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Thailand: Role Model and Bridge
Builder for EU-ASEAN
Cooperation in Combatting IUU
Fishing

Jutaporn SINGCHUM
Junior Researcher, EIAS

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Abstract

*Illegal, Unreported and Unregulated (IUU) fishing is **one of the most serious threats to marine ecosystems**, undermining the national and regional efforts to conserve and manage fish stocks. With an estimated global value of IUU fishing between **10-20 billion EUR per year**, **one in every five fish** is illegally caught from IUU fishing activities annually. Moreover, IUU fishing also comes with social and economic implications since it undermines the fairness of responsible fishermen and gives rise to forced labour and human trafficking. Thailand was one of the countries in ASEAN handed a yellow card by the EU's IUU carding system. Bangkok turned this challenge into an opportunity through enhanced cooperation with the EU on fisheries. This downside-up change made the country a frontrunner in combatting IUU fishing in the region. How have Thailand and the EU been cooperating in fighting IUU fishing and how has this boosted EU-ASEAN relations?*

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Thailand: Role Model and Bridge Builder for EU-ASEAN Cooperation in Combatting IUU Fishing

Tackling IUU fishing is a key component to sustainable fisheries management. The EU is internationally recognised as the [global leader in the fight against IUU fishing, standing on its ‘zero-tolerance’ policy](#). It has set out a number of actions to [combat IUU fishing on the EU’s international ocean governance agenda](#). For instance, the European bloc established the [IUU Regulation 1005/2008](#), which aims to apply market-related procedures to prevent IUU products from entering the European market. One outstanding measure that strengthens the EU frontrunner role within the international arena is its [‘carding’ system](#) that allows the European Commission to warn a non-EU country through a ‘yellow card’ (or a ‘red card’ in case of severe violations).¹ This paves the way for the EU and concerned countries to start a formal dialogue and enhance cooperation towards more sustainable fishery practices.

Against this backdrop, the significance of the European effort to engage with external players is an essential element to advance global ocean governance, strengthening the EU’s role as the most important actor in the prevention of IUU fishing. The EU possesses a huge comparative global advantage in fisheries trade, having [the largest fisheries market](#) globally, being [one of the most sizeable seafood importers](#) and a [leading worldwide trader of fisheries and aquaculture products](#). Its trade value has continued to increase over the past few years, reaching 31.2 billion EUR in 2020. The combination of those elements makes EU market access to fishery products an [important asset to convince its trading partners to respect IUU fishing rules](#).

In this context, Thailand is not only [one of the most important fish producers](#) in the world thanks to its 2,600km-long coastline, but it is currently also [the seventh largest exporter](#) in fishery products globally (2020), accounting for a total market value of 5.8 billion USD. However, since [the country was given a ‘yellow card’](#) by the EU in 2015, the

¹ A [pre-identification process](#), which is the first step of the EC to warn the country of the risk of being identified as a non-cooperating country in the fight against IUU fishing.

latter [jeopardised Thailand's reliability](#), resulting in significant decreases in fisheries exports to the EU. Since the issuing of the yellow card in April 2015, Thai [export of fisheries products to the European bloc declined](#) from 115,492.37 tonnes or 15,606.21 million Baht in 2015 to 84,984.00 tonnes or 12,271.49 million Baht in 2019. As a result, Thailand has turned its fisheries policy '*downside up*' by putting great efforts in the fight against IUU fishing and including its prevention in its national agenda at various different levels.

