



# Efforts to lift the EU's yellow card: Assessing Vietnam's Legal Response to IUU Fishing

Pham Ngoc Minh Trang

December 2025







# Efforts to lift the EU's yellow card: Assessing Vietnam's Legal Response to IUU Fishing

**Author:**

Pham Ngoc Minh Trang  
Max Planck Foundation for International Peace and the Rule of Law

**Editors:**

Pieter-Jan Vandoren and Benedetta Girardi

**Quality Assurance:** Paul Sinning

December 2025

**Cover photo:** [Canva](#)

The analysis presented in the paper, including the conclusions and recommendations, is the product of independent research. The responsibility for the content of this paper lies with the authors and the authors alone.

The research for and production of this report has been conducted within the PROGRESS research framework agreement. Responsibility for the contents and for the opinions expressed, rests solely with the authors and does not constitute, nor should be construed as, an endorsement by the Netherlands Ministries of Foreign Affairs and Defence.

© *The Hague* Centre for Strategic Studies. All rights reserved.  
No part of this report may be reproduced and/or published in any form by print, photo print, microfilm or any other means without prior written permission from HCSS. All images are subject to the licenses of their respective owners.

HCSS  
Lange Voorhout 1  
2514 EA The Hague

Follow us on social media:  
[@hcssnl](#)

The Hague Centre for Strategic Studies  
Email: [info@hcss.nl](mailto:info@hcss.nl)

# Introduction

Since October 2017, the European Commission has kept Vietnam under a “yellow card” for shortcomings in combating illegal, unreported, and unregulated (IUU) fishing.<sup>1</sup> The Commission’s decision was based on, among others, Vietnam’s “lack of an effective sanctioning system to deter IUU fishing activities” and insufficient action to address “illegal fishing activities conducted by Vietnamese vessels in the waters of neighbouring countries.”<sup>2</sup> These deficiencies highlighted Vietnam’s weak performance as a Flag State. In fact, according to the IUU Fishing Risk Index, Vietnam ranks among the top ten countries most exposed to IUU fishing risks in Asia.<sup>3</sup> Its scores in the category of Flag State were low, which reflected the country’s shortcomings in exercising effective control and oversight over its fishing fleet.

Although, in theory, the EU’s yellow card does not constitute a formal ban on Vietnam’s seafood exports to the European market, in practice, the impact has been substantial. Since the issuance of the yellow card in 2017, the value of Vietnam’s seafood exports to the EU has declined by more than 12%.<sup>4</sup> Moreover, the reputational damage may be extended beyond the European market.<sup>5</sup> It has been pointed out by several researchers in the field that other major seafood importers such as the United States and Japan might adopt similar restrictive measures, thereby increasing the economic and diplomatic costs for Vietnam’s fisheries sector.<sup>6</sup>

In response, Vietnam has made a tremendous effort to revise its domestic legal system to address the problems of IUU fishing following the recommendations issued by the Commission.<sup>7</sup> This article examines Vietnam’s current anti-IUU legal framework with particular emphasis on the discharge of its Flag State obligations to evaluate whether the post-2017 reforms have materially strengthened Vietnam’s performance as a Flag State so as to meet the EU’s criteria for lifting the yellow card.

<sup>1</sup> European Commission, “Commission Warns Vietnam over Illegal Fishing and Insufficient Cooperation in the Fight Against IUU Fishing,” Press Release, 23 October 2017, accessed December 5, 2025, [https://ec.europa.eu/commission/presscorner/detail/en/ip\\_17\\_4064](https://ec.europa.eu/commission/presscorner/detail/en/ip_17_4064). Note, all links in this paper were accessed on December 5, 2025.

<sup>2</sup> Ibid.

<sup>3</sup> IUU Fishing Risk Index, “Vietnam — Country Profile”, <https://iuufishingindex.net/profile/vietnam>.

<sup>4</sup> Tran Manh, “Seafood exports to the EU decreased sharply because of the IUU gold card,” *Tuoi Tre Online*, November 8, 2021, <https://tuoitre.vn/xuat-khau-thuy-san-sang-eu-giam-manh-vi-the-vang-iuu-20210810233138237.htm>.

<sup>5</sup> Phuong To and Robert S. Pomeroy, “Combating Illegal, Unreported and Unregulated (IUU) Fishing and Removing Yellow Card From European Commission (EC): Vietnam’s Determined Actions,” *Asian Fisheries Science*, ahead of print, February 15, 2022, <https://doi.org/10.33997/j.afs.2022.35.1.002>.

