

Role of Fisheries Enforcement in the U.S. Asia-Pacific Rebalance

by

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Creating sustainable commercial fisheries in the Asia-Pacific is crucial to regional stability and protecting U.S. interests. This requires enforcement mechanisms to protect the fisheries. As part of the U.S. rebalance to the Asia-Pacific, supporting regional efforts to improve fisheries enforcement not only protects fish stocks, but serves to increase regional stability and provides a means to engage nations that don't normally work with the U.S.. The U.S. Coast Guard is the best agency to lead this initiative with considerable expertise in fisheries enforcement in the U.S. and through their leadership role in international engagement. Ways to improve fisheries enforcement include expanding regional forums, utilizing DOD assets for fisheries patrols and working to expand regional partners' law enforcement capacity. Through these efforts, the U.S. will protect regional fisheries, create a means of engagement, and develop multimissioned forces capable of missions like search and rescue, combatting transnational crime, and humanitarian assistance.

Role of Fisheries Enforcement in the U.S. Asia-Pacific Rebalance

The well being of billions of people around the world who rely on fish as a source of nutrition is threatened. The livelihood of millions who are in the fishing industry is in peril. Overfishing compounded by illegal fishing threatens already fragile ecosystems. These two statements are especially true in the Asia-Pacific where more people rely on fish for nourishment and income than any other part of the world. Stressed fisheries, increasing global demand, and vast, biologically diverse areas complicate national and international management efforts. As the Asia-Pacific region faces competition for natural resources, regulating commercial fishing and preventing illegal, unreported or unregulated fishing is a common interest of every nation in the region. This form of engagement increases regional stability by building competence in maritime law enforcement, with the benefit of combating criminal activity at sea.¹ It also builds access to nations that may not engage the U.S. in military security issues. Fisheries enforcement serves to promote the rule of law, helps moderate the issue of excessive maritime claims, and protects U.S. and international interests. Coordination and expansion of international fisheries enforcement efforts in the Asia-Pacific, led by the U.S. Coast Guard, is a critical component of the United States' rebalance to the area, with significant implications to improve cooperation and the rule of law in the region.

History of Fisheries Enforcement

Fisheries management and enforcement of management regulations center around controlling the steady increase in the productivity of commercial fishermen, which results in greater volumes of fish caught by each vessel.² The post World War II years saw a dramatic increase in fishing efficiency. Sonar, electronic navigation, refrigeration, synthetic fiber nets, and efficient shipbuilding introduced to the commercial

fishing industry combined with the use of stern trawlers brought unparalleled advances.³ This has the ability to eradicate an entire fishery (the fish harvested, the fisherman, and the market depending on these fish).⁴ In the early 1950s, new efforts were made in data collection, scientific study and attempts to measure the impact of overfishing.

Throughout the second half of the 20th Century, fisheries such as the Pacific Sardine in South America, Alaska Pollock in the Pacific, and Northern Cod in the Atlantic saw a collapse, and in some cases resulted in conflict between states. The 1982 United Nations Convention on the Law of the Sea (UNCLOS) codified many multinational attempts to regulate living marine resources. Key provisions included the establishment of the Exclusive Economic Zone (EEZ); coastal states' rights to manage marine resources; conservation of living marine resources; rules on fish stocks that span the high seas and one or more EEZ boundaries; and the right to fish on the high seas, subject to rights, duties, and interests of coastal states.⁵ This led to the 1995 United Nations Fish Stock Agreement, which "details minimum international standards for conserving and managing highly migratory fish stocks; ensures that measures taken to conserve and manage the stocks are compatible and coherent; and establishes effective mechanisms for complying with and enforcing the measures."⁶ UNCLOS and the 1995 agreement form the international legal basis for fisheries management.

Various fisheries management organizations emerged to help establish sustainable fisheries, both regionally and within individual nations. The functions they perform include designating regions closed to fishing, establishing quotas, restricting equipment types, establishing fishing seasons, and placing limits on the size and kind of fish. Within the U.S., the Department of Commerce oversees fisheries management

through eight Regional Fisheries Management Councils that develop specific management measures for their region.⁷ Internationally, groups like the Western and Central Pacific Fisheries Council attempt to bring together various nations to regulate regional fisheries. All of these regulatory constructs require an enforcement mechanism, something frequently missing from international regulatory plans.⁸ Enforcement is the more complex and resource intensive aspect of fisheries management.