IUU fishing in Thailand before its success story

Before Thailand embarked on its fisheries reforms, it had been facing a number of challenges concerning the management of its fisheries, as well as labour-related issues. With respect to legislation and the technical processes, the [EU identified several structural challenges](#) in Thailand's legal framework, notably its monitoring, control and surveillance (MCS) systems, traceability and law enforcement. As regards labour conditions, Thailand's seafood industry – employing an estimated 600,000 workers – [had come under scrutiny](#) for human trafficking on fishing boats and at onshore processing facilities. According to the [Global Slavery Index](#) study in 2016, approximately 425,500 people or 0.63% of the total Thai population lived in conditions of human trafficking for forced labour across the Thai fishing industry, among them also workers from the Greater Mekong Subregion. The Thai government's shortcomings in formulating adequate responses to address related human trafficking resulted in the US government's decision to [downgrade Thailand to Tier 3](#) in 2014, the lowest ranking in the State Department's annual [Trafficking in Persons \(TIP\) report](#).²

² Based on how countries deal with human trafficking within, from, to, and through their countries.

The Road to a ‘green card’

In January 2019, the [European Commission lifted Thailand’s ‘yellow card’](#), allowing the country to be delisted from the group of "warned countries" as it successfully made progress in tackling IUU Fishing and effectively addressed the identified challenges within its legal and administrative system. The ‘yellow card’ removal was the result of Thai fisheries governance reforms and improvements, particularly regarding its legal framework, as well as its monitoring, control and surveillance systems, in line with its international commitments and the international law of the sea instrument.

Thailand has put noteworthy efforts into reforming both its fisheries and anti-trafficking dimensions with [“comprehensive and irreversible” measures](#) to alleviate its fishing supply chain and to eliminate IUU fishing. This in order to better regulate and strengthen enforcement to the sector through the upgrading of its legal tools; enabling effective measures to be taken; improving its technical systems; as well as cooperating with stakeholders and external partners.

Towards better fisheries management

The reforms have been developed comprehensively, notably in promulgating new laws and regulations; setting IUU Fishing prevention as a national agenda; implementing technical measures; improving vessels management; and cooperating with external partners in order to ensure aquatic animal resources and environmental preservation, including welfare of fishermen and all forms of forced labour protection. The reforms are in line with internationally recognized standards, as set out in Thailand’s landmark [Royal Ordinance on Fisheries B.E. 2558 \(2015\)](#), which led to the reorganisation of the Thai fisheries sector in all its dimensions.

Nonetheless, Thailand’s fishery management and development has also integrated various governmental organisations and the private sector in [an interdisciplinary way](#). The [Royal Ordinance on Fisheries B.E. 2560 \(2017\)](#) allowed for the establishment of

“The National Fisheries Committee”, comprising of the Prime Minister as its chairperson, the Minister of Agriculture and Cooperatives as its vice-chairperson, as well as other high-ranking officials and representatives from relevant governmental agencies³ appointed by the committee members. The committee also has the power to appoint *ad hoc* committees or subcommittees related to IUU fishing prevention and deterrence.

Thailand also enacted a National Plan of Action to prevent, deter and eliminate IUU Fishing ([NPOA-IUU](#)) in 2015. The Plan is based on the FAO IPOA-IUU and Thailand’s [international obligations](#) as a flag state, coastal state, port state and market state. A [recent study by the Environmental Justice Foundation](#) (EJF) confirmed that “Thailand has undertaken a significant transformation in relation to how it approaches fisheries governance since its yellow carding in 2015”. Progress has been made in the field of fisheries legislation, its compliance and enforcement.

Technical Action

On developing Monitoring, Control, and Surveillance (MCS), Thailand has been committed to address the IUU Fishing challenge as a serious threat to both domestic and international marine fisheries resources. Therefore, the [Command Center for Combatting Illegal Fishing \(CCCIF\) has been set up](#) and a “Port In – Port Out Controlling Center” (PIPO) and “Fishing One Stop Service centre” have been established in each coastal province in the country. This took place in tandem with corresponding actions taken by the Monitoring Control and Surveillance Center (MCSC) under the [Thai Maritime Enforcement Command Center](#). Its goal is to enhance monitoring, control, and surveillance systems, as well as to ensure the effective traceability of fishing vessels .