<sup>6</sup> Ho, Ai Nhan, and Phuoc Huu Ngo. “Combating Illegal, Unreported, and Unregulated Fishing: A Vietnamese Perspective”, *The International Journal of Marine and Coastal Law* 38, 4 (2023): 681-715, doi: <https://doi.org/10.1163/15718085-bja10117>.

<sup>7</sup> To and Pomeroy, “Combating Illegal, Unreported and Unregulated (IUU) Fishing and Removing Yellow Card From European Commission (EC): Vietnam’s Determined Actions.”. See also, Nguyen Hoai Nam, Nguyen Thong Tien, and Le Hang, *A Trade-Based Analysis of the Economic Impact of Non-Compliance with Illegal, Unreported and Unregulated Fishing: The Case of Vietnam* (Hanoi: WTO Center, 2021), <https://wtocenter.vn/file/18516/a-trade-based-analysis-of-the-economic-impact-in-eng.pdf>.

# The EU regulations on IUU fishing and their relationship with third countries

International law places responsibilities on States for preventing, deterring, and eliminating IUU fishing principally in their capacities as flag, coastal, port, and market States.<sup>8</sup> Flag-State responsibilities are arguably pivotal to the European Union (EU)'s third country "carding" system and were a central shortcoming identified by the EU in Vietnam's case. To put it simply, the EU's assessment of a third country (non-EU member State)'s performance is essentially based on whether that State exercises effective control over vessels flying its flag and can provide reliable, auditable proof that the catch from those vessels is lawful across the entire chain from fishing to exporting.

Under the EU's IUU framework (the Council Regulation (EC) No. 1005/2008), the import of fisheries products from a third country relies on a catch-certification scheme.<sup>9</sup> At its core is the catch certificate attesting that the fishing products were produced in compliance with applicable conservation and management measures and other relevant rules of international law.<sup>10</sup> The Flag State sits at the centre of this verification mechanism as it must validate the certificate, which in practice requires the State to ensure licensing, monitoring, control, and enforcement sufficient to prevent its vessels from engaging in IUU activities.<sup>11</sup> Crucially, the EU acceptance of a certificate depends not only on formal validation but also on the third country's appropriate implementation and enforcement of national law over its fleet.<sup>12</sup> Where the Commission finds Flag-State responsibilities are not being discharged, it may issue a formal warning or a "yellow card".<sup>13</sup> Failure to remedy the EU's identified shortcomings can lead to identification as a non-cooperating third country, a so-called "red card".<sup>14</sup> It will lead to significant trade consequences, including prohibitions on the import of fisheries products.<sup>15</sup> In short, under the 2008 EC regulation, robust Flag State control is not merely desirable; it is the legal condition for the EU market access.

---

<sup>8</sup> Mfodwo, Kwame, Ben Milligan, Mary Ann Palma, and Martin Tsamenyi. "The European Council Regulation on Illegal, Unreported and Unregulated Fishing: An International Fisheries Law Perspective", *The International Journal of Marine and Coastal Law* 25, 1 (2010): 5-31, doi: <https://doi.org/10.1163/092735210X12589554057604>.

<sup>9</sup> Chapter III, Council of the European Union, *Council Regulation (EC) No. 1005/2008 of 29 September 2008 Establishing a Community System to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing*, Official Journal of the European Union L 286, 29 October 2008, <https://eur-lex.europa.eu/eli/reg/2008/1005/oj/eng>

<sup>10</sup> Article 12, Council Regulation (EC) No. 1005/2008.

<sup>11</sup> Article 14, Council Regulation (EC) No. 1005/2008.

<sup>12</sup> Article 20, Council Regulation (EC) No. 1005/2008.

<sup>13</sup> Article 32, Council Regulation (EC) No. 1005/2008.

<sup>14</sup> Article 33, Council Regulation (EC) No. 1005/2008.

<sup>15</sup> Article 38, Council Regulation (EC) No. 1005/2008.

