



**Statement before the Senate Committee on Commerce,  
Science, and Transportation; Subcommittee on Coast Guard,  
Maritime, and Fisheries**

***“Finding Nemo’s Future: Conflicts Over  
Ocean Resources”***

A Testimony by:

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Chairman Sullivan, Ranking Member Blunt Rochester, and distinguished Members of the Committee, thank you for inviting me to participate in today's hearing. It's an honor to be here and I commend you for focusing on the urgent, important, and evolving challenge of IUU Fishing.

My name is Whitley Saumweber and I am both a Professor of Marine Affairs at the University of Rhode Island (URI) and the Director of the Stephenson Ocean Security Project at the Center for Strategic and International Studies (CSIS) where we examine the intersection of ocean health and global security and seek policy solutions that support sustainable development and reduce conflict. I would be remiss if I did not highlight our Ocean Security and Human Rights Forum<sup>1</sup> that we held just last week in partnership with the US IUU and Labor Rights Coalition<sup>2</sup>, and which addressed many of the topics we are discussing here today. I also note that my comments at this hearing are my own and should not be attributed to either CSIS or URI.

### 1. Introduction

I have been working on US ocean governance and security policy for more than two decades including work here in the Senate, at NOAA, the White House, and now in the private sector and academia. During this time, I have seen Illegal, Unreported, and Unregulated (IUU) fishing evolve from an important, but secondary, resource management issue to one of the foremost and most complex ocean security challenges we face today. It is important because of its centrality to questions of national wealth, sovereignty, and market stability in regions of the globe already beset by conflict and to jobs and communities here at home in the US. It is complex because of how the scale and nature of the challenge changes depending on the region and markets being considered. At one end of the spectrum, it involves nationalized distant water fleets, grey zone tactics, and soft power deployment as we see in the case of China and its large foreign fishing endeavors. At the other end of the spectrum, we may be discussing small, artisanal conflicts in the Caribbean that nonetheless have the potential to disenfranchise legal fishers and destabilize stocks. In both cases, the solution sets may have similar elements but also require some nuance to address specific regional needs. Finally, IUU fishing is a multifaceted challenge that is involved not just with the fish caught on a vessel somewhere at sea but is intertwined inextricably with global currents of peer competition, trade policy, market access control, supply chain transparency, and critically, human rights. Effective policy solutions are therefore equally complex and must address multiple mandates and capacities in ways that are politically challenging but, if successful, can support US jobs, markets, and national security while offering roadmaps for dealing with issues of global ocean governance, trade, and security that extend beyond just seafood.

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<sup>1</sup> <https://www.csis.org/events/ocean-security-and-human-rights-forum>

<sup>2</sup> [US IUULR Coalition Joint Statement](#)

## 2. IUU Fishing as a 21<sup>st</sup> Century Security Threat

IUU Fishing is prime example of a type of emerging 21<sup>st</sup> century ocean security challenge that threatens norms of maritime governance and commerce. These challenges exist outside the bounds of traditional security concerns, involving such drivers as competition for living marine resources, gray zone conflict, alternative trade economies, climate impacts on marine ecosystems, and human rights at sea. None of these challenges are easily dealt with solely through traditional avenues of naval power and yet taken together pose as great a risk to global stability as other more kinetic threats. Rather these issues require a holistic approach to maritime statecraft that incorporates elements of domestic trade and market policies, foreign aid, and maritime domain awareness.

### *2.1 A highly competed resource*

Approximately 3 billion people, more than a third of the global population, rely on fish for a critical portion of their daily protein intake.<sup>3</sup> That number is expected to increase at a non-linear rate as both the world's population and the per capita consumption of fish continue to increase.<sup>4</sup> This latter factor is a positive indicator of human health and well-being and is generally associated with the move out of extreme poverty with an increased access to highly nutritious foods. But ecosystems are already overtaxed. Global marine capture fisheries are essentially fully exploited with total catch remaining relatively flat since the 1990's at around 85 mmt. Total global fish consumption has continued to grow, with demand increasingly met by terrestrial or marine based aquaculture. But many aquaculture supply chains rely on wild capture sources of feed, putting pressure on keystone ecological stocks such as Antarctic krill, menhaden in the western Atlantic, and sardinella in west Africa.

