO



MUNUC-SFLS

Model United Nations of the University of Chicago

HISTORY OF THE COMMITTEE



IMO logo¹

In 1948, following the creation of the United Nations, an international conference held in Geneva created the Inter-Governmental Maritime Consultative Organization. Later renamed the International Maritime Organization (IMO), the goal of the organization would be to make the seas safer and establish shipping regulations. The IMO Convention reconvened in 1958 and officially began operations in 1959.

Following its establishment, the IMO set out to modify and adopt an updated version of the International Convention for the Safety of Life at Sea (SOLAS), the chief treaty dealing with maritime safety. SOLAS provided the IMO with its basis for regulating shipping traffic, systems of measurements, and the transportation of dangerous materials. In 1967, however, it became clear that the IMO would need to deal with more than just maritime safety. When the Torrey Canyon tanker ran aground in the United Kingdom and spilled 120,000 tons of oil, it became clear that the IMO would need to expand its purview to protect the environment. In an effort to prevent similar accidents and similar environmental disasters, held the International Convention for the Prevention of Pollution from Ships in 1973.

In the same decade, the IMO created the International Mobile Satellite Organization (IMSO), aiding in search and rescue missions. This initiative has become an ongoing effort of the IMO. Even through the 1990s, the IMO worked to expand its rescue and rescue operations with the

¹ Organization, The logo of the International Maritime. February 22, 2019.
https://en.wikipedia.org/wiki/International_Maritime_Organization#/media/File:International_Maritime_Organization_Logo.svg.
https://commons.wikimedia.org/wiki/File:Logo_International_Maritime_Organization.png.

advent of Global Maritime Distress and Safety System, providing ships with a guaranteed method through which to issue a distress signal from anywhere in the world.

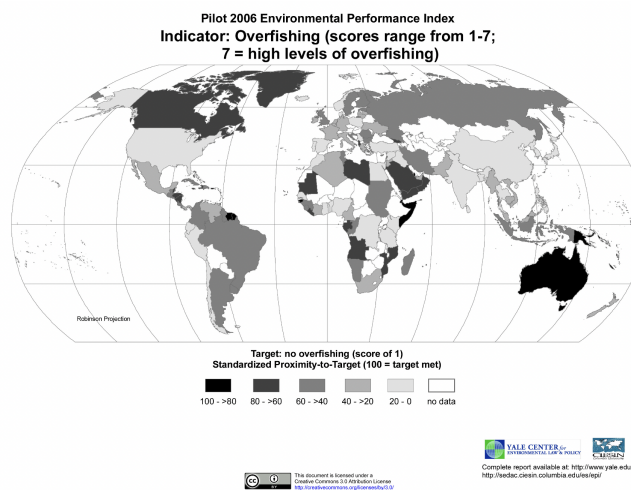
Finally, the IMO renewed its efforts to increase maritime security, by amending SOLAS through the adoption of the International Ship and Port Facility Security Code (ISPS) in 2004. Issued following the 9/11 attacks and the bombing of a French oil tanker, ISPS instituted measures to ensure the security of ships and ports and detect and prevent threats.

From the time of its creation through the 21st century, the IMO has worked tirelessly to rise to meet the challenges of the high seas. Thanks to its flexibility and foresight, the IMO remains at the forefront of the challenges of the modern era, ensuring safe passage of crews and cargo and the ongoing protection of the oceans.

REGULATING FISHING AND WHALING

Statement Of The Problem

One of the most important responsibilities of the IMO is the protection of the marine environment. Though shipping is the most environmentally friendly mode of transport when considering productive value and is a minor contributor to marine pollution, as the climate crisis evolves, all components need to be analyzed.² A major component of maritime environmental protection is the prevention of overfishing and whaling.