# Positive developments in Vietnam's domestic legal framework in combatting IUU Fishing

Since 2017, Vietnam has ramped up efforts to revise and strengthen its domestic legal system in order to fight against IUU fishing and lift the EU's yellow card. At the central government level, this framework now rests on four principal legal instruments. First, the 2017 Fisheries Law provides the foundation, introducing for the first time in Vietnam's legislation the legal concept of "illegal fishing" and establishing the basic traceability requirements for fishery products.<sup>16</sup> Second, Decree No. 37/2024 elaborates the operational obligations of both competent authorities and fishermen, including registration and licensing, vessel monitoring system (VMS) installation, designation of fishing ports, and origin certification.<sup>17</sup> These requirements are all essential for compliance with EU traceability standards. Finally, in terms of sanctions, Vietnam adopted Decree No. 38/2024 and Resolution No. 04/2024, setting up a quite comprehensive system of administrative penalties and criminal liability for illegal fishing activities.<sup>18</sup> Together, these reforms represent Vietnam's legal effort to align with international fisheries governance standards.

There are several noticeable improvements in the fisheries laws of Vietnam. First, the laws set out a clear duty to notify and coordinate across all relevant enforcement bodies when VMS anomalies or boundary breaches occur. Decree 37/2024 now requires Ministry of Agriculture and Rural Development of Vietnam (MARD), provincial fisheries authorities, Fisheries Surveillance, the Coast Guard, and the Border Guard to exchange information and respond jointly whenever a vessel loses its VMS signal, crosses permitted boundaries, or shows signs of potential IUU activity.<sup>19</sup> This requirement creates a much more coherent enforcement chain, ensuring that incidents are not handled in isolation or left unaddressed due to institutional fragmentation. In practice, it means that any suspicious behaviour, such as a VMS blackout or a vessel heading toward foreign waters, will trigger a multi-agency response rather than relying on a single authority.<sup>20</sup> This level of coordination is essential for effective Flag State control, and represents one of the more encouraging developments in Vietnam's post-2017 reforms.

<sup>16</sup> Articles 60 – 61, Law On Fisheries, Pub. L. No. 18/2017/QH14, Vietnam (2017), <https://faolex.fao.org/docs/pdf/vie171855.pdf>.

<sup>17</sup> Decree No. 37/2024/ND-CP on Guideliness for Implementation of the Law of Fisheries (2024), [https://seafood.vasep.com.vn/Portals/1/DATA/Files/Users/xuantruong/files/37\\_2024\\_ND-CP\\_609481.pdf](https://seafood.vasep.com.vn/Portals/1/DATA/Files/Users/xuantruong/files/37_2024_ND-CP_609481.pdf).

<sup>18</sup> Decree No. 38/2024/ND-CP on Penalties for Administrative Violations Against Regulations on Fisheries (2024), <https://faolex.fao.org/docs/pdf/vie238000.pdf>. Resolution No. 4/2024/NQ-HDTP Providing Guidelines for Application of Some Regulations of Criminal Code on Criminal Prosecution for Illegal Fishing, Trading and Transport of Fishery Products (2024), <https://thuvienphapluat.vn/van-ban/EN/Bo-may-hanh-chinh/Resolution-04-2024-NQ-HDTP-guidelines-Criminal-Code-trading-transport-of-fishery-products/614412/tieng-anh.aspx>.

<sup>19</sup> Article 1 (20), Decree 37/2024. See also, "Decision No. 2446/QĐ-TTg on Promulgating the Regulation on Interdisciplinary Coordination on the Fight against Illegal, Unreported and Unregulated Fisheries Exploitation (IUU)," November 5, 2025, <https://pbgdpl.cantho.gov.vn/quyet-dinh-ban-hanh-quy-che-phoi-hop-lien-nganh-ve-chong-khai-thac-thuy-san-bat-hop-phap-khong-bao-cao-va-khong-theo-quy-dinh-iuu>.

<sup>20</sup> "Coast Guard Region 3 resolutely prevents fishing vessels from violating seafood fishing regulations," *People's Army*, September 11, 2025, <https://www.qdnd.vn/quoc-phong-an-ninh/tin-tuc/vung-canhh-sat-bien-3-kien-quyet-ngan-chan-tau-ca-vi-pham-quy-dinh-danh-bat-hai-san-1011174>.

