

Report of the Expert Meeting on Fishing Vessel Registration

Phuket, Thailand, 30 June-2 July 2008



Southeast Asian Fisheries of Development Center

The Secretariat

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7. A short sequence of discussion revealed some of the shortcomings of available information and there was a general understanding that the information did not provide an accurate picture on the numbers of vessels and people involved in fishing in the region. Without going into detail it was pointed that the information, when compared, could lead to questions on the relative size of fishing fleets among countries. Furthermore, there is probably an underestimation on the number of people involved as indicated when comparing number of people with the number of vessels. The presentation and the discussion provided a good starting point in terms of indications that improved vessel registration could be a way to provide a more accurate figure on vessels as a more reliable input to fisheries management.

IV. REVIEW OF EXISTING REGISTRATION SYSTEM IN THE ASEAN REGION AND OTHER PARTICIPATING COUNTRIES

8. Presentations on fishing vessel registration systems in the countries of Brunei Darussalam, Cambodia, Indonesia, Malaysia, the Philippines, Singapore, Thailand and Vietnam were provided. The presentations focused in general on how fisheries managers build upon the existing registration system and how the linkage/cooperation with other agencies on registration of the fishing vessels occurs. Focus was also on how the existing systems are used and linked with issuing of fishing licenses. Summary of the countries' presentations are as follow:

Brunei Darussalam (Annex 5)

9. All ships in Brunei are registered under the *Merchant Shipping Act 2002*. The main problem facing Brunei in terms of (fishing) vessel registration and licensing system is coordination between the government institution performing the registration of the vessels as such and the institution responsible for issuing the licenses for fishing (especially with respect to the commercial segment). As for the small-scale fishing boats they are not licensed nor registered in Brunei Darussalam, but on the other hand licenses to fish by certain fishing gear types are issued by the Department of Fisheries. There is also lack of effective MCS systems that could help monitor fishing boats and protect fisheries resources from illegal fishing and to improve registration and reporting (thereby addressing IUU fisheries).

Cambodia (Annex 6)

10. As there was no representation from the Ministry of Public Works and Transport (the responsible ministry for fishing vessel registration in Cambodia) the country presentation had primarily a focus on the fishing licensing system in Cambodia. The Meeting noted that further communication with the responsible agency for fishing vessel registration will be sought through follow-up activities by the SEAFDEC-Sida Project.

Indonesia (Annex 7)

11. Indonesian fishing vessels registration is executed by the central office of the Directorate General of Sea Transportation, Directorate of Marine Safety or in one of the 43 harbours appointed by Minister of Transportation. The fishing vessels registered is only those owned by Indonesian citizens or Indonesian legal bodies. Registration of fishing vessels purchased/obtained abroad and already registered in the country of origin shall to be

registered as Indonesian fishing vessels be equipped with documents indicating the new owner and a certificate of removal from the ship register published in the country of origin.

Malaysia (Annex 8)

12. Not only fishing vessels but also fishing vessel operators have to register in order to regulate/control their entry into fishing. The ownership pattern of coastal fishing vessels are also restructured with the aim of indicating the area in which the vessel is to operate to owner-operators based on size, tonnage, etc (a zoning system for smaller, medium sized and larger vessels, respectively). The elements of vessels registration in Malaysia, which are considered different and more efficient compared to others in the region, includes: vessel registration code; registration specification (code zone, registration number); wheelhouse colour; vessel identification code; tinplate; and gross registered tonnage measurement. All the steps in the process are handled by the Department of Fisheries.

The Philippines (Annex 9)

13. The Philippine fishing vessel registration and licensing system, as a tool for sustainable fishing in the country, faces challenges similar to its neighbours in the region. The steps in the process is at the national level being performed by two separate agencies, MARINA* for registration of the vessel and BFAR* to provide fishing license. Within the current structure a solid system of coordination between the two Agencies need to be set up, as well as other coordination with other agencies involved in the fishing industry. Registration, for instance, unless the vessel is acquired through import, is independent of BFAR regulation or monitoring. This in turn weakens the monitoring and regulation of fishing vessels by both Agencies. Another area also in need of resources from the government is the improvement of a database covering all fishing vessels and accompanying activities of the fishing sector which is necessary for gauging the efficiency of the system as well as relevant policy making, monitoring and control.

14. Relating to small-scale fishing vessels in the Philippines, through the ordinance EO 305, aimed to decentralize the registration and licensing of fishing vessels and devolved these functions from MARINA and BFAR to local government units (LGUs) for vessels 3 GT and below. However, many LGUs are yet to implement the said EO. This may be attributed to the commitment of local political leaders/officials in the protection, management, conservation, development and utilization of their coastal resources. As observed, a Coastal Management System, an initiating factor for LGUs in the establishment of a registration and licensing system, is usually a reaction to an already identified threat of the depletion of resources.

Singapore (Annex 10)

15. The fishing industry of Singapore is small, comprising 10 vessels, each less than 50 GT, most of which use otter trawls and others bottom gill nets to fish. Agri-Food & Veterinary Authority of Singapore, AVA, licenses these fishing vessels. The AVA operates two fishing ports, namely Jurong and Senoko Fishery Ports, the latter are for the use of the local fishing vessels. AVA issues licenses (*Fishing Vessel License* and *Fisherman Pass*) for the operation of fishing vessels and fishing gears under the Fisheries (Fishing Vessel and Fishing Gears) Rules. The licenses are subject to annual renewal. Every fishing vessel operator is required to be registered with AVA. Before issuing fishing vessel license,

inspection of the vessel will be carried out. The safety equipment carried on board the vessel will also be checked. The license is also required to take up an insurance policy for the fishing vessel. In the process the vessel's "permanent registration number" is assigned.

Thailand (Annex 11 and 12)

16. In accordance with the fishery law of Thailand, the Department of Fisheries (DOF) has no authority to register fishing vessels. The responsibility of vessel registration is under the purview of the Marine Department (MD). The MD has, after inspection of the vessel, the general authorization to issue certificate of registration and license (permit to use the vessel) of the vessel. In relation to fisheries management and to control the fishing capacity in Thai waters, it is the DoF that issue the licenses of fishing gears. To improve the link between technical and safety requirements leading to the vessel registration and the requirements needed for fisheries management, to be implemented by the DOF there is an urgent need to strengthen the coordination and collaboration between these two agencies, such as through information sharing mechanism.

17. To deal with the above-mentioned situation, the DOF in 1979 enacted a regulation prescribing that to apply for a fishing license there is a requirement to attach the certificate of registration of the vessel to be used and the license to use the vessel. This regulation on the other hand causes another problem with regards to vessels smaller than 14 meters in length. Due to technical problems, the MD is presently unable to register and issue a certificate of vessel registration to (many/all?) fishing vessels smaller the 14 meters in length. This subsequently leads to the situation where the DOF issues licenses to fish even when a certificate of vessel registration is unavailable. To temporarily alleviate the existing problems until the best resolution be sought, the DOF recently enacted an additional regulation to occupational register indicating fishing operators who possess fishing vessel smaller than 14 meters in length. In the application for using vessels equipped with specified fishing gear this fishing operator certification can be used in substitution for a certificate of registration of vessel the license to use the vessel (as required for larger vessels).

Vietnam (Annex 13)

18. All fishing vessels with length over 15 meters and/or an engine capacity over 20 hp must be registered. Ministry of Agricultural and Rural Development, MARD, is responsible agency for vessels registration. However, Provincial People Committee can register fishing vessels with a length less than 20 meters, under the guidance of MARD. The focus with regards to inspections has been on safety issues.

Non-ASEAN Member Countries

19. Following the presentations from ASEAN Member Countries a further session were held to share experiences from other participation countries with presentations by representatives from Australia, Timor-Leste and Papua New Guinea information was provided on fishing vessel registration systems in their respective country.

Australia (Annex 14)

20. The Australian Fisheries Management Authority (AFMA) has a leader role for managing fisheries with Australian waters. Licensing fishing vessels is one tool used to ensure sustainable fishing. The presentation further on highlighted the major responsibilities of the organization when it comes to fishing licensing and registration.

Papua New Guinea (Annex 15)

21. The process of licensing with requirements and conditions were explained. Registration of vessels (including fishing vessels) is carried out by the National Maritime & Safety Authority, for seaworthiness etc, before seeking fishing licenses from the National Fisheries Authority. The categories for licenses are: a) Domestic Fishing vessels; b) locally based Foreign Fishing vessels, and; c) Foreign fishing vessel (Access bilateral & Multi – US Treaty, FSM). The presentation showed how the national vessel monitoring system, VMS, is used for effective monitoring of the fishing activities in Papua New Guinea. The presentation also briefed the meeting on the creation of fishing zones (geographical areas) and various fisheries management plans.

Timor-Leste (Annex 16)

22. The status of the fisheries in Timor-Leste was introduced. The vessel registration system is under responsible of the Maritime Transportation Department, however, currently there is no legal framework to rely on and hence no vessels in Timor-Leste are yet registered. The presentation pointed out the need of a legal framework, capacity building as well as international advisors.

V. EXPERIENCES BY INTERNATIONAL ORGANIZATIONS ON FISHING VESSEL REGISTRATION SYSTEMS AND RELATED ISSUES AND THEIR APPLICABILITY TO COUNTRIES OF THE REGION

23. To provide information and experiences from international organisations and the European Union the Meeting had invited Mr. Bela Thinsz, an IT-expert on vessel registration, supported by the Swedish Board of Fisheries (SBF) and Ms. Brenda Pimentel, regional coordinator for IMO East Asia. The discussion and questions followed after each of the presentation and in the following open discussion were flowing between points made under both presentation and discussion points reflected are covered in paragraph 26 onwards.

24. Mr. Thinsz briefed the meeting on the fishing registration systems, and the sharing of information, within the European Union (EU). Further on, he gave examples of different fishing fleet database systems used in several EU Countries. His presentation appears as **Annex 17**.

25. Ms. Pimentel made a presentation on the Safety of Life at Sea Convention (SOLAS), 1974 as amended, as well as other related IMO conventions. The presentation highlighted the safety issues related to fishing vessels and with a special reference to the Torremolinos Convention, 1977, that contains special provisions for fishing vessels, and the subsequent sequence that led to the Torremolinos Protocol, 1993. She also addressed other IMO

Conventions relating to safety at sea, preventing collision at sea, prevention of pollution from ships etc. The presentation appears as **Annex 18**.

26. Fishing vessel registration and fishing licensing and related legal framework can not be applied separately; they have to work in parallel to be an efficient tool for fisheries management and to combat illegal fisheries. In view of national fisheries management, a clear political view, national policy and clear legal framework are needed. To provide an authority with power to do registration and licensing without a legal framework and a specific law is fruitless. Moreover, the meeting took note that also the legal references and institutional framework for fisheries management needs to be strengthened and harmonized in a regional context

27. In the use of the available data on vessel registration, historical data is definitely important, however, for the purpose of using data on vessel registration for fisheries management information should be recent and accurate. Another concern is that the fisheries agencies should be the one that should have the duty and mandate to collect and process information on fishing vessels and fishing gear in support of fisheries management, as for example like Malaysia.

28. There is a need to follow up on, and study, the treaties and conventions to clarify what provisions are mandatory, for what types of vessels, and what is considered to be voluntary. With respect to provisions under convention it should be noted that they will become effective (to be enforced) once the provisions have been incorporated into national legislation. In this process countries might wish to regulate the application of provisions of conventions to also cover vessels smaller than that stipulated in the convention. There are also certain, requirements, obligation and duties to be enforced by the “flag state” with regards to registered vessels to granted the right to fly its flag. These specific requirements might be different than those that would be need for fisheries management as such.

29. Fishing vessel registers are in general national registers for national fishing vessel and could in that sense become an important tool to regulate fishing capacity by keeping a control on the number of vessels that are available for fishing and with the certificate of registration you can proceed to process the license to fish (where, who, gear, etc).

30. Given the large number and the differing set up of vessel registrations in the region there is a need to agree on what criteria to include and how to measure these elements, e.g. length, gross tonnage, horse power etc. to initiate a regional register, and/or a regional source of reference. Some countries in the region cover most key entries while other countries only have some, or few, common entries. Added to this is the point that even if common entries exist they are often measured differently. Important to bear in mind for future requirements is the global, and increasingly regional, concern, on climate change. In order for the fishing sector to be able to measure the “contribution” to climate change and indicate ways to mitigate it horse power and/or kilo watt will most likely be required for all.

31. On the scope for a regional fishing vessel register, or a reference list, suggestions were made that SEAFDEC could encourage member countries by providing opportunities to discuss options of a regional framework for registration, or listing of fishing vessels in the Southeast Asian Region. A regional framework could possibly facilitate solutions and provide clarifications on many regional issues. To recognize the general fishing capacity in the region and what IUU-vessels that are operating in neighbouring waters, a regional register/list could

be a source of information. Fishing operation and fleet structures are different from country to country in the region and there is a need to gradually agree on a set of criteria to be able to create a regional register/list, e.g. limit at certain size of the boat.

32. The general thrust of the meeting was on the existing systems, and how to improve from there, implying a focus on medium to larger vessels and subsequently there were systematic discussion, or set of recommendations, with regards to **small-scale fisheries**. The meeting highlighted the fact that in a number of countries the authority to register smaller vessels rests with the local government or other local bodies – in the Philippines the local government unit (LGU) and in Vietnam the local People’s Committee. In other countries reference was made to local, village based initiatives such as in Satun, Province, Thailand and in Lombok Timur in Indonesia. Suggestions were made to build upon official and unofficial local systems and to explore ways to aggregate them into the national and regional framework.

33. Information was provided from the participants that - without providing any further information - IMO in collaboration with FAO has been working on guidelines for Small Scale Fishing Boat since four years.

VI. IMPROVEMENT OF IN-COUNTRY AND REGIONAL COORDINATION AMONG CONCERNED AGENCIES IN TERMS OF VESSEL REGISTRATION AND/OR ESTABLISHMENT OF FISHING VESSEL REGISTRATION SYSTEMS(S)

Note: points raised under Agenda 7 on “The need to develop and formulate (online) program/curriculum on fishing vessel registration to improve monitoring control and surveillance (MCS) to combat IUU-fishing and strengthening fisheries management” will be included under this section for the purpose of this report as the discussion was limited and linked to national and regional cooperation..

34. The agenda item had a preamble in terms of a presentation of one of the local systems successfully working in Satun Province in Thailand – this as an example, and reminder also to address small-scale fisheries in upcoming group discussions. Participants were invited to provide inputs to the scope and purpose of the group discussions. Rather than to steer the groups in a common format, and taking full advantage of the available expertise, the groups were allowed a certain freedom. The participants were divided into three working groups for discussions and “brainstorming” within the groups. The groups summarized, from their own experience and with reference to the current situation in their countries, common issues, constraints as well as ideas on possible solutions and recommendation for future steps to be taken. The results, as presented by the groups, appear in **Annex 19**. Points made during the subsequent discussion are reflected below:

35. The mandate and culture of the agencies (in several countries of the region) presently responsible for the registration is not set up for the purpose of support to fisheries management and, subsequently, they might not have that much of interest in fisheries management as such. They, according to their mandate, more interested and should mainly focus on safety measures, seaworthiness, pollution from ships, etc. In general, based on the requirements of the IMO Conventions, there tend to be a focus on bigger boats (more than 24 meters or larger than the average small-scale boat). However, some countries when incorporating the provisions of the IMO Conventions make some of the rules applicable also to smaller vessels.

36. There is an outspoken need to facilitate and establish cooperation between agencies responsible for the registration of fishing vessels (as vessels) and those that are to provide the license to fish. If the registration and licensing process could be facilitated to be run within one agency, like in Malaysia and the DOF, that is seen a perceived advantage,

37. In terms of **small-scale fisheries** there need to be a dialogue with local authorities and identified village groups to create framework to aggregate local systems, and to facilitate that the information available can be incorporated in information provided also at the national (and regional) level. A process need to be established to address small-scale fisheries to be able to provided aggregated information. If the process is not yet in place it was recommended that it should be developed by the fishing agency.