Climate change is already impacting these stocks by reducing overall global productivity and causing broad geographic shifts in marine ecosystems. Fishery productivity under the worst climate scenarios is expected to decrease by as much as 50% in the tropics due to warming waters.<sup>5</sup> This is also the region with the most direct dependence on marine resources for food and economic security and losses of such magnitude will be hugely destabilizing. Ecosystem shifts are generally poleward but, in some cases, like the western Pacific, stocks may shift east or west. No matter the direction, we are already seeing disruptions in both long standing economic and food security systems but also, importantly, the scientific and technocratic infrastructure that has been established to manage these systems sustainably.

All these challenges are further exacerbated by IUU Fishing. It has been estimated that 30% of global catch is not counted by the UN Food and Agriculture Organization with the potential undercount being as high as 60%.<sup>6</sup> This discrepancy has huge implications for the sustainability of stocks but also for the ability to model and forecast impacts while disrupting legal markets.

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<sup>3</sup> [2024 FAO State of World Fisheries and Aquaculture](#)

<sup>4</sup> Boyd et al. 2018: <https://doi.org/10.1007/s12571-021-01246-9>

<sup>5</sup> [UN IPCC Special Report on the Ocean and Cryosphere](#)

<sup>6</sup> Pauly et al. 2016: <https://www.nature.com/articles/ncomms10244>

## *2.2 An avenue for gray zone conflict*

The concept of maritime gray zone conflict is a commonly accepted way of considering modern inter-state disputes in highly contested arenas, especially when those disputes involve nuclear armed states that wish to avoid actual war. Gray zone activity connotes plausible deniability, so that leaders on both sides can choose to interpret a provocative interaction in ways that are non-escalatory. There is a broad spectrum of actions that can fall under this rubric. Looking just at the South China Sea we have regular physical interventions by the Chinese Coast Guard which have resulted in harm to national assets and personnel of other nations.<sup>7</sup> Framed as maritime enforcement activity, these activities can be coded as non-strategic. At the other end of the conflict spectrum in the region, China is using its fishing fleets, and even subsidizing their construction, as a maritime militia to present both a physical presence and barrier.<sup>8</sup> Private actors – even with substantial support from their home states – can easily be disavowed by governments.

Both these examples, however, represent modes of direct conflict, even if they are ‘gray’ in nature. When considering 21<sup>st</sup> century ocean security threats, the category of ‘gray’ conflict should also be reflective of other kinds of competition. Any means of resource control is ultimately an expression of sovereignty or lack thereof by others. Thus, distant water fishing fleets can serve both legitimate economic interests as well as strategic state needs by their presence in foreign waters and the pressure they may exert on local resources. Shore based infrastructure can also be considered part of this equation especially when it is under the control of non-local actors and allows for the isolation of local resources from local economies. For example, development of a private port and fish processing facilities that operate outside of local laws and without local employment.<sup>9</sup> This type of control further erodes local resource sovereignty and can lead to closed supply chains that do not provide equitable benefits to host nations. In addition, these types of ventures may often be vehicles of corruption through opaque and uneven access agreements. These examples of conflict are ‘gray’ in that they use economic and legal mechanisms in a coercive, corrupt, or coopting way to seize control over resource supply chains for strategic ends.

