



**SPECIAL
FOCUS**

Anti-Money Laundering Law
as An Added Measure to Combat

Illegal, Unreported and Unregulated Fishing in Malaysia

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GLOBAL illegal, unreported and unregulated (IUU) fishing represents up to 26 million metric tons of marine capture fisheries annually, valued at US\$10-23 billion (Food and Agriculture Organization of the United Nations). The Asian continent loses approximately US\$6.7 billion in annual gross revenue from illegal fishing and trading (Buchholz, 2021).

However, combatting IUU fishing is a huge challenge since fish is traded with high financial returns and in turn, attracts irresponsible individuals, criminals and large consortiums to invest considerable amount of money with minimum risk of being indicted for fisheries crimes. One of the most effective measures to prevent, deter and eliminate IUU fishing is the for-

feiture of illicit financial gains and properties from those involved directly or in support of IUU fishing by invoking certain provisions in Anti-Money Laundering, Anti-Terrorism Financing and Proceeds of Unlawful Activities Act 2001 (AMLATFPUA/AML).

In 2014, Malaysia amended its main anti-money laundering legislation, AMLA 2001, to include five (5) Sections from Fisheries Act 1985, which were identified as the main contributor to IUU fishing, by classifying them as “serious offences”.

With predicate offences identified, AMLA 2001 can be effectively applied for the forfeiture of unlawful proceeds from IUU fishing on balance of probabilities by invoking the provisions in AMLA 2001 for deterrent outcome. It is estimated that Ma-

aysia loses at least RM6 billion every year due to IUU (BERNAMA, 2019).

1. Introduction to Environmental Crime and Illegal, Unreported and Unregulated Fishing

Money is the main motivation for people to engage in most criminal activities including IUU fishing. The Financial Action Task Force (FATF) in consultation with UNEP has identified environmental crime as a serious offence and one of the designated categories of offences, which includes IUU fishing and illegal logging, illegal timber and wildlife trade, smuggling of ozone-depleting substances and illicit trade of hazardous waste.

IUU fishing can be a lucrative crime. A 6-week illegal fishing trip to Antarctica can make up to six million euros in profit (Interpol, 2020). According to UNEP's report on environmental crime, proceeds from these illegal activities generate US\$258 billion per year and increases between 5%-7% each year (Lou, 2019).

IUU fishing also leads to other serious crimes such as money laundering, corruption involving enforcement and compliance officers, human trafficking and forced labour for the fishing industries, document forgeries in catch certification and tax evasion. IUU fishing is also associated with the entry of illegal immigrants (Lewerissa, 2018).

Although the global marine capture fisheries through IUU fishing is estimated to be between US\$10-23 billion, it would be interesting to include inland capture fisheries as some of the luxury fishes such as *Tor tambroides*, which could fetch up to RM1,800.00/kg, originate from inland waters. Moreover, unlike illegal drugs, illicit-caught fish can be easily mixed with other fish, as all fish would appear legal (Österblom et al., 2011).

IUU fishing is a serious threat to Malaysia. Approximately 980,000 metric tonnes of fish (worth RM6 billion) are said to be stolen from Malaysian waters (mainly in the East Coast) annually by illegal foreign vessels usually from Thailand, Vietnam and Indonesia (Majid, 2017).

Combatting IUU fishing is also a security issue. Experts have suggested that Chinese fishing fleets have been a trojan horse for the de facto seizure of territories in the South China Sea and have engaged in "systemic violations of sovereign nation rights" off the coast of Latin America and Africa (Mills, 2021).

To solve the problem of IUU fishing, Malaysia needs a comprehensive strategy and policy for the fisheries industry. Malaysia's lack of clear strategies or goals for the fishery industry poses a

problem. According to the former head and senior fellow at the Centre for Maritime Security and Diplomacy under the Maritime Institute of Malaysia (MIMA), Martin A Sebastian, there were neither strategies nor goals outlined for the fishery industry in all three editions of the National Agriculture Policy – the latest being for the period between 1998 and 2010:

- The National Agrofood Policy expires in 2020 and the Department of Fisheries Strategic Plan expires in 2020 as well. We do not have a "Fish Stock Assessment" for our maritime estate and Maximum Sustainable Yield policies for fisheries... the National Plan of Action for IUU (NPOU-IUU) also needs to be revisited as it was published in 2013 (Aiman, 2020).