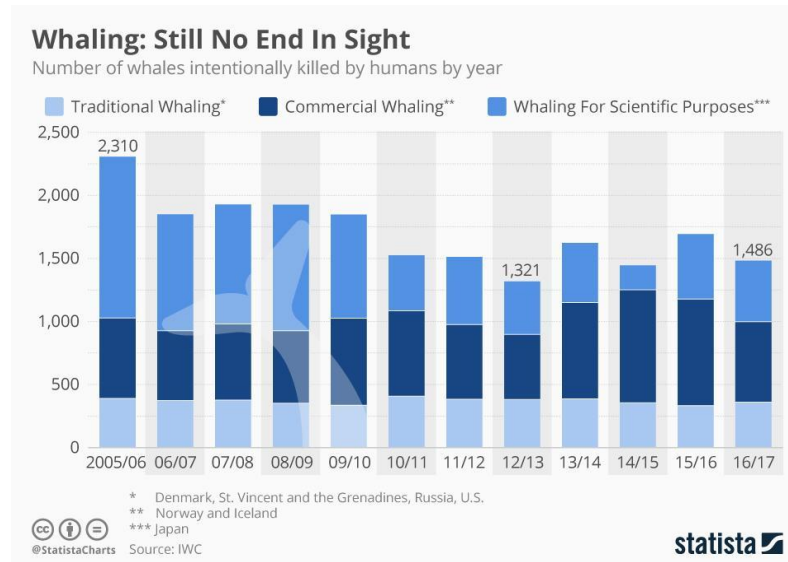
Map of overfishing globally³

Overfishing occurs when too many fish are caught at once, reducing the breeding population to the point where it is too small to recover. This disrupts ecosystems, causing a critical domino effect on the ocean's biodiversity. Not only will that fish population be unable to recover, but those organisms that feed on the fish will die and the organisms that the fish consume will overpopulate and run out of resources.

² "Marine Environment." IMO, n.d. <https://www.imo.org/en/OurWork/Environment/Pages/Default.aspx>.

³ "Overfishing." Academic Accelerator, n.d. <https://academic-accelerator.com/encyclopedia/overfishing>.

This issue is tied to the related problem of bycatch, which occurs when unwanted marine life is captured when fishing for another species. This has caused the unnecessary waste of billions of creatures including fish, sea turtles, and cetaceans.⁴



Whaling has not significantly decreased over time⁵

Similarly, whaling is the hunting of whales for food or for blubber or oil. By the mid twentieth century, whaling had become so prolific that whale populations fell to critical levels, and has since been conducted on a very limited basis.⁶ In September 2022, the IMO declared the North-Western region of the Mediterranean a Particularly Sensitive Sea Area (PSSA) in an effort to protect endangered whales.⁷

In addition to the ecological ramifications of overfishing and whaling, there are severe consequences for humans as well. Fishing business will fail because they run out of fish to sell. If the problem of overfishing continues to escalate, those who are employed by fishing companies will lose their

⁴ World Wildlife Fund. "Overfishing." Accessed October 1, 2023.
<https://www.worldwildlife.org/threats/overfishing>.

⁵ Statista Daily Data. "Infographic: Whaling: No End In Sight," July 1, 2019.
https://www.statista.com/chart/9835/whaling_-no-end-in-sight.

⁶ "Whaling | Definition, History, & Facts | Britannica," August 31, 2023.
<https://www.britannica.com/topic/whaling>.

⁷ "IMO Regulates Shipping in NW Mediterranean to Protect Whales." Accessed October 1, 2023.
https://www.oceancare.org/en/stories_and_news/imo-nw-mediterranean/.

livelihoods. Furthermore, there may be food shortages, especially in regions where seafood is a key diet component and critical source of protein.⁸

The number of overfished stocks has tripled over the past fifty years and a third of all assessed fisheries operate beyond biological limits. A major contributor to overfishing is illegal fishing. Illegal, unreported, and unregulated (IUU) fishing generates \$36.4 billion per year. The IUU fishing supply chain is incredibly hard to trace, due to a lack of import controls and tracking of fish from catch to the consumer.⁹ Without being able to monitor where fish is coming from, states cannot impose regulations that would ensure responsible fishing practices.