Another positive development is Vietnam's tightened compliance regime for vessels operating outside national waters. The conditions for fishing in areas outside the jurisdiction of Vietnam or Regional Fisheries Management Organisations (RFMO)-managed areas are now considerably stricter, requiring vessels to carry an IMO number, embark observers when required by the relevant RFMO or coastal State, and maintain satellite-based VMS at all times.<sup>21</sup> In practice, it means that only vessels with proper identification, monitoring capacity, and a proven history of compliance can operate beyond Vietnam's jurisdiction. This is an important safeguard given the region's sensitivity to cross-border incursions and the EU's emphasis on effective oversight of distant-water operations.<sup>22</sup>

Finally, responding to the criticism that Vietnam's sanctions were too weak to deter IUU fishing,<sup>23</sup> in recent years, the country has taken substantial steps to strengthen its sanctioning regime. The Government replaced Decree No. 42/2019 on administrative sanctions in the fisheries activities with the more comprehensive Decree No. 38/2024, expanding administrative penalties.<sup>24</sup> In addition, the Government also introduced criminal liability in the fisheries sector through Resolution No. 04/2024.<sup>25</sup> Under this 2024 framework, tampering with, removing, or falsifying data from a VMS can now result in fines of up to 1 billion VND (around 38,000 USD) or imprisonment of up to seven years, which is a substantial increase compared to the penalties provided under the 2019 framework. Moreover, Vietnamese authorities have begun prosecuting several IUU fishing cases in practice.<sup>26</sup> These reforms mark an important shift in Vietnam's approach toward stronger enforcement of IUU fishing. Alongside these legal reforms, the Government has been working with local authorities to educate and inform all fishermen about IUU-related sanctions, aiming to deter any illegal fishing activities at sea.<sup>27</sup>

<sup>21</sup> Article 1(23), Decree 37/2024.

<sup>22</sup> Tran, Long Thang. "Asean Legal Framework for Cooperation against Illegal, Unreported and Unregulated Fishing (IUU): Significance, Challenges and Proposed Solutions", *Asia-Pacific Journal of Ocean Law and Policy* 9, 1 (2024): 25-45, doi: <https://doi.org/10.1163/24519391-09010003>. See also, Joseph Arbiol and Pham Quang Minh, "Combating Illegal, Unreported, and Unregulated Fishing in the ASEAN Region," *The ASEAN Magazine*, April 28, 2025, <https://theaseanmagazine.asean.org/article/combating-illegal-unreported-and-unregulated-fishing-in-the-asean-region/>.

<sup>23</sup> Ai Nhan Ho and Phuoc Huu Ngo, "Combating Illegal, Unreported, and Unregulated Fishing: A Vietnamese Perspective," *The International Journal of Marine and Coastal Law* 38, no. 4 (2023): 681–715, <https://doi.org/10.1163/15718085-bja10117>.

<sup>24</sup> Decree No. 38/2024/ND-CP on Penalties for Administrative Violations Against Regulations on Fisheries. <https://faolex.fao.org/docs/pdf/vie238000.pdf>.

<sup>25</sup> Resolution No. 4/2024/NQ-HDTP Providing Guidelines for Application of Some Regulations of Criminal Code on Criminal Prosecution for Illegal Fishing, Trading and Transport of Fishery Products.

<sup>26</sup> Lu Nguyen, "Prosecuting 2 Captains for Illegal Seafood Fishing in Foreign Waters," *Government Electronic News*, March 11, 2025, <https://baochinhphu.vn/khoi-to-2-thuyen-truong-danh-bat-hai-san-trai-phep-o-vung-bien-nuoc-ngoi-102251103095526005.htm>.

<sup>27</sup> "Ca Mau Continues Drastic Measures to Effectively Monitor Fishing Vessels," *Vietnam Plus*, June 11, 2025, <https://en.vietnamplus.vn/ca-mau-continues-drastic-measures-to-effectively-monitor-fishing-vessels-post320750.vnp#:~:text=The%20province%20is%20striving%20to,in%20this%20regard%20in%202017.>

# Persistent Challenges in Vietnam's Fisheries Governance

Vietnam's domestic legal system, nonetheless, has also exposed several shortcomings in the controlling and monitoring its fishing vessels. The first issue concerns the regulation of small-scale fishing vessels. Vietnam classifies its fleet by vessel length, corresponding to designated fishing zones<sup>28</sup>: (1) vessels under 12 metres may operate only in the inshore zone (or internal waters under the law of the sea); (2) those 12–15 metres are restricted to the nearshore zone (the territorial sea); and (3) vessels over 15 metres are permitted to fish in offshore zones (extending from the outer limit of the territorial sea to the outer edge of the Exclusive Economic Zone (EEZ) and, where legally authorised, in areas under the jurisdiction of foreign States or RFMO). Of all those kinds of fishing vessels, only vessels exceeding 15 metres are required to carry a VMS.<sup>29</sup>