Effort has been taken at ASEAN level to combat IUU fishing. Measures taken by the Association of Southeast Asian Nations ("ASEAN") members through the Southeast Asian Fisheries Development Centre ("SEAFDEC") include the Regional Fishing Vessels Record ("RFVR"), which aims at developing a regional record of fishing vessels and the creation of the ASEAN Guidelines for Preventing the Entry of Fish and Fishery Products from IUU Fishing Activities into the Supply Chain (Ghazali et al, 2019).

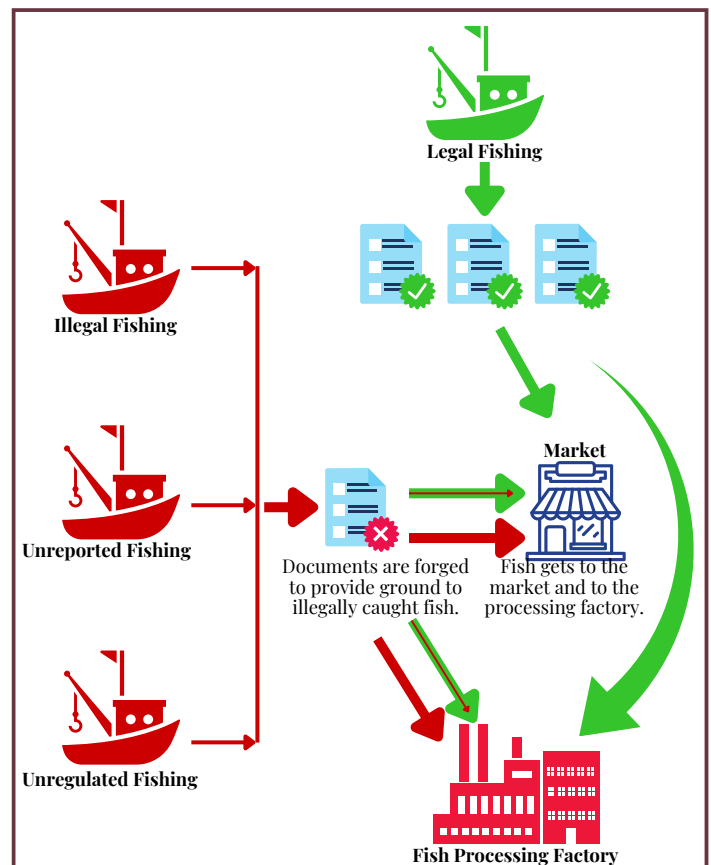


Figure 1 Supply chain on IUU fishing, from capture to market.

Source: Lou (2019)

Ghazali et al (2020) highlighted that combatting IUU fishing is a collective effort and can be seen from the following:

- The termination of licences of more than 472 deep-sea vessels that were violating the Fisheries Act 1985 and the subsidiary laws.
- The installation of Automatic Identification System on 2,630 trawlers in Zone B.
- The strengthening of regional cooperation to combat illegal fishing between ASEAN countries.

2. Malaysia's Engagement with International Protocols in Relation to AML and IUU Fishing

2.1 *Anti-Money Laundering law*

Although the technical definition of money laundering differs between countries, it generally refers to a process of concealing or disguising the existence, source, movement, destination or illegal application of illicitly derived property or funds to make them appear legitimate.

Malaysia is a party to 1988 UN Convention against the Illicit Trade in Narcotic Drugs and Psychotropic Substances (the Vienna Convention) and the 2000 UN Convention against Transnational Organized Crime (the Palermo Convention).

Article 3(1)(b) of the Vienna Convention and Article 6 of the Palermo Convention provides the foundation; a comprehensive definition and criminalisation of money laundering, and has been transformed into Malaysia AML legislation by an act of parliament.

FATF is an international policy-making body that sets anti-money laundering standards and counter-terrorist financing measures world-wide through its dynamic 40 Recommendations. Malaysia, as a party to FATF, adapts most of the recommendations and guideline in the legislative and investigative processes.

2.2 *Fisheries Law*

Malaysia is a party to UNCLOS 1982. Under Article 56 (Rights, jurisdiction and duties of coastal States in exclusive economic zone), 61 (Conservation of living resources), and 62 (Utilisation of the living resources), Malaysia has sovereign rights to conserve, manage and exploit fisheries stock sustainably in the Exclusive Economic Zone, which is a part of Malaysian Fisheries Waters.