Subsidies also contribute to overfishing. Subsidies are a form of financial support given to the fishing industry to offset business costs. Thanks to these subsidies, fishing companies can continue to profit where the market would have otherwise limited them, meaning that they will continue to operate beyond what consumers demand.¹⁰ Instead of having to scale back operations to be in line with rates of consumption, subsidies allow fishing companies to harvest more fish than they can reasonably sell.

Traditionally, the IMO has focused primarily on maritime law and the regulation and safety of shipping vessels. Fishing is one maritime subject in which the IMO has not been especially active. Historically, the IMO has taken a few steps to address the preservation of the oceans' ecology. In 1959, the Organization took responsibility for pollution by maritime operations, as dictated by the International Convention for the prevention of pollution of the sea by oil (OILPOL Convention).¹¹ However, as the environment continues to suffer from human activities, it will become increasingly necessary for the IMO to take an active approach toward the protection of the seas. Not only is it critical to address overfishing and whaling as a part of protecting marine environments, failing to do so could have extreme economic consequences. If ocean ecologies were

⁸New item...

Environmental Defense Fund. "Overfishing: The Most Serious Threat to Our Oceans." Accessed October 1, 2023. <https://www.edf.org/oceans/overfishing-most-serious-threat-our-oceans>.

⁹ World Wildlife Fund. "Overfishing." Accessed October 1, 2023. <https://www.worldwildlife.org/threats/overfishing>.

¹⁰ Ibid

¹¹ Ibid

to collapse, millions of people who rely on fish and other sea creatures as a source of food and income would suffer terribly.

The IMO can serve as an excellent forum for all member states to convene and find creative and cooperative solutions to these environmental concerns. This will help ensure the future for both the beauty and biodiversity of the oceans and those who rely on the oceans for their livelihoods and survival.

History Of The Problem

Fishing



*Fishing boat*¹²

Official reports of fisheries production began in 1950, and have revealed a shocking escalation in the volume of fishing in the last decades. Since 1950, fish production has surged from an estimated 20 million tons per year to a formidable 90 million tons today¹³. This was a product of many factors, mainly the exponential growth of the human population and technological advancements during this time period. This explosion of fishery production over the course of half of a century has resulted in a scarcity in fish “that has yet to be remedied through large-scale and sustained recovery of over-exploited stocks”¹⁴. Today, even with regulations, it is estimated that 20% of all fishery production is supplied through **Illegal, Unreported, and Unregulated fishing**. As 45%

¹² Project, The TerraMar. Cocos Island. photo, 14 Apr. 2010. Flickr, <https://www.flickr.com/photos/theterramarproject/23574764671/>.

¹³ Christensen, “Illegal, Unreported and Unregulated Fishing in Historical Perspective.”

¹⁴ Christensen.

of international waters fall between jurisdictions, there are abundant areas to participate in **IUU** fishing.¹⁵

The increase in IUU fishing varies across different oceans of the world. Studies have shown that over the years 1989-2009, IUU fishing in the Eastern Central Atlantic as well as the Northwest Pacific has increased while areas such as the Western Indian Ocean and Southwest Pacific have experienced a decrease in IUU fishing. While IUU fishing increased in the Northeast Atlantic from the mid 1970s to the 1980s, between the years 1989 to 2009 IUU fishing began to decrease¹⁶. Experts point to efforts by various organizations such as the Northeast Atlantic Fisheries Commission where efforts have been made to tighten port state controls. However, this small achievement is overshadowed by the fact that over half of the top fishing countries assessed for compliance with their fishing activities failed in 2009¹⁷. The World Wildlife Fund advertises that global economic losses due to IUU fishing are estimated to be 36.4 billion dollars every year¹⁸.