³ Ministry of Foreign Affairs, Ministry of Transport, Ministry of Natural Resources and the Environment, Ministry of Labour, Royal Thai Navy, Royal Thai Police, as well as, Thai Chamber of Commerce, Federation of Thai Industries and experts

Furthermore, [the Marine Department's](#) Plan of action for an effective fishing vessel management focuses on improving the fishing vessels database and developing vessel registration processes. To this end, concrete actions⁴ have been undertaken to update the current number of vessels in the database and to upgrade the new database system to prevent illegal vessels. This has enabled the Department of Fisheries to use the data to effectively manage the country's fishing fleet. This resulted in a **significant decrease in commercial vessels** from [25,002 in 2015](#) to [10,595 in 2021](#). Moreover, the Department also cooperates with other ASEAN Member States to exchange information on vessel registration. Controlling ownership transfers and ensuring vessel purchasing legitimacy to prevent the use of illegal vessels for fishing has been of major importance to the authorities.

Moreover, digitalisation is key to upgrade the traceability system. Thailand has [applied "E-traceability"](#) to improve the tracing of fishery products from the sea to the market, ensuring their legality and quality. In addition, E-licensing, online and real time vessel registration have been put in place since December 2015. To strengthen the traceability system, surprise inspections and cross-checking processes have been conducted at all production stages.

Improving labour conditions

Thailand has taken important steps to address labour rights issues in its fisheries industry. It was the [first country in Asia to ratify the ILO Work in Fishing Convention](#)⁵ in 2019, aiming to protect working conditions and ensuring fishing vessels to provide decent living conditions for fishermen on board. This reflects Thailand's commitment

⁴ Examples of the Department's actions are (1) revoking vessels with an expired licence from the system; (2) temporarily closing vessel registration for 2 years; (3) verifying the status of vessels declared as damaged or sunk; (4) signalling 'watch list' vessels list to Port In - Port Out Controlling Centers (PIPO); (5) implementing measures for fishing vessels of more than 60 gross tonnage to mandatorily set up Automatic Identification System (AIS) and; (6) applying a 'Business Intelligence' system to improve the fishing vessels database. As a result, numbers of registered fishing vessels in the Department's system are equal to numbers of permitted fishing vessels of the Department of Fisheries.

⁵ This convention bindingly requires occupational safety and health, medical care at sea and ashore, rest periods, written work agreements, and social security protection.

and political will to improve working conditions and increase labour protection standards for both Thai and migrant workers. Eliminating forced labour in accordance with International Labour Organisation (ILO) standards and [Sustainable Development Goals](#) has been another priority for Thai policymakers.

The Thai private sector, in particular the “Thai Tuna Industry Association” (TTIA) and “Thai Frozen Food Association” (TFFA), representing 106 members, also collaborated intensively with the ILO. Through the EU-supported Ship to Shore Rights Thailand project (2016-2020), the “[Seafood Good Labour Practices](#)” (GLP) scheme was developed to provide guidance on workplace standards for the Thai seafood production industry, promoting decent work and international labour standards. Based on recommendations made by the TTIA and TFFA to alleviate the financial burden of workers, their risk of debt was minimised through the ‘[employer pays](#)’ principle. Members have also been encouraged to provide facilities and adapted working arrangements for pregnant female workers.

Thailand’s strong commitment has been recognised by the EU, while the former ILO Director General noted Thailand as “an excellent example” for the region. In the annual US State Department’s Trafficking in Person (TIP) report, [Thailand was first removed from Tier 3](#) and included in the Tier 2 Watch List in 2016 and then [upgraded from the Tier 2 Watch list to Tier 2 in 2022](#), recognising the country’s efforts made in trafficking investigations and victim identification.