Although this requirement is in line with the regulations of the EU, in practice, such an approach reveals a significant monitoring gap in Vietnam's Flag State control.<sup>30</sup> Small-scale vessels still constitute a large majority of Vietnam's national fleet.<sup>31</sup> In fact, in many provinces, fishing boats under 15 metres outnumber larger vessels by more than two to one.<sup>32</sup> Under the 2017 Vietnam Law on Fisheries, those fishing vessels can only operate in the inshore or nearshore zone (no more than 12nm from the baseline of the country).<sup>33</sup> However, it has been pointed out that fishery resources in those zones have been depleted, prompting fishing vessels to travel for farther fishing grounds.<sup>34</sup> Therefore, this unmonitored segment of the fishing fleet, operating with limited oversight and enforcement visibility, is arguably most vulnerable to engaging in IUU fishing, particularly cross-border incursions into neighbouring States' waters.<sup>35</sup>

Secondly, the regulations governing VMS use on vessels over 15 metres also reveal practical shortcomings. While Vietnam's law requires VMS devices to maintain a *continuous connection*,<sup>36</sup> it does not specify a concrete reporting interval, unlike the EU standard, which mandates position transmission at least once every two hours.<sup>37</sup> Moreover, the law of Vietnam permits manual position

<sup>28</sup> Articles 42 and 43, Decree 26/2019.

<sup>29</sup> Article 50, 2017 Vietnam law on fisheries.

<sup>30</sup> European Commission. "Satellite-Based Vessel Monitoring System (VMS)." <https://eur-lex.europa.eu/EN/legal-content/summary/satellite-based-vessel-monitoring-system-vms.html>

<sup>31</sup> Southeast Asian Fisheries Development Center (SEAFDEC), "Fisheries Country Profile: Vietnam," <https://www.seafdec.org/fisheries-country-profile-viet-nam/>.

<sup>32</sup> Báo Khánh Hòa, "100% of Fishing Vessels from 6m and above Are Registered and Have Full Data Updated on the Vnfishbase System," *Vietnam.vn-Vietnam Promotion Platform*, October 6, 2025, <https://www.vietnam.vn/en/100-tau-ca-tu-6m-tro-len-duoc-dang-ky-va-cap-nhat-day-du-du-lieu-len-he-thong-vnfishbase>.

<sup>33</sup> Article 50, 2017 Vietnam Law on Fisheries.

<sup>34</sup> Nguyễn Khắc Giang, "Việt Nam on Right Track to Have IUU Yellow Card Removed, Says ISEAS Expert," August 27, 2024, <https://vietnamnews.vn/society/1661908/viet-nam-on-right-track-to-have-iuu-yellow-card-removed-says-iseas-expert.html>.

<sup>35</sup> "Vietnamese Embassy Visits Detained Fishermen in Malaysia," *Vietnam Plus*, October 30, 2025, <https://en.vietnamplus.vn/vietnamese-embassy-visits-detained-fishermen-in-malaysia-post331550.vnp>.

<sup>36</sup> Article 1(20), Decree 37/2024.

<sup>37</sup> Council of the European Union, *Council Regulation (EC) No. 2244/2003 of 21 October 2003 Implementing the Common Fisheries Policy by Establishing an Alert Mechanism for the Definition of "Serious Misconduct"*, Official Journal of the European Union L 333 (Outcome of the Council's decision), 31 December 2003, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32003R2244>.

reporting every six hours and allows vessels to continue operating at sea for up to ten days while repairing a malfunctioning VMS.<sup>38</sup>

In practice, these provisions create an enforcement vulnerability. During such lengthy reporting gaps, vessels can switch off their VMS and engage in IUU fishing without timely detection or intervention by Vietnamese authorities.<sup>39</sup> This risk manifested in an incident in March 2025, when a VMS disconnection incident led the European Commission to postpone its visit to Vietnam and request stronger measures to disconnection of VMS devices, crossing authorised fishing boundaries, and especially cases of illegal fishing in foreign waters.<sup>40</sup>

---

<sup>38</sup> Articl 1(23), Decree 37/2024.

<sup>39</sup> “Many Fishing Boats in Ca Mau Are Sanctioned and Prosecuted in Ca Mau,” *Voice of Vietnam*, September 18, 2025, <https://vov.vn/kinh-te/ca-mau-nhieu-tau-ca-vi-pham-bi-xu-phat-khoi-to-hinh-su-post1230947.vov?jskey=gubINUPY44NSh7M2daFw%2BayS8yMxbEjcAg%3D%3D>. See also, Chi Cong and Hoang Do, “Kien Giang prosecutes the case of organizing illegal exits by fishing boats,” *Tuoi Tre Online*, March 26, 2025, <https://tuoitre.vn/kien-giang-khoi-to-vu-an-to-chuc-dua-nguoi-xuat-can-phai-phiep-bang-tau-ca-2025032617233469.htm>.