38. There could be options for a regional fishing vessels registry, or rather to start with a mechanism to share information among ASEAN Countries and other countries in the region and to make common information easily available. Not all information would be expected to be publicly available and other, confidential, information could require special access routines. The available information could be provided on the internet in order to identify the vessel. In developing a regional source of information on fishing vessels it was suggested to use the list of entries provided by Malaysia as a reference point (see working group Two in **Annex 19**).

35. The move towards common approaches and regional dialogue there is a need to review existing laws and regulations at national level, ideally with a purpose to streamline the functions of fishing vessel registration and the process to provide fishing licenses into one institutional framework. The solution, according to the discussion, is to. A review, and revisions as needed, of laws and regulations, to link the fisheries authorities closer to the process of fishing vessel registration would put the fisheries authority in a better situation to control and manage fisheries appropriately. One major obstacle is that in the fishing laws, and related laws, there are in many countries any reference to registration of fishing vessel. Even in Thailand, the meeting was informed, that presently are working on new fisheries act there is no specific reference to fishing vessel registration.

36. Furthermore, it was suggested that an inter-agency and/or stake holder “coordinating unit” or working group” representing national interest in term of marine affairs should be set up to facilitate the regional dialogue. This group should not only focus on fishing vessel registration itself but more concern in fisheries management in general and look into matters such as how to integrate marine policy with aspects and requirements in relation to fishing vessel registration. The group could be established through the facilitation of a regional fisheries body such as SEAFDEC – possibly with links to the suggested ad-hoc working group, to be established, to work on the process to develop an ASEAN Regional Fisheries Management Mechanism (ARFMM).

38. The two main institutions that in many countries are responsible for vessel registration and to issue fishing licenses do, it was recognised, have different objectives, one for promoting fisheries management, whereas maritime agencies focus on safety at sea, pollution from ships, etc. (In terms of international obligations there is for fisheries there is link to implementation of the Code of Conduct for Responsible Fisheries (CCRF), UNCLOS, 1982, etc while for the shipping administration links are primarily to the IMO Conventions). These different objectives and different sources of reference create different institutional “cultures” and in promotion of national (and regional) coordination these differences need to

addressed to create a common platform and for each of the departments to understand the scope and objectives of the other.

39. Following the different objectives and the related purpose by the departments, the marine departments need to up set vessel registration to control the numbers and standards of ships (irrespective of purpose) while the fisheries departments would need a “list/registration” of vessels constructed for fishing (to which a fishing license could be provided). Bearing this in mind, and based on the reviews and discussion, countries (given their national legal framework) could divide the functions of vessel registration based on the main purpose, one that would be completely the responsibility of fisheries departments, and another that would be the responsibility of marine or maritime departments. However, the effective way of registration is different in each country. For the near future, most of countries can not completely follow the Malaysian model (where the all the steps in the registration and licensing chain are with the Department of Fisheries).

40. **Curriculum 1:** Based on information provided, by the countries and international resource persons participating countries can draw out good points for the development and implementation of registration system in their countries. To support the processes in the countries SEAFDEC or FAO could be asked to consider to develop the curriculum and/or to develop training courses for member countries.

41. **Curriculum 2:** It was noted that in developing any curriculum careful consideration should be given to the need to clarify what regional direction that could be applicable to improve fishing vessel registration in support of fisheries management together with the specific requirements of each country in the region. In the process FAO could be actively involved. Furthermore, in developing curriculum for the region the national “diversity” among countries needs to be considered together with approaches to take in delivering or promoting the developed framework.

VII. WRAP-UP, RECOMMENDATIONS AND FOLLOW-UP

42. A lot of information was provided during the meeting, showing a diverse picture on systems, routines and status of fishing vessel registration development in the region. The presentation from IMO provided valuable insights and explanations to some basic requirements in terms of safety, pollution protection, requirements to carry the flag of a country, etc that are compulsory irrespective of the use of the vessel. Discussions dealt with the sequence of “vessel registration – fishing vessel registration – fishing licenses” and in addition touching upon the fact that large numbers of fishing boats are not registered. A special reference was made to the small-scale fisheries that are not subject to any systematic registration.

43. Ideally, functions of vessel registration and licensing for fishing should be done within the same institution (such as in Malaysia) – however, there are some legal limitations in how far countries can move in this direction (as was indicated from Thailand)

44. Fishing vessel registration could be an area for regional cooperation, while taking note that diversity and limitations of national structures would be something to address. A first step could be to find out common elements and information that is publicly available.

45. On small-scale fisheries, no clear recommendations were provided, but suggestions were made to follow up on – in a parallel effort – on local system/initiatives as well as (legal) requirements/expectations on the Local Governments, Districts, People’s Committees in terms of registration/listing of boats (and gear) with their respective areas. It could be explored to see how these systems could be aggregated to provide a national (and regional) picture.

46. During the final session a number of cross-cutting issues were highlighted as something that would need to be addresses in the process to improve fisheries management, such as poverty alleviation and sustainable development.

47. IMO, on their part, offered to provide assistance as needed from participating countries and they appreciated to continue to be part of development and regional dialogue on fishing vessel registration.

48. In terms of immediate follow-up to the consultation the SEAFDEC-Sida Project will undertake to, the points mentioned below was further discussed with a small working group from the SEAFDEC Secretariat, SEAFDEC TD and the Expert on vessel registration supported by the SBF on 3 and 4 July 2008 in Phuket:

- The report with results and outcomes of the expert meeting on vessel registration to be forwarded to the ASEAN Working Group of Fisheries, through the ASEAN Secretariat and to the RPOA-IUU for further recommendation and wider implementation
- Make a steps towards of list of vessels registered by making and sending out a small survey to countries to check publicly available information (length, tonnage, horsepower/kilowatt, etc.) for possible regional information sharing – make an “availability chart” (**Annex 20**)
- Based on the result of the “availability chart” analysis organise a small meeting to:
 - Define items to be included in regional vessel list
 - Data collection plan
 - Address some strategy on how to get aggregated data from small-scale fisheries
- Starting with Thailand and Cambodia organise meetings to provide inputs to promote better links between agencies responsible for vessel registration and fishing licenses, respectively with Thai DOF on how to promote continued processes, including vessel registration
- With a basis in the documentation provided to meeting get back to the countries to clarify legal aspects and institutional responsibilities at various stages of the process “permission to build a boat (for fishing purposes) – inspection of safety and seaworthiness – registration as vessel – certificate of ownership – secure fishing vessel license/gear license – International fishing permit (if applicable)” (to establish an institutional and legal “flow chart”) – work out the framework but actual work when we have a new set of “Working Group” from SEAFDEC Member Countries
- For SEAFDEC a focus could be on the Gulf of Thailand together with the Thai DOF, as recommended during the RPOA-IUU Coordinating Committee, April 2008, in Manila and approach other RPOA-IUU members to focus on other sub-regions Sulu-Sulawesi Seas and Arafura – Timor Sea). SEAFDEC could also explore options for the Andaman Sea
- SEAFDEC-Sida Project will also maintain a dialogue with the Swedish Board of Fisheries on their involvement in (and support to) the continued work

49. The meeting was informed that another follow up activities, one is the organization of training workshop to discuss detail scenario on both licenses and registration (possibly in September), and later in the year a regional advisory committee meeting on fisheries management that could possibly discuss more about registration and licensing issues.

VIII. CLOSING OF THE MEETING

50. Dr. Magnus Torell expressed his appreciation to all participants and resource persons for their participation and contribution, which enable the meeting to come up with fruitful outcomes and recommendations and declared that the meeting had come to its end.

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OPENING ADDRESS
by Dr. Siri Ekmaharaj
SEAFDEC Secretary-General

Dear experts and resource persons, ladies and Gentlemen, a very Good Morning to all of you!

On behalf of SEAFDEC, and the SEAFDEC-Sida project, please allow me to welcome you all to this Expert Meeting on Fishing Vessel Registration.

Overcapacity and illegal fishing has during the last decade become issues of great concern. If not taken seriously these problems intend to threaten many of our marine resources and several fish stocks might end up depleted in the near future. Here, in the Southeast Asian region, many institutions have put up efforts in trying to solve or at least lessen the impacts caused. Various approaches have been introduced to manage the fishing capacity, including different licensing systems and co-management systems, trying to better control the active fishing effort, both large-scale and small-scale, and to reduce the Illegal, Unreported and Unregulated (IUU) and destructive fishing. However, so far the efforts seem to be insufficient when the stocks still are declining.

SEAFDEC, with support from the Swedish International Development Cooperation Agency (Sida), has during the last years implemented a project on human resource development for fisheries management in general and specifically on fishing capacity, this project has also been aiming to support improved cooperation and mutual understanding among the ASEAN-SEAFDEC Member Countries and thereby pave way towards the establishment of a Regional Fisheries Management Mechanism for long term sustainable fisheries development. Through many of the international and regional meetings arranged by SEAFDEC and the SEAFDEC-Sida project, the issue of over capacity and IUU-fishing has continuously been discussed; also fishing vessel registration has been addressed, in order to be able to come up with solutions on how to properly manage the fishing capacity in the region. Hence, this regional expert meeting on fishing vessel registration is very well in line with the long run aims that the SEAFDEC-Sida project is striving towards.

There is no doubt that our region requires effective fishing vessel registration systems, licensing and enforcement to be able to combat the mentioned problems. Fishing vessel registration systems has been successfully implemented in many countries around the world. However, there are several difficulties linked with registration of vessels; e.g. the coordination between different national authorities that often are involved in the registration procedures. Hopefully - this meeting will become a platform to discuss and exchange experiences on how to overcome the existing problems and also to see what are the needs to establish well functioning systems.

I believe that this meeting could also raise awareness of the necessity for appropriate fisheries management to achieve sustainable development at central and local levels through the improvement and knowledge of fishing vessel registration and the different registration systems in the ASEAN region. I also believe that now is a good time for us to develop and seek cooperation among our regional experts for improvement and/or establishment of fishing vessel registration systems.

Finally I hope the meeting will be fruitful and that it will promote sustainable fisheries for the region. I wish you all the best and that you will have a pleasant stay here in Phuket.

I hereby declare the Meeting open.

AGENDA

- Agenda 1: Opening of the meeting
- Agenda 2: Background of the meeting, and adoption of agenda and arrangement of the meeting
- Agenda 3: Profiles of small and large scale marine fisheries in Southeast Asia Region
- Agenda 4: Review of existing fishing vessel registration systems in the ASEAN-SEAFDEC member countries
- Agenda 5: Experiences by International organizations on fishing vessel registration system and related issues and their applicability to countries of the region
- Agenda 6: Improvement of in-country and regional coordination among concerned agencies in terms of vessel registration and establishment of fishing vessel registration system(s)
- Agenda 7: The need to develop and formulate (online) program/curriculum on fishing vessel registrations to improve monitoring, control and surveillance (MCS) to combat IUU-fishing and strengthening fisheries management
- Agenda 8: Wrap-up, recommendations and announcements
- Agenda 9: Closing of the meeting

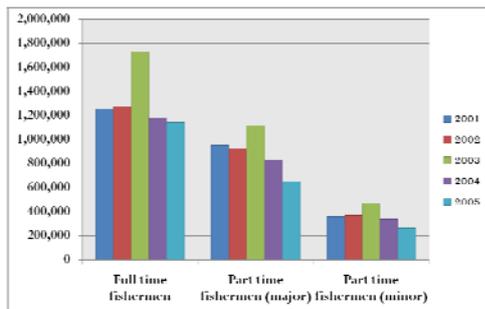
Profile of Large Scale Fisheries and Small Scale Fisheries in SEA



Indonesia

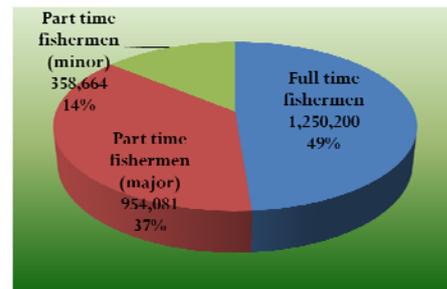


Number of Fishermen in Indonesia, Fisheries Statistics 2006



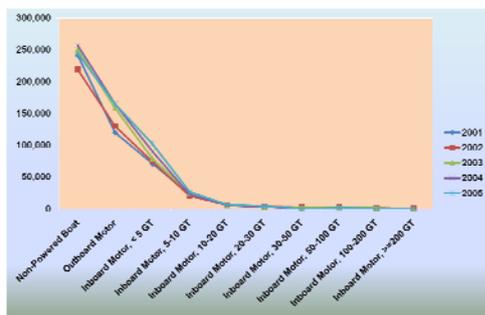
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Number of Fishermen in Indonesia (Year 2005)

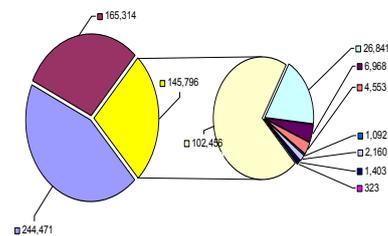


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Number of Fishing Vessel in Indonesia, Fisheries Statistics 2006

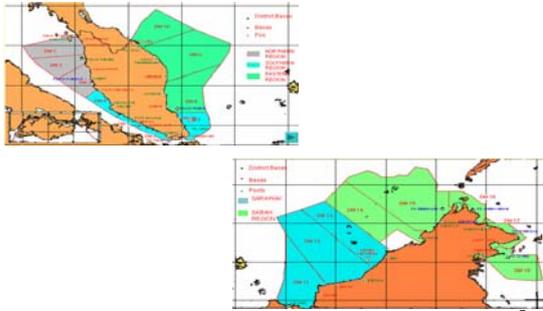


Percentage of number of fishing bosts by category and size of Boats

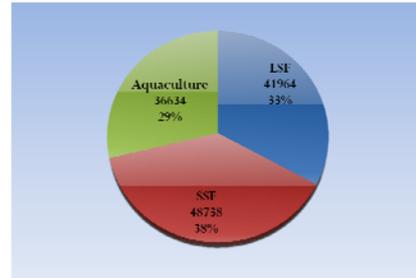


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Malaysia



Number of Fishermen, Malaysia in 2005



Source: Fisheries Statistics, 2005

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Number of fishing vessels in Malaysia (2005)

Group	No. of Fishing Vessels	Fishing Gears	Percentage
LSF	7,394	Trawl Nets Fish Purse Seine Anchovy Purse Seines	20.53%
SSF	28,622	Other Seines Gill/Drift Nets Lift Nets Stationary Traps Portable Traps Hooks & Lines Bag Nets Push/Scoop Nets Barrier Nets Shellfish Collection Others	79.47%
Total	36,016		

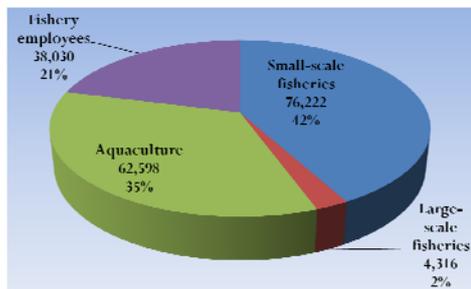
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Thailand



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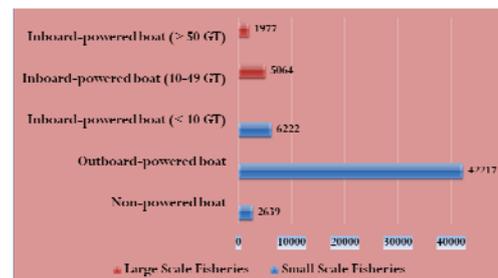
Number of Fishermen in Thailand during the peak season in 2000