Fisheries enforcement can use several means, but physical presence in the area being fished is essential.⁹ At sea enforcement mainly utilizes ships and aircraft. Aircraft can cover large areas, providing cueing for ship patrols, monitoring fishing trends, and identifying illegal fishing by unauthorized vessels or those in closed areas. Ships are the best form of at-sea enforcement since they are able to remain on station for longer periods than aircraft and can employ boarding teams. Specialized boarding teams can board vessels to inspect their gear and the catch. Violations documented on scene are easier to prosecute. There are methods of shore based enforcement that are important, such as monitoring offloads, tracking vessels using transponders, or inspecting catch that is for sale at market places. The weakness of shore-based enforcement is uncertainty of knowing where the fishing took place or the methods used to catch the fish. Without effective enforcement, any regulatory plan is ineffective and can have critical consequences for the fishery.¹⁰

Living Marine Resources as a Critical Resource

Fish are a critical resource for the global food supply. Fishing is also critical to the world's economy. Between "10-12 percent of the world's population, between 660-820 million people, are supported directly or indirectly through fisheries, and globally fish

provide about three billion people with 20 percent of their animal protein needs^{□.11} The demand for fish can often exceed the legal supply.

Impacts of Overfishing

Nearly every fishery in the world is over exploited or fully exploited^{□.12} With growing demand for fish, global production must grow 25 percent by 2030 to maintain today's consumption rate^{□.13} This will only lead to further exploitation. Even accounting for territorial seas and EEZs, the oceans and high seas are largely viewed as open to all without consequence, and fishermen naturally seek to gain a greater share of these maritime commons, trending toward overfishing^{□.14} Long term over fishing has serious consequences.

The collapse of regional fisheries extends beyond economic loss for commercial fisherman. It can result in increased poverty, hunger, conflict, and instability that may foster criminal and extremist elements that may take advantage of these conditions^{□.15} For example, illegal international fishing and other factors led to the collapse of the fisheries off the coast of Somalia, driving many of their fishermen into piracy^{□.16} From an environmental perspective, the drastic reduction of a fish population can have significant impacts on the food chain, changing the dynamics of neighboring fisheries and ecosystems^{□.17} Overfishing at sea cannot be ignored and alternate sources of food like aquaculture are not viable replacements.

Aquaculture

Aquaculture, or fish farming is the process of cultivating fish for human consumption. Although this has to potential to reduce the need for commercial fishing at sea, there are several negative aspects that limit its large-scale growth in the long-term.

These include escaped farmed fish becoming an invasive species (in a non-native habitat), pollution caused by effluents, and diseases that are more easily spread among the farmed population with the potential to spread to the wild¹⁸. Even farmed fish native to the region of the farm pose a risk, as interbreeding reduces the diversity of the gene pool, and escaped fish can degrade the gene pool of the wild¹⁹. For these reasons, commercial fishing at sea will be required well into the future. Management and enforcement efforts cannot be ignored in the hopes of commercial fishing being replaced by aquaculture.

Illegal, Unreported, and Unregulated (IUU) Fishing

IUU fishing presents a serious challenge to regulating and sustaining fisheries around the world. It is estimated that IUU fishing causes an annual financial loss of over \$23 billion USD and removes 26 million tons of fish that could sustain the fishery or be caught by legal means²⁰. By its very nature, IUU fishing impacts are difficult to quantify and usually extend beyond the targeted species. IUU fishing has a greater economic impact in the form of killing and discarding non-targeted species (bycatch) and reducing income of local fishermen²¹.

The definition of IUU fishing varies according to regional laws and regulations, but in general terms illegal fishing refers to²²:

- Fishing in foreign waters without permission or fishing in one's own territory where the location or season is closed to fishing;
- Targeting protected/prohibited species, protected populations (e.g. females, juveniles), or exceeding established quotas;

- Utilizing destructive techniques such as explosives; long-distance, monofilament drift nets; or poison;
- Fishing in a flag state's EEZ in violation of their laws and regulations;
- Fishing from a vessel in violation of an international treaty that the flag state of the vessel is bound to.²²

Unreported fishing refers to□:

- Fishing that is not reported to relevant national authority when required;
- Misreporting the type of catch, the quantity caught, or specific location it was caught (intentionally or through negligence).²³