## *2.3 External trade economies*

Just as the rise of asymmetric gray zone conflict presents a growing challenge to the norms of ocean governance, so too does the emergence of asymmetric economic competition. By this I mean trade flows and economies that operate outside, and often in explicit and direct abeyance, of existing market rules and expectations. The clearest example of this phenomenon is the rise of the shadow fleet of oil and gas tankers and associated vessels being used to carry fossil fuels from sanctioned states such as Russia, Iran, and Venezuela to willing market nations such as China and India.<sup>1011</sup> At some point a market becomes large enough to go from being illegal to a competitor and we must ask ourselves what that point is and, as with asymmetric kinetic threats,

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<sup>7</sup> <https://apnews.com/article/china-philippines-us-sea-clash-d08f4532c2a66047c6fa2833b76d7773>

<sup>8</sup> <https://www.csis.org/analysis/pulling-back-curtain-chinas-maritime-militia>

<sup>9</sup> <https://ocean.csis.org/commentary/distant-water-fishing-along-china-s-maritime-silk-road/>

<sup>10</sup> <https://www.csis.org/analysis/russias-shadow-war-against-west>

<sup>11</sup> <https://www.csis.org/analysis/how-exorcise-russias-ghost-fleet>

how we approach it as it is normalized. All sanctioned commodities – not just oil – have the potential to enter this alternate economy depending on demand. Seafood can be sanctioned at both the state and corporate level and trade in IUU should be considered a trade in illicit commodities as much as sanctioned oil or arms or technology with as great a potential over the long term to destabilize key regions of the globe. Once again, we come back to the question of sovereignty and resource control. In this case the tools at hand are market access control and supply chain transparency.

## *2.4 Human Rights*

In a fully competed ocean with emerging, unregulated trade flows the pressure to increase economic margins is intense. As has been the case throughout history, one of the most straightforward ways to do so is to reduce the costs of the labor force. In this case there is a large and exploitable population of migrant labor available, primarily in southeast Asia, at the same moment that new opaque supply chains are opening. We know that IUU Fishing goes hand in hand with forced labor at sea.<sup>12</sup> Distant water fishing fleets are especially primed for abuse with long voyages and isolation the norm. It is an easy conjecture to imagine that other supply chains in these alternative economies are also taking advantage of similar opportunities to exploit their labor force. With seafood we also know that we cannot isolate the maritime elements of the supply chain in dealing with this moral travesty. Illegal products at sea are often processed and packaged illegally on shore. The Outlaw Ocean Project has recently highlighted the abuse of North Korean and Uyghur populations in Chinese seafood processing facilities and of poor women in Indian shrimp plants.<sup>13</sup> Once again, we must consider how market access and transparency can be used to combat this problem.<sup>14</sup>

## 3. IUU Fishing Solution Sets

Because of the complexity of the IUU challenge successful counter strategies must necessarily include elements that reach across individual agency mandates and, ideally, operate with intentional prioritization, coordination, and leveraging of capabilities within the US government and between partners abroad. Broadly these activities fall into the following categories: 1) Market Access Control; 2) Operational Interdiction; 3) Partnerships and Presence; and 4) Resources and Governance.

### *3.1 Market Access Control*

The EU remains the largest common market for seafood in the world, accounting for approximately 35% of global imports but the US is second and remains the largest single state market accounting for approximately 16% of global imports by value. If we also include Japan, the fourth largest market by import value, we reach nearly 60% of the total global market in

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<sup>12</sup> Selig et al. 2022: <https://www.nature.com/articles/s41467-022-28916-2>

<sup>13</sup> <https://www.theoutlawocean.com/>

<sup>14</sup> <https://www.csis.org/analysis/streamlining-government-coordination-rights-conscious-supply-chains>

seafood.<sup>15</sup> This means that comparable market access control policies across these three traditional partners have the potential to reshape global supply chains in deep and meaningful ways. To be effective such programs must include: 1) strong supply chain transparency mechanisms; 2) a program of risk assessment based on those mechanisms; 3) a program of validation based on the risk assessment; and 4) a program of strategic enforcement cascades based on the validation that allow for scalable and targeted enforcement. These actions can and should range from denial of entry for individual shipments to criminal enforcement and economic sanctions on beneficial owners and supporting states.