(Source: National Statistical Office, 2001)

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Number of Fishing Vessels, Thailand, in 2000



(Source: National Statistical Office, 2001)

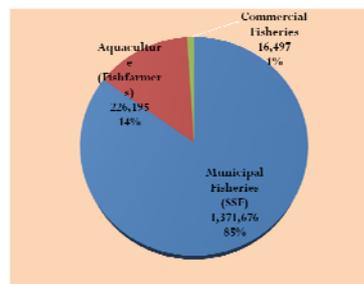
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The Philippines



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Number of fishermen by type (2002), the Philippines



Source: NSO 2002 Census for Fisheries

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Number of Fishing Vessels (LSF), Type of Fishing gear used, 2007 (The Philippines)

Region	Ring Net	Hand line	Modified Danish	Purse Seine	Bag Net	Trawl	Drift Long line	Gill net	Drive-In Net	Round Haul	Beach	Push Net	Total
1	0	0	38	0	0	36	0	0	0	0	0	0	74
2	33	0	18	0	0	0	1	0	0	18	1	0	71
3	8	2	8	26	3	6	11	0	0	0	0	9	73
4	115	153	41	83	160	19	0	42	15	1	0	0	629
5	86	2	71	23	94	52	0	0	0	0	1	0	329
6	99	42	74	60	5	153	0	0	0	0	0	0	433
7	224	91	157	4	3	0	0	1	1	4	0	0	485
8	141	3	109	1	14	57	3	1	0	0	5	0	334
9	12	16	39	63	40	3	4	0	0	0	0	0	177
10	88	1	0	0	31	0	0	1	0	0	0	0	121
11	73	18	0	0	39	0	0	0	0	0	0	0	130
12	64	441	0	89	5	0	14	5	0	0	0	0	618
13	5	1	28	0	5	0	0	1	0	0	0	0	40
ARMM	1	0	0	5	3	0	0	0	0	0	0	0	16
CAR	0	0	1	0	0	5	0	0	0	0	0	0	6
NCR	4	5	88	114	1	67	28	4	16	0	0	11	338
TOTAL	953	775	672	468	403	398	61	55	32	23	7	27	3874

Source: BFAR-FRQD 2007

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VESSEL REGISTRATION, FISHING LICENSING SYSTEM IN BRUNEI DARUSSALAM

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Introduction

Though the capture fisheries of Brunei Darussalam is smaller than its neighboring countries, it is not spared from the issues on fishing capacity such as the increasing number of fishers and declining fish catch per unit effort. In trying to better control the active fishing effort, the Department of Fisheries and the government of Brunei Darussalam have taken some measures to mitigate the unsustainable utilization of its fisheries resources. However, the harvest rates still exceed the ability of the fish stocks to reproduce sustainably and pose a serious threat to the ecosystems of its seas. In view of this, it is necessary to have a better control of the fishing effort and vessels involved in both small-scale and commercial fishing through a well functioning and solid fishing vessel registration system that includes all vessels, that is well managed.

This report presents a brief description on the fisheries of Brunei Darussalam and how it addresses the problem of overcapacity in fisheries particularly on the issues of vessel registration and fishing licensing.

Fisheries of Brunei Darussalam

The fisheries of Brunei Darussalam contribute to the prosperity and well-being of the people of Brunei Darussalam by providing employment, wealth generation, food security and foreign earnings.

Marine fish is one of the principal sources of protein for the people of Brunei Darussalam. The per capita fish consumption is around 47 kilograms per year as of 2004, which translates to a total annual fish consumption of 17,931 metric tons. However, Brunei Darussalam imports about 50 per cent of its fresh fish requirement to supplement local fish production.

Brunei Darussalam's fisheries industry is fast developing, especially after the declaration of the 200 nautical miles fisheries limits. The fisheries industry comprises three sectors: capture fisheries, aquaculture, and seafood processing sector. Capture fisheries in Brunei Darussalam are derived from small-scale and commercial fisheries sectors. The total production of capture fisheries increased from 9,620 metric tons in 1999 to 16,069 metric tons in 2005, but 2007 the production decreased to 15,301 metric ton (see Figure 1). About 70 per cent of the total production is contributed by small-scale fisheries. The Department of Fisheries of Brunei Darussalam estimates that the potential of marine resources in Brunei Darussalam is 21,300 metric tons.

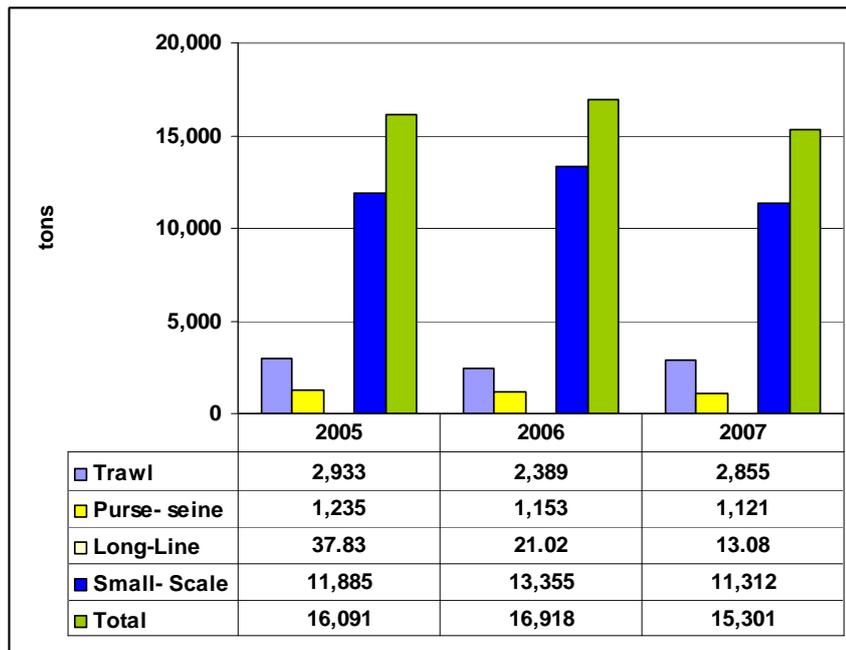


Figure 1 Fish Production by Boat Category 2005 – 2007 (m.t)

Zoning of fisheries

One of the key fisheries management initiatives of Brunei Darussalam is the establishment of fishing zones. Brunei Darussalam Fisheries Limits are divided into four separate zones as shown in Figure 1. Zoning is implemented to ensure that Brunei Darussalam’s fisheries resources are exploited in a responsible manner, as well as to limit conflict between commercial and small-scale fishermen. Each zone has different licensing requirements and supporting regulations (e.g. gear type, vessel type and fishing method - see Figure 2).

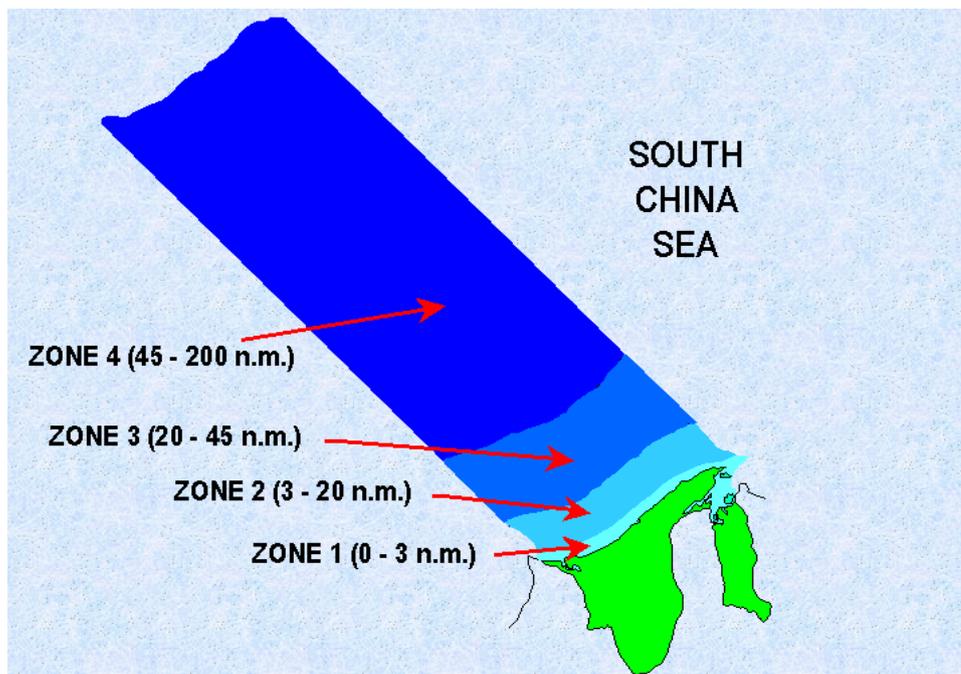


Figure 2: Demarcation of Brunei Darussalam’s Fisheries Zone

Table 1. Fishing Boats Specifications by zone

Zone 1	Small-Scale Fishing boats using outboard engine~ 3 - 6 GT.
Zone 2	Fishing boats using inboard engine <350 Hps ~ < 60 GT.
Zone 3	Fishing boats using inboard engine - 351 - 600 Hps ~ 60 -150 GT.
Zone 4	Fishing boats using inboard engine - 601 - 800 Hps ~ 150 -200 GT.

Table 1 presents the regulation on fishing according to boat size and engine power by fishing zone in Brunei Darussalam.

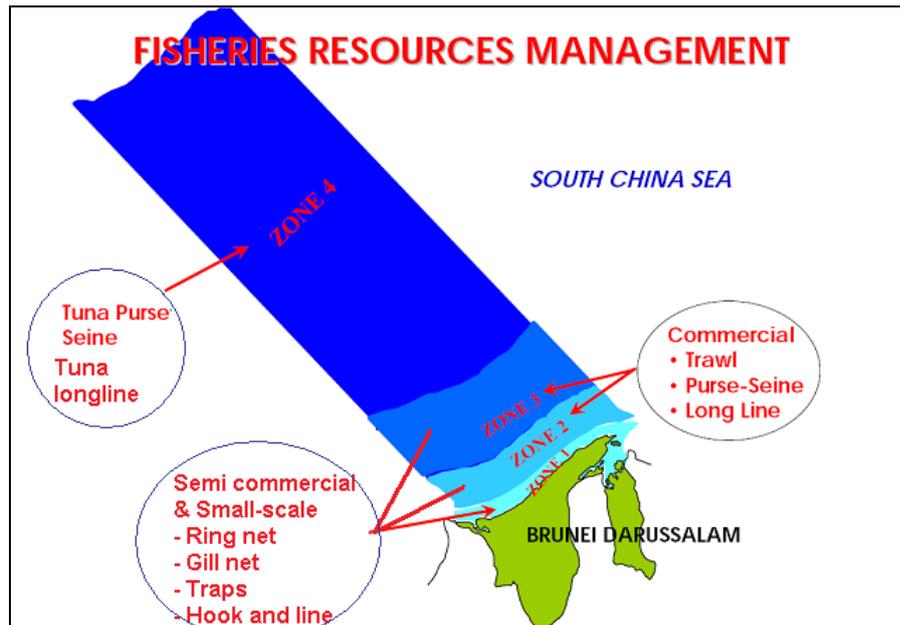


Figure 3. Major fishing gears and methods operated in various fishing zones



Figure 4. A typical commercial purse seine in Brunei Darussalam

Table 2 below presents the number of major commercial fishing boats in Brunei Darussalam in 2007. A total of 36 boats are licensed in the country in 2007. Figure 3 shows a picture of a typical purse seiner that operates in Brunei waters.

Table 2 Number of licensed commercial fishing boats in 2007

TYPE OF VESSELS	ZONE 2	ZONE 3	ZONE 4	TOTAL
BOTTOM TRAWLER	15	4	-	19
PURSE SEINER	6	4	-	10
LONG LINER	7	3	-	10
TOTAL	28	11	-	39



Figure 5. A typical small-scale fishing boat in Brunei Darussalam.

Figure 5 above shows a picture of a commonly used fishing boat among small-scale fishers in Brunei Darussalam. Figure 6 below presents the total number of small-scale fishers in Brunei Darussalam. It shows an alarming increase in from 2006 to 2007 by about 44% which may result to over capacity and overfishing leading to unsustainable utilization of the fisheries resources. Therefore, this indicates the need for a better control of the licensing and registration system to mitigate the issue on overfishing.

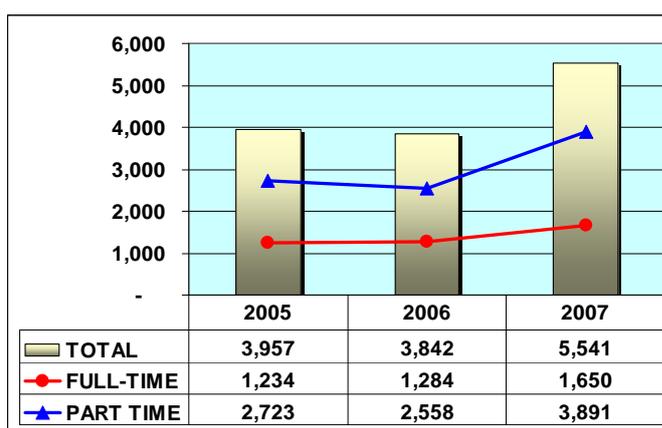


Figure 6. Total number of small-scale fishers from 2005 to 2007 in Brunei Darussalam

Fishing boat Registration System in Brunei Darussalam

The *Merchant Shipping Act 2002* of Brunei requires all ships to be registered to fly the Brunei flag. Prior to registration, a ship is required to be surveyed and measured and marked permanently according to regulations. All registered ships are included in a register, which contains the name of the ship, homeport, the details comprised in the government surveyor's certificate, the particulars respecting her origin stated in the declaration of ownership, and the name and description of her registered owner or owners, and if there are more owners than one, the proportions in which they are interested in her. Ships are also required to submit documents such as the government surveyor's certificate, the builder's certificate, any bill of sale of the ship previously made, the copy of the condemnation (if any), and all declarations of ownership. The declaration of ownership contains information on the qualification of the owner or corporation to own a Brunei ship, the time and place where the ship was built, name of the master, and a declaration that no unqualified person or body is entitled to as owner to any legal or beneficial interest in the ship. Brunei also allows the transfer of vessel registration upon compliance with certain requirements. boats are also required to comply with manning requirements (Part III).

The *Merchant Shipping Act 2002* further provides that if the master or owner of a ship uses or attempts to use the certificate of registry in a manner that is not legally granted in respect of that ship, he shall be guilty of an offence. Any attempt to assume the Brunei national character without proper qualification, conceal the Brunei character of the ship to assume a foreign character, or improperly hoist the flag of Brunei is subject to penalty under the law. Hence, by imposing requirements for registration, including a clear statement of the beneficial owner of the ship and applying an appropriate fine for the misuse of the certificate of registry, Brunei Darussalam ensures that it exercises its flag State responsibility over its vessels.

The vessel registration issue is fully discussed in the RPOA as well as the NPOA of Brunei Darussalam. In order to fully comply with the measures adopted under the RPOA and NPOA, Brunei would further adopt measures in its domestic legislation that would effectively deter vessels from transferring ownership or registration for the purpose of avoiding compliance with fisheries regulations and conducting IUU fishing. It will also ensure that chartered vessels do not engage in IUU fishing.

The **Marine Department** is responsible for all aspects of safety of merchant shipping in Brunei. It is the focal point for the implementation of all IMO rules and standards with respect to shipping. *However, the Marine Department does not generally deal with fishing vessels. A number of fishing vessels are currently licensed (but not registered) with the Marine Department solely for the purpose of ensuring compliance with international safety requirements.* In 2006, there were 33 fishing vessels licensed with the Marine Department for safety inspection purposes. In 2007, there are 36 fishing vessels licensed with the Marine Department. These vessels are generally less than 100 GT, **not SOLAS** compliant and therefore not covered under the **Brunei ship registration laws**.