Overfishing and damage to wildlife has become increasingly a side effect of the globalization of the industry. In fact, until the 20th century, most marine fisheries in Southeast Asia, the Southwest Pacific Ocean, and Northern Australian waters were governed by **Customary Marine Tenure (CMT)**. Rule by CMT proved to be in general more sustainable compared to other laws and jurisdictions created by national governments. However, these CMTs are also increasingly vulnerable to colonialism and globalization which both lead to smaller available stocks, and drive small scale fishers towards illegal practices. Stocks that were once voluminous enough to support entire communities now dwindle away, leaving such communities with food insecurity and therefore vulnerable to more rapid colonization and an accelerated depletion of the ocean's stores¹⁹. More recently, the UN has made efforts to examine traceability in seafood production as a key strategy in this fight for marine wildlife and the global economy.²⁰

¹⁵ "EVERYTHING YOU NEED TO KNOW ABOUT ILLEGAL FISHING."

¹⁶ Agnew et al., "Estimating the Worldwide Extent of Illegal Fishing."

¹⁷ Agnew et al.

¹⁸ "Illegal Fishing Overview."

¹⁹ Christensen, "Illegal, Unreported and Unregulated Fishing in Historical Perspective."

²⁰ "Illegal Fishing Overview."

Whaling

The beginning of commercial whaling dates back to the 12th century in the North Atlantic Ocean, specifically in the Bay of Biscay Area. This whaling, though lasting for centuries, does not mark the origin of modern whaling, which would arrive in the middle of the 19th century. This inception was catalyzed by the invention of the explosive grenade harpoon, a critically effective weapon that would spur the decline of whale stocks all over the world, beginning in Norwegian whaling lines in Eastern Asia. However, as it became clear that the whale stocks of the earth were depleting at alarming rates, conventions and protocols from 1931 through 1950 set the stage for pausing, and eventually banning commercial whaling altogether.



Whaling Station in Alaska²¹

The first international step towards whaling regulation occurred in 1931 and was the Convention for the Regulation of Whaling in Geneva. This convention only introduced limits on baleen whales, and was not very effective overall in limiting whaling as countries such as Japan and Germany, prime contributors in the whaling industry, did not adhere to the convention. In 1944, an attempt was made to limit the overall catch in the Antarctic, which was only a realistic standard after World War II had sunk a considerable amount of whaling vessels. The International Convention for the Regulation of Whaling in 1946 established the International Whaling Commission, which had limited success in its early years. Countries such as the Netherlands and Norway left the commission in 1959 after national quotas were under dispute. Eventually both countries rejoined in 1962, but not after two seasons of unlimited catching. In 1975, the IWC adopted the 1975 Procedure to place stricter catch regulations on whaling based on individual

²¹ Flensing a Whale at a Whaling Station.

<https://picryl.com/media/flensing-a-whale-at-a-whaling-station-akutan-alaska-ca-1915-cobb-42-50a443>.

stocks rather than as a whole as a response to calls for a ten-year moratorium on commercial whaling. After reviewing more scientific evidence, the IWC decided to add the possibility of a commercial whaling moratorium to the Procedure as well as thoroughly investigate whale stock conditions in 1982. This led to the most comprehensive whale stock review to date.

Over the course of the 1980s, the IWC also spent considerable time and resources in researching the basis for the aboriginal subsistence procedure. Aboriginal communities across the globe from Eskimos in the US to West Greenland inhabitants received thorough review from the IWC, and aboriginal subsistence whaling allowances were stringent. A plethora of research was conducted to monitor the conditions of the ocean's whale stocks. The astonishing and disturbing results precipitated the ban of all commercial whaling for all members of the **International Whaling Commission (IWC)**, beginning in the 1986 whaling season²².