Unregulated fishing refers to□:

- Fishing activities inconsistent with a flag state's responsibility to conserve living marine resources, even when specific regulation may not exist.²⁴
- Fishing conducted by vessels without nationality or intentionally utilizing fishing vessels of a particular flag state to avoid compliance with legal or treaty obligations.□²⁵

IUU fishing does not typically refer to artesian fishing (subsistence harvesters) conducted by local inhabitants or private-recreational fishing□.²⁶ Throughout the Central and Western Pacific, these local fishermen feel the impacts of IUU fishing as the stocks they depend on for income and food are destroyed□.²⁷

Fisheries management systems intended to manage the health of a particular fishery are rendered ineffective by IUU fishing. With nearly every fishery at full exploitation or overexploited, IUU fishing makes it extremely difficult to measure the effectiveness of management plans and determine what changes may be required□.²⁸

Around the world, there will always be some form of IUU fishing. Where it is most

widespread and destructive is on the high seas (international waters not a part of any nation's EEZ) and in the EEZs with weak enforcement mechanisms. Many nations lacking viable at sea enforcement capabilities greatly increases the probability that IUU fishing will go undetected. Additionally, the potential for large profits can eliminate any incentive to fish legally.²⁹ The disruptive and destructive potential of IUU fishing make it a key rallying point to bolster fisheries enforcement capabilities throughout the Asia-Pacific.

Pacific Regional Fisheries Issues

Fish is even more important in the Asia-Pacific, with fish protein a greater percentage of people's diet than in other areas of the world.³⁰ In addition to individual nations' efforts, the Western and Central Pacific Fisheries Council was established in 2004. It set tough standards for its 25 member states in attempts to protect various fisheries.³¹ This is a considerable challenge given the size and diversity of the area. The Asia-Pacific region is composed of the Western Pacific, the Coral Triangle, the Bering Sea, and the Central Pacific.

Western Pacific

Within the Western Pacific, nations of Southeast Asia catch 17 percent of the world's fish caught at sea.³² The South China Sea and East China Sea are particularly important, and fish stocks there are rapidly depleting.³³ Conflict over fish in the Western Pacific has several sources. China is the largest consumer and exporter of fish in the world and its growing population increases demand.³⁴ In addition to overfishing, pollution in coastal areas push fisherman further out to sea, resulting in competition and conflict.³⁵ Fundamentally, there is a long tradition of open access to fishing grounds

(the maritime commons) for all. Surrounding nations always had access to plentiful fishing and only recently are pressures of overfishing, limited supply and growing demand leading to conflicts over control and dominance³⁶. Conflict over territorial and EEZ claims continue not only due to fishing, but also due to the close proximity of territorial waters, the prospects for oil and gas drilling, and other maritime claims³⁷.

The Coral Triangle

The Coral Triangle includes the waters of Indonesia, Malaysia, the Philippines, Papua New Guinea, Timor Leste and Solomon Islands³⁸. It is the most bio-diverse marine ecosystem made up of both deep-water regions with pelagic species, coastal fisheries, and rich coral reefs³⁹ producing over \$1 billion in live catch a year. Illegal fishing is also a problem in the Coral Triangle, due to foreign fishing vessel incursions, as well as destructive domestic practices along the coast and coral reefs. The use of cyanide to kill fish and extract them from protective habitat of the coral reef has long-term implications for the overall health of the reef ecosystem. Some of the most valuable tuna fisheries in the world originate in the Coral Triangle or transit through it⁴⁰.

The vast and geographically diverse area of the Coral Triangle presents enormous enforcement challenges. Indonesia alone has 17,506 islands with a sea area covering 7.7 million square kilometers, making at sea enforcement more difficult and expensive than land-based options⁴¹. The nations of the Coral Triangle recognize the problem and established various regulatory bodies such as the Regional Program of Action on Illegal, Unreported and Unregulated Fishing; the ASEAN–Southeast Asia Fisheries Development Center Strategic Partnership; and the Coral Triangle Initiative.

While capable of providing technical advice in setting fisheries management goals, they provide no enforcement capabilities to the individual nations.