ASEAN as the world’s “fishing net”

Southeast Asian countries are among the top global fishery producers whose production volume equals [one fifth of the total fishery production](#) worldwide, accounting for 46.8 million MT, or 55,045 million USD in value (2019). Production has grown year-on-year, noting slight increases since 2015 (with a value of 44.0 million MT or 38,746 million USD). In 2020, major producers in the Southeast Asian region were [Indonesia and Viet Nam](#). In terms of fishery trade, ASEAN made up for [14% of global exports](#) in both

volume and value in 2015, with Viet Nam and Thailand ranking respectively third and fourth in the list of largest seafood exporters globally in 2014. ASEAN thus plays a vital role in the international fishery supply chain.

Yet, challenges on IUU fishing lie ahead as [some ASEAN Member States have been handed yellow or red cards](#) under the EU's IUU carding scheme. While Thailand and the Philippines experienced a 'yellow card', Brussels decided to [remove them again](#) following their progress in cooperating with the EU and the successes booked in improving fishery governance. Nevertheless, IUU fishing remains a critical issue for Viet Nam, with a yellow card issued by the EU since 2017. Hanoi has actively taken [actions in advancing its efforts](#) and [proving their commitment](#) to reliable and sustainable fishing. Meanwhile, the EU has added [Cambodia to its 'red card' country list](#), resulting in [banning fisheries import originating from Cambodia](#) to the EU market.

Advancing Regional Cooperation

Thailand has initiated an enhanced cooperation framework to engage with other ASEAN Member States. Bangkok sees fisheries as an essential industry for ASEAN's economy in terms of quantity, value, and exportation. Thailand has thus become a frontrunner in building ASEAN IUU fishing cooperation. A good example of its actions is its hosting of the [“ASEAN Network for Combating IUU Fishing” \(AN-IUU\)](#). The AN-IUU Network Center is located in the Thai Department of Fisheries in Bangkok. AN-IUU aims to advance ASEAN cooperation in addressing IUU fishing based on a regional network approach. Cooperation at the technical level is developed through the [“AN-IUU Interactive Platform”](#), a tool to exchange information on the MCS system and operating agencies in the region in a timely manner.

Moreover, as ASEAN chair in 2019, Bangkok highlighted the [“Advancing Partnership for Sustainability”](#) theme. It aims to reinforce ASEAN centrality in the regional architecture in relation with its external partners, promoting sustainability enhanced connectivity.

This paves the way for Thailand to step forward as Southeast Asia’s focal point in engaging with regional and international partners in the fight against IUU fishing. As enshrined in the [Strategic Plan of Action on ASEAN Cooperation on Fisheries \(SPA Fisheries\) 2016-2020](#), the sub-sector plan aims to ensure the outcome of the [Vision and Strategic Plan of Action for ASEAN Cooperation in Food, Agriculture and Forestry \(SP FAF\) 2016-2025](#). Its main objectives lie in strengthening food security, enhancing ASEAN competitiveness and cooperation, developing new technologies, enhancing private sector involvement, and managing the sustainable utilisation of natural resources. To reach these goals, the SPA Fisheries outlines several frameworks in line with the “6 Strategic Thrusts” (ST) under the SP FAF, in which Thailand is responsible for the ST6. This allows Thailand to engage with regional and international processes to advance ASEAN cooperation in improving fisheries governance.

Overall, ASEAN cooperation in the fight against IUU fishing has been intensified and expanded to the joint work to create a “[Regional Plan of Action](#)” (RPOA) [to Promote Responsible Fishing Practices including Combating IUU Fishing in the Region](#). The RPOA is not limited to ASEAN Member States⁶, but also seeks to work with external partners, such as Australia, Papua New Guinea and Timor-Leste.

The importance of working with the EU

For ASEAN, [trading with the EU is increasingly essential](#), as their bilateral trade volume keeps growing on an annual basis. The EU and ASEAN are one another’s third largest trading partner, only falling behind China and the US. Indeed, ASEAN’s trade volume with the EU accounts for 10.6% of ASEAN’s total trade. ASEAN has benefited significantly from its inter-bloc bilateral trade relation and trade surplus with the EU, which has been growing annually from 40.2 bn EUR in 2019 to 56.6 bn EUR in 2021.