Today, the IWC recognizes three types of whaling: **commercial, aboriginal subsistence, and special permit (also known as scientific) whaling**²³. Aboriginal subsistence whaling involves the conservation of small communities, and allows for certain whaling under strict conditions such as limited technology use and an inability to sell whale products to third parties. In other words, communities granted aboriginal subsistence whaling permits must use it minimally and exclusively for their community's survival²⁴. Scientific whaling is a limited use intended only for research purposes. Commercial whaling, as mentioned before, has been illegal for almost four decades now. However, despite their membership in the IWC, some countries have continued openly encouraging the sale of whale meat in markets, and have continued commercial whaling for many years under the guise of "scientific research". Namely, in 2014 the Japanese government was successfully sued by Australia under UN law, for continuing to fund commercial whaling and the selling of whale meat while labeling it as scientific research waste. Most recently in 2019, Japan withdrew itself from the IWC in protest after a failed attempt to pass proposals that would make

²² Gambell, "International Management of Whales and Whaling: An Historical Review of the Regulation of Commercial and Aboriginal Subsistence Whaling."

²³ "Commission Overview."

²⁴ Gambell, "International Management of Whales and Whaling: An Historical Review of the Regulation of Commercial and Aboriginal Subsistence Whaling."

some commercial whaling legal again²⁵. Many conservation groups have expressed their disapproval of Japanese and Norwegian actions regarding whaling, and the debates for and against whaling continue to fire back and forth today.



This figure shows in blue the countries that are currently members of the IWC²⁶.

Past Actions

In 2012, the IMO established the Cape Town Agreement (CTA). The CTA, while primarily aimed at establishing minimum safety requirements, also promotes the limiting of illegal, unregulated, and unreported (IUU) fishing.²⁷ This statute also works to advance the United Nations' Sustainable Development Goal 14, "Life Below Water," addressing the environmental protection of the world's oceans.²⁸ The hope is that by creating more stringent requirements for vessel safety, the amount of IUU fishing will be reduced, given that IUU fishing vessels tend also be unsafe, contribute to marine litter, and utilize prohibited fishing methods.²⁹

The IMO also has provisions to establish Particularly Sensitive Sea Areas (PSSAs) that receive special protection for ecological or socio-economic importance. There are currently seventeen PSSAs including the Great Barrier Reef, the Galapagos Archipelago, the Canary Islands, and the sea around the Florida Keys.

²⁵ Yanxi Fang, "A Whale of a Problem: Japan's Whaling Policies and the International Order."

²⁶ "International Convention for the Regulation of Whaling."

²⁷ 2012 Cape Town agreement to enhance fishing safety. IMO, n.d.
<https://www.imo.org/en/MediaCentre/HotTopics/Pages/CapeTownAgreementForFishing.aspx>.

²⁸ "Supporting Safe, Legal Fishing," n.d.
https://wwwcdn.imo.org/localresources/en/About/Events/Documents/The%20Cape%20Town%20Agreement%20+%20SDGs%20FACT%20SHEET_online.pdf.

²⁹ "IUU Fishing." IMO, n.d. <https://www.imo.org/en/OurWork/IIIS/Pages/IUU-FISHING.aspx>.

Overall, the IMO has done little work to address the specific issue of overfishing and the degradation of marine life populations. Part of this is due to the fact that it is very difficult for international bodies to impose regulations on states, given the protection of national sovereignty. Furthermore, the IMO was founded before the international community fully understood the importance of environmental protection. Thus, environmental protection and regulation was not one of the IMO's initial primary responsibilities. However, as time has gone on and it has become clearer that regulations on fishing are necessary to preserve the health of the seas, the IMO has recognized how necessary it is to contribute to the global mission to protect the biodiversity of the planet.

