
THE BROKEN BARRIER

How illegal fishing and human rights abuses in Korea's fisheries imports go undetected



Protecting People and Planet

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Abbreviations

AIS	Automatic Identification System	MOF	Korean Ministry of Oceans and Fisheries
CC	Catch Certificate	NFQS	National Fishery Product Quality Management Service
CDS	Catch Documentation Schemes	NOAA	National Oceanic and Atmospheric Administration
EEZ	Exclusive Economic Zone	PORT-MIS	Port Management Information System
FAO	Food and Agriculture Organization	SIMP	Seafood Import Monitoring Program
IUU	Illegal, unreported and unregulated fishing	STS	Seafood Traceability System
KDE	Key Data Elements	UVI	Unique Vessel Identifier
MFDS	Ministry of Food and Drug Safety		

1. Executive Summary

South Korea is the fifth-largest seafood importer in the world after the EU, the USA, Japan and China¹ and has the world's highest seafood consumption per capita, reaching 70 kg per year.^{2,3} Rising demand for seafood has meant an increasing reliance on imports.⁴

Korea has some, limited supply chain safeguards in place. However, these requirements are not sufficiently robust to effectively monitor seafood imports and curb illegal, unreported and unregulated (IUU) fishing. This means the rise in imports is accompanied by increasing risks of the products associated with IUU fishing entering the Korean market. The top three exporters of seafood to Korea in both value and volume are China, Russia and Vietnam. China and Russia have been ranked first and second in the Global IUU Fishing Index, representing a particularly high risk.⁵ Since 2017, Vietnam has been subject to a warning from the European Union (EU) for failing to prevent IUU fishing in its fleet;⁶ EJF's own investigations have also revealed frequent cases of human rights abuses in the Chinese and Vietnamese fleets.^{7/8}

IUU fishing is one of the most severe threats to sustainable fisheries, the conservation of marine biodiversity and broader ocean ecosystem services. It is the Korean government's responsibility to improve transparency and traceability in its seafood supply chain to ensure that Korean consumers are not unwittingly supporting environmentally destructive fishing or driving human rights abuses at sea. Korea has adopted traceability regulations in the form of a catch documentation scheme (CDS) and an imported seafood traceability system (STS). Korea introduced its CDS in the 2017 Distant Water Fisheries Development Act, requiring catch certificates (CCs) on three fish species: bobo croaker, longneck croaker and saury. In 2020, due to concerns over food safety, the Korean Ministry of Oceans and Fisheries (MOF) took further action by establishing the imported seafood traceability system (STS) and setting mandatory traceability criteria for 17 imported fish species, adding 4 further species in 2023. This is merged into and managed by the Fishery Products Distribution Management and Support Act.

Comprehensive traceability regulations, effectively enforced, are essential to ensure only legal, ethical and sustainable seafood enters the Korean market. However, the current system and the range of species it covers, established due to historic domestic and international pressures, is no longer sufficient to address imported seafood associated with high risk activities. EJF conducted in depth research and concluded that there are four major weaknesses in the current traceability regime that collectively are linked to **the import of 145 high-risk consignments** over the last two years. These weaknesses are:

- **Insufficient data requirements in CDS and imported STS**

Successfully tracing a seafood product through all stages of a supply chain requires intelligence on the who, what, when, where and how of the fishing involved - together referred to as key data elements (KDEs). International NGOs including EJF have published 17 recommended KDEs for CDS that should be adopted at multilateral and unilateral levels.⁹ However, EJF analysis shows that Korea's requirements for KDEs in the CDS lag behind other seafood markets, including the EU, the USA and Japan, requesting only 5 out of 17 (30%) of the KDEs recommended by NGOs. Six KDEs need to be improved while the other six are not requested, including: the International Maritime Organization (IMO) number, International Radio Call Sign (IRCS), product type, port of landing, processing location and fishing gear. Moreover, imported STS only request limited KDEs – half of the requirements of domestic STS. This makes effective traceability of imports significantly less likely and increases the risk of IUU fishing going undetected.

Case study: Absent KDEs allowed **12 imported consignments** of high-risk saury from a Taiwanese vessel between December 2021 and November 2022, despite the vessel having been sanctioned by the Taiwanese government for fishing illegally on the 25th of February 2022.

- **Oversimplified catch certificate (CC) for West African croakers**

The over-simplified CC used for West African croakers, coupled with limited KDEs, threatens the possibility of identifying imports linked to high risk activities or forged documents. Given the widespread historic IUU fishing carried out by foreign nationals in West African states and the destruction caused by using bottom trawling to catch croakers, the MOF should implement traceability regulations to reflect this high risk activity and exclude any croakers caught illegally, unsustainably or unethically.

Case study: Between July 2021 and November 2022, the oversimplified CC allowed **34 imports** of bobo or longneck croakers allegedly caught by two industrial trawlers operating in Sierra Leone with a history of IUU activities, such as unauthorised fishing and the transferring of catch to canoes at sea.