<sup>40</sup> Chu Khoi, “Why did the EC delay the time to inspect the IUU until the end of 2025?,” *VnEconomy*, March 5, 2025, <https://vneconomy.vn/vi-sao-ec-lui-thoi-gian-sang-thanh-tra-iuu-den-cuoi-nam-2025.htm>.



# Cooperation between Vietnam and the EU for combating against IUU fishing

As being discussed above, the government of Vietnam has been trying their best efforts to reform its domestic legal system to fight against IUU fishing. It manifested in the number of legal instruments that have been revised, adopted and implemented systematically throughout all the provinces of the country. However, persistent gaps remain in areas such as vessel monitoring and catch traceability, in which domestic capacity is still limited in both financial and human resources.

The EU, by contrast, is adopting one of the world's most advanced vessel monitoring, inspecting, and surveillance systems. Going beyond traditional methods which were heavily dependent on physical inspection, the EU has invested heavily in modern technologies that enable near-real-time oversight of fishing activities at sea. Its integrated system combines satellite-based VMS, Automatic Identification Systems (AIS), and electronic logbooks (ERS) across EU vessels of all sizes, ensuring that illegal fishing activities are far less likely to go undetected.<sup>41</sup> Furthermore, EU Member States are funded by the EU to incorporate these technologies into their domestic fisheries-control systems.<sup>42</sup>

These are precisely the types of capabilities that Vietnam is currently working to develop. Therefore, practical and technical-driven solutions on monitoring fishing vessels should be the foundation for the EU-Vietnam cooperation on the fight against IUU fishing. Firstly, continued and transparent dialogues between the EU and Vietnam on the domestication of international fisheries law would reinforce mutual confidence and strengthen the partnership over the long term. Secondly, joint EU–Vietnam training programmes, particularly those focused on VMS anomaly detection and at-sea enforcement, would significantly enhance the operational capacity of Vietnamese law-enforcement agencies. Finally, pilot initiatives introducing low-cost tracking technologies for small-scale vessels, learnt from the successful practice of the Philippines, could help close the most persistent surveillance gaps in Vietnam's fisheries sector.<sup>43</sup> Taken together, these cooperative measures would not only support Vietnam in meeting the EU's expectations for lifting the yellow card but also contribute to more sustainable and transparent fisheries governance in the wider region.

---

<sup>41</sup> European Commission, "Inspections, Monitoring and Surveillance — Fisheries Control Regulation," [https://oceans-and-fisheries.ec.europa.eu/fisheries/rules/enforcing-rules/inspections-monitoring-and-surveillance\\_en](https://oceans-and-fisheries.ec.europa.eu/fisheries/rules/enforcing-rules/inspections-monitoring-and-surveillance_en).

<sup>42</sup> Ibid.

<sup>43</sup> Southeast Asian Fisheries Development Center (SEAFDEC), "FAME: Fisheries Management and Ecosystem Programme," <https://www.seafdec.or.th/oceanspartnership/fame.html>.

# Conclusion

Since 2017 when being placed under the EU's yellow card, Vietnam has gone through substantial legal and institutional reforms to strengthen its capacity in combating IUU fishing. The country has revised key fisheries legislation and expanded administrative and criminal sanctions. It even introduced new rules on vessel registration, licensing and traceability following the rules and regulations of the IMO and relevant RFMOs. Yet, persistent weakness remains, especially in the areas of monitoring small-scaled vessels, continuous and reliable VMS transmission, and maintaining auditable catch-document systems. These gaps reflect the constraints of Vietnam in financial resources and enforcement capability.

Support from partners such as the EU is; therefore, essential for Vietnam in this fight against IUU fishing. Nonetheless, the EU consideration should place Vietnam's situation in a broader geopolitical context. Effective cooperation between Vietnam and the EU must also take into account the country's complex maritime security environment in the South China Sea. On the one hand, Vietnamese fishing vessels are economic actors. On the other hand, under domestic law and practice, Vietnamese fishermen are also seen as contributors to the protection of the country's sovereignty and maritime interests.<sup>44</sup> Overly stringent controls may discourage fishermen from operating in areas within Vietnam's claimed EEZ that overlap with China's unlawful nine-dash line.<sup>45</sup> This issue may potentially weaken Vietnam's civilian maritime presence there. Therefore, EU–Vietnam cooperation must strike a careful balance: strengthening compliance with the international legal framework on IUU fishing to meet IUU standards, while ensuring that the reforms do not inadvertently undermine Vietnam's broader sovereignty-related objectives at sea.