Bering Sea

A large portion of the Bering Sea falls under the U.S. EEZ and contains some of the most valuable fisheries in the U.S.. Dominated by Russian and U.S. EEZs, the major fisheries issue in the Bering Sea of the past 30 years is overfishing of Alaska Pollock. “Alaska Pollock makes up 40 percent of the total U.S. fisheries landings, with a gross value of more than \$1 billion annually. It is the world’s largest human food fishery.”⁴²

Within the Bering Sea is an area known as the Donut Hole. The Donut Hole is a 55,000 square mile area of High Seas, surrounded by EEZs.⁴³ Large fishing vessels of various nations fished this area and depleted the Alaskan Pollock fishery to collapse. In 1983, the estimated biomass of Alaskan Pollock was 13 million tons; by 2007 it was estimated at 309,000 tons.⁴⁴ This collapse led to the signing of the Central Bering Sea Pollock Agreement in 1994 by China, Japan, South Korea, Poland and Russia - all nations with the largest fishing fleets in the Bering Sea. Even with this agreement in place, fishing vessels circumvent the controls by switching the flag state of their vessel to one that is not a party to the agreement. Enforcement is also a challenge in the Bering Sea. In addition to the large area, heavy seas require larger fisheries enforcement vessels. Despite the agreement and the recognition of the problem, illegal fishing still occurs, particularly in the Russian EEZ where there are fewer patrols.⁴⁵

Central Pacific

A dominating characteristic of the Central Pacific is its sheer size. It has areas of High Seas with EEZs of small Pacific islands scattered throughout. A major fishery throughout the Central Pacific is tuna. These large fish migrate long distances and are a valuable source of income and nutrition for Central Pacific Islands. Seeking additional profit and relief from fishing pressure in the Western Pacific, fleets of large modern vessels sail the Central Pacific targeting tuna. The lucrative value of the tuna fishery attracts ocean-going vessels from around the world, capable of catching massive amounts of fish. These ships frequently remain at sea for months and transfer cargo from one ship to another. When done at sea, it can serve to mask where the fish were caught and help facilitate illegal fishing⁴⁶. These activities deplete locally available fish for these islands and cause significant economic hardship for artisan and local fisherman⁴⁷. Many of these islands have no enforcement mechanism or ability to monitor activity in their waters⁴⁸.

U.S. Interests

The U.S. has a significant interest in fisheries enforcement in the Pacific. The United States has the largest EEZ in the world with the majority of this in the Pacific Ocean. Key areas from where the U.S. EEZ originates include Alaska, Hawaii, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands. Outside the U.S. EEZ, pelagic species harvested on the high seas or in other waters they migrate to can have significant impact on U.S. fisheries (for example, Salmon or Pollock). National interests with implications for fishing enforcement include a sustainable use of resources in the global commons, security and regional stability, and the economy.

Within the 2010 National Security Strategy, the U.S. makes a commitment to ensure the sustainable use of resources in the global commons. It seeks to achieve this through, “strong multilateral cooperation, enhanced domain awareness and monitoring, and the strengthening of international norms and standards.”⁴⁹ The National Security Strategy also emphasizes sustained outreach to other governments to enable collective action in supporting mutual interests. This establishes a clear mandate for the U.S. to promote globally sustainable fisheries management plans along with effective enforcement mechanisms.

Another key U.S. interest is regional stability. The National Security Strategy seeks to address the underlying causes of extremism and radicalization that overcome legitimate governments.⁵⁰ In the case of fish, as fisheries collapse, so does a food source and the economy associated with it. Depleted fisheries and its significant economic and social impact lead to regional instability and potentially military conflict.⁵¹ Another source of instability is that the nature of IUU fishing facilitates other illegal activity, such as trafficking in narcotics, trafficking in humans, customs violations, smuggling and other transnational crimes. Homeland security interests include protecting U.S. borders, allowing the safe flow of commerce, and disrupting transnational criminal or terrorist organizations.⁵² Resources used for achieving these goals are typically multi-mission and can be used for fisheries enforcement.