- **Limited species coverage**

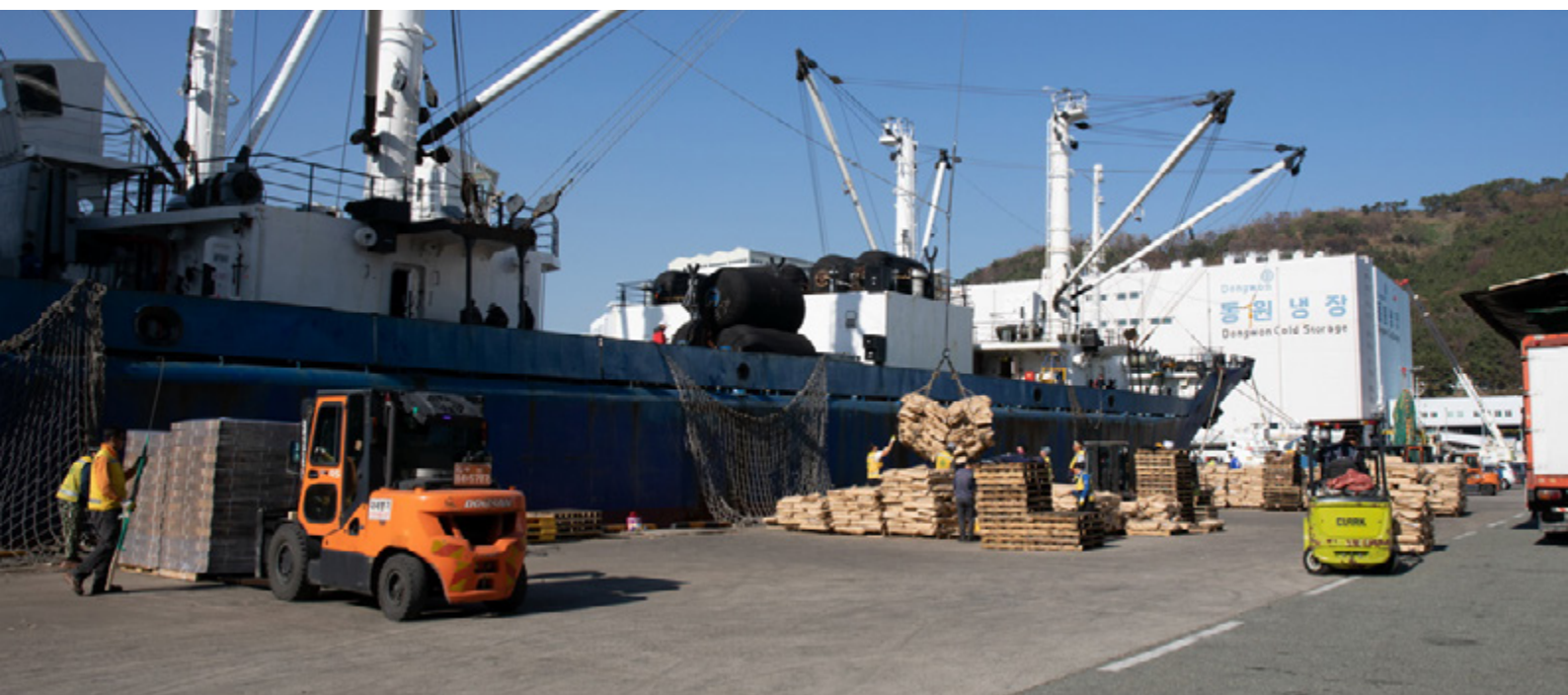
Limited species coverage undermines the effectiveness of traceability regulations. In 2021, only 2.1% and 12% of the value of all seafood imported to Korea was covered by the CDS and the imported STS systems respectively.

Case study: Over the last two years, a total of **99 imports** associated with high risks of IUU fishing and/or human rights abuses have been from species not covered by traceability regulations. Eight imports of tuna and tuna-like species have come from a Chinese exporter that beneficially owned a Ghanaian vessel sanctioned by the Ghanaian Government for IUU fishing in 2019 and 2020. The sanctioned offences included using prohibited fishing gear, the catching juvenile fish with undersized mesh nets and inaccurate catch reports. The remaining 91 high-risk imported consignments include further consignments of tuna-like species (39), squid (10), Alaska pollock (29) and megrim (13) from Chinese, Russian and Italian vessels alleged to be responsible for illegal fishing and associated labour abuses.

- **Lack of transparency**

Not all the data in CDS is available to the public, in particular from the imported STS. This threatens seafood sustainability, safety and legality, and risks fraud (see section 3.2 for more detail). Transparency is the starting point to building trust. Easy access to key information about seafood enables consumers to make an informed decision over their purchases.

The four major drawbacks and related case studies presented above demonstrate how seafood associated with IUU fishing and human rights abuses enters the Korean market. Korea, as a major global seafood importer, has a responsibility to ensure all seafood imported is safe, legal, sustainable and ethical. EJF recommends that the Korean MOF takes stronger action to stamp out IUU fishing and human rights abuses in seafood supply chains. The Korean government should commit to advancing transparency and traceability regulations by adding all necessary KDEs, extending traceability from boat to plate, introducing a digital platform that integrates supply chain information, and providing consumers with sufficient information to enable informed seafood purchase decisions.



Gamcheon port, Busan, South Korea. Source: <https://www.kogl.or.kr/index.do>

2. Introduction

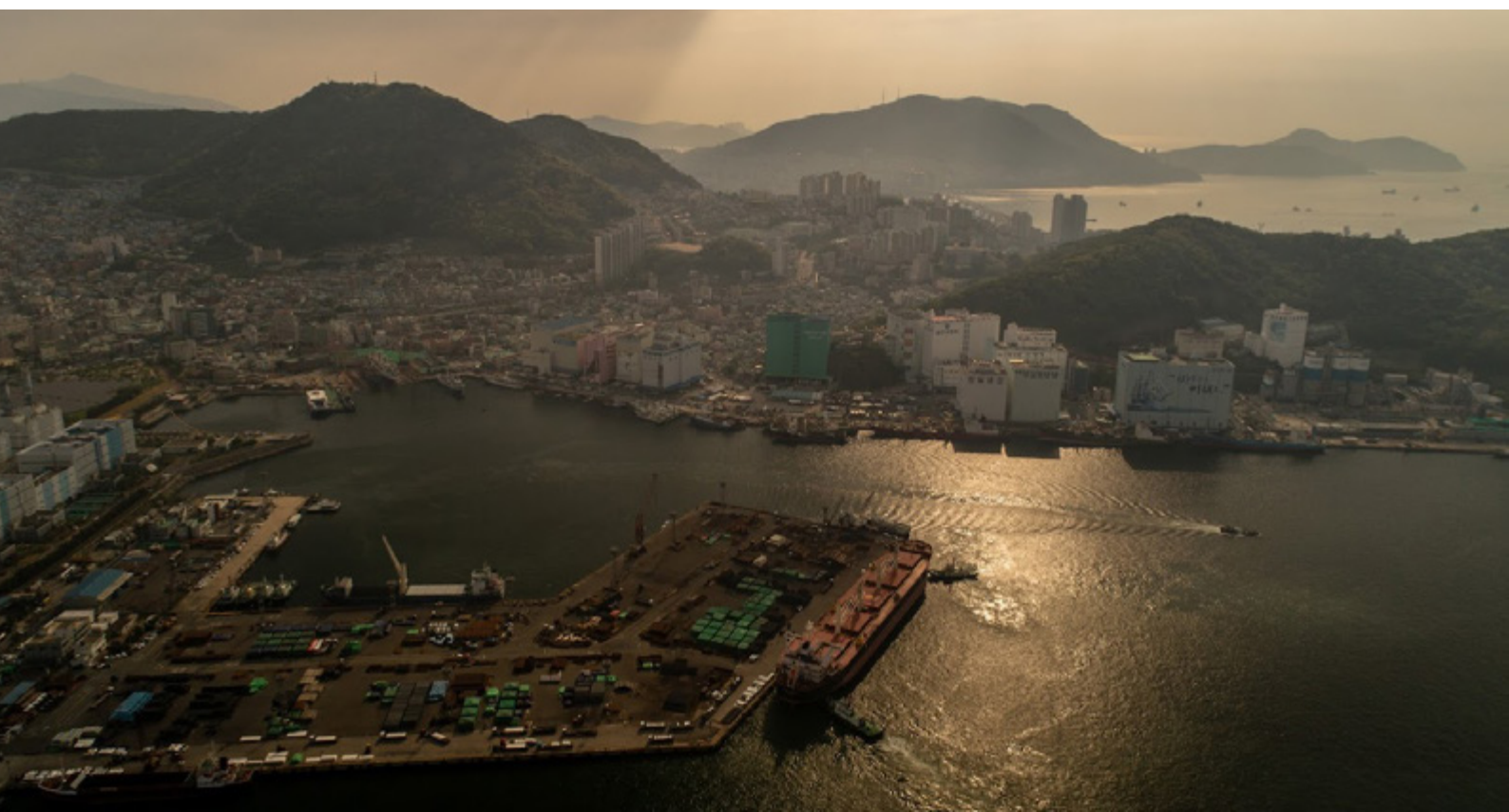
Nearly 93% of marine fish populations are at risk – 35.4% are overfished and 57.3% are at their maximum sustainable level, leaving just 7% underfished.¹⁰ One of the main contributors to this decline is IUU fishing,¹¹ which has severe adverse impacts on the conservation of marine biodiversity and broader ocean ecosystem services. It is a serious threat to our oceans and the livelihoods of people who depend on them. An estimated 20% of the world's seafood products are caught and sold illegally, resulting in an approximate global loss of up to US\$50 billion (KRW 69 trillion) per year.¹²