In order to strengthen its flag State measures, Brunei would consider the safety aspects of fishing vessels in relation to their registration. Brunei would also consider providing the role of inspection of fishing vessel safety to the Marine Department in order not to duplicate vessel safety expertise and services.

Fishing Licensing System in Brunei Darussalam

According to the Fisheries Act and Regulation 1984 (Chapter 61), a license or a permit to fish may be issued to a fishing vessel subject to the requirements and conditions imposed by the Director of Fisheries). In case of local fishing vessels, the Act and Regulation provides that under fisheries plans, no licenses shall be issued for a specific type of fisheries unless the new fishing vessel is in replacement of a fishing vessel already issued with a license for such type of fisheries. The Act and Regulation also provides that no foreign fishing vessel shall be used for any type of fishing in Brunei Darussalam waters unless it is authorized to do so under any international fishery agreement between the Government of Brunei and the government of the country or territory, or any international organization, to which such vessel belongs or in which such vessel is registered. In issuing licenses, the Director of Fisheries considers the following:

- the needs of Brunei Darussalam fishermen and the provisions of the fisheries plans;
- the extent of cooperation given and contributions made by the country, territory or international organization, towards fishery research, identification of fish stocks, the conservation, management and development of fishery resources with Brunei Darussalam waters, and compliance with the laws of Brunei relating to such resources by that country, territory, or international organization in the development of the fishing industry of Brunei, in the training of Brunei personnel and the transfer of technology to the fishing industry of Brunei;
- the terms of any international fishery agreement in force; and
- the reciprocity of treatment given to local fishing vessels by any country, territory or international organization.

Aside from fishing licenses, permits are also issued for fish processing activities. Only holders of permits may have access to fish landing complexes such as the Muara Fish Landing Complex, Kuala Belait Fisheries Centre, and other fish landing areas as may be designated by the Director for Fisheries.

A new online service, e-Fisheries (<http://www.fisheries.gov.bn>), was officially launched on 18 June 2007 by the Ministry of Industry and Primary Resources to improve the application and renewal of fisheries licenses and import and export permits. The implementation of this project enabled the ‘interconnectivity’ between the department’s headquarters and its field stations and branches throughout the country. The e-Fisheries is a fast, reliable, and business friendly system that will enable both local and foreign investors and entrepreneurs to establish fisheries ventures in Brunei Darussalam and obtain the necessary licenses and services from the Department of Fisheries.

The licensing system is fully discussed in the RPOA and NPOA of Brunei Darussalam and in order to fully implement the RPOA and NPOA, Brunei Darussalam will ensure that vessels will have a valid authorization to fish in the Brunei EEZ. Each fishing license will include information on the name of the vessel and the natural or legal persons authorized to fish, the fishing zone, scope and duration of the license, and the species, fishing gear authorized, and other applicable management measures. Brunei will also establish the conditions of the license, to be determined by the Director of Fisheries such as the catch reporting conditions, marking of fishing vessels, maintenance of fishing and related logbooks, and other requirements that may be established in the future, including vessel monitoring system, transshipment conditions, and observer coverage.

Conclusions

In summary, the main issues facing Brunei in terms of vessel registration and licensing system is the coordination between different government institutions performing the registration and licensing of fishing boats especially among commercial ones. To date no commercial fishing boats or small-scale fishing boats are registered in Brunei due to the lack of compliance to SOLAS or not covered in the existing regulations. Another issue is that small-scale fishing boats are practically not licensed or registered in Brunei Darussalam but only licenses to fish by fishing gear types are issued by the Department of Fisheries. There is also the lack of effective MCS system that will help monitor fishing boats and protect fisheries resources i.e. from IUU fishing.

To mitigate the issues above and strengthen Brunei flag estate measures, there is a need to improve the registration and licensing system and strengthen the MCS system in Brunei Darussalam.

The Department of Fisheries also imposed management measures regarding issues on licensing to protect its fisheries resources and lessen the fishing pressure in overfished fishing areas such as zone 1. This includes a moratorium on the issuance of new commercial trawl fishing licenses starting 2004 to date. The Department also recently imposed (starting 1 January 2008) a moratorium on the issuance of new licenses on small-scale fishing in zone 1 especially among fleet operated small-scale fishing gears owned by fishing companies. It also bans such fleet operations in zone 1 but transfer their operations in zone 2. New licenses for individual fishers are not allowed in zone 1 but in zone 2 only.

We earnestly hope that more effective solutions to the above issues will be addressed properly in the conference through the help of international agencies concerned as well as through our neighboring countries facing similar problem.

BRIEF REVIEW ON THE MARINE VESSEL REGISTRATION SYSTEM (FISHING BOAT) IN CAMBODIA

Mam Sokdara

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Introduction

A Cambodian marine fishery is definitely pelagic due to the physical feature of the economic exclusive zone (EEZ) areas, with coastal areas of 435 km stretch and the maximum depth is not higher than 80 meters. Reportedly, the introduction of modern fishing technology was taken place around 1958s. Purse seines, gill nets and long lines has been used in Cambodian water around 1960s (cited by Try *et al.*, 2003) by the Thai fishermen then fully adopted by local fishermen in around 1964s.

Report in year 2006 stated that this fisheries sector was gradually developed and widely spread all along the coastline until 1975s. It was recorded that there were several hundred of small fishing vessels with the highest capacity of not bigger than 100 HP. Mackerel encircling seines, gill nets and long lines were commonly used un-motorized and small motorized boats (less than 33 HP) and prevailed the coastal fisheries. Several dozen trawls were reportedly to have conducted by local fisher. High capacities were often found in Cambodia water which some was permitted by local authorities. The marine fish production recorded at that period was averaged about 40,000 tons/year.

Surprisingly, number of motorboat was rapidly increased in 1981-82 for smuggling goods under the title of fishing vessels. These were operated in the form clandestinely joint-venture between the Thai businessmen (boat's owner) and Cambodian fisher/ businessmen except for small fishing boat that owned by local fisher. Therefore, smuggling and/or collecting sea products were conducted depend upon the operators. It was reported that they all big trawlers with capacity of about > 100 to 400 HP. But these activities changed when the management was taken place in around 1983-84 which where firstly registered all fishing boats and collected statistic data.

fisheries has been registered by provincial fisheries office in order to control on the quantity of gears and boats used in their fisheries domain.

Table 1. Small scale fishing gear used in the coastal waters of Cambodia.

No.	English Name	Khmer name	No.	English Name	Khmer name
Gill net (Mong Paehk)					
1	Crab gill net	Mong Kdam	3	Fish gill net	Mong Paehk
2	Shrimp gill net	Mong Bang Kear	4	Seabass gill net	Mong Trey Spong
Stationary Gear					
5	Squid trap	Lop Meuk	8	Bamboo crab trap	Lop Kdam Roeusey
6	Fish trap	Lop Trey	9	Small winged set	Pong Pang
7	Crab trap	Lop Kdam	10	Circular net crab	Lop Mong Kdam
Mobile gear					
11	Push net	Thnorng Os Ky	13	Drift gill net	Mong Bandet
12	Hook	Santouch			

(Source: DoF 2006)

3.2. Middle scale fisheries (gears)

All kind of middle scale fisheries needs to apply in order to get the permission from the provincial or municipal fisheries administration office with the attachment document of boat flat number issued by the Public and Transport Department, Identity Card and 4 photos (4*4 sizes).

The procedures for registration are as below:

- Stage 1: Recognized letter from local authority, boat source
- Stage 2: Fill in Application Form through provincial department of Public and Transport to the ministry of Public and Transport to get the boat flat number
- Stage 3: After receiving a flat number, boat owner have to provide those documents to provincial or municipal fisheries office in order to get a permission and license for fishing .

Note: For all middle scale fisheries are categorized in accordance with type of gear and engine power. The engine power (horse power) bigger than > 33 HP is needed to apply the permission and license for fishing from Fisheries Administration. In case those middle scale fisheries are smaller than <33 HP, it requires to register at provincial or municipal level for issuing the and license for fishing.

Table 2. Commercial fishing gears (middle scale) used in the coastal waters of Cambodia.

No.	Type of Fishing Gear		No.	Type of Fishing Gear	
	English Name	Khmer name		English Name	Khmer name
1	Trawl	Uon Ohs	7	<i>Scomberomorus</i> gill net	Mong Trey Beka
2	Purse seine/Ring net	Uon Tith	8	Mackerel gill net	Mong Trey Kamong
3	Anchovy encircling seine	Uon Ka Koeum	9	Shrimp gill net or Trammel net	Mong Bang Kear

4	Beach seine	Uon Khow	10	Crab gill net	Mong Kdam
5	Encircling seine	Uon Houm	11	Horizontal longline	Santouch Ro Noug
6	Gill net	Mong Paehk	12	Clupea gill net	Mong Trey Kbor

(Source: DoF 2006)

FISHING VESSEL REGISTRATION, FISHING LICENSING IN INDONESIA**Yeppi Sudarja¹ and Noviatini²**

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INTRODUCTION

A fishing vessel is a boat used catch sea fish for profit even if it occurs now and than. All fishing vessels that are sea fishing for profit must have license issued by the appropriate Ministry of Marine Affair and Fisheries. Therefore it is advisable to contact a local fishery office about licensing at the same time as applying for registration.

Fishing vessel registry is defined as the performance of checking, supervising and assessing the technical condition of fishing vessels, including materials and machines, tools and equipment for use on fishing vessels during the process of design, building, over hauling, reformation and operation. Fishing vessel registration is a process conducted upon what is called the registry operation is completed.

Vessels registration includes ownership registration, mortgage and other material property right of the ship.

Any individual constructing, importing, or modifying fishing vessels must obtain prior approval from the ministry. The construction or modification of fishing vessels may be carried out, either within or outside the country, after having obtained technical consideration on its seaworthiness from the Minister in charge of shipping.

Fishing vessels possessed by an Indonesian citizen, operated within the fisheries management zones of the Republic of Indonesia shall have prior registration as Indonesia fishing vessels. The registration of fishing vessels shall be equipped with the following documents: proof of ownership, identity of owner, and certificate of measurement, especially of other document of vessels issued by Directorate of Marine Transportation, Ministry of Transportation.

The registration of fishing vessels purchased or obtained abroad that are already registered in the country of origin, to be registered as Indonesian fishing vessels apart from being equipped with documents shall also be equipped with certificate of deletion from the ship register published in the country of origin.

PURPOSE and OBJECTIVE

- a. Fishing vessel registration is to be executed to determine fishing vessel legal status and establish genuine link between a flag State and fishing vessel flying its flag.
- b. To obtain Certificate of Nationality that will give right to the fishing vessel to fly Indonesian's flag as the fishing vessels national flag.

SYSTEM OF REGISTRATION

Fishing vessel registration in Indonesia adopts close registry system, therefore the registered fishing vessel in Indonesia is only the fishing vessel owned by the Indonesian citizen or Indonesian legal body.

VENUE OF FISHING VESSELS REGISTRATION

Fishing vessels registration is executed in the central office of Directorate General of Sea Transportation c/q. Directorate of Marine Safety or in one of the 43 harbors that have been appointed by Minister of Transportation as the venue of fishing vessels registration.

REGISTER OF FISHING VESSELS REGISTRATION

Fishing vessels registration is conducted by register of fishing vessels registration and fishing vessels change ownership, assisted by an assistant officer of fishing vessels registration and change ownership as determined by Minister of Transportation.

REQUIREMENTS OF REGISTRATION

Fishing vessels that come from foreign flag has to submit the following documents;

- a. Tonnage Certificate;
- b. Bill of Sale legalized by Notary that witness the sign of Bill of Sale or authorized Government Officer;
- c. Protocol of Delivery and Acceptance;
- d. Deletion Certificate;
- e. Identity of the Owner;
- f. Technical Recommendation for Fishing Vessel from Ministry of Marine Affairs and Fisheries c/q. Directorate General of Capture Fisheries.

FISHING VESSELS REGISTRATION IN INDONESIA ADOPTS PASSIVE SYSTEM, MEANING:

- a. Submitted document validity is the owner's responsibility.
- b. The registry deed is considered correct as long as no claim from other party about the fishing vessels ownership, and the claim have to be proved the evidence by State Court that has the permanent legal aspect.

IMPLEMENTATION OF THE REGISTRATION

- a. Fishing vessels registration has to be executed by developing registry deed.
- b. As the evidence that the ship is already registered, the owner is given (grosse) registry deed that is the copy of original registry deed.
- c. Ship that has registered mark as the combination of numbers and letters consisting of the year of registration, measurement code of fishing vessels registration venue, order number of registry deed and ship category code.

For example: 2008 Pst No. 4999/L

2008 : The year of the ship is registered

- Pst : Measurement Code of the Venue the ship is registered
- No : Number
- 4999 : Number of Registry Deed
- L : Code of Fishing vessels Category

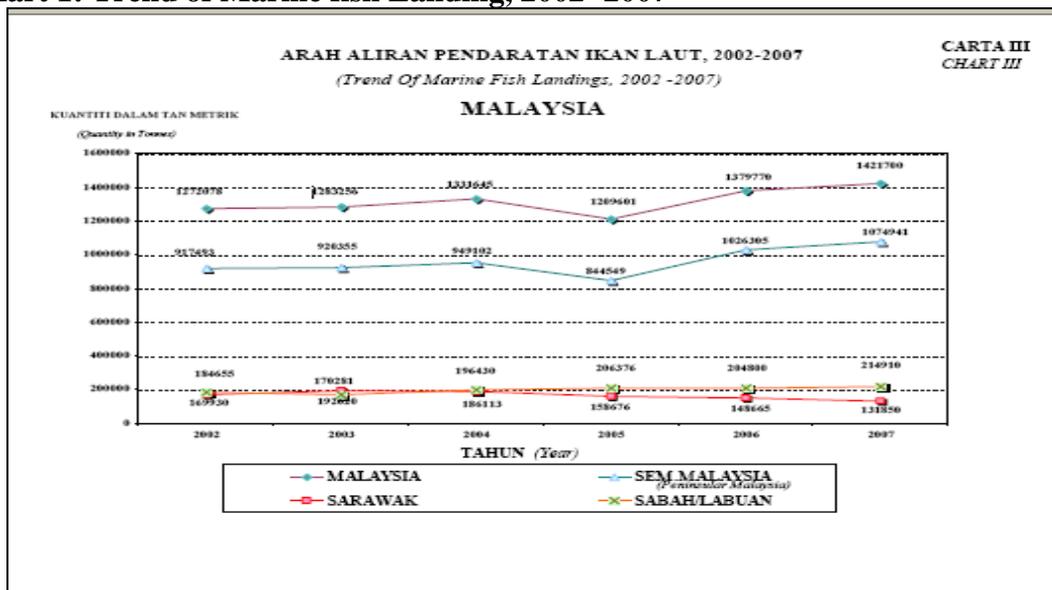
FISHING REGISTRATION FOR FISHING LICENSING

Fishing vessels possessed by an Indonesian citizen, operated within the fisheries management zones of the Republic of Indonesia shall have prior registration as Indonesia fishing vessels. The registration of fishing vessels shall be equipped with the following documents: proof of ownership, identity of owner, and certificate of measurement. Further provisions concerning the fishing vessel registration shall be regulated by Ministerial Regulation.

The fisheries sector in 2006 produced 1,595,961.51 tonnes of fish valued at RM 6,262.11 million. Statistically, the fisheries sector recorded an overall increase in production by 12.28% and value by 22.84%, contributing about 1.10% to the GDP. By sector, production from marine capture fisheries contributed 1,379,770 tonnes or 86.45% of the nation's fish production with a value of RM 4,939.32 million. In 2007, preliminary data shows that marine capture fisheries has increased and contributed about 1,421,760 tonnes.