Each of these individual programs can take different forms but the critical elements must each exist and work together to be effective. The EU maintains a requirement for state sponsored catch certificates and holds out the possibility of state level trade sanctions for failure to comply with anti-IUU fishing regulations through a red-yellow-green carding system. The US requires individual importers of record to submit supply chain information to the National Oceanic and Atmospheric Administration's (NOAA) Seafood Import Monitoring Program (SIMP) with the potential for post-hoc administrative penalties should an audit find a violation. NOAA also maintains broad, though seldom used authority, to apply state level sanctions on vessels or nations listed in a biennial report to Congress on IUU activities as mandated by the High Seas Driftnet Moratorium Protection Act.<sup>16</sup> Conceptually, SIMP remains an important part of US market access control but broad dissatisfaction with NOAA's implementation of the program led to a yearlong review and subsequent action plan released in November 2024 that had significant support from both industry and civil society groups.<sup>17</sup> Implementation of the action plan would greatly advance the ability of SIMP to meet the requirements of an effective market access control program as described above. Particularly important elements of the action plan included the commitments to require data submission prior to entry, implementation of an automated analysis of data for risk factors to better leverage resources and reduce costs, and to expand the definition of IUU fishing to align with the UNFAO definition<sup>18</sup> and to expressly include human rights and labor abuses.

In addition to efforts to improve our own market access control program here in the US and to bring it into alignment with other major market states, we should continue to support the development of other related measures abroad. These include implementation of the Port State Measures Agreement, the first counter-IUU multilateral instrument, and development of nascent access control programs in strong partner nations like Japan and the Republic of Korea which share the US' concern about China's use of seafood trade for security purposes. Each of which

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<sup>15</sup> [UNFAO GLOBEFISH](#)

<sup>16</sup> <https://www.fisheries.noaa.gov/international/international-affairs/report-iuu-fishing-bycatch-and-shark-catch>

<sup>17</sup> [https://www.fisheries.noaa.gov/s3/2024-11/SIMP-Action-Plan\\_final.pdf](https://www.fisheries.noaa.gov/s3/2024-11/SIMP-Action-Plan_final.pdf)

<sup>18</sup> [UNFAO IUU IPOA](#)

also represent significant global markets. Both countries have just begun to implement their programs at the pilot stage.

### *3.2 Operational Interdiction*

While market access control remains the counter-IUU tool with the greatest potential global reach, operational interdiction of IUU activity remains critical for deterrence and the demonstration of sovereign control over marine resources as well as a commitment to the norms and standards of ocean governance under the UN Convention on the Law of the Sea (UNCLOS). The stability and credibility of UNCLOS is a key foundation for ocean security, sustainability, and sovereignty. UNCLOS created the basic jurisdictional framework for ocean governance, drew a clear political geography for the ocean, and assigned specific rights and duties assigned to different categories of states. Its provisions represent the common set of rules that have supported relatively stable maritime sovereignty and commerce for the past 50 years. But this foundation is under threat by the unilateral actions of China, Russia, and others as noted above.

A recent report by the ocean conservation organization Oceana, using data from Global Fishing Watch, found that China's fishing fleets account for 30% of global activity on the high seas and can be found fishing in the Exclusive Economic Zones (EEZs) of more than 90 nations worldwide.<sup>19</sup> Understanding where such larger fleets are operating, whether they are doing so legally, and having the ability to appropriately interdict illegal operations once found remain significant challenges for many nations. Without these capabilities individual countries may be effectively seeding sovereign control of a national resource to a foreign nation and placing itself at national risk based on the value of that resource. Bilateral access agreements developed under such conditions are likely to be made under pressure and without transparency and may be avenues for corruption as a means of achieving unrelated geopolitical goals. It is these very concerns that led the US Coast Guard<sup>20</sup> to declare IUU Fishing a greater maritime threat than piracy, the US combatant commands SOUTHCOM<sup>21</sup> and AFRICOM<sup>22</sup> to identify IUU fishing as a significant source of maritime security threat in the southeastern Pacific and Gulf of Guinea respectively, and fostered the release of a 2022 National Security Memorandum<sup>23</sup> directing greater coordination on the issue all within the last five years.