IUU fishing is enabled by a lack of transparency and traceability in global seafood supply chains. The remote nature, opacity and complexity of distant water fishing makes it difficult to identify the actors and activities involved at each step of these supply chains. Without traceability, consumers can unknowingly contribute to the destruction of marine environments and human rights abuses, while illegal operators continue to profit. Legitimate operators face unfair competition due to the lower cost of IUU operations and products.

Without comprehensive traceability regulations, fisheries products linked to IUU and human rights abuses can enter the Korean seafood market unnoticed. As well as combating IUU fishing, strong traceability also prevents seafood fraud, where cheaper seafood is disguised as more expensive products.¹³ In order to monitor and control imported seafood products, the world's three largest seafood markets – the EU, USA and Japan – have all established and implemented different traceability regulations.

There are benefits to robust traceability regulations. Effective supply chain governance can reduce the risk of individual consumers or retailers unknowingly purchasing illegal seafood. Robust traceability regulations would require proof of legality and a completed record of the chain of custody of imported fisheries products, including a CDS and STS. It is notable that Korean consumers value the safety of seafood products (63%) and conservation of fisheries resources (56%), according to a 2022 National Awareness survey.¹⁴

This briefing analyses the links between the Korean seafood market and the high probability that seafood connected to IUU and human rights abuses is entering the Korean market. It examines the status of Korea's seafood imports and current traceability regulations. Case studies describe how seafood products associated with high-risk activities are being distributed in the domestic market. Recommendations are provided for the Korean government to improve transparency and traceability.



3. Overview of Korea's seafood import and traceability regulations

3.1. Seafood import analysis

South Korea is the world's fifth-largest importer of seafood products, importing 6.4 million tons of seafood, worth a total of US\$62 billion, from 132 countries in 2021.^{15,16} The top five trading partners are China, Russia, Vietnam, Norway and the USA, accounting for 67% of Korea's total seafood imports.¹⁷ Of these, seafood products from the top three importing nations are frequently associated with IUU and human rights abuses.

Table 1. Korean seafood imports (2021)

	Trading nation	Volume (Tonnes)	Value (US\$ 1,000)	Proportion by value	Major Items (by import value in 2021)
	Total	6,374,806	6,182,432	100%	Shrimp, Atlantic salmon, pollock, crab, squid, octopus
	Top 5	1,733,008	4,156,694	67%	
1	China	902,027	1,300,876	21%	Octopus, corbina (yellow croaker), squid, blue crab
2	Russia	489,709	1,219,826	20%	Pollock, crab, cod
3	Vietnam	173,485	808,389	13%	Shrimp, octopus minor, pollock fillet (meat)
4	Norway	93,888	575,974	9%	Atlantic salmon, pacific salmon, mackerel
5	USA	73,900	251,629	4%	Pollock fillet, fish meal, halibut, pollock

Source: Korea national fisheries data portal (www.fips.go.kr)

| Top trading partner - China

China has the largest fishing fleet in the world and placed top in the IUU fishing Index in 2021.¹⁸ A recent study analysing two decades of information released by different regional fisheries management organizations (RFMOs) and governments revealed that Chinese vessels have the highest number of arrests, sanctions and penalties for involvement in IUU fishing and related crimes.¹⁹ EJF has documented rampant human rights abuses and IUU fishing activities in the Chinese fleet along the coasts of several developing countries, as well as on the high seas.²⁰ In addition, it has been widely reported that Chinese fishing vessels engage in illegal activities in the West and East Seas of Korea.²¹

| Second trading partner - Russia

Russia ranked second in the IUU Fishing Index for 2021 mainly due to extensive non-compliance with fisheries regulations and a lack of responsive actions from the state.²² Their widespread illegal fishing for crabs has been well documented.²³ The Russian government's tepid response to the IUU fishing in question resulted in the country being placed on biannual reports to the US Congress of IUU fishing nations in 2017 and 2021 produced by the US National Oceanic and Atmospheric Administration (NOAA).²⁴

| Third trading partner - Vietnam

In 2017, Vietnam received an official 'yellow card' warning from the EU. This was given as a result of an insufficient legal framework to prevent IUU fishing, and a failure to monitor and manage Vietnamese vessels.²⁵ EJF investigations have also revealed child labour and forced labour in Vietnam's fisheries sector, especially in the production of shrimp.²⁶