---

<sup>44</sup> Article 52, 2017 Vietnam law on fisheries. See also, "Protect and support fishery activities associated with ensuring national defense - security of the Coast Guard Force," *Vietnam Coast Guard*, November 22, 2024, <https://canhsatbien.vn/tap-chi-can-h-sat-bien-so-4/12500/124>.

<sup>45</sup> Nguyen Khac Giang, "Assessing Vietnam's Challenges in Fighting IUU Fishing," *ISEAS YUSOF ISHAK Institute*, Perspective, no. 2024(18) (2024), [https://www.iseas.edu.sg/wp-content/uploads/2024/01/ISEAS\\_Perspective\\_2024\\_18.pdf](https://www.iseas.edu.sg/wp-content/uploads/2024/01/ISEAS_Perspective_2024_18.pdf).

# Bibliography

- Arbiol, Joseph, and Pham Quang Minh. "Combating Illegal, Unreported, and Unregulated Fishing in the ASEAN Region." *The ASEAN Magazine*, April 28, 2025. <https://theaseanmagazine.asean.org/article/combating-illegal-unreported-and-unregulated-fishing-in-the-asean-region/>.
- Báo Khánh Hòa. "100% of Fishing Vessels from 6m and Above Are Registered and Have Full Data Updated on the Vnfishbase System." *Vietnam.vn – Vietnam Promotion Platform*, October 6, 2025. <https://www.vietnam.vn/en/100-tau-ca-tu-6m-tro-len-duoc-dang-ky-va-cap-nhat-day-du-du-lieu-len-he-thong-vnfishbase>.
- Chi Cong, and Hoang Do. "Kien Giang Prosecutes the Case of Organizing Illegal Exits by Fishing Boats." *Tuoi Tre Online*, March 26, 2025. <https://tuoitre.vn/kien-giang-khoi-to-vu-an-to-chuc-dua-nguoi-xuat-can-h-trai-phep-bang-tau-ca-2025032617233469.htm>.
- Council of the European Union. *Council Regulation (EC) No. 1005/2008 of 29 September 2008 Establishing a Community System to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing*. Official Journal L 286, 29 October 2008. <https://eur-lex.europa.eu/eli/reg/2008/1005/oj/eng>.
- Council of the European Union. *Council Regulation (EC) No. 2244/2003 of 21 October 2003 Implementing the Common Fisheries Policy by Establishing an Alert Mechanism for the Definition of "Serious Misconduct"*. Official Journal L 333, 31 December 2003. <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32003R2244>.
- European Commission. "Commission Warns Vietnam over Illegal Fishing and Insufficient Cooperation in the Fight Against IUU Fishing." Press Release, October 23, 2017. [https://ec.europa.eu/commission/presscorner/detail/en/ip\\_17\\_4064](https://ec.europa.eu/commission/presscorner/detail/en/ip_17_4064).
- European Commission. "Inspections, Monitoring and Surveillance — Fisheries Control Regulation." [https://oceans-and-fisheries.ec.europa.eu/fisheries/rules/enforcing-rules/inspections-monitoring-and-surveillance\\_en](https://oceans-and-fisheries.ec.europa.eu/fisheries/rules/enforcing-rules/inspections-monitoring-and-surveillance_en).
- European Commission. "Satellite-Based Vessel Monitoring System (VMS)." <https://eur-lex.europa.eu/EN/legal-content/summary/satellite-based-vessel-monitoring-system-vms.html>.
- Ho, Ai Nhan, and Phuoc Huu Ngo. "Combating Illegal, Unreported, and Unregulated Fishing: A Vietnamese Perspective." *The International Journal of Marine and Coastal Law* 38, no. 4 (2023): 681–715. <https://doi.org/10.1163/15718085-bja10117>.
- IUU Fishing Risk Index. "Vietnam — Country Profile." <https://iuufishingindex.net/profile/vietnam>.
- Lu Nguyễn. "Prosecuting 2 Captains for Illegal Seafood Fishing in Foreign Waters." *Government Electronic News*, March 11, 2025. <https://baochinhphu.vn/khoi-to-2-thuyen-truong-danh-bat-hai-san-trai-phep-o-vung-bien-nuoc-ngoai-102251103095526005.htm>.
- Mfodwo, Kwame, Ben Milligan, Mary Ann Palma, and Martin Tsamenyi. "The European Council Regulation on Illegal, Unreported and Unregulated Fishing: An International Fisheries Law Perspective." *The International Journal of Marine and Coastal Law* 25, no. 1 (2010): 5–31. <https://doi.org/10.1163/092735210X12589554057604>.