Finally, commercial fishing is a significant industry within the United States. In 2012, over \$5 billion worth of fish were caught commercially within the U.S. EEZ by U.S. flagged fishing vessels.⁵³ The economy of the U.S. seafood industry is even greater. Equally important to fisheries conservation efforts is the U.S.’s rate of consumption of

seafood. Despite the large quantity caught in U.S. waters, 90 percent of the seafood the U.S. consumes is imported. With this large market for imported seafood, there is a potential to incentivize illegal or irresponsible foreign fishing activity.⁵⁴

U.S. Fisheries Enforcement

The Department of Commerce is the lead for living marine resource issues. Within the department, the National Oceanic and Atmospheric Administration (NOAA) National Marine Fisheries Service administers the Regional Fisheries Management Councils and conducts shore-based monitoring and inspections. The Magnuson-Stevens Fisheries Conservation and Management Act of 1976 tasked the U.S. Coast Guard with enforcing all fisheries laws and regulations at sea. Although the parent department for the U.S. Coast Guard is the Department of Homeland Security (DHS), it is restricted by law from significantly reducing the Coast Guard's non-homeland security missions (including fisheries enforcement) or the capability to perform them unless authorized by future specific statute.⁵⁵

The Coast Guard employs three main components in the fisheries enforcement mission. Marine safety personnel conduct dockside boardings of fishing vessels to ensure the engineering and safety systems comply with the law. While not directly involved with fisheries enforcement, these dockside boardings catch numerous safety violations before they are a problem at sea, allowing Coast Guard assets there to focus on the fisheries mission. Cutters and aircraft are used for detection and monitoring. On scene, cutters can deploy law enforcement boarding teams capable of inspecting the catch and equipment onboard fishing vessels in the process of fishing. Although shore-based fisheries enforcement is an important part of a comprehensive fisheries

management plan, effective presence at sea with the means to stop the violation of law before (or as) it occurs is essential to U.S. fisheries enforcement efforts⁵⁶.

Since 2009, an effort undertaken by the Coast Guard and Navy in the Pacific is the Oceania Maritime Security Initiative (OMSI). This involves the periodic use of U.S. Navy ships in transit as a detection and monitoring platform. Coast Guard law-enforcement personnel can embark the Navy ships to provide U.S. law enforcement capability, similar to counterdrug missions. Using U.S. Navy ships in transit to and from their operating areas in the Pacific greatly expands maritime domain awareness for the fisheries enforcement mission. In 2012, a carrier battle group in transit to the Western Pacific flew over five-dozen sorties with its aircraft in support of the OMSI.⁵⁷ International partnerships are just as important.

North Pacific Coast Guard Forum

In the Asia-Pacific region, the Coast Guard regularly partners with other nations' coast guards and coast guard-like agencies. The most prominent example is the North Pacific Coast Guard Forum, with the mission to build cooperation, share information, and set the stage for multinational operations⁵⁸. Its members include the U.S., Canada, China, Japan, South Korea and Russia. Another important form of cooperation the Coast Guard undertakes is with China. Since 1993, the U.S. and China have had a memorandum of understanding (MOU) in place that permits embarking Chinese ship riders aboard U.S. Coast Guard cutters and aircraft. The ship riders can grant approval on behalf of their government to board, search and under certain circumstances take law enforcement action against Chinese vessels engaged in IUU fishing. They also provide expertise on scene to sort out false claims of Chinese nationality. Since it was

first entered into force in 1993 through 2012, China has deployed 79 law enforcement officials in support of this MOU.⁵⁹ The U.S. Coast Guard with the aid of a Chinese ship rider made several prominent interdictions of Chinese flagged vessels illegally fishing in 2007 and 2012.

Fisheries Enforcement Leadership

The U.S. Coast Guard is well-suited to be the lead agency for expanded efforts in Asia-Pacific fisheries enforcement. The Coast Guard has expertise, capabilities and authorities that no other U.S. government agency can replicate, and is an expert in maritime governance and law enforcement.⁶⁰ The humanitarian and law enforcement nature of U.S. Coast Guard missions make it more suitable for engagement with a variety of nations. The current cooperation with China is one such example, as was the U.S. Coast Guard's cooperation with the Soviet Union on fisheries issues in the 1970s and 1980s. Additionally, most Pacific nations have regional navies focused on protection of natural resources, the environment and their customs laws. Their missions resemble the U.S. Coast Guard's very closely and ships the U.S. Coast Guard possesses (unlike the U.S. Navy) are attainable and sustainable by most nations.⁶¹ As an armed force of the U.S., it integrates easily with DOD commands and partner nations' navies.

Expanded Fisheries Enforcement Efforts

There are several measures the U.S. can take to expand fisheries enforcement in the Asia-Pacific. These include multinational efforts, fisheries enforcement operations, building patrol resources, formalizing DOD's mission and broadening the scope of naval exercises in the region.