Within the sector, the coastal fisheries remained the major contribution of 1,128,439 tonnes or 70.70% of the nation's fish production. The deep-sea fisheries sector managed 251,331 tonnes of the nation's fish production.

Chart 1: Trend of Marine fish Landing, 2002 -2007



2. Policy and Legal Framework

The Fisheries Ordinance 1909 was the only legislation regulating the fishing industry in the early 1900s. This Ordinance was subsequently amended in 1912, 1924 and 1926, and was finally repealed in 1951. The Fisheries Rules of 1951 came into force on 10 August 1951. During this time there were also seven Fisheries Ordinances or Enactments introduced by the various States. The fishing industry at that time was mostly traditional fisheries and regulation was minimal.

However, in the 1960s and 1970s, the introduction of trawling in coastal waters created much conflict between traditional fishermen and trawlers. This led to the formulation of the Fisheries Act 1963, which provided a more comprehensive legal framework to manage the fisheries in Malaysian waters. This Act was formulated to integrate and strengthen the legal framework relating to marine and inland fisheries; to protect the natural living resources; to protect the interest of the fishermen; to ensure equitable allocation of fisheries resources; and to strengthen administrative activities to reduce conflict among the fishing communities. This Act was subsequently replaced by the Fisheries Act 1985.

Fisheries Act 1985

The Fisheries Act 1985 is the current legislation, and implemented to manage, develop, conserve and control marine fishing and marine fisheries resources in Malaysian fisheries waters. This Act is an expansion of and improvement on the previous act, incorporating the

Exclusive Economic Zone (EEZ), consistent with relevant provisions in the 1982 United Nations Convention on the Law of the Sea (UNCLOS), to which Malaysia acceded on 14 October 1996. Several new provisions have been incorporated into the Fisheries Act 1985, and the law now requires the Director-General to formulate and continuously upgrade fishery programmes based on the latest scientific knowledge to ensure optimum utilization of fishery resources in line with good management practices. The Fisheries Act 1985 has provisions for the monitoring, control and surveillance (MCS) of fishing vessels in the EEZ. Foreign fishing vessel caught fishing illegally in the Malaysian EEZ are apprehended and severely dealt with under this Act. The objective of the Act is to provide better conservation, management and development of fisheries in Malaysia in the light of Malaysia's commitment towards the implementation of the provisions of UNCLOS. The provisions of the Fisheries Act 1985 follow the provisions provided for in UNCLOS. Briefly, the Act covers:

- Administration of fisheries in Malaysia;
- Licensing and management of local and estuarine fishing operations;
- Control of fishing by foreign fishing vessels in Malaysian fishing waters;
- Offences, prohibitions and control of certain methods of fishing;
- Establishment of marine parks and marine reserves;
- Offences and legal procedures relating to the implementation of the Act.

The Fisheries Act 1985 was revised in 1993 to make provisions for an equitable and efficient utilization of the resources, conservation and protection of the marine resources and environment according to present needs. This includes:

- To prevent over-exploitation of the fisheries resources in the inshore waters.
- To eliminate competition among artisanal and commercial fishers.
- To promote the development of offshore industrial fisheries.
- Restructuring of the ownership pattern of fishing units in accordance with the new economic policy.
- More equitable distribution of resources.

3. Profiles of the Marine Capture Fisheries

3.1 Fishing Ground

Four fishing zones have been established through a licensing scheme whereby zones are designated for specific fishing gear, classes of vessels and ownership. The four management zones attempted to provide equitable allocation of resources and reduce conflict between traditional and commercial fishermen.

Basically the four zones are (Refer Picture 3):

- **Zone A** less than 5 nautical miles from shore, reserved solely for small-scale fishers using traditional fishing gear and owner-operated vessels.
- **Zone B** beyond 5 nautical miles, where owner-operated commercial fishing vessels of less than 40 GRT using trawl nets and purse seine nets are allowed to operate.
- **Zone C** beyond 12 nautical miles, where commercial fishing vessels of more than 40 GRT using trawl nets and purse seine nets are allowed to operate.
- **Zone C2** beyond 30 nautical miles, where deep-sea fishing vessels of 70 GRT and above are allowed to operate.

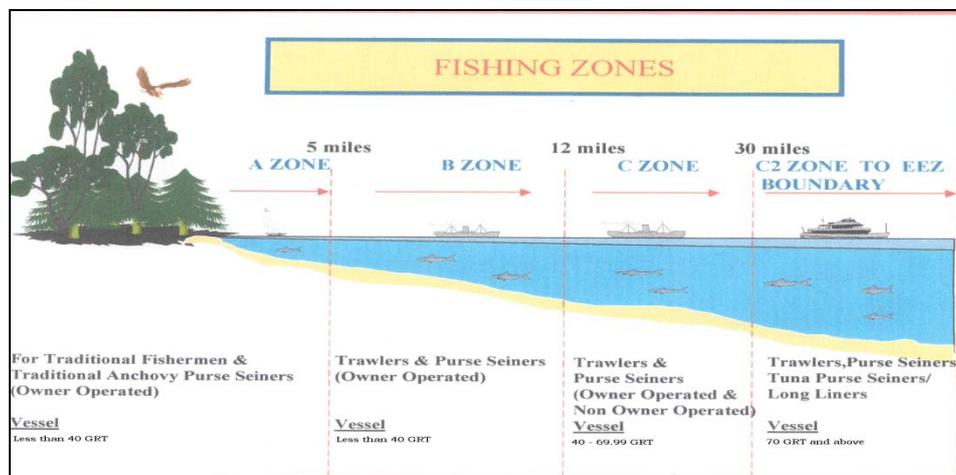


Figure 3: Fishing Zones

3.2 Number of Fishermen (Fisheries Statistics 2006)

A total of 97,947 fishermen (excluding aquaculturist) were recorded working on licensed fishing vessels in 2006 compared with 90,702 in 2005. Out of that 44,231 fishermen worked on trawlers and purse seines while the remainder 53,716 fishermen worked on traditional fishing vessels.

Table 1: Total number of fishermen

Group	Number Of Fishermen	Percentage
LSF	47,070	39.87%
SSF	50,877	43.10%
Aquaculturist	20,100	17.03%
Total	118,047	100%

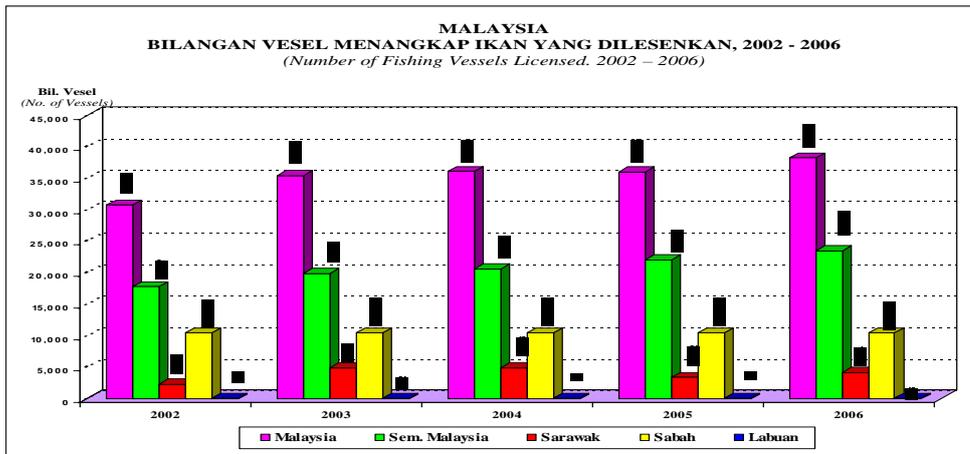
3.1 Total Number of Fishing Vessels (Fisheries Statistics 2006)

Fishing vessels registered in Malaysia increased by 6.28% from 36,016 units in 2005 to 38,276 units in 2006. The number of licensed fishing vessel in Peninsular Malaysia stood at 23,483 units in 2006 which was 61.35% of the total nation's fishing fleet. The number of deep-sea fishing fleet still remained comparatively small compared with the fishing fleet operating in the inshore waters. In the year 2006, there were 37,350 licensed fishing vessels to exploit the coastal areas compared with only 926 units deep-sea fishing units which increased by 90 units from 836 units in 2005.

Table 2: Number of fishing vessels (2006)

No. of Fishing Vessels	Fishing Gears	Percentage
7,045	Trawl Nets Fish Purse Seine Anchovy Purse Seines	18.41%
31,231	Other Seines Gill/Drift Nets Lift Nets Stationary Traps Portable Traps Hooks & Lines Bag Nets Push/Scoop Nets Barrier Nets Shellfish Collection Others	81.59%
38,276		100%

Chart 2: Number of Fishing Vessels Licensed, 2002- 2006



Trawl Nets

Anchovy Purse Seines



Purse Seines

3.4 Major Fishing Harbour/ports

The main landing places in Malaysia are located along the coast of Peninsular Malaysia, Sabah, Sarawak and the Federal Territory of Labuan. These landing ports are managed by the The Fisheries Development Authority of Malaysia (FDAM).

Figure 6: Major Fishing Harbours/ Ports



1. FDAM Port, Batu Maung, Penang
2. FDAM Fishery Port, Chendering, Terengganu
3. FDAM Complex Kuala Pahang, Pahang
4. FDAM Complex, Kuala Perlis, Perlis
5. FDAM Complex, Endau, Johor

4. Management of the Fisheries In Malaysia

4.1 Fishing Effort

Fishing effort in the Malaysian industry is controlled by the licensing of both fishing vessels and fishing gear. This programme controls entry of new individuals into the fishing industry. Every fisherman is required to have a fisherman registration card.

Commercial fishing vessels, like trawlers and fish purse seiners, are prohibited from fishing in waters less than 5 nautical miles from the shore. The waters within 5 nautical miles of the shore are the nursery grounds of juveniles of prawns and fish. This will reduce fishing pressure from trawlers and fish purse seiners.

Under the Fisheries Act 1985 and the related regulations, fishing gear that is destructive to the environment and the fisheries resources are banned. Banned gear includes fishing pair trawling, electric fishing, fishing using poisons and explosives push nets and gill nets of more than 10 inches mesh size. Other conditions set by the Department of Fisheries to control efforts by the fishermen are with regards to ownership and employments of foreigners are:

- Fishing vessel which is less than 40 GRT must be owner operator and all crew must be local;
- Zone C fishing vessel is allowed to employ 80% foreign crew;
- Zone C2 and C3 fishing vessel is allowed to employ 100% foreign crew.

4.2 Fisheries Management Strategies

One of the goals of fisheries management is to achieve sustainable coastal fisheries. In order to achieve this goal, various management strategies have been formulated and implemented to control fishing effort and promote rehabilitation and conservation of marine resources and marine ecosystems. These measures include:

- Direct limitation of fishing effort through the licensing of fishing gear and fishing vessels. A review of the effectiveness of the fisheries licensing procedures is an ongoing process;
- Identification of nursery areas that should be protected and managed as a nursing area to ensure survival of juveniles of commercially important fish species. These areas could be gazetted as closed fishing areas or areas that are zoned for specific fishing gear, based on the tonnage of the fishing vessels;
- Facilitation of cooperative research effort between government and academicians to provide data essential for the formulation of area management plans;
- Establishment of strict enforcement on regulations that address the problem of illegal fishing;

- To maximize income through efficient and optimum utilization of the natural resources and revitalization of the fisheries sector in contributing to the economic development of the country
- To use modern sustainable methods of fishing for optimal production
- To increase aquaculture production
- To increase production through offshore fishing (in areas above 30 nm from shore)

4.3 Vessel Registration In Malaysia

No issuance of new fishing licences for coastal fisheries since **1982 (moratorium)** meant to reduce fishing pressure. This is to ensure that the current high fishing pressure on the limited coastal fisheries resources will not be increased to prevent over exploitation. Fishermen are also registered to control their entry into the fishing industry. The ownership pattern of coastal fishing vessels are also restructured with the aim of allocating the area to owner-operators.

The element of vessels registration in Malaysia are:

- a) Vessels Registration Code
- b) Registration Specifications
 - I. Code of Zone
 - II. Registration Number
- c) Wheelhouse Colour
- d) Vessels Identification Code
- e) Tinplate
- f) Gross Registered Tonnage Measurement (GRT)

4.4 Current Issues of Concern, Problem and Constraint

Main constraints faced by Malaysian fishers in deep-waters are Illegal, Unregulated, Unreported and Unreported (IUU) Fishing and encroachment by illegal foreign fishing vessels. To better coordinate among various maritime agencies in Monitoring, Control and Surveillance, in 2004 Malaysian Maritime Enforcement Agency (MMEA) were formally established. MMEA were established with a number of enforcement agencies, namely the Marine Police, Royal Malaysian Navy, Royal Malaysian Air Force and the Department of Fisheries.

Other constraint faced are over fishing in coastal areas, competition between traditional and commercial fisheries for fishing grounds, competition for the use of coastal zone for compatible purposes, greater fishing effort because of more efficient technology, use of destructive fishing practices, impact of pollution; and habitat destruction.

5. Conclusion

The Government aims to create fisheries that are not only economically viable but also profitable and sustainable in the long term, while protecting and conserving the environment. Having recognized that the marine resource especially, fisheries should be exploited on a sustainable manner, to ensure sufficient and safe food for the nation, coastal inshore fisheries will continue to be managed and protected from the adverse impacts of anthropogenic pressure. The marine resource biodiversity needs to be conserved for future generation. Measures such as better management of coastal habitat through the formulation of sound management models, rehabilitation of resources through establishment of artificial reefs will help to ensure fishery resources are exploited rationally at a maximum sustainable level.

FISHING VESSEL LICENSING SYSTEM IN THE PHILIPPINES

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INTRODUCTION

The fisheries in the Philippines are basically a *de facto* “open access” system. This has been true for the past 75 years since the enactment of the Fisheries Act of 1932¹. There have been several technical management measures that were put in place in the past decades such as establishments of closed seasons and closed areas² and gear restrictions such as trawl fishing³, however, input control such as licensing of fishing vessels and gears still appears to be the prevailing and most convenient regulatory measure of fisheries management in the Philippines.

In recent times, fishing in the Philippines is divided into two classifications due to the peculiar characteristics of its geographical setting; commercial fishing and municipal fishing. Municipal fishing involves the operation of fishing vessels of 3 gross tons or less in areas within a distance of fifteen (15) kilometers from the shoreline. Beyond this is the area for commercial fishing which basically utilizes fishing vessels more than 3 gross tons. Commercial fishing is further classified into small-scale (using vessels 3.1 to 20 GT), medium-scale (using vessels 20.1 to 150 GT) and large-scale commercial fishing (using vessels above 150 GT). In certain instances, a commercial fishing vessel may be allowed by the Local Government Units (LGUs) to operate within the 10.1 to 15 kilometer portion of municipal waters provided the depth of the municipal waters is 7 fathoms and above and that the fishing gear or method to be used is consistent with the National Fisheries Policy.

Licensing of fishing vessels is likewise based on gross tonnage. There are several registration and licensing authorities in the Philippines. One is the LGUs, which has the authority to register and license municipal fishing vessels pursuant to Executive Order No. 305 enacted on April 2, 2004. The devolution of the authority to register municipal fishing vessels from the Maritime Registration Authority (MARINA) to the LGUs has just been made recently, while the authority to license was transferred from BFAR to the LGUs in 1998 by virtue of Republic Act 8550 or the 1998 Philippine Fisheries Code. On the other hand, registration of commercial fishing vessels is given to the Maritime Industry Authority (MARINA) while the licensing of fishing vessels is done by the Bureau of Fisheries and Aquatic Resources (BFAR). Since the conferment of the authorities to register and license to the LGUs was only made recently, there is very scant data available on the number of registered and licensed municipal

¹ Act No. 4003. An Act to Amend and Compile the Laws Relating to Fish and Other Aquatic Resources of the Philippine Islands, and for other purposes. December 5, 1932.