3.2. Traceability regulations

Traceability is generally defined as tracking fishery products through their entire supply chains from catch, landing and processing to final sale and consumption. Traceability is achieved through identification and record-keeping in systems such as a CDS and STS.²⁷ A CDS works to deny IUU-derived products entry into a supply chain, and STS keeps records up to consumers, according to the FAO's *Codes of Conduct for Responsible Fisheries*,²⁸ the *International Plan of Action to Prevent, Deter and Eliminate IUU Fishing (IPOA-IUU)*,²⁹ the *Voluntary Guidelines for CDS*³⁰ and *Seafood Traceability for Fisheries Compliance*.³¹

Korea's traceability regulations, including CDS and imported STS, are codified under the Distant Water Fisheries Development Act³² and the Fishery Products Distribution Management and Support Act³³ respectively.

Catch Documentation Scheme: The Korean MOF adopted a country-level CDS in 2017 targeting three species, namely bobo croaker, longneck croakers and saury.³⁴ In 2013, Korea received a yellow card from the EU due to its fleet's widely documented illegal operations targeting croakers in West Africa, in particular in Sierra Leone.^{35,36} In 2015 the card was retracted, but considerable global concern remained over the Korean government's capacity to monitor Korean-owned, foreign-flagged vessels operating in West African waters and exporting to Korea. To address these concerns, the Korean government introduced its CDS to monitor imported croakers. Saury was included in CDS following an event in 2016 when almost 90 Taiwanese and Taiwanese-owned, Vanuatu-flagged saury vessels involved in IUU fishing were caught attempting to export their catch to Korea.³⁷

The CDS procedure begins when the captain or shipping agent of an incoming vessel carrying any CDS species submits a CC or a simplified CC to the authorities through an electronic system called a Port Management Information System (PORT-MIS).³⁸ The Korean government agency, the National Fishery Product Quality Management Service (NFQS), then verifies the CC or the simplified CC issued by the exporting country. If a CC or a simplified CC is not attached, the NFQS prohibits entry or landing.³⁹

Seafood Traceability System: There are two different STSs in Korea governed by two different regulations – one for domestic seafood (marine capture by Korean-flagged vessels and farmed fish) and the other for imported seafood (marine capture by foreign-flagged vessels and farmed fish). In 2008, the MOF introduced the domestic STS to tackle the problem of seafood mislabeling and ensure food safety.⁴⁰ By scanning the barcode or QR code on a package (see Image 1 below), customers are able to access basic information on a product including the name, origin (ship name, captain and date of delivery), distributor and processing factories.⁴¹ The domestic STS is mostly voluntary except for two mandatory products – dried yellow croaker and raw oyster.

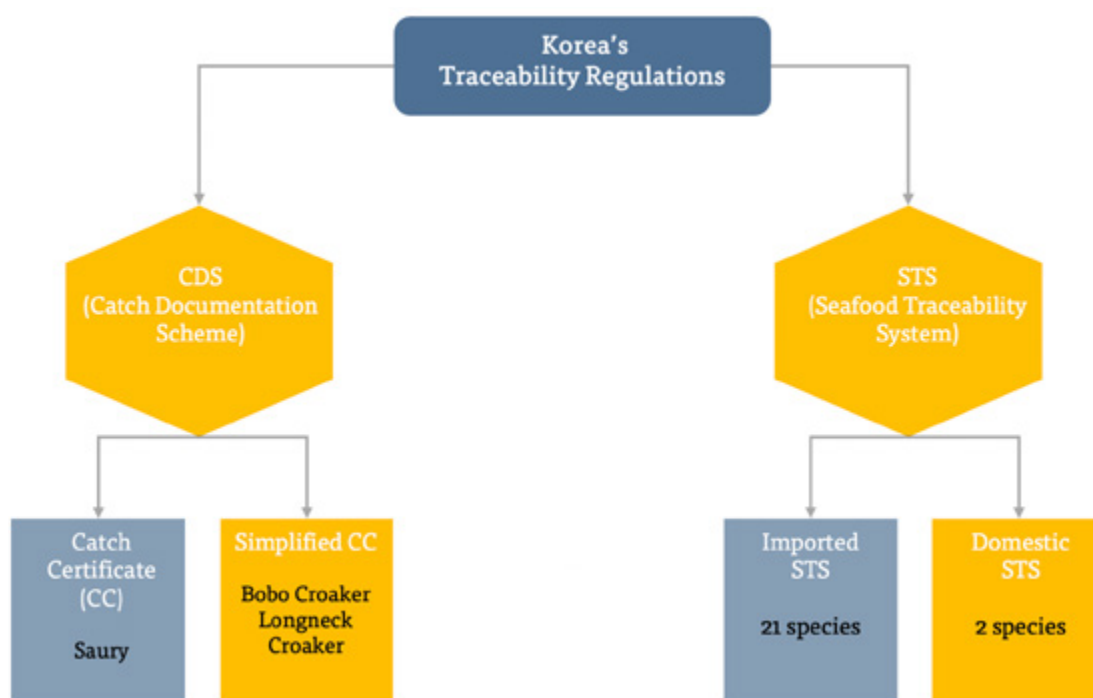
In October 2020, the MOF took over the Korean Customs Services' duty of monitoring 17 imported fishery products and amended applicable laws, as well as establishing a new electronic reporting system.⁴² After adding four additional species in January 2023, importers and distributors of the designated 21 species are now required to provide the name, origin, the date and number of the import report, and trading details (e.g., statement of transactions) to the MOF. This is completed by submitting the identity of domestic buyers into an electronic system named the Imported Seafood Traceability System.⁴³ Violators are subject to an administrative fine of up to KRW 5 million (about US\$ 3,600) pursuant to the Fishery Products Distribution Management and Support Act.⁴⁴

Image 1: Domestic STS label



Source: fishtrace.go.kr

Table 2: Korea's traceability regulations structure



Traceability regulations in the top three global seafood markets

EU:

The EU introduced the IUU Regulation in 2008, which established a catch certification scheme covering all wild-caught seafood species as well as a third country carding process.⁴⁵ It obliges exporting states to issue a CC for all marine capture fisheries to prove legitimacy, sustainability and safety. The system, *TraceFish*, has been implemented to trace the entire supply chain of marine capture and aquaculture products sold in the EU market, and provides consumers with the relevant information.