Possible Solutions

One possible way to encourage better fishing practices is to change the financial incentives within the industry. Such regulations could come in the form of banning fishing subsidies as a means of preventing overfishing. These subsidies benefit large-scale fishing operations which often engage in destructive fishing methods and IUU. The World Trade Organization (WTO) secured a deal to curb fishing subsidies and overfishing. There could even be positive incentives that would allow fishing companies to once again be eligible for subsidies once they demonstrate that they utilize sustainable practices and have rebuilt fish stocks to biological sustainable levels.³⁰

Another option would be to regulate the kind of equipment used in fishing. In an effort to reduce bycatch — unintentionally catching non targeted species like sea turtles, birds, and sharks. The Food and Agriculture Organization has found that dropping nets two meters lower reduces the bycatch mortality of marine mammals by 98%.³¹

A third solution could be to implement traceability standards, allowing products to be tracked from initial catch to market sale. This would inform governments and consumers that products were meeting fishing regulations and food safety standards. Such catch documentation schemes (CDS) issue certificates and trade documents validated by responsible authorities.³²

Finally, the number of PSSAs could be increased to make more of the ocean not eligible for fishing. An even more extreme version of this would be to ban fishing in international waters, 99% do not belong to an individual country. Because states cannot unilaterally impose limitations on the high seas or any international territory, this would limit fishing to waters governed by individual nations that would be able to implement regulations.³³

³⁰ Igini, Martina. “7 Solutions to Overfishing We Need Right Now.” Earth.Org, February 22, 2023. <https://earth.org/solutions-to-overfishing/>.

³¹ Ibid

³² Ibid

³³ Ibid

Bloc Positions

Illegal Fishing And Whaling Not Only Have Gargantuan Impacts On The Environment, But Also Local, National, And International Economies. Depending On The Needs And Cultures Of Each Individual Nation, Separate Ideologies Surrounding These Topics Arise. Most Blocs Have Moderate To Strong Stances Against Iuu Fishing And Whaling; However, Some Blocs Such As The Eu And Asia-Pacific Region Consist Of Countries With Widely Differing Views On The Topic Based On Cultural And Economic Factors.

European Nations

Since the 1970s, overfishing in the Mediterranean Sea has been a grave concern for environmentalists. Much of this was attributed to technological developments that allowed for deeper, further, more efficient fishing with a lack of regulation in the area. The **Common Fisheries Policy (CFP)** shared by EU nations strives to create equal access to EU waters while ensuring the fishing that does occur is sustainable. The main policy areas of the CFP include fisheries management, international policy and cooperation, market and trade policy, and funding. After the UK left Brexit, a Fisheries Bill was introduced to create a structure for the fishing policies regarding the UK as an independent coastal state³⁴. Another critical move for the EU was signing the ministerial declaration, Malta MedFish4Ever in April 2017, which is a pact agreement for countries to follow scientific advice for the sake of the oceans and its resources³⁵. Since 2020, all overfishing of EU nation stocks has been illegal, a great step for the EU towards protecting its seas³⁶. However, illegal seafood products were still widely available in markets as of September 2022, calling for a more stringent effort by the EU to crack down on unsustainable fishing practices³⁷.

No countries in the EU are actively participating in nationally legal commercial whaling, and there is strong opposition to whaling across the globe by the members. Currently, 25 out of 27 states of the EU are members of the International Whaling Commission, having signed the **International Convention for the Regulation of Whaling (ICRW)**, and thus being members of the International Whaling Commission.

³⁴ Maddy Thimont Jack, "Common Fisheries Policy."

³⁵ "Mediterranean Countries Sign Historic Political Pact on Ocean Governance and Fisheries Management."

³⁶ "Overfishing Crisis."

³⁷ Martine Valo, "The EU Has Failed to Prevent Illegal Fishing."

Not all European countries follow the IWC guidelines. Iceland defied the IWC moratorium, resuming commercial whaling in 2006. However, in 2022, Iceland announced that it would put an end to whaling in 2024 due to the decline in demand for whale products. This decline is partially due to the return to open commercial whaling in Japan, creating an open supply of whale meat to the largest market, Japan itself³⁸.