Multinational Efforts

A key and achievable effort in promoting fisheries enforcement capabilities is some form of expansion of the North Pacific Coast Guard Forum. The current forum is an outstanding model for cooperation among fisheries enforcement agencies and it is needed throughout the entire Pacific. This can either be a Pacific Coast Guard Forum with regional subforums, or separate organizations for specific regions. An overarching Pacific Coast Guard Forum will have the ability to ensure enforcement efforts cover any regional or subforum boundaries. This expanded forum can facilitate training opportunities, multilateral exercises, and provide feedback mechanisms to regional fisheries management organizations.⁶² The definition of such a forum should include all coast guard-like forces, but use of the term coast guard is important to avoid the appearance of being a coalition military organization. This new forum (or sub forums) can lead to the development of regional fisheries training to help train fisheries enforcement personnel either through physical facilities or mobile training teams.

Another form of international cooperation is the embarkation of foreign law enforcement teams aboard Coast Guard cutters and U.S. Navy vessels, similar to the African Maritime Law Enforcement Partnership (AMLEP). AMLEP is a U.S. Africa Command project that utilizes Coast Guard cutters or U.S. Navy ships with Coast Guard law enforcement teams that embark foreign law enforcement teams from West African nations. The cutters/ships would then patrol the partner nation's waters and deliver the their boarding team with the Coast Guard law enforcement team available to provide technical assistance. Several AMLEP patrols have been successful.

African nations and many Asia-Pacific nations share a common problem. A nation usually has the capability to recognize a violation of their fisheries laws, but does

not have the means to get off shore to witness and stop the transgression. The AMLEP model can be used in the Asia-Pacific. It can start with partner nation ship riders embarking U.S. vessels to grant authority to enforce laws in their nation's EEZ or on their flagged vessels. Then it can progress to transporting their boarding teams to conduct the actual enforcement.

Building Maritime Patrol Resources

Conducting training and embarking ship riders and boarding teams is an important form of developing capability; most fishing violations in the majority of Pacific are not difficult to recognize. Illegal gear, prohibited species and illegal fishing location tend to be less nuanced given the widespread IUU fishing problem. Merely building the capability to patrol offshore and enforce basic fisheries laws will reduce illegal fishing and encourage participation in multilateral fisheries management⁶³.

Australia undertook an effort in the late 1980s and 1990s called the Pacific Patrol Boat Project. This initiative provided 22 vessels to small Pacific nations that had no maritime patrol capability. Developing a successor to this program can help the nations control their own waters, effectively participate in international fisheries management mechanisms, and reduce reliance on foreign enforcement efforts⁶⁴. In fielding such a project, several considerations must be taken into account. These include having a particular vessel that is capable of operating offshore for sustained periods, is easy to maintain, and is reasonably economic to operate. Providing ships and aircraft are a critical form of building partnership capacity in the fisheries enforcement mission.

Formalized Department of Defense Detection and Monitoring Mission

Formalizing a fisheries detection and monitoring mission for Department of Defense (DOD) assets in transit or operating in the Pacific will greatly increase maritime

domain awareness and build a picture of both legal and IUU fishing. U.S. Navy ships in transit are often in an excellent position to support the U.S. Coast Guard's fishery enforcement mission in the Pacific⁶⁵. The U.S. Coast Guard has a significant number of dedicated law enforcement teams known as Law Enforcement Detachments (LEDETs). LEDETs were established by law to give law enforcement capability to U.S. Navy ships operating in narcotics transit zones. Given the reduced number of U.S. Navy ships available for counter drug patrols, U.S. Coast Guard LEDETs missions should be expanded to any transnational crime at sea, giving the ability to embark U.S. (or foreign) Navy ships for the purposes of fisheries enforcement.

This detection and monitoring mission can be accomplished by modeling Joint Interagency Task Force (JIATF) West to the operational construct of JIATF South. JIATF South combines resources from DOD, U.S. law enforcement agencies and regional partner nations to combat drug trafficking. JIATF West's counterdrug mission can be expanded to include transnational criminal threats such as illegal fishing⁶⁶. Such an expansion can capitalize on the leadership and network of a U.S. Coast Guard admiral, the officer typically assigned to command JIATF West.