The US can support operational interdiction through direct action by pursuing ship-rider agreements with partner nations to enable US vessels, most often from the USCG, to act to enforce the sovereignty of that partner's EEZ. We can also provide direct support for maritime

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<sup>19</sup> [China's Global Fishing Footprint](#)

<sup>20</sup> [USCG IUU Fishing Strategic Outlook](#)

<sup>21</sup> <https://www.southcom.mil/Media/Special-Coverage/SOUTHCOM-Support-to-Operation-Southern-Cross/>

<sup>22</sup> <https://www.africom.mil/pressrelease/34377/africom-and-law-enforcement-cooperation-enhances-maritime-security-in-west-africa>

<sup>23</sup> [Memorandum on Combatting Illegal, Unreported, and Unregulated Fishing and Associated Labor Abuses](#)



domain awareness (MDA) in critical areas and work with partners to provide the technical capacity and training to use and distribute such information. One example of such an arrangement is the Indo-Pacific Partnership for Maritime Domain Awareness (IPPMDA) between the Quad (US, India, Japan, and Australia) and our Indo-Pacific partners.<sup>24</sup>

### *3.3 Partnerships and Presence*

The Indo Pacific Partnership for Maritime Domain Awareness described above is a prime example of the kind of partnership and soft power security guarantee that the US alone can offer to much of the world and which, on our best days, is one of the key reasons US leadership has been indispensable for the past 80 years. We provide help and support to those who need it and are prepared to support our partners in their own efforts to claim sovereign identity and rights. These are things we can offer which our competitors, notably China and Russia, cannot and it is why such partnerships have provided a bulwark in the continuing effort to support the growth of democracy worldwide. No alliance is stronger than one freely given. One element above all others is crucial for this approach to work, however, and that is presence. The US must be present in international fora and development work in order to provide that alternative. We must be active participants in Regional Fishery Management Organizations as well as foreign aid programs. We must be prepared to support capacity building through technical assistance and through the direct provision of aid, material, and assets. In this work three agencies in particular are crucial: the US Coast Guard, NOAA, and USAID. Each of these play irreplaceable roles in the soft power competition that is the foundation of counter-IUU fishing work.

### *3.4 Resources and Governance*

Just as the US government needs a positive presence with partners abroad to effectively counter IUU fishing it also needs the capacity at home to work together, coordinate and support individual lines of effort, and to develop new, more efficient ways of identifying and acting on risk. The 2020 Maritime SAFE Act established the Interagency Maritime SAFE Working Group and charged it with developing a government wide roadmap for addressing IUU fishing. The working group, under the rotating chairmanship of the Department of State, NOAA, and USCG, succeeded in developing a five-year strategy for 2022-2026 that laid out approaches for priority regions and flag states in the work period.<sup>25</sup> Implementation of this first plan was uneven but contained much to build on and represents the only statutory mandate for such work. As we enter the final year of this first strategy there is the opportunity to build on initial efforts. With strong leadership and support from the Administration and Congress this working group could form the foundation of coordinated enforcement action between NOAA, USCG, Department of State, DHS Customs and Border Protection (CBP), and Treasury. It could support more efficient

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<sup>24</sup> [Indo-Pacific Partnership for Maritime Domain Awareness](#)

<sup>25</sup> [National 5 Year Strategy for Combatting IUU Fishing: 2022-2026](#)



transfer of information and targeted support for partners abroad. Conversely, significant budget cuts to any of these key agencies will cripple the ability to work together, share information and strategies, and create significant roadblocks to any meaningful counter IUU strategy by the US government.

#### 4. Conclusion

Every US Administration since George W. Bush has established or endorsed national strategies to combat IUU fishing. Similarly, in every Congress over that time, there has been bi-partisan legislation attempting to grapple with the issue. I applaud the bi-partisan work here in the Senate demonstrating this commitment most notably through Chairman Sullivan's FISH Act that has recently marked up in this Committee. I also note that important bi-partisan legislation has previously been introduced in the House, specifically Representative Huffman's Illegal Fishing and Forced Labor Prevention Act which I understand may be reintroduced in this Congress. I hope that this discussion today will help all of us to take advantage of that momentum and work towards these solutions.