



IUU Risk Intelligence

Putting Compliance First

GLOBAL EVALUATION OF FISHERIES MONITORING CONTROL AND SURVEILLANCE IN 84 COUNTRIES

LIBYA - COUNTRY REPORT

GANAPATHIRAJU PRAMOD

IUU RISK INTELLIGENCE

Policy Report - Volume 1 Number 1



SUMMARY

*This evaluation of Fisheries Monitoring Control and Surveillance report for **Libya** is one of 84 such country evaluations that covers nations landing 92% of world's fish catch. Using a wide range of interviews and in-country consultations with both military and civilian agencies, the report exemplifies the best attempt by the author(s) at evaluation of MCS compliance using 12 questions derived from international fisheries laws. The twelve questions are divided into two evaluation fields, (MCS Infrastructure and Inspections). Complete details of the methods and results of this global evaluation would be published shortly through IUU Risk Intelligence website.*

Over a five-year period, this global assessment has been subjected to several cross-checks from both regional and global MCS experts familiar with compliance aspects in the country concerned. Uncertainty in assigning each score is depicted explicitly through score range. However, the author(s) are aware that gaps may remain for some aspects. The lead author remains open at any time to comments, and revisions will be made upon submission of evidence where necessary. Throughout the report, extreme precaution has been taken to maintain confidentiality of individuals who were willing to share information but expressed an inclination to remain anonymous out of concern for their job security, and information from such sources was cited as 'anonymous' throughout the report.

Suggested citation:

Pramod, G. (2017) Libya – Country Report, 5 pages, In: Policing the Open Seas: Global Assessment of Fisheries Monitoring Control and Surveillance in 84 countries, IUU Risk Intelligence - Policy Report No. 1, Canada, 814 pages.

© **Pramod Ganapathiraju**

All rights are reserved.

<http://iuriskintelligence.com>

LIBYA – COUNTRY REPORT



FAO landings (2013): 36,000 tonnes

Fisheries Contribution to the GDP (2014): 0.01%

Law of the Sea (Ratification /accession): Never signed¹

Coastline: 1770 km

RFMO Membership: GFCM, ICCAT

Patrolling agencies: Libyan Coast Guard

(Note: Due to two parallel Governments, both lacking international legitimacy and lack of specific agencies for fisheries management at federal and provincial level, consultations were undertaken in late 2015 with Libyan agencies and regional security experts to undertake this evaluation and score this document. Currently Libya is split between a militia backed government in Tripoli and elected parliament assembled in Tobruk).

| Rank | Priority for maritime security tasks |
|------|--------------------------------------|
| 1. | Human Trafficking |
| 2. | Oil Smuggling |
| 3. | Contraband & Arms Smuggling |

¹ Libya claims 12 nm territorial sea.

SECTION 1: MCS INFRASTRUCTURE

1. Does the country have adequate surveillance infrastructure (maritime patrol aircraft, inshore and offshore patrol vessels) to effectively patrol fisheries resources within its EEZ?

Score: 1.5

Score Range: 1-2

Since the fall of Gaddafi Government in 2011, very little is left of the old navy (most of the old patrol vessels are still struck in European ports) and the remaining 7 RHIBs can hardly patrol farther than 2-5 nautical miles from the shore, and are mostly used for rescuing illegal migrants (Anon, *pers.comm.*, 2015).

Most of the Libya's frigates, cutters and patrol boats were damaged during NATO air strikes limiting the Coast Guard's ability to combat smuggling and illegal fishing. Four 32-metre search and rescue ships that were sent to Italy for refurbishing have not been returned due to lack of legitimate government. Currently the Coast Guard uses "Sillinger semi-rigid inflatable 7-metre and 12-metre high-speed patrol boats as well as retrofitted fishing and tugboats, designed for ranges of five nautical miles, though they frequently brave rough seas for up to four times that distance" (Daragahi 2015). See IISS (2013); IISS (2016); Laessing (2013); Loyd (2015); Daragahi (2015); Maayuf (2016) reports for more information.

2. Does the country have adequate trained officers to conduct MCS operations?

Score: 1

Score Range: 1-2

Available information suggests that since the fall of Gaddafi Government there is no credible fisheries surveillance in Libyan waters although a few Coast Guard personnel are engaged in maritime security duties. See Laessing (2013); Maayuf (2016) reports for more information. No information is available on compliance or enforcement competence of these authorities in the marine fisheries sector.

Ministerial inspectors have left and without pay, there is hardly any work for the existing staff. A sizeable portion of the coastline is also outside Government control in rebel hands (Anon, *pers.comm.*, 2015).

3. **Does the country have adequate management plans to monitor their fishing vessels on the high seas?**

Score: 0

Score Range: 0-0

Existing information suggests that the country does not possess such capabilities.