Maritime Cooperation, Administration and Resourcing

U.S. Pacific Command runs a variety of large and small-scale multinational naval exercises in the Pacific. To further expand regional maritime cooperation, DOD maritime exercises should include aspects involving search and rescue, law enforcement, environmental protection, pollution response and humanitarian operations. These activities may be assumed by a future Pacific Coast Guard Forum. Targeting

these low intensity mission sets can expand willing participation by other nations, both in fisheries enforcement and naval missions⁶⁷.

There are a variety of additional U.S. government efforts that will further expand multilateral fisheries enforcement efforts. The first is the ratification of the United Nations Convention on the Law of the Sea (UNCLOS) treaty. With all the major Pacific nations (including China) a participant in the treaty, the United States is at a disadvantage in being able to help shape the interpretation and adjudication of the treaty over time⁶⁸. Another action required by Congress is to further clarify and expand DOD's security assistance authority to ensure that assistance can be provided for fisheries enforcement purposes (such as implementing an AMLEP-like program)⁶⁹.

Another effort includes the continued procurement of Coast Guard cutters to replace its aging fleet. The National Security Cutter (NSC) is the intended replacement for High Endurance Cutters built in the 1960s. Funding is in place for the construction of eight NSCs (to replace 12 High Endurance Cutters). The Coast Guard established a baseline minimum of eight NSCs, but two of them will be stationed on the East Coast. Because of this, it is essential that the Offshore Patrol Cutter (replacement for Medium Endurance Cutters) is capable of operating in sea states found in the Pacific and in the Bering Sea off the Alaskan coast⁷⁰.

Benefits to Expanded Fisheries Enforcement Efforts

There are numerous benefits to expanding fishery enforcement efforts in the Pacific. One benefit is as an additional engagement mechanism with China, bringing that country closer to international norms and providing an avenue for the U.S. to engage on other contentious issues. Success in cooperating on fisheries enforcement

may provide the confidence and trust required to resolve China's excessive maritime claims⁷¹. This moderating influence can help other nations in the Pacific region to solve international claims and promote the rule of law. In addition to fisheries enforcement, resources dedicated to this mission can participate in search and rescue, combat other forms of transnational crime and protect the environment. The increased maritime domain awareness will not only bring attention to other problems, but can also inform better decision making and resource allocation within particular fisheries. Finally, fisheries enforcement provides a broader engagement mechanism with Pacific nations. It promotes stability, protects emerging markets, and sets the stage for humanitarian assistance and disaster response.⁷²

Ultimately, the main benefit of fisheries enforcement is the preservation of the fishery, the protection of the environment and creation of a sustainable, renewable resource. An example of a fishery recovering from collapse is Atlantic Cod in the North Atlantic. It was fished to near collapse by 1993, but proper management combined with enforcement measures is seeing the Cod population returning to the Grand Banks.⁷³ Although a fraction of the Cod population in the 1960s, it continues to grow and fisheries enforcement plays a vital role in ensuring its return as a viable, productive fishery.

Conclusion

Creating sustainable commercial fisheries in the Pacific is crucial to regional stability and protecting U.S. interests in the Asia-Pacific region. This requires not only management plans, but also enforcement mechanism to ensure compliance. With nearly every fishery at or over capacity, it is important that the U.S. rebalance to the Asia-Pacific region make substantial efforts to improve enforcement efforts. The U.S. Coast Guard is the best agency to lead this effort with considerable expertise in

fisheries enforcement in U.S. waters as well as a leadership role in international engagement such as the North Pacific Coast Guard forum. As a whole of government effort, the Department of Defense assets can play an important role in detection and monitoring of fishing vessels as well as coordinating foreign military assistance to build enforcement capability throughout the region. As demonstrated with nearly 20 years of cooperation, combating illegal, unreported and unregulated fishing can be an effective means of engagement with China. Through these efforts, the U.S. will protect regional fisheries and the associated economy, create a means of engagement, and develop forces that have the ability to deploy for missions such as search and rescue, combatting transnational crime, and providing disaster relief.

Expanded fisheries enforcement efforts in the Pacific will help to meet the goals set forth in the 2010 National Security Strategy. This includes ensuring the sustainable use of resources in the global commons while strengthening international law, norms, and governance. It will also promote regional stability and security, and protect U.S. economic interests.

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