UNITED STATES:

The Seafood Import Monitoring Program (SIMP) establishes data, reporting and record-keeping requirements for thirteen species groups* to prevent IUU imports into the USA. SIMP imposes obligations on importers to provide major data from production to importation to prove that imports are legal.⁴⁶ In November 2022, the US Food & Drug Administration (FDA) announced the Food Traceability Final Rule, which establishes traceability record-keeping requirements for persons who manufacture, process, pack or hold foods included on the Food Traceability List, covering most seafood. This new traceability system came into effect in January 2023.⁴⁷

*13 species groups: Abalone, Atlantic cod, blue crab (Atlantic), dolphinfish (mahi-mahi), grouper, king crab (red), Pacific cod, red snapper, sea cucumber, sharks, shrimp, swordfish, tuna (albacore, bigeye, skipjack, yellowfin, and bluefin)

JAPAN:

The Act on Ensuring the Proper Domestic Distribution and Importation of Specified Aquatic Animals and Plants came into force in December 2022, requiring exporting countries to issue a CC to trace four species groups (squid and cuttlefish, Pacific saury, mackerel, sardine) entering Japan.⁴⁸ The law will be reviewed every two years to consider the addition of further species.

4. Threats to Korea's traceability regulations

Comparing Korean traceability regulations to the KDEs recommended by NGOs, as well as the EU and US systems, four major loopholes are clear. These open the door for high-risk seafood to enter the Korean market, hindering global efforts to combat illegal, unsustainable and unethical fishing.

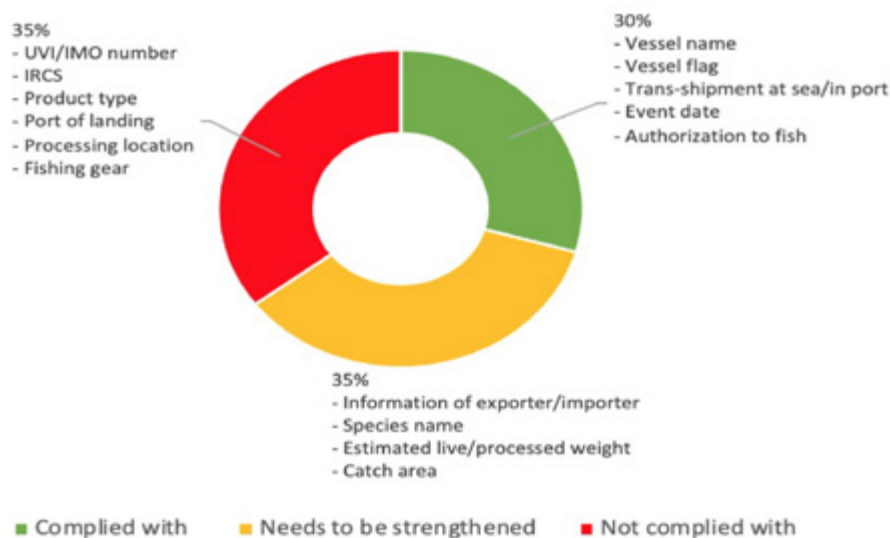
4.1. Insufficient key data elements (KDEs)

Comprehensive KDEs are the minimum basis for robust traceability regulations. KDEs are critical data points required to successfully determine the legality of a seafood product and to trace it through all relevant stages of a supply chain.⁴⁹ KDEs usually focus on information relating to the who, what, when, where and how a seafood product moves through the different stages of a supply chain from ocean to plate.⁵⁰ The KDEs in Korea's traceability regulations were established as a result of domestic and international pressures at the time, and some key criteria needed to scrutinise the risk of IUU or human rights abuses remain absent.

KDEs in the CDS

International NGOs including EJF jointly developed and published a recommended set of 17 KDEs for CDS in January 2020.⁵¹ Korea's CDS currently requires only 5 out of the recommended 17 KDEs (30%), while major markets such as the EU, USA and Japan require 76%, 71% and 65% of the recommended KDE respectively.⁵² The EU and USA are both currently in the process of updating their respective traceability regulations, which will bring them further in line with the recommended KDEs.

Korea CDS KDE Analysis



While another six KDEs still need to be strengthened, the rest six KDEs are completely missing and they are IMO numbers, IRCS, product type, ports and date of landing, processing facilities and fishing gear. All are key to identifying the risk of IUU fishing.

An IMO number is one of the most useful and reliable vessel identities for risk analysis purposes. Once given, it remains with the vessel for its entire life, regardless of changes in flag, ownership or name. The IRCS provides a unique alphanumeric identity that enables two vessels with the same name to be identified separately. The port and date of landing are key information for traceability purposes as it is the point where products transfer from the sea into the terrestrial supply chain.

Information on the processing plant should include its name and address, register number, health certificate number and date of authorisation. The fishing gear information allows an importing authority to verify whether the producer carried out their activities in a lawful way.

Furthermore, Korea's CDS needs to strengthen the who, what, where and how elements. The name, address and telephone number of the exporting or re-exporting company should be made available to ensure that all actors in the supply chain are named, enabling full traceability of the fish. This allows authorities to check the validity of the company in question and contact them with any concerns. Catch area details – such as RFMO jurisdiction and FAO fishing area codes – are also key pieces of information to improve traceability and achieve proper import controls.