Norway whaling continues today with no end in sight. While the decrease in demand for whale meat also has affected the Norway whaling industry, unlike Iceland, Norwegian politicians and fishermen attempt to keep the practice alive and even further grow the market. Norway advertises the sustainability of their whaling, as well as its cultural significance to the Norwegian people. Norway exclusively endorses the whaling of Minke whales, which are not endangered in their areas, and emphasizes that they continue to take precaution through scientific research³⁹.

North America

Canada and the United States of America have both been very active in combating IUU fishing. In 2022, the Canadian government established the Shared Ocean Fund, committing \$84.3 million USD over the course of 5 years towards the creation of and enforcement of stronger international rules against IUU fishing. Canada has dedicated resources to combat IUU fishing in particularly vulnerable areas as well, including the Indo-Pacific region⁴⁰. In early 2023, Canada, the US, and the UK also launched the IUU Fishing Action Alliance to continue opposing IUU threats around the world⁴¹. The US has also been very active in acting against international IUU fishing. Most recently, the US released a National Five-Year Strategy for Combating IUU Fishing in 2022. This strategy entails improvements in global governance, conservation, and management of fishing all over the world, with an emphasis on building public and private sector relationships to support the fight against IUU fishing. Ecuador, Panama, Senegal, Chinese Taipei, and Vietnam are five priority flag states that will be focused most on, and the strategy will call for better inspection

³⁸ "Iceland to End Whaling in 2024 as Demand Dwindles."

³⁹ "Whaling, Ministry of Trade, Industry and Fisheries."

⁴⁰ "Statement - Canada Is a World Leader in the Fight against Illegal, Unreported and Unregulated Fishing."

⁴¹ "Statement - Canada Is a World Leader in the Fight against Illegal, Unreported and Unregulated Fishing."

of market seafood origins⁴².

Russia

Russia has had a more controversial stance on some aspects of IUU fishing compared to many other nations. The nation has rejected certain scientific evidence, for example, regarding the overfishing of redfish in international waters. Russia has put forth its own scientific claims in fish stock assessments through its own scientific research, however these efforts have been frowned upon by the North-East Atlantic Fisheries Commission⁴³. Russia has been adamant about following its own scientific research, against other international organizations and nations across the globe.

On the other hand, Russia has recently been compliant with whaling restrictions, immediately accepting the IWC commercial whaling moratorium in 1986, making a timely end to its whaling industry in 1987 (then known as the Soviet Union). The only modern whaling that occurs under Russia is aboriginal subsistence whaling and is approved by the IWC⁴⁴.

Africa

IUU fishing is a prevalent issue across the continent of Africa with approximately one in four fish in Africa being caught illegally. This illegal activity is detrimental to the management of fish stocks, and threatens livelihoods of fishermen as well as food security, notably along the western African coast. In 2020, there was an attempt to gain better control of ports, a key strategy in combating IUU fishing⁴⁵. South Africa, Kenya, and 21 other nations signed the UN FAO Port State Measures Agreement (PSMA). However, not all African nations, such as West Africa and Uganda, ratified the agreement, rendering the efforts far less effective than required of the dire situation⁴⁶.

⁴² “Federal Agencies Release Joint U.S. Strategy for Combating Illegal, Unreported, and Unregulated Fishing.”

⁴³ Regin Winther Poulsen, “‘They Might Be Fishing the Last School’: Russia Rouses International Anger with Redfish Overfishing.”

⁴⁴ Ryan Jones, “The Soviet Union Once Hunted Endangered Whales to the Brink of Extinction – but Its Scientists Opposed Whaling and Secretly Tracked Its Toll.”

⁴⁵ “Enough Is Enough. African Nations Must Unite against Illegal Fishing.”

⁴⁶ “Agreement on Port State Measures (PSMA).”