Article 73 (Enforcement of laws and regulation of the coastal State) further provides for

enforcement rights for Malaysia to enforce domestic fisheries laws against all forms of IUU fishing in Malaysian Fisheries Waters in accordance with the international laws. Malaysia also developed the NPOA in 2013 to prevent, deter and eradicate IUU fishing based on IPOA-IUU adopted by FAO in 2001.

Although Malaysia is not a party to the Port State Measures Agreement (PSMA), it has comprehensive specific domestic laws such as Fisheries Act 1985, Customs Act 1967, Merchant Shipping Act 1952 and Malaysian Quarantine and Inspection Services Act 2011 and sharing of information through RFMOs to effectively enforce PSMA at the designated port of entries within Malaysia.

3. Development of AMLA Legislation in Malaysia

The Malaysian anti-money laundering legislation has gone through a dynamic development process in line with the global challenges and international conventions. The initial Anti-Money Laundering Act 2001 (AMLA 2001) was amended by Act A1208 with the short title changed to Anti-Money Laundering and Anti-Terrorism Financing Act 2001 (AMLATFA 2001). The main change was to widen the scope of AMLA in order to include "terrorism financing offences".

The next significant amendment was via Act A1467, which changed the title to Anti-Money Laundering, Anti-Terrorism Financing and Proceeds of Unlawful Activities Act 2001 (AMLATFPUA 2001) and broadened the definition of "unlawful activity" and "proceeds of an unlawful activity" as well as the scope of offences of "money laundering" under Section 4 and the categories of properties liable for forfeiture under Sections 55 and 56 respectively.

AMLA 2001 also defines "serious offence" that has been specified in Schedule 2, which includes five (5) predicate offences under the Fisheries Act 1985 (as amended) namely, Sections 8, 11, 15, 16, and 20 of Fisheries Act 1985; and five (5) predicate offences under International Trade in Endangered Species Act 2008, namely, Sections 10, 11, 12, 13 and 14 of International Trade in Endangered Species Act 2008, whereby Department of Fisheries Malaysia is the competent authority on aquatic species, two (2) predicate offences each under the Shipping Ordinance 1952 namely, Subsection 18(5) and Section 28 of Merchant Shipping Ordinance 1952 and sections 133 and 135 of Customs Act 1967 respectively which can be jointly invoked on matters relating to Port State Measures on IUU fishing. Subsequently, the Act defines "unlawful activity" as:

“... any activity which constitutes any serious offence ... or any activity which is of such a nature, or occurs in such circumstances, that it results in or leads to the commission of any serious offence or any foreign serious offence, regardless of whether such activity, wholly or partly, takes place within or outside Malaysia.”

Another pertinent definition which can be attributed to IUU fishing is “proceeds of an unlawful activity”, which means:

“... any property (including currency) or any economic advantage or economic gain from such property, within or outside Malaysia, which is wholly or partly derived or obtained, directly or indirectly, by any person from any unlawful activity.”

4. Predicate Offences as per Fisheries Act 1985 under Schedule 2 of AMLA 2001

There are five sections in the Malaysian Fisheries Act 1985 that identified “serious offences” that contribute to IUU fishing.

Accordingly, AMLA 2001 can be invoked for the forfeiture of properties gained through illegal proceeds from various forms of IUU fishing, either by charging them under the predicate offences or administrative means.

4.1 **Section 8** states that it is an offence to fish using any local fishing vessel (LFV) without a valid licence or breach of condition or failure to comply with the written directive of the Director-General of Fisheries. The fisheries legislation provides separate Sections for the licensing of fishing vessel and fishing appliances. Therefore, offences committed under Section 8 may be construed as illegal and unregulated fishing in relation to operating an LFV in Malaysian Fisheries Waters.

4.2 **Section 11** states that any operation, under control or in possession of any fishing appliance without a licence, setting up or cause to set up any fishing stakes, fishing appliances and fish aggregating device, construct or any marine culture system without a valid licence is a non-compoundable offence. Section 52 may be invoked for the forfeiture of all subject matters (LFV, fishing appliances, etc.) upon conviction. This offence falls within the ambit of illegal fishing.