Image 2: Catch Certificate (CC) in Korea CDS

■ 해양산업발전법 시행규칙 [별지 제14호의2서식] <신설 2017. 6. 30.>

대한민국 어획증명서 (THE REPUBLIC OF KOREA CATCH CERTIFICATE)			
1. 발급번호 Issuance number		2. 승인당국(기관명, 주소, 연락처) Validating authority(name, address, contact details)	
3. 조업 선박명 Name of the fishing vessel		4. 조업 선박의 국적 Nationality of the fishing vessel	
5. 조업 선박의 선장 Master of the fishing vessel	서명 Signature	6. 조업 선박의 운영자 및 연락 정보 Operator of the fishing vessel and contact details	
7. 어종 Species		8. 중량(kg) Weight(kg)	
9. 조업 기간 Period of the fishing operation		10. 조업 수역 Area of the fishing operation	
11. 조업허가 번호 Fishing authorization number		12. 조업허가 당국 Issuing authority of the fishing authorization	
13. 해상 전재 transshipment at sea			
조업 선박의 선장 Master of the fishing vessel	서명 및 날짜 Signature and date	전재날짜/지역/위치 Transshipment date/Area/Position	전재 중량(kg) Weight of catches transhipped(kg)
수취 선박의 선장 Master of receiving vessel	서명 Signature	수취 선박명 Name of the receiving vessel	수취 선박의 기국 Flag of the receiving vessel
14. 항구지역 내 전재 Transshipment within a port area			
이름 Name	당국 Authority	서명 Signature	주소 Address
전화번호 Telephone	전재 항구 Transshipment port	전재날짜 Transshipment date	날인 Seal(stamp)
15. 수출자 성명/서명/연락 정보 Exporter name/Signature/Contact details			
16. 당국 승인 Validation by the competent authority			
성명/직위 Name/Position	서명 Signature	날짜 Date of validation	날인 Seal(stamp)
수입자 성명/연락 정보 Importer name/Contact details		후 이송정보 Transport details	
		선박명 및 기국 Vessel name and flag	컨테이너번호 Container number(s) 목록 첨부 List attached

Source: Enforcement Rules of Distant Water Fisheries Development Act

Table 3. A comparative analysis of KDEs in different country-level CDS schemes

		Best practice/complied	Optional or needs to be strengthened/improved					Not required/not complied	
	Key Data Elements (KDEs) in Catch Certificate (CC)	NGO recommendations	FAO Voluntary Guidelines ⁵³	European Union ⁵⁴	United States of America ⁵⁵	Japan ⁵⁶	Republic of Korea		
							CC	Simplified CC	
WHO	Vessel name								
	UVI (IMO number)								
	Vessel flag								
	International Radio Call Sign (IRCS)							N/A	
	Information of exporter/re-exporter						Business address		
	Information of importer						Business address		
WHAT	Product type (FAO Alpha code)								
	Species name						FAO code		
	Estimated live weight (kg)						Not specified between live or processed	Not specified between live or processed	
	Processed weight (kg)								
	Declaration and authorisation of trans-shipment at sea and in port								
WHEN	Event date (harvesting operation)								
WHERE	Catch area						EEZ Country Code, RFMO, FAO Zone Code		
	Authorisation to fish								
	Port of landing								
	Processing location								
HOW	Fishing methods								

KDEs in imported STS

For imported STS, while all imported seafood is subject to food safety checks by the Ministry of Food and Drug Safety (MFDS) and the NFQS, the current requirements for KDEs are limited to product name, country of origin, import report number, import report date and transaction records. Information about how fish were caught, as well as safety information (e.g., best before dates), is not required in the current KDEs of imported STS. Data primarily focusing on transaction records cannot serve as a robust safeguard to verify the safety, legality and sustainability of seafood.

In addition to insufficient KDEs, there is a real risk of non-harmonised KDEs between domestic and imported STS. This divergence between STS makes the effective management of seafood supply chains impossible, with the scattered information in different traceability systems allowing high-risk seafood to pass undetected.

Table 4. A comparative analysis of KDEs in Korea's STS

	Best practice/complied	Not required				
			Key Data Elements (KDEs)	NGO recommendations	Korea's domestic STS⁵⁷	Korea's imported STS
WHO			Vessel name			
			Information of Producer(fishers)			
			UVI (IMO number)			
			Vessel flag			
			Information of exporter/re-exporter		N/A	
			Information of importer		N/A	
			Information of processor			
WHAT			Product type (status: frozen/live)			
			Species name			
			Live/processed weight (kg)			
WHEN			Event date (harvesting operation)			
WHERE			Catch area			
			Authorisation to fish			
HOW			Fishing methods			
TRANS-ACTIONS			Import date, import report number		N/A	
			Information of vendor: product, weight, date, vendors' name/address/contact and tracking digit number			
			Information of buyer: product, weight, date, buyers' name/address/contact and tracking digit number			
SAFETY			Best before date			

CASE STUDY: A Taiwanese saury vessel with high risk of IUU links to Korea seafood market

Pacific saury (spp. *Cololabis Saira*) is the most common fish species imported to Korea and about 90% come from Taiwan.⁵⁸ Taiwan has been on the US government's preliminary IUU list since 2021,⁵⁹ and saury is covered by the CDS and the imported STS in Korea. However, EJF's findings suggest that IUU risks remain associated with the species – between December 2021 and November 2022, Korea imported **12 consignments** of saury from the Taiwanese company, Anfong Lian Man Fishery Co.Ltd. This company is an affiliated corporation and shares an address with Anfong Fishery Co. which owns the vessel ANFONG No.111.^{60,61}

ANFONG No.111 was found guilty of possessing salmon without a licence and without record of bycatch on 25 Feb 2022.⁶² However, the record did not specify during which trip or period the salmon was on board. The vessel owner, Anfong Fishery Co. Ltd received a penalty of US\$16,500 (KRW 24 million) from the Taiwanese government.^{63,64} Despite these offences, Anfong Lian Man allegedly sourced from Anfong Fishery Co. while the latter was under litigation for sanctions, and exported saury to Korea accompanied with a CC.⁶⁵ It is uncertain how much of the saury exported to Korea between December 2021 and November 2022 was from the same trip when the vessel was caught for illegal fishing. Due to insufficient KDEs on the 'who' element within the CC and the imported STS, the saury was imported to Korea and distributed domestically with full legitimacy.

4.2. Over-simplified catch certificate

A simplified version of the CC applies to imported croakers caught by vessels under 20GT.⁶⁶ Croakers exported to Korea are often caught in the coastal areas of West African states; in 2021, Guinea was the largest exporter to Korea (64%) followed by Sierra Leone (11%) and Senegal (4%).⁶⁷ The Korean government regards croakers from these countries as catches from artisanal canoe fishers and requires only simplified CCs. This simplified form is limited to the minimum KDEs on producers and traders, meaning the information accompanying croakers can easily be forged and it is straightforward to falsely certify fish caught by IUU trawlers as legally caught artisanal products.