² Fisheries Administrative Order (FAO) No. 12, July 28, 1939; FAO No. 12-1, March 25, 1947; Fish and Game Administrative Order (FGAO) No. 13, Feb. 18, 1939; FAO No. 18, Aug. 23, 1940

³ FAO No. 37, March 13, 1954; FAO No. 40, July 15, 1954; FAO No. 58, Nov. 27, 1959; FAO No. 62, July 19, 1960

fishing vessels. Information concerning its implementation is also very limited. Hence, this paper will focus mostly on the commercial fishing vessel licensing system.

HISTORY

The first fishing vessel licensing system in the Philippines was established in 1933 upon the enactment of Act No. 4003 or the Fisheries Act of 1932. At that time the fisheries in the Philippines was classified into three (3) categories namely: insular, municipal and reserve fisheries. Insular fishing covers deep-sea or offshore fishing where operation of three gross tons fishing vessels is regulated. Under this category, a fishing license can be issued only to the citizens of the Philippines or United States of America and/or to citizens of other countries which has laws that grant similar rights to citizens of the Philippines. A minimum license fee of P1.00 per gross ton⁴ or a fraction thereof must be paid before a fishing license is granted which is valid for one year. This amount was gradually increased in the succeeding years which have reached to of P80.00 plus P1.00⁵ for every gross tons or fraction thereof and a maximum cash bond of P100.00 by the year 1956. Fishing vessel licensing was then the mandate of the Philippine Fisheries Commission by virtue of Republic Act 3512⁶. Likewise, the registration and documentation of fishing vessels was also the mandate of the Philippine Fisheries Commission.

Municipal fishing was already given emphasis in 1932. The municipal council or municipality was given the jurisdiction to issue fishing licenses to qualified individuals operating vessels three (3) gross tons or less within a distance of 3 nautical miles from the coastline. A license fee was also required to be paid to the municipality by the resident operator, the amount of which varied between each municipality. At that time, the municipal fishing license allows the operator to fish in any municipal waters in the Philippines.

With the enactment of Presidential Decree No. 704 (Fisheries Decree of 1975)⁷ in 1975, several developments in the fishing vessel licensing system was introduced. Charter contracts were allowed whereby a foreign-owned fishing vessel is chartered by a Filipino for operation in Philippine waters and lease-purchase agreements whereby a foreign-owned fishing vessel is leased by a Filipino with the option granted to the lessee to purchase the vessel leased. Temporary registration of chartered and leased fishing vessels was also allowed. The registration and documentation of these fishing vessels was then transferred to the MARINA but was also later on delegated to the Philippine Coast Guard (PCG) in 1976. Any Filipino citizen was qualified to enter into charter contracts or lease-purchase agreement or any corporation engaged in fishing with at least 70% of its capital stock owned by a Filipino citizen. These contracts, however, must contain the following important conditions:

1. the foreign crew members of the fishing vessel must not exceed 75% of the vessel complement,
2. all foreign crew members shall be replaced by all-Filipino crew members after two (2) years

⁴ FGAO No. 2, June 21, 1933

⁵ FGAO No. 2-19, January 12, 1956

⁶ Republic Act 3512. An act creating a fisheries commission, defining its powers, duties and functions and appropriating funds therefore. March 20, 1963

⁷ Presidential Decree 704. Revising and consolidating all laws and decrees affecting fishing and fisheries. December 1, 1976.

Foreign fishing vessels under charter contracts or lease were given a Special Commercial Fishing Boat License upon submission of requirements and payment of annual license fee of P1,000 to P5,000⁸ depending on its tonnage. For domestic fishing vessels owned by Filipino citizens a Commercial Fishing Boat License was issued which was valid for only one (1) year. An annual license fee was also collected ranging from P50.00 to P1,000.00⁹ depending on its gross tonnage plus P2.00 per gross tons or a fraction of it to commercial fishing boats by the year 1983.

In 1998, Republic Act 8550 or the Philippine Fisheries Code of 1998 was enacted. The Government, through the Bureau of Fisheries and Aquatic Resources (BFAR) was now granted the authority to limit the issuance of fishing licenses based on the Maximum Sustainable Yield (MSY) of the fisheries resources, prescribe catch quotas, establish closed seasons and establish license fees that reflect resource rents in Philippine waters. Likewise, perhaps the most important development in fishing vessel licensing was the reservation of the exploitation of the fisheries resources of the Philippines exclusively to Filipinos. Because of this, the concept of charter contracts and lease-purchase agreements was abolished. No foreign fishing vessels were allowed to fish within the territorial waters of the Philippines. This policy still exists until now.

CURRENT FISHING VESSEL LICENSING SYSTEM

There is only one government agency involved in the licensing of fishing vessels in the Philippines, that is, the Bureau of Fisheries and Aquatic Resources (BFAR). The current commercial fishing vessel licensing system in the Philippines is mainly decentralized, the licensing in the administrative regions are delegated to the BFAR Regional Offices. Only new licenses are issued in the BFAR Central Office in Quezon City. Renewal of licenses takes place in the Regional Offices. However, the licensing (both new and renewal) of fishing vessels stationed in Navotas Fish Port Complex within Metro Manila is the function of the BFAR Central Office.

The current licensing system does not only require licensing of fishing vessels but also fishing gears and fishworkers (fishermen) associated with the fishing vessel. Fishing gears are first registered with the BFAR and then issued with a corresponding license. The commercial fishing vessel and fishing gear license is issued jointly in a single document called Commercial Fishing Vessel/Gear License (CFVGL). Since fish carriers, lightboats, sonarboats and even tankers and other supporting vessels are also classified as fishing vessels under Philippine law; it is also required to be issued with CFVGL. For fishing vessel which intends to operate in international waters or high seas, an International Fishing Permit (IFP) is required.

One of the qualifications of a particular person/entity to avail CFVGL for operation in Philippine waters is that he/she must be a Filipino citizen or if in case a corporation, partnership, association/cooperative, sixty percent (60%) of its capital stock must be owned by a Filipino citizen. The following are the documentary requirements for the issuance of Commercial Fishing Vessel/Gear License (New):

⁸ FAO No. 121, series of 1976

⁹ FAO No. 144, series of 1983

1. BFAR application form.
2. Duly notarized affidavit of undertaking stating that the fishermen on board shall be entitled to the privileges accorded under the Philippine Labor Code and Social Security System,
3. Duly notarized certification stating that the vessel is not involved in any administrative or judicial case,
4. Two (2) copies of 8" x 10" colored pictures (starboard and portside) showing clearly the name of the fishing vessel,
5. Grid map indicating fishing ground,
6. Authenticated copy of Certificate of Vessel Registry (CVR), Certificate of Ownership (CO) and Fishing Vessel Safety Certificate (FVSC) (issued by MARINA),
7. For a corporation, approved Articles of Incorporation from SEC,
For a sole proprietorship, a permit from DTI, or
For an association/cooperative, cooperation papers from the CDA
8. Fishing logbook (for catchers only), and
9. Tax identification number (TIN) issued by the BIR

Inspection of catchers must be conducted to confirm the type of fishing gear used and to ensure that the vessel and its owner adheres to fishery regulations such as minimum mesh size regulations, etc.

Commercial fishing vessel license fees is required to be paid in full which ranges from P200.00 to 2,500.00¹⁰ per year depending on the tonnage and tonnage fee of . Commercial fishing gear license fee is also required which ranges from P200.00 to P600.00 per year depending on the tonnage of the vessel. Application fee for CFVGL is fixed at P400.00 and fishing gear registration fee of P200.00 regardless of gross tonnage. Cash bond deposits are also collected to guarantee good faith and satisfactory compliance of the fishing vessel with the terms and conditions of the license which ranges from P250.00 to P950.00 depending on the tonnage of the vessel.

Regulatory Measures in Licensing of Fishing Vessels

Before the above documentary requirements are evaluated there are important measures that BFAR implements in the issuance of CFVGL. In 2004, BFAR suspended the issuance of CFVGL for one-year to facilitate the inventory of all commercial fishing vessels (both licensed and unlicensed) in the Philippines. The result of this inventory shall be the basis of the current level of fishing effort that will be maintained in the Philippines. As a precautionary approach to maintain the current level of fishing effort, any fishing vessel which is not registered for inventory shall be denied access to the fishery or denied issuance of CFVGL.

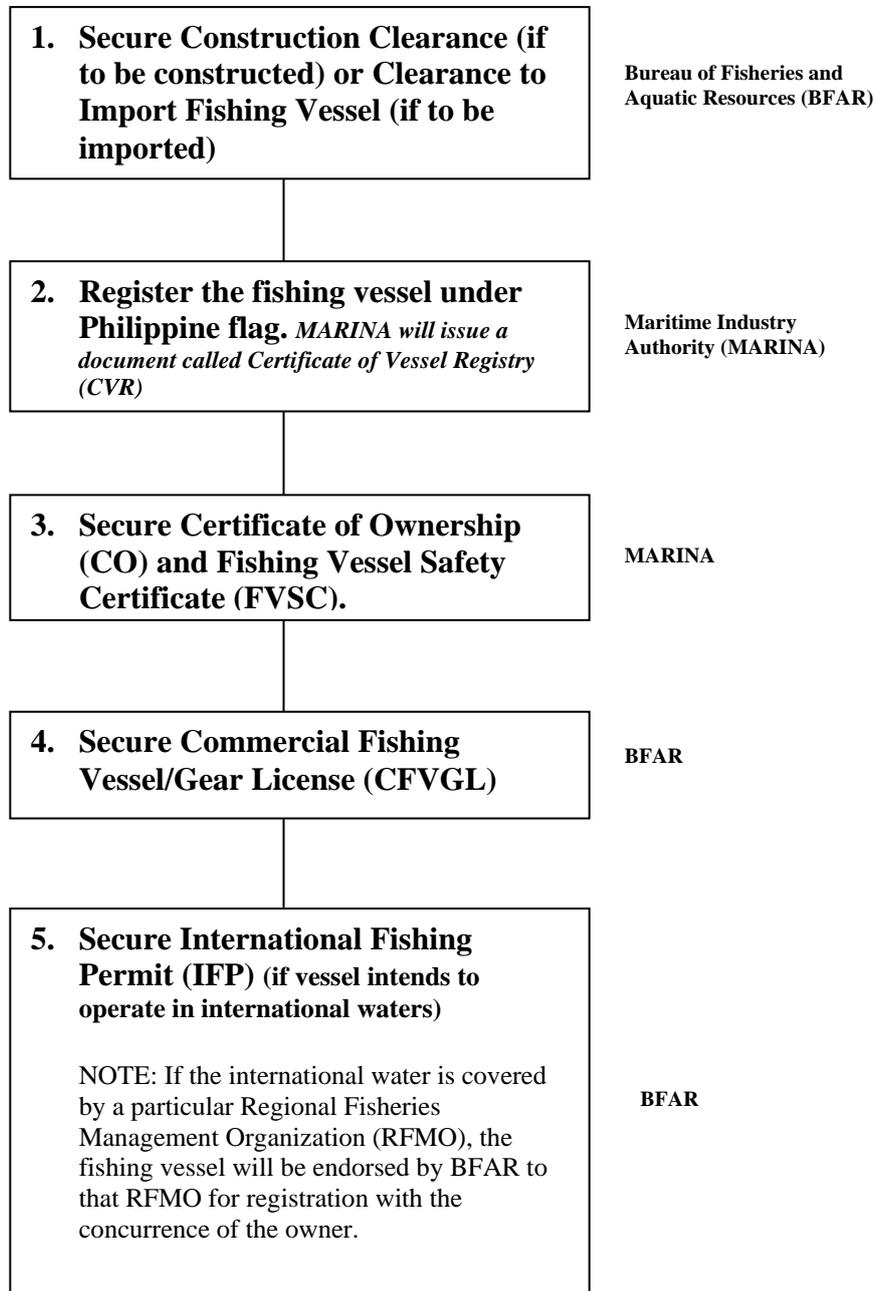
¹⁰ FAO No. 198, series of 2000

A quota-based licensing on a particular fishing method is being imposed on a particular type of fishing called drive-in net fishing or locally called as “*paaling*”. Because of its effectiveness in catching reef fishes, only twenty four (24) fishing vessels operating “*paaling*” are given licenses to engage in this particular type of fishing in order to prevent excessive harvesting of coral reef fishes in Philippine waters.

As a member of the WCPFC, measures prescribed by the Convention are also being observed especially in maintaining the fishing effort level of purse seines. As a result, new purse seine fishing vessels are no longer being issued licenses; however licenses are issued to purse seine vessels which are replacements to sunk or decommissioned vessels.

Process Flow

Here is the procedural flow in securing a Commercial Fishing Vessel/Gear License (CFVGL) in the Philippines.



Municipal Fishing

Comprehensive licensing of municipal fishing vessels was only conceived on 2004 after the passage into law of the Executive Order 305 or the Devolution to Municipal and City Governments the Registration of Fishing Vessels 3 Gross Tons and below. Authority to register and license municipal fishing vessels was vested to the LGUs which has the jurisdiction and the responsibility to manage its coastal marine resources. Since the passage of

E.O. 305 and its implementing rules and regulations there has been very limited information on the status of its implementation in the local level. However, there were frameworks that were conceptualized to help LGUs in their implementation of the registration and licensing of their municipal fishing vessels. Some of the important details of this framework are outlined in this section.

The objectives of municipal fisheries licensing was perceived as for information generation, granting of priority rights to resource users in the municipal waters, revenue generation and most importantly regulation. Generally, a person/entity eligible to get a municipal fishing license are those person/entity registered in the municipality. A municipal fishing vessel must be first registered in the municipality to become eligible for a municipal fishing license. To apply for a municipal fishing license, the following documents must be submitted:

1. Municipal fishing license application form
2. Certificate of Number (CN), and
3. Clearance from the Philippine National Police-Maritime Group (PNP)MG) or from the local PNP certifying that the owner/operator has not been involved in any criminal offense.

Payment of license fees is required with the discretion of the LGU. Duration of the license shall be one (1) year only and subject for renewal on periods specified by the LGU.

ISSUES AND PROBLEMS

Commercial Fishing

1. Lack of harmonized database of registered and licensed fishing vessels between BFAR and MARINA.
2. Lack of stringent measures on registration of fishing vessels resulting to name switching of similarly-looking fishing vessels.
3. There is a significant number of commercial fishing vessels that are not registered for inventory.
4. Undervalued license and permit fees which does not reflect the appropriate resources rents.
5. False declarations of actual gross tonnage to disguise as municipal fishing vessel in order to fish within municipal waters.
6. Shifting of fishing vessels to other regions where there is a more relaxed licensing procedure.

Municipal Fishing

1. Lack of centralized database or register of all municipal fishing vessels.
2. Lack of comprehensive fisheries ordinance, technical capacity and understanding to regulate fishing activities in LGUs.
3. Territorial jurisdiction, delineation of municipal waters.
4. Inadequate budgetary support for fisheries management at local level.

5. Overlapping institutional functions.
6. Lack of oversight committee that would constantly oversee the implementation of E.O. 305 in the national level

RECOMMENDATIONS

Commercial Fishing

1. Establishment of a harmonized database or register of all fishing vessels (both commercial and municipal fishing vessels) in the Philippines.
2. Re-establish the inventory of commercial fishing vessels to cover those which were not able to register for inventory.
3. Amend the Fisheries Administrative Order No. 198 or the Rules and Regulations Governing Commercial Fishing in the Philippines and increase the license and permit fees that reflect the resource rents based on best available studies.
4. Strengthen the coordination between the BFAR Central Office and Regional Offices to avoid shifting of licensing by some fishing vessel to regions where there is more relaxed procedure.
5. Provision of fines and penalties that reflect the true cost of violating the law.

