

Government Prime Minister (PM)'s official telegram on preventing illegal fishing in foreign countries' waters

The PM has sent official telegram no. 732/CD-TTg on prevention, reduction and stopping of infringements by Vietnamese fishing vessels and fishermen regarding illegal fishing in foreign countries' waters.

The telegram of 28 May clearly indicated that over the recent years, line-ministries and localities have strongly implemented Directive no. 689/CT-TTg of 18/5/2010 of the Prime Minister on some measures to stop and reduce the incidents of Vietnamese vessels and fishermen being seized by foreign countries, thus the situation of illegal fishing by our fishing vessels and fishermen in foreign countries' waters has decreased.

However, from late 2015 up to now, the situation of violations by fishing vessels and fishermen has surged again with complicated developments, especially in the provinces of Quang Ngai, Kien Giang, Ca Mau, Binh Dinh, Ba Ria – Vung Tau, Binh Thuan, Ben Tre, Tien Giang, leading to damaged image of Vietnam in international arena, negatively affecting fishery export of Vietnam to international market.

In an effort to stop, decrease and put an end to the above situation, the PM requested line-ministries and localities to concentrate on handling the following urgent tasks:

1. Ministry of Agriculture and Rural Development (MARD):

a) Promptly submit for the Government's approval of the National Action Plan on prevention, reduction, elimination of illegal, unreported and unregulated (IUU) fishing.

b) Review, amend existing policies, regulations to strengthen management tasks; complement with sanctions to stringently handle infringements by vessel owners, captains and organizations, individuals who are intermediaries for fishing vessels and fishermen to go fishing illegally in foreign countries' waters; enhancing law enforcement in fishery management and exploitation so as to prevent, reduce infringement by fishing vessels and fishermen.

c) Implement further negotiations and signings of fishery cooperation arrangements and organize legal fishing activities in some foreign countries for fishermen; establish hotline for combating illegal fishing, conduct joint patrols with relevant countries.

d) Steer Fishery Surveillance Force to strengthen law enforcement, handle legal infringement activities against fishery law in different sea areas, coordinate with relevant forces to timely detect, stop fishing vessels, fishermen having signs of infringements in foreign waters.

d bis) Play the focal role, in coordination with line-ministries, localities and foreign and international agencies, organizations, in carrying out propagandas, trainings for organizations, individuals concerned regarding Vietnamese, international and foreign legal regulations on fishery in the hot-spot localities where there are frequent violations by fishing vessels and fishermen.

2. Ministry of National Defense (MOD) to steer functional forces:

a) Closely control departing and landing fishing vessels; ensure that no sailing shall be allowed if procedures, documents and equipment are not completed and satisfactory under regulations; any units which fail to prevent infringements, their commanders shall be held responsible before the Ministry of National Defense and the law.

b) Play the focal role, in coordination with relevant forces to strengthen patrols, control, handle infringements by foreign fishing vessels within the Vietnamese waters, focus on bordering, overlapping sea areas, areas with high traffic of fishing vessels, areas where infringements happen frequently; prevent infringements by Vietnamese fishing vessels in foreign waters, including proactively detecting, proposing stringent handlings of intermediary, investment activities for fishing vessels, fishermen to commit acts of infringement in foreign waters, offering ransom-paying for seized vessels and fishermen to return illegally to home country.

c) Coordinate with the MARD and relevant line-ministries in reviewing, revising legal normative documents in fishery activities to meet practical requirements.

3. Ministry of Public Security (MPS):

a) Steer police units and local police departments to foster monitoring, timely detect, investigate and strictly handle cases of organizing for fishing vessels and fishermen to go to foreign countries for illegal fishing or acting as intermediary involved in ransom-paying for fishing vessels and fishermen to return illegally to home country.

b) Coordinate with Ministry of Foreign Affairs and line-ministries to rapidly figure out identity of the fishermen seized by foreign countries, conduct follow-up tasks to prepare for citizen protection, soon return the fishermen to home country, minimize possible security and order complexities that may happen.

c) Closely manage the fishermen released by foreign countries, detect and handle cases where fishermen have been influenced, corrupted, induced by other countries or hostile forces to conduct activities aimed at disturbing national security, social order and safety.