4. **What proportion of fishing vessels above are equipped with vessel monitoring system (VMS) to monitor their movements on a continuous basis?**

Score: 0

Score Range: 0-0

Since the fall of Gaddafi Government, foreign tuna vessels have not secured licenses to fish in Libyan waters. Local Libyan vessels are not reported to be equipped with vessel tracking antenna. In recent years, local fishing is confined to the shoreline. In the past, foreign tuna vessels were equipped with MTU transponders. An increase in illegal fishing by tuna vessels, Italian trawlers and Egyptian fishing boats has been reported from several provinces over the past 5 years but the coast guard RHIBs don't have the ability to pursue or board them. Up to 50 illegal incursions are reported on some days a week (Anon, *pers.comm.*, 2015).

5. **What percentage of fishing vessels (>20 m OAL) are monitored through onboard observers at sea (for major commercial fish stocks)?**

Score: 0

Score Range: 0-0

Available information suggests that currently there is no observer scheme in Libyan fisheries. See Sletten (2011) for more information.

SECTION 2: INSPECTIONS

6. **How often fishing vessels are inspected at sea (Identification by sight and boarding for inspections)?**

Score: 1.5

Score Range: 1-2

Occasional patrols are reported from major ports mostly to tackle human trafficking and prevent smuggling of oil cargo. Fisheries inspections are not a priority due to scarce allocation of resources and patrol boats. Fishing boats are increasingly sold to human traffickers who are engaged in smuggling of refugees from Libya to Italy. Foreign fishing vessels that fish illegally mostly originate from Egypt with incursions lasting 5-7 hours each night up to 20 days a month (Anon, *pers.comm.*, 2015).

7. How often fishing vessels are scrutinized through aerial patrols?

Score: 0

Score Range: 0-0

Currently, there is no reported aerial surveillance in Libyan waters.

8. How often are fishing vessels inspected at landing centers and docks for foreign and domestic vessels (Dockside monitoring)?

Score: 1

Score Range: 1-2

Currently there is no reported dockside monitoring for fishing vessels. See Leasing (2013); Maayuf (2016) reports for more information.

9. Are there adequate plans to monitor catches in coastal areas through coastal patrols (beach patrols, small-scale fishing gear and catches inspections) on a regular basis?

Score: 0

Score Range: 0-0

Such inspections are not reported in the last five years. See Maayuf (2016); Black (2011); Laessing (2013); FAO (2005) documents for more information. Sletten (2011) reports poor compliance for such aspects in the past.

10. Are all the catches that are caught in this jurisdiction at sea accounted for (i.e., unreported Trans-shipments at sea)?

Score: 0

Score Range: 0-0

Since the fall of the Gaddafi Government in 2011, there is no enforcement in offshore waters where bulk of tuna vessels are reported to operate illegally during Bluefin tuna season and illegal trawlers (Italian, Egyptian) that fish for more than 9 months every year (Anon, *pers.comm.*, 2015).

11. Are vessels required to undergo inspection of equipment and fishing gear for every fishing trip?

Score: 0

Score Range: 0-0

At present, such inspections are not reported in Libyan fisheries.

12. Has the country taken adequate measures to revise and implement national fisheries laws to curtail illegal fishing practices; and does it comply with national and international laws signed?

Score: 1

Score Range: 1-2

Fisheries law no 14/1989 is the main national legislation for fisheries management in Libyan maritime zone. The country has not adopted a NPOA on IUU Fishing. Libya is not a party to the FAO Compliance Agreement, UN Fish Stocks Agreement and the UN Port State Measures Agreement. See IISS (2016); Maayuf (2016); Quercia *et al.*, (2016); Brisman and South (2016); Belt *et al.*, (2013); Black (2011) reports for more information.

Due to the ongoing crisis and lack of patrol vessels there is very limited fisheries surveillance at sea. Most of the illegal fishing crimes are committed by foreign fishing vessels plundering fish from Libyan waters due to the vacuum left by lack of patrol boats. Egyptian and EU vessels are of more concern in recent years. Until there is a return to a stable Government which can exercise unwavering sovereignty at sea, Libya will be struck with rescuing migrant boats at sea (Anon, *pers.comm.*, 2015).

| | |
|---------------------------------------|----|
| Flag of Convenience | No |
| Vessels on the RFMO - IUU vessel list | No |

| RFMO | Year of the assessment | Compliant | Partially compliant | Not Compliant | Source |
|-------|------------------------|-----------|---------------------|---------------|--------------------------------|
| GFCM | 2014 | | Yes | | FAO (2015) |
| ICCAT | 2013 | | Yes | | ICCAT (2014a) ICCAT (2014b) |



Note:

Bibliography and other notes relevant to this country report including methods, results and discussion for the global evaluation of 84 countries would be released shortly through IUU Risk Intelligence website (<http://iuriskintelligence.com/>). (The author can be contacted at pramod.raju@gmail.com to provide any feedback).

© **Pramod Ganapathiraju**

All rights are reserved.

<http://iuriskintelligence.com>

No part of this publication may be reproduced or transmitted in any form or by any means without permission in writing from the author.



Connect with us @



<https://twitter.com/iurisk>

@ **LinkedIn**

<https://www.linkedin.com/groups/4928027>

Website & Report design (<http://vjdesign.com.au>)