⁶ Republic of Indonesia, Brunei Darussalam, Cambodia, Malaysia, The Philippines, Singapore, Thailand, and Vietnam.

In 2021, the EU experienced a trade [deficit in the import of fisheries products which was 10% higher than the year before](#), worth 1.8 bn EUR. This demonstrates the increasing demand for fish and seafood products from third countries in the European Union, while imported fishery products from ASEAN were valued at 1.481 million EUR.

EU-ASEAN cooperation on IUU Fishing

The EU-Thailand partnership in combating IUU Fishing was enhanced during the [16th bilateral Senior Officials' Meeting](#), in which both sides reaffirmed their commitment to continue cooperating and sharing best practices on the issue.

Thailand took the opportunity of its 2019 ASEAN chairmanship to step up its engagement with the EU and bring IUU fishing into the inter-bloc cooperation dialogue. As a result, the EU and the ASEAN Secretariat jointly organised [the first ASEAN Meeting on Combating IUU Fishing in Partnership](#). Thailand also proposed the [ASEAN Cooperation on Sustainable Fisheries](#) project, to develop an ASEAN General Fisheries Policy and ASEAN IUU Task Force, to ensure effective coordination between relevant law enforcement and governmental competent authorities. This to allow for better communication and information exchange between Member States and Regional Fisheries Management Organisations (RFMOs) and ultimately to become an IUU-Free region.

For ASEAN, having a sustainable fisheries governance in place will boost its role as a key international contributor to the fight against IUU fisheries, as well as in securing decent work for fishermen and sustainable ocean management, in line with the UN [SDG 8](#) and [SDG 14](#). In return, ASEAN will also benefit from intensifying sustainable seafood export and trade. Meanwhile, enhancing trade with the EU (and the US) will advance its fishery practices and governance. This particularly as the US has a functional mechanism in place to ensure marine mammal products imported into the US are consistent with its ["Marine Mammal Protection Act" \(MMPA\)](#). In parallel, EU-ASEAN cooperation in fisheries will be reinforced, especially as they are celebrating the 45th

Anniversary of their diplomatic relations. Moreover, in light of the [EU-ASEAN Commemorative Summit Joint Statement](#) of 14 December 2022, both sides committed to work together in reaching the UN SDGs and biodiversity protection goals, particularly focusing on cooperation in the fight against IUU fishing through capacity building and technical assistance.

The EU and Thailand: Genuine partners in the fight against IUU Fishing

As an important actor in the fight against IUU fishing, the EU has gained a comparative advantage that strengthens its role in convincing its external trading partners to join them in this fight. Given Southeast Asia's strategic geographical features and location, the ASEAN region is among the most important seafood producers and exporters worldwide. Thailand, situated at the “heart” of the region, faces important challenges occurring from IUU fishing. The EU’s ‘yellow card’ has stimulated the country to turn its IUU fishing challenge into an opportunity. By improving and upgrading its legal framework, MSC, traceability and labour conditions, Thailand has become widely recognised as an example and model in the region. In this regard, Thailand’s early move can be considered as a “wake-up call” for the rest of ASEAN. Therefore, Bangkok aims to establish itself as a frontrunner in Southeast Asia through several initiatives, enhancing fisheries management and ocean governance amongst the ASEAN Member States. Thailand can act as an intercontinental bridge between ASEAN and the EU to foster more extensive cooperation and engage in a comprehensive dialogue to fight IUU fishing and ensure sustainable fishery management in a wider regional context.

European Institute for Asian Studies – EIAS a.s.b.l.

26 Rue de la Loi, 10th Floor
B-1040 Brussels

Tel.: +32 2 230 81 22
E-mail: eias@eias.org
Website: www.eias.org

LinkedIn: European Institute for Asian Studies
Facebook: EiasBrussels
Twitter: @EIASBrussels