African countries have not contributed greatly to modern whaling, and some countries such as South Africa have openly opposed other countries' agendas to expand the whaling industry. Some of the arguments against whaling put forward by South Africa were protecting the whale watching industry and a worry of overkilling whale stocks⁴⁷.

Asia-Pacific Group

The stances on IUU fishing and whaling vary from nation to nation, especially in the Asia-Pacific region. The Association of Southeast Asian Nations (ASEAN), while having attempted to make unified efforts against IUU fishing, has not been effective in its attempts. IUU fishing continues to be a large issue despite the fact that IUU critically impacts this region. The total economic loss in 2019 from IUU fishing is estimated to surpass the total revenue of the Southeast Asian fishery sector. The lack of success in ASEAN efforts is likely due to the conflicting interests of member countries, and an absence of adherence to ASEAN actions. Countries like Vietnam and China have been reported to have allowed some IUU fishing brought to attention by other nations to go unpunished⁴⁸.

In Japan, whaling is still a large part of the culture and market, despite the fact that commercial whaling has been banned by the IWC since 1986. In 2014, Australia successfully brought legal action against Japan's whaling actions which were advertised as scientific, but then found to be commercial by the UN. Since then in 2019, Japan has withdrawn from the IWC entirely after a failed attempt to make limited commercial whaling legal within the organization. Japan argues that the natural population increase of whales since the 1980s allows for limited, sustainable whaling, which was not possible before since in the past, whales were hunted for oil instead of meat. They argue that meat-based whaling is significantly more sustainable, there are many international safeguards in place today to keep countries from over-whaling, and, in fact, whaling will help with dwindling fish populations since whales consume such a great amount⁴⁹.

⁴⁷ "S Africa Opposes Japan's Whaling Agenda."

⁴⁸ Asmiati Malik, "Why ASEAN Nations Need to Jointly Fund Their Fight against Illegal, Unreported and Unregulated Fishing."

⁴⁹ "Why The Whaling Issues So Important Now," October 20, 2000.

Latin American And The Caribbean

Latin America and the Caribbean have suffered many adverse effects from IUU fishing, including economic and income losses and the loss of sustainable local fisheries. Since many IUU fishing vessels do not comply with health and navigation standards, and foreign fishers do not sell to the ports they fish from, local fishers are faced with industry collapse. The most pervasive issue that contributes to overfishing is the lack of ability by Latin American and Caribbean country governments to surveil the waters. Even in countries where monitoring of local fishing is stringent such as Panama, foreign ships contribute to IUU fishing volume at a dangerously high rate. Depending on the country, IUU fishing is regulated differently, and such regulations have varied effectiveness, strongly depending on the individual nations' interests. Countries such as Costa Rica, Ecuador, and Uruguay have been especially compliant with International Fisheries Treaties and compliance measures such as the Convention on International Trade in Endangered Species of Wild fauna and Flora (CITES) and the Convention on Migratory Species (CMS). Others, such as Jamaica and Suriname vary in their compliance and agreements towards such treaties and measures. Most Latin American and Caribbean countries do take a stance against commercial whaling, and are in support of the IWC's mission. However, Suriname has supported Japan's commercial whaling interests in certain forums after receiving fisheries centers, and financial and material donations from Japan⁵⁰.

⁵⁰ Rps Submitter and Crime, "IUU Fishing Crimes in Latin America and the Caribbean."

Glossary

Common Fisheries Policy- first developed in 1970 and most recently reformed in 2014, a policy developed and adhered to by all EU member states. The CFP aims to ensure that all European fishing fleets have equal access to EU waters and ensure that European fishing is sustainable⁵¹.

Customary Marine Tenure: cultural-legal systems of inherited rights, customs, and privileges

International Convention for the Regulation of Whaling (ICRW)- the founding document of the International Whaling Commission. Addresses the conservation and management of whale populations at global level⁵².

⁵¹ Maddy Thimont Jack, “Common Fisheries Policy.”

⁵² “International Whaling.”

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