4.3 **Section 15** pertains to Foreign Fishing Ves-

sel (FFV) involved in fishing, transshipment and conducting of techno-economic research, etc. in Malaysian Fisheries Waters. Engaging or attempting to engage in these activities without authorisation is an offence. A maximum fine of RM6 million and mandatory forfeiture of all subject matters may be imposed on the captain. Nevertheless, there is no provision for imprisonment in compliance with Article 73 of LOSC 1982. Offences committed by FFV without a valid licence issued by the Director-General of Fisheries in MFW can be construed as illegal fishing.

4.4 Under **Section 16**, foreign fishing vessels (FFV) entering Malaysian Fisheries Waters (MFW) shall notify by radio, telex or facsimile in English or Malay Language to an authorised officer with details of the name, flag state, location, route and destination of the vessel, the type and number of fish it is carrying and the circumstances under which it is entering the MFW.

However, in actual situation, most FFVs would still be engaged in various forms of illegal fishing activities even after notification. This is classified as a serious offence under AMLA 2001. It must be noted that section 16 acts as a precautionary provision; a warning to FFV to not engage in any form of illegal fishing activities and monitor their movements.

However, as proven in the cases of FV PERLON, it was found engaging in illegal transshipment of illegally caught Patagonian toothfish in MFW.

4.5 **Section 20** relates to offences committed for having in possession, custody or control of fish taken from FFV in MFW, which could have been caught illegally, unreported or through unregulated means. As in the case of FV PERLON, the tugboat with barge, ASIA LINK acted as the local fishing vessel and was found guilty under Section 20.



Section 26 of Fisheries Act 1985 was not included in Schedule 2 of AMLA 2001, although it is considered that offences committed under this provision are much serious in nature compared to other offences.

Section 26 deals with offences related to destructive methods of fishing, such as usage of blasts/explosives, poison, electricity/ pulse, prohibited gears and catching of prohibited aquatic species. These offences are much more serious and contribute to the destruction of marine environment and habitats.

It is also a form of organised crime wherein the supplies of detonators and fuse, which are controlled items under the Explosive Act 1957, are illegally distributed by well-organised syndicates that eventually purchase the fish from fishermen who make high profit with low investment.

5. AMLA Implementing Mechanisms by Respective Maritime Enforcement Agencies in Malaysia

The investigation and subsequent prosecution of any predicate offences, and forfeiture of proceeds derived from illegal activities are under the purview of relevant enforcement agencies based on the provisions of relevant specific law read together with AMLA 2001.

It is the duty of the Department of Fisheries Malaysia (DOFM), Malaysian Maritime Enforcement Agency (MMEA) and Marine Operational Force of Royal Malaysian Police (RMP) to utilise their investigative and authorised powers to invoke Part V of AMLA 2001 for investigation and eventually for the forfeiture of properties derived through IUU fishing by the decision of the courts.

Their task also involves asset tracing, asset recovery and identifying Ultimate Beneficial Owner (UBO) through Financial Intelligence Unit (FIU) of Bank Negara Malaysia (National Bank of Malaysia). (Refer to Figures 2 & 3)



Figure 2 Example of case/offence investigated under AMLA 2001 (as amended): Illegal fishing.
Source: Bank Negara Malaysia with certain modifications

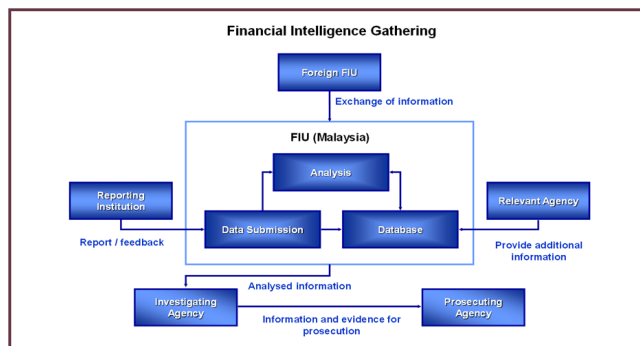


Figure 3 Financial Intelligence Gathering.
Source: Bank Negara Malaysia

Since the amendment of AMLA 2001 in 2014 with the inclusion of “Proceeds from unlawful activities” into the short title and listing of five serious fisheries offences in Schedule 2, only a few fisheries enforcement officers attended a short tailor-made training in AMLA and forfeiture of property.