Municipal Fishing

1. Policy advocacy and capability building in the local level.
2. Delineation of municipal waters
3. Outline specific duties and responsibilities of institutions
4. Establish an inter-agency committee or body that would oversee the implementation of E.O. 305 in the national level.

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Republic Act 8550. An Act Providing for the Development, Management and Conservation of the Fisheries and Aquatic Resources Integrating all laws pertinent thereto, and for other purposes. February 25, 1998.

Licensed commercial fishing vessels in the Philippines (expired/unexpired), as of 2007

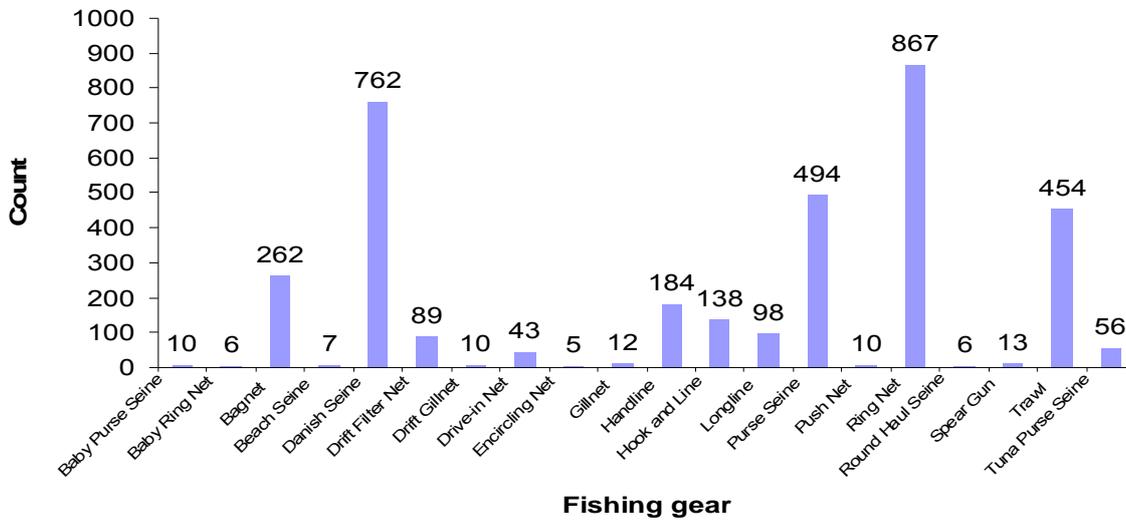


Figure 1. Total number of licensed commercial fishing vessels (catchers) in the Philippines (expired/unexpired), as of

Licensed commercial fishing vessels (accessory vessels) in the Philippines, as of 2007

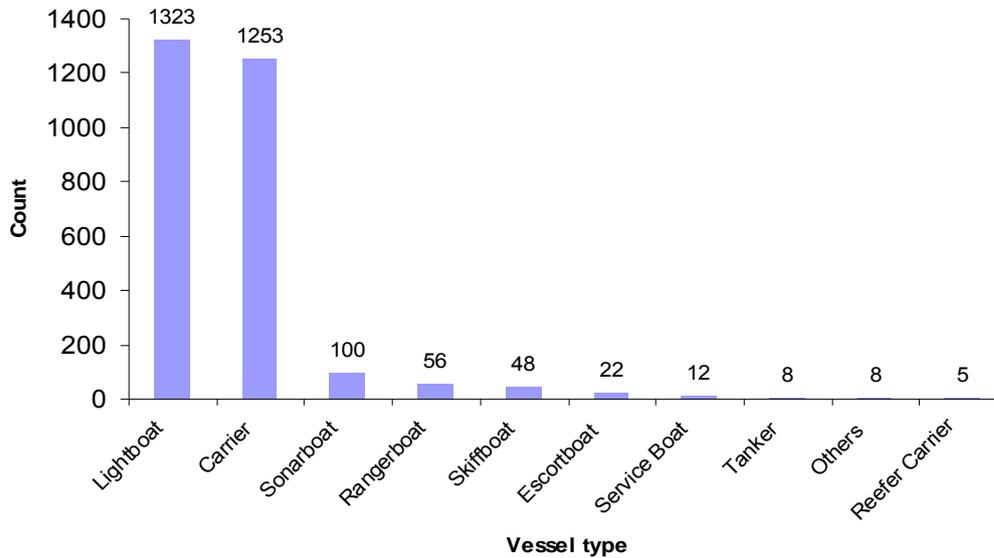


Figure 2. Total number of licensed commercial fishing vessels (accessory vessels) in the Philippines



Figure 3. A typical Philippine commercial fishing vessel operating **Tuna Purse Seine**



Figure 4. A typical Philippine commercial fishing vessel operating **Longline**



Figure 5. A typical Philippine lightboat

VESSEL REGISTRATION/ FISHING LICENSING ISSUES IN SINGAPORE

Jolin Joel Lim Ben Joo and Yap Boon Chark

Agri-food & Veterinary Authority, 5 Maxwell Road, #03-00 Tower Block,
MND Complex Singapore 069110

**Vessel Registration /
Fishing Licensing
Issues In Singapore**

June 2008
Presented by: Jolin Lim (Ms.)



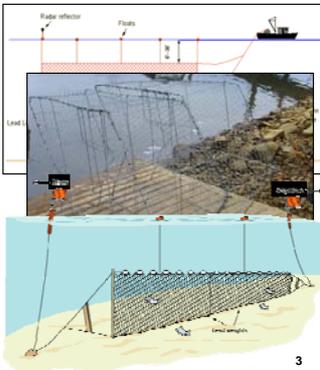
Two Fishery Ports



2

Inshore fisheries

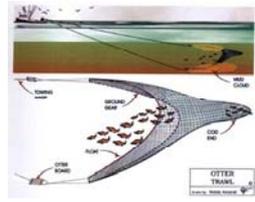
- Drift net
- Gill net
- Palisade traps
- Other traditional gear e.g. crab trap



3

Offshore fisheries

- Otter trawl
- Bottom gill nets



4

Local offshore fishing are in the waters, off Pedra Branca in the South China Sea.



5

Currently, we have:

- 10 off-shore fishing vessels (of <50 GRT)
- 42 in-shore fishing sampans (boats)



6

➤ 102 floating fish farms



7

➤ 15 kelong (palisade traps)



8

Fish Yield

Fishing and fish farming contribute **less than 5%** of Singapore's total live/chilled fish supply (~76,000 tonnes/year).

The **remaining 95%** are imported, mainly from our neighboring countries and beyond.

9



Agri-Food & Veterinary
Authority of Singapore

FISHERIES ACT (CHAPTER 111)

History	1976 REVISED EDITION	1982 REVISED EDITION	2002 REVISED EDITION
---------	----------------------------	----------------------------	----------------------------

An Act for the protection and conservation of fisheries, and to make provision for the control of fishing, the control of the marketing and distribution of fish and the use and control of fishing ports and harbours, for measures pertaining to the general welfare and improvement of the fishing industry in Singapore and for purposes incidental thereto.

[1st January 1969]

10

FISHERIES ACT (CHAPTER 111, SECTION 7) FISHERIES (FISHING VESSELS) RULES

[7th March 1969]

FISHERIES ACT (CHAPTER 111, SECTION 7 (2) (a)) FISHERIES (FISHING GEAR) RULES

[28th January 1972]

11

PART IV OFFENCES

Wilful damage to fishing implements

9. Any person who wilfully damages or destroys fishing stakes, nets, lures or fishing implements shall be guilty of an offence. [11]

Prohibition on use of poisons or explosives

10. —(1) Any person who, except under the authority of a licence issued under this Act, uses any poisonous or explosive substance with intent to stupefy, poison or kill fish shall be guilty of an offence.

(2) Any person who is found in possession of fish which have been captured with the aid of any poisonous or explosive substance and does not give a satisfactory account as to how he came to be in possession thereof shall be guilty of an offence.

(3) When any poisonous or explosive substance by which fish can be stupefied, poisoned or killed is found in the possession or control of any person in the neighbourhood of any waters shortly after the use of such a substance in the waters, the person shall be presumed until the contrary is proved to have made use of the substance for those purposes.

(4) Any person in a fishing boat who is found to be in possession or control of any poisonous or explosive substance without a licence shall be guilty of an offence. [12]

Landing or selling fish illegally caught

11. Any person who lands or sells fish caught by methods prohibited, or within areas prohibited, by this Act shall be guilty of an offence. [13]

Fishing Vessel Licence



Fisherman Pass



13

Insurance Policy



14

New Applications for Fishing Vessel Licence

1. Submission of application form and relevant supporting documents
2. Verification of applicant's particulars
3. In-principle approval by AVA
4. Assignment of vessel's registration number to applicant
5. List of equipment and life saving appliances submitted by applicant
6. Inspection of vessels by AVA officers
7. Upon approval, submission of insurance coverage by applicant is required
8. Payment of licence fees
9. Issue of vessel licence (together with conditions of licence).

15

Renewal of Fishing Vessel Licence

1. Renewal notice sent to licensee
2. Upon approval, submission of insurance coverage by applicant is required
3. Payment of licence fees
4. Issue of vessel licence (together with conditions of licence).

16

Inspection of Fishing Vessels

AVA officers are to inspect the following to ensure minimum safety requirements:

- length of vessel > 12.2 m, GRT > 15
- weather-tight closing for all openings
- GM > 0.35m
- navigation lights
- life saving appliances
- fire-fighting appliances
- Condition of bilge pump
- sound signals
- Radio VHF / GPS Communication equipment
- Engine
- Transponder device (for inshore vessels) ; GPS, fish-finder and AIS transponder system (for offshore vessels)

17

NOTE

- > The owner/ master must report the incidents while fishing to AVA within 48 hours of the incident. A report must also be lodged with the Police Coast Guard (PCG) in the case of any incident, injury or loss of life.

18

Report on Arrival / Application for Port Clearance

Agency for Maritime Affairs of Singapore
 10000 North Bridge Road, Singapore 388000
 Tel: 673 3200-2000 Fax: 673 3200-2001
 Website: www.ava.gov.sg

REPORT OF ARRIVAL / APPLICATION FOR PORT CLEARANCE
 (FOR VESSELS ENTERING PORTS IN SINGAPORE)

Vessel Name: [] Vessel No: []
 Port of Origin: [] Date of Arrival: []
 Type of Vessel: []
 Gross Tonnage: []
 Net Tonnage: []
 Crew: []
 Cargo: []
 Other: []

19

Application for Port Clearance

Information to be provided in the application:

- No of fishing crew on board vessel
- Particulars of fishing vessel
- Date of departure
- Fishing licence registration no.
- Gear licence no.

Vessel must leave the port within 48 hours after port clearance is issued by AVA.

20

Report of Arrival

After fishing trip, upon arrival in Singapore, vessel owner must report within 24 hours:

- No of fishing crew on board vessel
- Particulars of fishing vessel
- Fishing licence registration no.
- Date and time of vessel arrival
- Tonnage of fish caught

Submission of these documents required:

- Document giving the vessel port clearance from their last port
- Document listing any cargo to be deposited, discharged or transhipped in the port
- Log book of the vessel

21



Thank you



VESSEL REGISTRATION/FISHING LICENSING ISSUES IN THAILAND

Bundit Kullavanijaya

Bureau of Fisheries Administration and Management, Department of Fisheries, Kaset Klang,
Phaholyotin Road, Chatuchak, Bangkok 10900, Thailand

Fishing operation in Thailand is subject to regulations stipulated in the Fisheries Act B.E. 2490 (1947). The Department of Fisheries (DOF) is entrusted with the sole authority and responsibility in controlling the application to use fishing gears designated in the licensed fishing appliance of the Act to fish. Other types of fishing gear require no regulation so far. In general, most applications identify to equip fishing gears such as trawl, purse seine and gill net with fishing vessels. This automatically makes these vessels part of the components when applying for the right to fish. In accordance with the fishery law, the DOF has no authority over these fishing vessels. The controlling system is, however, under the purview of the other agency-the Marine Department (MD). It is legally entitled to register all kinds of vessels in Thailand including vessels used for fishing or the so-called fishing vessel. It has generally authorized to issue certificate of registration of vessel and its license to employ such vessel which is issued after a vessel survey.

Management to control fishing operation in Thailand is incomplete and not yet effective due to the fragmentation of authorities between the two Departments over fishing vessel and fishing gear, as the DOF has regulated only fishing gear while the registration of fishing vessel is governed by the MD. Furthermore, Thai fishing vessels were arrested because of illegal fishing in the neighboring countries' waters in 1975-1979. These problems create the necessity to have tangible information with regard to fishing vessels.

To encounter the above-mentioned problems, the DOF enacted a new regulation in 1979 prescribing that an application for fishing is required to attach the certificate of registration of vessel and its license to employ such vessel. This regulation on the other hand causes another problem in pursuant to vessel smaller than 14 meters in length. Due to technical problems, the MD is unable to register and issue a certificate of vessel registration to many fishing vessels of these sizes. This subsequently leads to the problem of issuing license to fish when the certificate of vessel registration is unavailable. In addition, this problem makes the measure promulgated by the DOF impractical and inefficient.

To temporarily alleviate the existing problems until the best resolution be sought, the DOF recently enacted an additional regulation to register an occupation as fishing operators who possess fishing vessel smaller than 14 meters in length. Such certification can be used in substitution for the required certificate of registration of vessel and its license to employ such vessel, when an application for using these vessels equipped with the identified fishing gear is presented to the officers concerned for consideration.

Conclusion

The DOF authorizes fishing license for fishing gears to be used with fishing vessels as follows:

1. Application for fishing license of fishing vessels over 14 meters in length must attach certificate of registration of vessel and its license to employ such vessel.
2. Application for fishing license of fishing vessels smaller than 14 meters in length must attach a certification of a fishing operator who possesses such vessel in stead of a certificate of registration of vessel and its license to employ such vessel.
3. Application for fishing license of fishing vessels operating in the neighboring countries' waters must attach a certificate of registration of vessel and its license to employ such vessel as well as a license to fish issued by those countries describing details of the authorized fishing vessels.

Fishing license can be obtained at the regional fishery office whereas fishing license for vessel fishing in the neighboring countries' waters must be only applied at and issued by the Bureau of Fisheries Administration and Management, the DOF. All licenses are valid until the 31st March in each year. The enforcement of fishing activities is under the supervision of the Fishery Patrol Unit of the Bureau.