Croakers are highly popular and culturally significant in Korea. Yellow croakers are one of the most lucrative species on the Korean market, so West African croakers – sometimes called 'thorny croakers' or 'Atlantic croakers' – often appeal to Korean customers as a cheaper alternative to yellow croakers.

Image 3. Comparisons between yellow croaker and bobo croaker



Yellow croaker (*Corbina*) (spp. *Larimichthys Polyactis*), distributed in Yellow and East China seas. Length ranges from 18 cm to 40 cm⁶⁸



Bobo croaker (spp. *Pseudotolithus Elongatus*), distributed along the west coast of Africa from Senegal to at least southern Angola, length ranges from 19 cm to 47 cm⁶⁹

Source of the pictures: Korea National Institute of Fisheries Science

Image 4. Croakers sold in a Korean supermarket



Yellow croaker sales stand in a supermarket (July 2022)
A pack of 4 costs KRW 55,000 (US\$ 42)
A pack of 2 costs KRW 39,900 (US\$ 30)

It is hard to differentiate between Guinean bobo croakers and Korean yellow croakers when they are mixed and sold in the same sale stand (July 2022)

In this context, importing croakers without a proper CC and sufficient KDEs means a high risk of IUU fishing. EJF's long-standing investigations have shown that foreign national-owned and/or foreign-flagged vessels – usually industrial trawlers – fishing in coastal areas exploit fish populations and threaten the livelihoods of local communities.⁷⁰ As croakers dwell in the muddy seabed close to shore within depths of 50m, a common fishing method is bottom trawling.^{71/72} Bottom trawling by semi-industrial or industrial trawlers is considered highly destructive as their nets scoop up vast quantities of marine life, destroying habitats, devastating fish populations and often tearing apart canoe fishers' nets.⁷³

In major croaker-exporting countries like Guinea and Sierra Leone, foreign fishing companies often own processing facilities and source from both their own industrial/semi-industrial trawlers and local canoes.⁷⁴ It is common for croakers to be caught by large industrial/semi-industrial trawlers over 20 GT, which are owned by foreign nationals, and trans-shipped to local canoes to be brought back to shore for processing and exporting.⁷⁵ This practice significantly increases the risk of fish laundering, because the fish exported to Korea are recorded as having been caught by local canoes under 20 GT, and therefore only require a simplified CC for export.



A local canoe and a trawler in the waters of Sierra Leone. @ EJF

As companies can own both trawlers and processing facilities, it is unknown whether exported croakers were caught by industrial trawlers or the local canoes they sourced from. Without sufficient KDEs, these croakers could be labelled as local artisanal products, when in fact they were caught using highly destructive fishing methods that harm the ocean as well as the livelihoods of local small-scale fishers.

Considering the high risk associated with croakers from West African waters, the current requirements included in Korea's simplified CC are not sufficient to verify the legality and sustainability of imported consignments (see Table 3 for more details).

CASE STUDY: Croaker imports from high risk companies with simplified data requirements

In Sierra Leone, two companies owned by Korean nationals, Chung Gang Fishing Company and Sun Ho (Sun Hu) Fishing Company, are croaker exporters to Korea. Both companies have their own trawlers operating in Sierra Leone⁷⁶ and long-standing storage and processing facilities on land. These facilities source from both trawlers and local canoes.⁷⁷ The two companies have both owned vessels that previously engaged in IUU activities – including unauthorised fishing in the inshore economic zone (IEZ) in Sierra Leone in 2020 – and were the subject of inspections by a parliamentary committee in Sierra Leone in 2021.⁷⁸ EJF has found that Chung Gang Fishing Company exported croakers to Korea on four separate occasions between July and August 2021, whilst Sun Ho (Sun Hu) Fishing Company exported **30 consignments** of croakers to Korea between August 2021 and November 2022.^{79,80}

The owner of Chung Gang Fishing Company (registered as a processing and trading company) was a joint operator of the Peninsular Fishing Company in Kent, Freetown in Sierra Leone.⁸¹ The company owned an industrial trawler called MAHAWA that engaged in IUU fishing.⁸² In November 2018, an EJF investigation found MAHAWA was registered in both Sierra Leone and Guinea,⁸³ which is illegal under international maritime law.⁸⁴ In response, the owner of MAHAWA was fined by the Guinean government. In February 2020, EJF found that MAHAWA was illegally fishing off the coast of Sierra Leone, and these findings and the relevant evidence were shared with both the Sierra Leone and Guinean governments. However, as the vessel did not register to any ports at any point and was likely stateless, neither government was able to prosecute the vessel.⁸⁵ The current activities of the vessel are not identifiable. As there is a close connection via ownership to Korean nationals, the Korean government should further investigate this vessel to ensure there is no possibility of its catches ending up in the Korean seafood supply chain.

Sun Ho – also called Sun Hu Fishing Company – is registered as a processing and trading company and has also previously owned a semi-industrial trawler called BUSAN 11 operating in Sierra Leone.⁸⁶ In 2018, EJF found that the vessel had carried out fishing activities in the coastal area of Sierra Leone off Banana Island. However, it did not appear in the vessel registration list of Sierra Leone at that time, therefore illegal.⁸⁷ Currently, the activities of BUSAN 11 are neither locatable nor traceable.



Trans-shipment at sea from an industrial trawler, MAHAWA, to a local canoe (Jan, 2019). © EJF

4.3. Limited coverage in CDS and imported STS

Seafood covered by Korea's CDS and the imported STS represented just 2.1% and 12% respectively of the total value of Korea's imported seafood in 2021. Because the vast majority of globally traded species are at significant risk of IUU fishing and/or are overfished, this limited scope creates incentives to categorise and label catches as species that are outside the regulations.

As a result, there is a need to expand the species covered by CDS based on thorough risk assessments. Over the past two years, tuna and tuna-like species were imported **eight times** into Korea from a Chinese exporter that beneficially owns a Ghanaian vessel. This vessel has been sanctioned by the Ghanaian government for IUU fishing, including the use of prohibited fishing gear, catching of juvenile fish with undersized mesh nets and inaccurate catch reports (see case study below). Meanwhile, **91 consignments** including tuna-like species (39), squid (10), Alaska pollock (29) and megrim (13) from Chinese, Russian and Italian vessels alleged to be responsible for illegal fishing and associated labour abuses were imported to Korea. The 21 species covered by the imported STS were chosen based only on them being higher risk in terms of seafood safety or chemical contamination, neglecting issues such as legality.