DOFM has yet to set up a dedicated unit under Fisheries Resource Protection Division, which currently handles regular tasks related to fisheries enforcement such as intelligence gathering, covert and overt operations, air surveillance, arrest and investigation.

The prosecution is still being handled by the Legal Division of DOFM. One of the reasons for the staggered implementation is due to DOFM’s view that the 2014 amendment of AMLA on forfeiture of properties is still at an infant stage and requires a solid foundation to engage in anti-money laundering enforcement as an added measure to counter IUU fishing.

As in the case of a well-established agency, MMEA, there has yet to be a publicly reported case on anti-money laundering with regard to IUU fishing.

Since fisheries serious offences are already listed in Schedule 2 of AMLA 2001 with the joint consensus of the Attorney-General’s Chamber, it is suggested that DOFM, Malaysian MMEA and RMP form a dedicated task force to invoke anti-money laundering provisions effectively against persons who commit serious fisheries-related crimes based on the predicate offences identified. As stated by Ian Urbina:

“The rule of law – often so solid on land, bolstered and clarified by centuries of careful wordsmithing, hard-fought jurisdiction lines, and robust enforcement regime – is fluid at sea, if it’s to be found at all.” (Dixon, 2021)

It must be noted that all illicit proceeds through IUU fishing usually end up on “land”, as cash deposit in banks, purchase of properties, purchase

of new vessels and expansion of other related legitimate businesses since most of the dealings in capture fisheries are transacted highly on cash, especially in developing and least developed countries.

Moreover, illicit funds are easily funnelled into legitimate companies through dubious sales transaction and trading. Illegal fishing tradesmen can over-value or misrepresent their stock to fool gatekeepers for various reasons.

Therefore, anti-money laundering laws can act as a deterrent against offenders involved in IUU fishing through covert investigation by tracing their activities over a reasonable period of time, which can be adduced in the court for an order for forfeiture by the judge either under Section 55 or 56 of AMLA 2001.

Currently, forfeiture of vessel is mostly done under Fisheries Act 1985 and not AMLA. For example, in August 2021, it was reported that two skippers of Vietnamese fishing vessels were fined RM1 million each while their nine crew members were fined RM100,000 each for illegal fishing in Malaysian waters (Anjumin, 2021, August 25).

All 11 Vietnamese who appeared in two separate groups pleaded guilty before the Sessions Court Judge, Elsie Primus. The skippers, aged 30 and 33, would have to serve four months in prison and three months for the crew members, if they fail to pay the fines.

The court ordered the vessels and equipment to be forfeited by the Malaysian government under Section 52(1)(a) of the Fisheries Act. All of them were convicted under Section 15(1) of the Fisheries Act 1985 and punishable under Section 25(a) of the same Act read together under Section 34 of the Penal Code. The punishment provides up to RM6 million fine for the skipper, and RM600,000 for each crew member of the vessel, upon conviction.

During mitigation, all the unrepresented accused who communicated through a Vietnamese interpreter asked for leniency, saying they were from poor families and wished to return to their country as soon as possible. However, the scope of forfeiture under AMLA can be wider.

Malaysia can also benefit from better cooperation with United Nations Office on Drugs and Crime (UNODC). The UNODC, among other organisations, had previously reported on the use of fishing vessels for illegal activities and can assist in enhancing the States' criminal justice sectors, with an aim to improve fisheries law enforcement e.g. by improving financial investigations to identify illicit financial flows from the proceeds of fisheries crime including money-laundering, countering corruption in the



Many of the crew on board the FV STS-50 (or Andrey Dolgov) were suspected of being forced labour.

Source: Getty Images

fishing sector and the use of containers to transport illicit products. It also includes developing practical manuals for identifying fisheries crime offences including tax evasion and money laundering (UNODC report).

Better cooperation with INTERPOL is also essential, as the INTERPOL can issue a Purple Notice against vessels involved in IUU fishing. Purple Notices are an important tool for fisheries enforcement as they allow police worldwide to share information on vessels known for or suspected of engaging in illegal fishing activities (Interpol, 2020).