- Nguyen, Hoai Nam, Nguyen Thong Tien, and Le Hang. *A Trade-Based Analysis of the Economic Impact of Non-Compliance with Illegal, Unreported and Unregulated Fishing: The Case of Vietnam*. Hanoi: WTO Center, 2021. <https://wtocenter.vn/file/18516/a-trade-based-analysis-of-the-economic-impact-in-eng.pdf>.
- Nguyen Khac Giang. "Assessing Vietnam's Challenges in Fighting IUU Fishing." *ISEAS–Yusof Ishak Institute Perspective*, no. 2024(18), 2024. [https://www.iseas.edu.sg/wp-content/uploads/2024/01/ISEAS\\_Perspective\\_2024\\_18.pdf](https://www.iseas.edu.sg/wp-content/uploads/2024/01/ISEAS_Perspective_2024_18.pdf).
- Nguyen Khac Giang. "Việt Nam on Right Track to Have IUU Yellow Card Removed, Says ISEAS Expert." *Vietnam News*, August 27, 2024. <https://vietnamnews.vn/society/1661908/viet-nam-on-right-track-to-have-iuu-yellow-card-removed-says-iseas-expert.html>.
- People's Army. "Coast Guard Region 3 Resolutely Prevents Fishing Vessels from Violating Seafood Fishing Regulations." September 11, 2025. <https://www.qdnd.vn/quoc-phong-an-ninh/tin-tuc/vung-can-hsat-bien-3-kien-quyet-ngan-chan-tau-ca-vi-pham-quy-dinh-danh-bat-hai-san-1011174>.
- Phuong To, and Robert S. Pomeroy. "Combating Illegal, Unreported and Unregulated (IUU) Fishing and Removing the Yellow Card from the European Commission (EC): Vietnam's Determined Actions." *Asian Fisheries Science*, ahead of print (2022). <https://doi.org/10.33997/j.afs.2022.35.1.002>.
- SEAFDEC. "FAME: Fisheries Management and Ecosystem Programme." <https://www.seafdec.or.th/oceanspartnership/fame.html>.
- SEAFDEC. "Fisheries Country Profile: Vietnam." <https://www.seafdec.org/fisheries-country-profile-viet-nam/>.
- Tran, Long Thang. "ASEAN Legal Framework for Cooperation against Illegal, Unreported and Unregulated Fishing (IUU): Significance, Challenges and Proposed Solutions." *Asia-Pacific Journal of Ocean Law and Policy* 9, no. 1 (2024): 25–45. <https://doi.org/10.1163/24519391-09010003>.
- Tran Manh. "Seafood Exports to the EU Decreased Sharply Because of the IUU Gold Card." *Tuoi Tre Online*, November 8, 2021. <https://tuoitre.vn/xuat-khau-thuy-san-sang-eu-giam-manh-vi-the-vang-iuu-20210810233138237.htm>.
- Vietnam Coast Guard. "Protect and Support Fishery Activities Associated with Ensuring National Defense - Security of the Coast Guard Force." November 22, 2024. <https://canhsatbien.vn/tap-chi-can-hsat-bien-so-4/12500/124>.
- Vietnam Plus. "Ca Mau Continues Drastic Measures to Effectively Monitor Fishing Vessels." June 11, 2025. <https://en.vietnamplus.vn/ca-mau-continues-drastic-measures-to-effectively-monitor-fishing-vessels-post320750.vnp>.
- Vietnam Plus. "Vietnamese Embassy Visits Detained Fishermen in Malaysia." October 30, 2025. <https://en.vietnamplus.vn/vietnamese-embassy-visits-detained-fishermen-in-malaysia-post331550.vnp>.
- VnEconomy. "Why Did the EC Delay the Time to Inspect the IUU until the End of 2025?" March 5, 2025. <https://vneconomy.vn/vi-sao-ec-lui-thoi-gian-sang-thanh-tra-iuu-den-cuoi-nam-2025.htm>.