CASE STUDY: High-risk seafood imports to Korea not covered by traceability regulations

In June 2019, Chinese trawler LU RONG YUAN YU 956 was apprehended in Ghanaian waters for using prohibited fishing gear, catching juvenile pelagic fish with undersized mesh nets and submitting inaccurate catch reports.^{88,89} Pelagic species are the main catch of local artisanal canoe fishers and the primary food source for local communities, meaning the activities of this vessel directly undermined food security and livelihoods for small-scale Ghanaian fisheries. The Ghanaian government issued a fine of US\$1 million to the Chinese beneficial owners of LU RONG YUAN YU 956, but the vessel owners refused to pay. In May 2020, the vessel was caught again for similar offences. The guilty vessel went unpunished for a second time,⁹⁰ and it continued to operate in Ghana's waters.⁹¹ In addition to the bottom trawler, the vessel's owner, Rong Cheng Ocean Fishery Co. Ltd, also owns tuna vessels. These exported **eight consignments of yellowfin tuna and tuna-like species** to Korea between January 2021 and December 2022.



Source: Chinaglobalsouth.com (article released on 25 August 2020)

Beyond the above cases, EJF crew interviews and analysis have found that **tuna and tuna-like species (39), squid (10), Alaska pollock (29) and megrim (13)** entering the Korean market have the highest risk of association with IUU activities and labour abuses.

Tuna, tuna-like species and squid: Five different Chinese-flagged fishing vessels are alleged to be responsible for shark finning, and intentional capturing and killing of dolphins and other marine mammals between September 2017 and June 2021. In addition, former crew members who worked on these vessels in 2020 and 2021 reported that their wages were reduced by brokers and/or manning agencies in the form of deductions, guarantee deposits and placement fees. They were forced to work up to 20 hours per day, sometimes being physically abused, and struggled with insufficient food and drinking water. The Chinese owners of the five vessels in question have been trading tuna and tuna-like species and squid with Korean importers – **a total of 39 tuna-like species and 10 squid consignments were imported to Korea** over the last two years between January 2021 and December 2022.

Alaska pollock: According to EJF's investigations and AIS analysis, a Russian company which owned a vessel alleged to be responsible for illegal fishing exported **29 consignments of Alaska pollock** to Korea between September 2021 and October 2022. AIS vessel tracking data indicate it may have been operating in Japan's EEZ without authorisation in May 2021.

Megrim: EJF also found **13 consignments of high-risk megrim imports**. Of these, nine were most likely sourced from an Italian-flagged vessel that was alleged to have fished in prohibited zones in Guinea in January 2021. Evidence suggests that the remaining four were from a Chinese fishing vessel that allegedly fished without authorisation in Sierra Leone between March and June in 2020.



Squid on a Chinese fishing vessel. @ EJF

4.4. Lack of transparency

A severe lack of transparency is a major drawback of the current system, as information in the CDS is strictly protected by the government for business confidentiality reasons. For the STS, while both imported and domestic STS are managed by the MOF, the latter has better transparency and consumers are able to obtain more information about domestically produced products. Although the imported STS aims to ensure food safety, detailed information on imported STS is still kept confidential by the government.

As national demand for safety and sustainable seafood grows, consumers are increasingly eager to know more about the seafood they purchase. To enable consumers to make informed decisions, it is essential that the information stored in both STSs is accurate, coherent and publically available for everyone.



Seafood section in mega market in Korea. © EJF

The Korean government needs to take stronger action to stamp out IUU fishing and human rights abuses in its supply chains.

We therefore call on the Korean government to commit to more transparency and traceability measures and stronger sanctions when offences are detected. This is vital to deter further abuse and protect people, wildlife and the ocean.



Street fish market in Busan, South Korea. @ EJF

5. Recommendations

The four major threats identified to the success of traceability regulations, and related case studies presented above, demonstrate severe concerns over the current willingness and capacity of the Korean government to stop illegal or unethical seafood entering the Korean market. To improve the scope and effectiveness of Korea's traceability regulations, EJF calls for systematic changes to be adopted immediately by:

| The Korean Ministry of Oceans and Fisheries

- **Include all 17 necessary KDEs** in both the CDS and STS, as recommended in Table 3. Enhance KDEs in the simplified CC so that imports with high-risk activities and forged documents can be properly screened.
- **Expand the CDS and STS to cover all species** starting with high-risk species such as tuna based on risk assessments. Ensuring that human rights are upheld should also be made a fundamental part of the review process.
- **Introduce a one-stop digital platform** easily accessible online that provides all the necessary information from the CDS and STS to consumers. This can start with launching a pilot project on saury, including all necessary official departments, for example MOF, MFDS, and Customs. This would demonstrate the importance of integrating all available information in the CDS and imported STS.⁹²
- **Pledge support to [the Global Charter for Fisheries Transparency](#) and other international standards**, enshrining the principles of the Charter into Korean law. The principles in the Global Charter for Fisheries Transparency shed light on the identities of both vessels and their owners, divulging information on where seafood products originate from and where they are landed, as well as uncovering who is working on vessels and ensuring they are being treated fairly. These are easily available, economically affordable tools which can be rapidly implemented to significantly reduce illegal fishing and the associated human rights abuses.

| The seafood providers, traders and retailers

- **Examine the entire supply chain and develop a due diligence process** by requiring full disclosure on fishing activities from source companies. The PAS 1550 and Advisory Notes provide comprehensive, practical information.^{93,94}
- **Join civil society** to call for the Korean government to support the adoption of [the Global Charter for Fisheries Transparency](#). Meaningful due diligence requires reliable and transparent information easily available to all stakeholders. When more information is available, it is easier for individual buyers to establish an effective due diligence process.
- **Support civil society** to call for a more comprehensive traceability regulation. Robust traceability regulations that forbid imports of high-risk seafood can ease the burden of individual buyers to monitor and screen each purchase.

| All consumers

- **Seek as much information** as possible and actively request that sellers provide the necessary information about the seafood products before purchasing
- **Support civil society's call** for the MOF to introduce the one-stop digital platform that provides all necessary information about the who, what, when, where and how of seafood products in Korea.

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