A good example is the case of FV STS-50. Acting on a request from INTERPOL, Indonesia seized one of the world's most wanted pirate fishing vessel in 2018 after it evaded capture in many countries. The ship was involved in illegal fishing, document fraud, manipulation of shipborne equipment, illegal open-sea transshipments and serious identity fraud, and has changed its name six times (Interpol, 2020).

The INTERPOL, under its dedicated Environmental Security Programme (ENS), coordinated the exchange of intelligence between countries along the vessel's travel route as it attempted to evade detention by travelling from East Asia to Africa and then back to Southeast Asia before the Indonesian authorities were alerted after countless hours of coordination cooperation between several nations (Interpol, 2020). This shows that collaboration can work wonders in combatting IUU fishing.

If such arrest were made in Malaysia, we can also use AMLA to target the proceeds from these fisheries crimes.

6. Contentious issues in relation to freezing, seizure and forfeiture of properties and individual rights

In the case of *Lim Hui Jin v. CIMB Bank and Others* (2018) 6 MLJ 724, the Court of Appeal has

provided some clarity on the limits and scope of freezing and seizure orders made under Part VI of AMLA 2001 (as amended).

It was found that the seizure order had expired by virtue of Section 52A and the appellant had not been charged with an offence under the Act. The appellant's bank account should also have been released upon expiration of the seizure order. Moreover, the court also noted that no application had been made for the forfeiture under Section 56 against the appellant.

On the same note, in order for properties to be forfeited under Section 55(1), the person who was accused of the offence must be the actual person whose property was seized and not the third party.

The Court of Appeal's ruling provides an information safeguard for an individual's right to property as gazetted in Article 13(1) of the Federal Constitution.

This decision makes it clear that a person's properties cannot be held indefinitely if he is not charged with an offence under the Act within the time limits of freezing or seizure order. Upon the expiration of such orders, the relevant properties are to be released to the said person.

Lim Hui Yin has far-reaching implications on the conduct of investigations under the Act where properties of a person have been frozen or seized, as is often the case.

In such event, the enforcement agencies must endeavour to complete their investigation and proffer charges against the accused within 12 months from the date of seizure or freezing order if one has been issued.

Failure to do so could result in the properties being returned to the person concerned unless an application has been made to forfeit the property under Section 56 of the Act within the time frame of the relevant order.

It remains to be seen whether the 12 months' time frame imposed on enforcement agencies is realistic and practical, especially in large scale cases or complex investigations that involve multiple parties or jurisdictions in relation to foreign fishing vessels that are engaged in illegal transshipment and illegal fishing in Malaysian Fisheries Waters.

Conclusion

Money laundering, labour exploitation, corruption and documentation forgery are some of the serious crimes commonly committed in IUU fishing today.

While IUU fishing was often associated with fishing vessel captains and owners in the past, the

situation has now changed. IUU fishing nowadays include business executives, lawyers, accountants, public officials and other white-collar professionals (Interpol, 2020). The law enforcement agencies must also evolve in their approach in combatting these fisheries crimes.

An effective application of anti-money laundering law as an added measure to combat IUU fishing is a viable option apart from the usual application of traditional fisheries laws and enforcement.

Fisheries law enforcement officers should be well-trained in the field of asset tracking and recovery, financial intelligence gathering and engagement with competent authorities and financial institutions for a successful prosecution and forfeiture of properties gained through IUU fishing.

Ultimately, forfeiture of properties and financial gains will create a serious dent and critical setback in the future IUU fishing operations of certain red-flagged high-profile companies or person(s) involved.

It is noted that while Indonesia has been a hotspot for IUU fishing crimes, the Indonesian Law 25/2003 on money laundering goes a step further by ordering the banks and financial institutions to make suspicious transactional information available to the law enforcement in order to crack down on the accounts of suspected launderers.

Insurers and lease financing companies, including fishermen's cooperatives that work with vessels, should adopt screening method using tools such as Global Fishing Watch to assist in tracking companies that they work with.

Meanwhile, Malaysia is moving forward by listing fisheries serious offences in AMLA 2001. It is anticipated that with competency-based training, secondment of anti-money laundering experts from other enforcement agencies and formation of Task Force, the enforcement officers from DOFM, MMEA, and RMP should be able to enforce AMLA 2001 effectively in the near future as an added measure to combat IUU fishing and contribute to sustainable exploitation of capture fisheries resources in Malaysian fisheries water.

