Beneficial Ownership Recommendations for ICCAT

The problem: how hidden ownership fuels IUU fishing

Illegal, unreported, and unregulated (IUU) fishing poses significant threats to fish stock sustainability, marine ecosystems, the socio-economic well-being of vulnerable coastal communities and legal fishers. A critical enabler of IUU fishing is the lack of transparency in vessel ownership. While vessel masters and crew may face scrutiny and sanctions for IUU fishing, those who truly profit from such activities may hide behind layers of opaque corporate structures, thereby evading sanctions and fines. Beneficial owners of IUU fishing-linked vessels are often shielded by layers of complex business structures such as shell companies, joint ventures, or front companies. Together with frequent flag changes ("flag hopping"), they seek to hide their identities and operations, engage in crimes throughout the fisheries value chain, obstruct investigations and scrutiny and, ultimately, escape punishment. Researchers have found that 70% of the known vessels implicated in IUU fishing were, or had been, flagged to a jurisdiction with minimal ownership transparency.

Beneficial ownership opacity not only facilitates IUU fishing but also enables a broad spectrum of transnational criminal activities. IUU fishing operations often serve as cover or conduits for organised criminal networks engaged in human trafficking, tax evasion, drug smuggling, labour abuses, and money laundering. A 2019 report estimated that 60% of documented IUU fishing cases coincided with other forms of organised crime.

While there is currently no universally agreed definition of what constitutes a beneficial owner (BO) in the fisheries context, the Financial Action Task Force, the global standard-setter for anti-money laundering and counter-terrorism financing, defines a beneficial owner as a natural person, not a legal entity, who owns or controls at least 25% of a company. In the fisheries sector, the BO may differ from the legal or registered owner recorded in the government vessel registries.

Why beneficial ownership transparency matters

Beneficial ownership transparency has been widely recognised as a crucial tool in fighting corruption and illicit financial flows in financial, procurement, and extractive industries. Despite the recommendations of international bodies such as the FAO Committee on Fisheries and the Organisation for Economic Co-operation and Development (OECD), collection and publication of BO data in the fisheries sector remain limited. This creates an opportunity for ICCAT to strengthen fisheries governance by incorporating BO information into existing regulatory, compliance and enforcement mechanisms, enabling more effective and targeted action against those who facilitate or profit from IUU fishing and improving compliance with its conservation and management measures (CMMs).

Beneficial ownership transparency ensures that those who profit from fishing activities can be held directly accountable. Without this, any investigative and/or enforcement action disproportionately targets the captains, crew or middlemen, while high-level orchestrators evade accountability. As IUU fishing is transboundary, BO information can help ICCAT and its Members identify patterns of misconduct associated with specific BOs operating across jurisdictions.

Access to BO data further enables:

- Improved risk-based assessments by Members and CNCPs when issuing licenses or authorising vessels;
- Sanctioning repeat offenders even when they operate through new companies, flags or ocean basins; and
- Preventing market concentration via hidden control of multiple quotas.

Recommendations to advance beneficial ownership transparency in ICCAT

1. **Include information on beneficial ownership in chartering arrangements as noted in PWG-434/2026 as proposed by the European Union (Recommendation 13-14).**
   Chartering arrangements between vessels of different nationalities are an area where beneficial ownership transparency can be particularly critical. Charter vessels may not be subject to the same regulations as domestically flagged or owned vessels, and such arrangements may obscure who ultimately controls a vessel's operations. Chartering CPCs shall notify the Executive Secretary of any arrangement, including the name and address of the vessel owner and beneficial owner.

2. **Add a beneficial owner field to the ICCAT IUU Vessel List (Recommendation 23-16).**
   Recommendation 23-16 requires the name and address of vessel owners and previous owners, including beneficial owners, to be included in the IUU Vessel List, but the published list has no dedicated field in which to record it or indicate its non-availability. Adding this field would significantly advance implementation of the existing requirement and would help authorities monitor the persons who ultimately profit from IUU fishing, even when they operate through new vessels or companies.

3. **Require beneficial ownership information for carrier vessels (Recommendation 24-15).**
   Carrier vessels sit at a critical point in the supply chain, where IUU catch can enter legitimate markets, and therefore warrant additional transparency and accountability to protect good actors and identify IUU operations. ICCAT should amend paragraph 10 of Rec. 24-15 to include the name and address of the beneficial owner(s), if different from the registered owner, in the ICCAT Record of Carrier Vessels.

4. **Align port inspection reporting with the PSMA (Recommendation 25-11).**
   The port inspection report in Annex C of the FAO Agreement on Port State Measures (PSMA) requires inspectors to report the vessel owner(s) and beneficial owner(s), if known and different from the vessel owner. Updating Recommendation 25-11 to collect the same information in ICCAT port inspections would bring ICCAT further in line with the PSMA. While other RFMOs, including SPRFMO and IOTC, have explicitly reflected this in their PSM CMMs, ICCAT currently does not.

5. **Hold those nationals accountable that benefit from IUU fishing (Recommendation 22-14 and Resolution 01-18).**
   Recommendation 22-14 requires CPCs to investigate natural or legal persons subject to their jurisdiction that are responsible for, benefiting from or supporting IUU fishing, explicitly including beneficial owners, and to report on the actions taken. We encourage CPCs to share how they are implementing this obligation to share effective practices. CPCs may also wish to consider updating Resolution 01-18, which defines the scope of IUU fishing, to clarify that it extends to natural and legal persons subject to their jurisdiction, consistent with Recommendation 22-14.

6. **Build toward beneficial ownership reporting on the Authorized Vessel List (Recommendation 25-12).**
   Over the longer term, we encourage Members to consider requiring the name and address of beneficial owner(s) as a condition of listing on the ICCAT Authorized Vessel List, taking into consideration confidentiality measures as appropriate. This would be consistent with existing practice in CCAMLR and IOTC (CM 10-02 and Resolution 26/04, respectively). Beginning with the IUU and carrier vessel lists would allow ICCAT to gain experience and resolve definitional and data questions before extending reporting to the full authorized fleet. While data management and implementation questions are under consideration for ICCAT's authorized vessel list, Members can currently make BO data available through the FAO Global Record of Fishing Vessels, Refrigerated Transport Vessels and Supply Vessels (Global Record), as urged by the FAO Subcommittee on Fisheries Management.

Conclusion

Beneficial ownership transparency is an important component of effective fisheries governance, as it can help identify the individuals who ultimately own, control or benefit from fishing activities and support efforts to hold them accountable for IUU fishing. However, ICCAT's existing framework does not specifically address how to identify and hold accountable those who ultimately benefit from IUU fishing when ownership is obscured by complex corporate structures. Strengthening beneficial ownership requirements across ICCAT's regulatory and compliance mechanisms would help close this gap and enable more effective action against those who profit from IUU fishing.

We encourage ICCAT Members to discuss these recommendations and identify practical steps to strengthen beneficial ownership transparency in vessel records, chartering arrangements and port inspections, close implementation gaps and improve accountability.