4. Ministry of Foreign Affairs (MOFA):

- a) Continue the task of fishermen protection, request countries concerned to handle cases in the spirit of humanitarianism, in accordance with international practices, not to use or threaten to use force against Vietnamese fishing vessels and fishermen who committed acts of infringement in foreign waters.
- b) Resolutely fight against countries which illegally seize Vietnamese fishing vessels and fishermen within Vietnamese waters, overlapping sea areas which have not been clearly defined between Vietnam and other countries.

5. Ministry of Informational and Communications (MIC):

- a) Steer media and press agencies to foster their works of propaganda, law awareness-raising, education within the general public on legal regulations related to the matter of definition of sea areas between Vietnam and some neighboring countries, with attention drawn to sea areas not yet defined and overlapping areas; propagandize on legal regulations in fishery activities of Vietnam, international community and countries where there are frequent infringements by Vietnamese fishing vessels and fishermen; conduct training for media to release accurate information, avoiding mistakes.
- b) Coordinate with ministries: MPS, MOFA, MARD in announcing result of investigation, handling of typical cases of intermediary, investment acts for fishing fishing vessels and fishermen to commit acts of infringement in foreign countries with an aim to deterrent, educate and increase vigilance.

6. People's committees of cities and provinces, especially hot-spot provinces namely: Quang Ngai, Kien Giang, Ca Mau, Binh Dinh, Ba Ria – Vung Tau, Binh Thuan, Ben Tre and Tien Giang:

- a) Chairman of provincial people's committees and the head of different levels of local governments to review, clearly identify responsibility and apply forms of discipline to different levels of local governments, line-departments in the locality concerned where there are frequent infringements by fishing vessels and fishermen; report the result to the PM before 15-8-2017. In the coming time, if infringements are unable to be prevented, chairman of provincial people's committees and the head of different levels of local governments shall be held responsible before the PM.
- b) Strictly reject granting of fishery catch certificate and permitting new-shipbuilding by ship owner who has fishing vessels with infringement; fishing vessels which have been seized, ransomed, released or escaped then returned shall have their right of ownership transfer temporarily suspended and fishery catch certificate revoked within 6 months; fishing vessels with infringement shall not be entitled to supporting policies by the State.
- c) Enhance responsibility, operational capacity of local Working Group 689, coordinate closely with other forces to monitor, investigate, strictly handle acts

of intermediary, investment for fishing vessels, fishermen to commit violations in foreign waters, those involved in ransom-paying for fishing vessels, fishermen to return illegally to home country.

d) Ship owner are obliged to pay the expenses to return fishermen with infringement home; if the ship owner fails to pay, the local government concerned shall be responsible for the payment.

d bis) Fishing vessels operating off-shore shall have to install vessel monitoring equipment in accordance with Vietnamese legal regulations, the equipment shall be turned on 24h/24h for functional authorities' management and monitoring.

e) Soundly organize the traceability work over fishery catch; inspect, control, strictly handle illegal exploitation, selling, processing of rare, precious sea cucumber and other fishery species.

g) List for strict management of and publicly announce disciplines against ship owners, captains, fishermen, who committed acts of infringement and were seized by foreign countries, in front of the local community.

7. Relevant line-ministries and localities continue to heighten awareness of, strictly implement Directive no. 689/CT-TTg of 18/5/2010 of the PM and this official telegram. Submit reports of implementation result every month, quarter, six-month, year to the standing board of the Central Inter-agency Working Group 689.

8. Task the Central Inter-agency Working Group 689 to be responsible for assisting the PM in inspecting, supervising, monitoring, consolidating and reporting to the PM regarding the implementation result of the official telegram.