MIMA

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REFERENCES

- Aiman, Ainaa (2020, October 11). China's push lets foreign poachers steal our fish, say experts. *Free Malaysia Today*. Retrieved from <https://www.freemalaysia.com/category/nation/2020/10/11/chinas-push-lets-foreign-poachers-steal-our-fish-say-experts/>
- Anjumin, E (2021, August 25). Vietnamese skippers, crew fined RM2.9mil for illegal fishing. *New Straits Times*. Retrieved from <https://www.nst.com.my/news/crime-courts/2021/08/721158/vietnamese-skippers-crew-fined-rm29mil-illegal-fishing>
- ASEAN Regional Forum (2019). MMEA Perspective on maritime domain awareness. Retrieved from <https://aseanregionalforum.asean.org/wp-content/uploads/2019/02/ANNEX7-MDA-Workshop.pdf>
- BERNAMA (2019, 4 September). RM6 Billion lost each year to illegal fishing. *MalaysiaKini*. Retrieved from <https://www.malaysiakini.com/news/490566>
- Buchholz, K. (2021). The Oceans Suffering Most From Illegal Fishing. *Statista*. Retrieved from <https://www.statista.com/chart/25021/illegal-fishing-revenue-losses-by-ocean/>
- Dixon, Julian (2021). Moneylaundering through illegal fishing. *NAPIER*. Retrieved from <https://www.napier.ai/post/money-laundering-illegal-fishing>
- Food and Agriculture Organization of the United Nations (2021). Illegal, Unreported and Unregulated (IUU) Fishing. Retrieved from <https://www.fao.org/iuu-fishing/en/>
- Ghazali, F., Talaat, W. I., Rahman, A., & Rusli, H. (2019). Malaysian Efforts in Combating IUU Fishing: A Legal and Policy Review. *Journal of East Asia and International Law*, 12(2), 387-400.
- Interpol (2020). Fighting illegal, unreported and unregulated fishing. *Interpol*. Retrieved from <https://www.interpol.int/en/News-and-Events/News/2020/Fighting-illegal-unreported-and-unregulated-fishing>
- Lewerissa, Y.A (2018) Impersonating Fishermen: Illegal Fishing and the Entry of Illegal Immigrants as Transnational Crime. *Journal of Indonesian Legal Studies*, Vol. 3, No. 2, November 2018, p. 273-290. HeinOnline.
- Lou, Aaron (2019). Are Financial Institutions Directly or Indirectly Involved in Financing Environmental Crimes? Retrieved from https://www.researchgate.net/publication/342825247_Are_Financial_Institutions_Directly_or_Indirectly_Involved_in_Financing_Environmental_Crimes_httpswwwacamsorgfinancial-institutions-environmental-crimes/citation/download
- Majid, N (2017, June 19) Malaysia loses RM6b annually due to illegal fishing in South China Sea. *New Straits Times*. Retrieved from <https://www.nst.com.my/news/nation/2017/06/250427/malaysia-losesrm6b-annually-due-illegal-fishing-south-china-sea>
- Malay Mail (2019, 26 September). Vietnamese business woman jailed three years, fined RM1.75m for offering bribes to Johor MMEA officer. Retrieved from <https://www.malaymail.com/news/malaysia/2019/09/26/vietnamese-businesswoman-jailed-three-years-fined-rm1.75m-for-offeringbrib/1794558>
- Mills, W.D. (2021) Illegal Fishing Is a National Security Problem. *Defense One*. Retrieved from <https://www.defenseone.com/ideas/2021/04/illegal-fishing-national-security-china/173660/>
- New Straits Times (2017, 22 November). Vietnamese 'Datuk' charged with offering bribes to MMEA officer. Retrieved from <https://www.nst.com.my/news/crime-courts/2017/11/306104/vietnamese-datuk-charged-offering-bribes-mmea-officer>
- Österblom, H., Constable, A., & Fukumi, S. (2011). Illegal fishing and the organized crime analogy. *Trends in Ecology & Evolution*, 26(6), 261-262.
- The United Nations Office on Drugs and Crime. Fisheries crime. Retrieved from https://www.unodc.org/documents/about-unodc/Campaigns/Fisheries/focus_sheet_PRINT.pdf

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