REGISTRATION FOR THAI VESSEL

Sewee Thongsawang

Ship Registration Division, Marine Department, 1278 Yotharoad, Tambol Taladnoi,
Samphanthawong, Bangkok, Thailand

Mr. Sewee Thongsawang
Transport Technical Officer
Ship Registration Division, Marine Department
30 June 2008

**REGISTRATION FOR THAI
VESSEL**

1

Ship Registration under Thai Law

- Ship registration is the main duty of Ship Registration Division (SRD) of Marine Department
- Main legislations :
 - The Navigation in Thai Waters Act (B.E. 2456)
 - Thai Vessel Act (B.E. 2481)
- Two legislations are always being updated

2

**Documents attached on
board Thai Ship**

1. ▶▶ License
(Permitted to operate license)
2. ▶▶ Thai registration certificate

3

⇒ license



4

⇒ Thai Registration Certificate



5

**License
(Permitted to operate license)**

- Issued under The Navigation in Thai Waters Act (B.E. 2456) for any vessel used in Thai waters, include fishing vessel
- 12 months period starting from issuing date
- Prior to issuance, certificate of survey was needed for safety of ship construction matter

6

License (Permitted to operate license)

- Specified in:
 - Type of vessel (e.g. Deep sea power driven fishing vessel class 1)
 - Kind of vessel (e.g. Fishing vessel)
 - Permitted to sail (e.g. within 3 nautical miles from coastal)
 - Number of crew

7

Thai Registration Certificate

- Issued under Thai Vessel Act (B.E. 2481)
 - Permit to “trade in Thai Waters”
 - Imposed on
 1. Motor vessel above 10 GRT
 2. Non self propelled river vessel above 50 GRT
 3. Non self propelled Sea-going vessel above 20 GRT
 4. Motor fishing vessel any size
 5. Non self propelled fishing vessel above 6 GRT
- **** They must be registered under Thai law ****

8

Amendment of Thai Vessel Act (B.E. 2481)

- Marine Department has now submitted the amendment of Thai Vessel Act (B.E. 2481)
- All sizes of vessel, include fishing vessel, must be registered (except for non-motor vessel not above 0.5 GRT)

9

Advantage from Thai Registration Certificate

- Only the vessel with Thai registration certificate can do trade in Thai waters (cabotage)
- “Trade in Thai waters” defined in article 5 (7) of Thai Vessel Act (B.E. 2481) translated as follow:

“... means transfer of passenger or goods or tug, harvesting the benefits, from one port or place in Thai water to another port or other places in Thai water”

10

Holder of Thai Registration Certificate

- Individual
 - Must be Thai Nationality
- Business Entity
 - Established under Thai legislation
 - At least 70% of shareholders must be Thai nationality
 - At least 50% of the directors must be Thai nationality

11

Document required for Thai Registration (include fishing vessel)

- Owner’s personal documents e.g. Thai identification card
- Documents for the vessel e.g. Bill of Sale, Deletion Certificate
- Photograph of vessel
- Name of vessel
- Certificate of survey

12

Official Ship Registration Number

- 9 digits of official ship registration number
e.g. 5100 – 82902
- First two digits are the year of register (B.E.)
(51 means 2551 B.E.)
- Next two digits are the port of registration
(00 referred to Bangkok port)
- Next four digits are sequence number running from 0001
- Last digit is the official controlling number

13

Some important details showed in Thai Registration Certificate

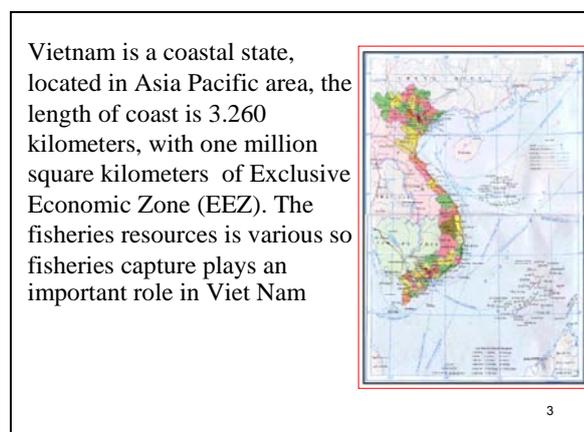
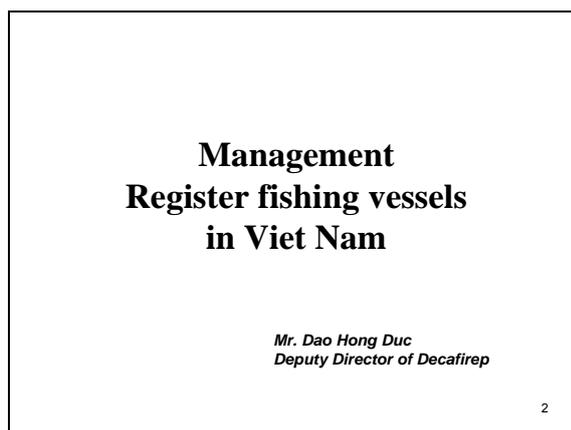
- Vessel name
- Official ship registration number
- Size (GRT)
- Deadweight (DWT)
- Type of vessel (e.g. Deep sea power driven fishing vessel)
- Kind of vessel (e.g. fishing vessel)
- Permitted to sail
- Name of master and chief engineer
- Number of crew
- Owner and address

14

MANAGEMENT REGISTER FISHING VESSELS IN VIETNAM

Dao Hong Duc and Nguyen Thi Trang Nhung

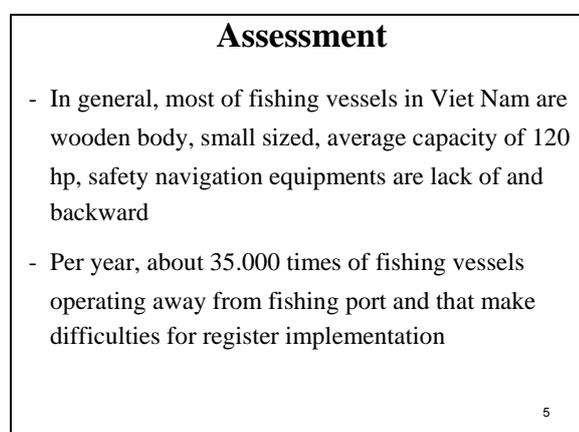
Ministry of Agriculture and Rural Development, 2 Ngoc Ha Street,
Ba Dinh District, Hanoi , Vietnam



According to the statistic, the total number of fishing vessels in Viet Nam is about 90.080 up to July of 2008.
It will be shown as below table:

Order	Type of fishing vessels	Quantity	Rate %
1	Type < 20 hp	38.825	43.1
2	Type 20-50 hp	26.756	29.7
3	Type 50- 90 hp	10.352	10.352
4	Type 90- 150 hp	4.341	4.341
5	Type 150-400 hp	8.003	8.003
6	Type > 400 hp	1.803	0.2
Total		90.080	100%

4



Legal frame of management

- Fisheries Law was adopted by National Assembly of Socialist Republic of Viet Nam in November 26th 2003.
- After the promulgation of the law, Mard and relevant Ministries and sectors have compiled and submitted 07 decrees to the government and several Decisions to the Prime Minister for providing guidance on the implementation of fisheries law, bringing law to life.

7

Management Register

Base on Vietnam Fisheries law, all fishing vessels must be registered as follow: Name of vessel, registered number. Besides, all fisher man who working on fishing vessels must be registered too.

8

Technical register

All fishing vessels have the length more than 15 meters and capacity more than 20 hp must be technical registered

Ministry of Agricultural and Rural Development (Mard) implement to register all over the country. However, people Committee of provinces can implement to register for fishing vessels that has the length less 20 meters under the guidance of Ministry of Agricultural and Rural Development

9

Result of register in Viet Nam

- Number of fishing vessels registered: 74.387, Rate: 82.5% of all fishing vessels must be registered
- Number of fishing vessels technical registered: 48.367, Rate: 91,7% of all fishing vessels must be technical registered

10

Reasons

- In the managing contents, just administration is mainly dealed. However, there are many constraints such as: redundant procedure, unsuitable to fishing specification, overlapping of the legislations.

11

- There are many weaknesses in technical management. Most of the fishing vessels need to have technical registration, but the quality control is not good, especially new fishing vessels building.
- There is not enough standard of equipment on fishing vessels
- Poor farmers with limited education and legal awareness

12

Solution

a. Management Register

- + Easier procedure
- + Allow fishermen to owe the taxes
- + Classify fishing vessels by professions, by water area (sea exploitation and domestic vessels) so that it is easier for managing and controlling the fishing vessels

13

- + Checking and evaluating the effects of each profession by out-put group for fishing development
- + Issuing licence for new fishing vessels building keep a tight rein on management
- + Improving education and legal awareness for farmers.

14

b. Technical register

- + Reviewing and Improving enhance of officers in register.
- + Checking and evaluating the existing fishing vessels, especially out shore fishing vessels and fishing vessels more danger, one to make specific proposals on fishing ground and area corresponding to light fishing vessels safety.

15

Submission

- Supports to Viet Nam in fishing vessels management as well as fishing vessels register and fishing vessels technical register.
- Guidance fishing vessels management experiences as well as fishing vessel register.
- Training, supporting Vietnamese officers in register.

16

FISHING VESSEL LICENSING AND REGISTRATION IN AUSTRALIA

Kerry Smith

Australian Fisheries Management Authority, C/o AFMA Po. Box 7051, Canberra BC Australia 2601

Scope

- Current environment for Australian fishing industry
- Two agencies responsible for managing activity by fishing vessels
- How they cooperate
- Lessons learnt

Protecting our fishing future

Toothfish catch goes to auction

A RECORD 100 tonnes of toothfish were sold at auction in Perth, Western Australia, on Monday. The record was set by the Perth-based Perth Fish Producers' Association (PFPA) at the Perth Seafood Auction. The PFPA has been successful in securing a record catch of 100 tonnes of toothfish, which was sold at a record price of \$1.2 million. The PFPA is a not-for-profit organisation that represents the interests of toothfish producers in Western Australia. The PFPA has been successful in securing a record catch of 100 tonnes of toothfish, which was sold at a record price of \$1.2 million. The PFPA is a not-for-profit organisation that represents the interests of toothfish producers in Western Australia.

Fear over fish stock

KIMBERLEY Professional Fishermen's Association president Alan Fraser said illegal fishermen are not only depleting our shark stocks but they are also affecting other species, they're targeting shark but they and they have to get bait," he said. Fraser said that the Kimberley Professional Fishermen's Association (KPFA) is concerned about the impact of illegal fishing on the shark fishery. He said that the KPFA has been successful in securing a record catch of 100 tonnes of toothfish, which was sold at a record price of \$1.2 million. The KPFA is a not-for-profit organisation that represents the interests of professional fishermen in the Kimberley region of Western Australia.

Securing the fishing future

Illegal fishing boats caught in record haul

AFMA's role is to manage Commonwealth fisheries

Managers use a variety of tools

Administer the tools

Eg permits, SFR's

Australian Fishing Zone

Extent of the Australian Fishing Zone

Protecting our fishing future

AFMA

- AFMA's role is to manage Commonwealth fisheries
 - Licensing fishing vessels is one tool used to ensure sustainable fishing
- Managers use a variety of tools
 - limited entry
 - input controls
 - output controls
- Administer the tools
 - Eg permits, SFR's

Protecting our fishing future

Administration

- AFMA may grant to a person a fishing permit authorising the use by that person of an Australian boat for fishing in a specified area of the AFZ or a specified fishery
- An Australian boat is a boat
 - that operates only in Australian waters and
 - is owned wholly by an Australian and
 - was built in Australia.
- OR is a boat registered under the Shipping Registration Act 1981

Fisheries Management Act 1991

Protecting our fishing future

AMSA

- **AMSA (Australian Maritime Safety Authority)**
 - provide safety and environment protection services including search and rescue within the Australian maritime industry
 - monitor and enforce operational standards for ships in Australian waters
 - provide vessel-tracking services
 - administer Australia's ship registration system
 - participate in IMO Voluntary Member State Audit Scheme
- **AMSA aims to be a leader in port state control**



Protecting our fishing future

7

Shipping Registration Act 1991

- **Australian fishing vessels may be registered but it is not mandatory unless**
 - Register vessel title for mortgage or asset purposes
 - Australian nationality is required (ie fishing on high seas or intend to enter a foreign port)
- **Need to submit (*inter alia*)**
 - the builder's certificate
 - tonnage certificate if applicable
 - bills of sale tracing the vessel's ownership back to the builder
 - proof of the owner/s nationality
 - notice of the appointment of a registered agent
 - in order of preference, three proposed names for the ship
 - the proposed home port for the ship (this must be an approved home port).
 - Fee (\$799 for fishing vessel)

Protecting our fishing future

8

Key lessons

- **Single agency can't do it all = cooperation and communication**
- **IUU operators cut corners = strong governance for all maritime activities**
- **International agreements and self assessment**



Protecting our fishing future

9

Australian Government
Australian Fisheries Management Authority

Any Questions?

Protecting our fishing future

www.afma.gov.au

LICENSING OF FISHING VESSELS IN PAPUA NEW GUINEA

Philip Polon and David Karis

National Fisheries Authority, Po.Box 2016 Port Moresby,
National Capital District, Papua New Guinea

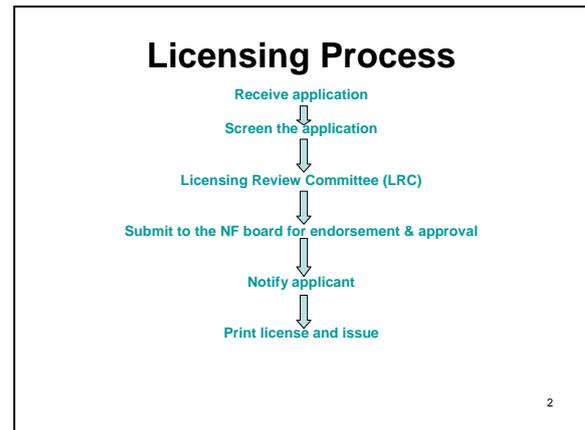


National Fisheries Authority, Papua New Guinea
Managing Fisheries for the Nation

LICENSING OF FISHING VESSELS

By
Philip Polon & David Karis
PNG National Fisheries Authority

1



Licensing Requirement

- **Mandatory Requirements**
 - Registration of Vessels is handle by the National Maritime Safety Authority (NMSA)
 - Bill of sales
 - Certificate of registration –NMSA & FFA
 - Certificate of deletion
 - Certificate of Sea worthy – NMSA
 - Radio call sign

3

Conditions of Licensing

- ALC – Vessel Monitoring System
- Certificate of fitness – food safety std
- Compliance with Fisheries Act 1989 & regulation 2000
- Compliance with fisheries management plan measures-closure/time area closure/fisheries area
- Display license number & radio call sign on the side of the vessel

4

Typical copy of License



5

License Categories

- Domestic Fishing vessels
- Locally based Foreign Fishing vessels
- Foreign Fishing vessel (Access bilateral & Multi – US Treaty, FSM)

6

Domestic/Locally Base Foreign Fishing Licenses

Fishery	No. of License
GOP-prawn	15
TSPZ – prawn	7
Orangerie bay - prawn	2
Lobster (TSPZ)	7
Shark L/L	9
Tuna L/L	38/100
Tuna P/S	167

7

Foreign Fishing Access

DWF Partner	Country of origin
Taiwan Deep sea boatowners & exporters association	Taiwan province of ROC
Korea Deep sea fisheries association	Rep. of Korea
China Fisheries Association	ROC
Safi Tuna Ventures	Philippines
Trans Pacific Journey Fishing Corp.	Philippines
Frabelle Fishing Corp	Philippines
Taiyo Tuna Corp	Philippines
Japan Far Seas Purse seine fishing association	Japan
Pong Seong	Taiwan
Hsiang Sheng	Taiwan

8



National Fisheries Authority, Papua New Guinea
Managing Fisheries for the Nation

The new National VMS

Geographic Areas

For effective monitoring of fishing activities in Papua New Guinea, fishing zones (geographic areas) were created as defined in the Fisheries act and the various fisheries management plans.

Areas defined are:

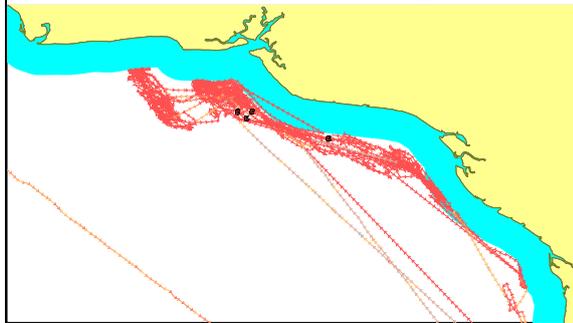
- Exclusive Economic Zone (EEZ)
- Territorial Sea
- Archipelagic waters
- 12 Nautical mile PS Closure
- 6 Nautical mile LL Closure
- 3 Nautical mile Prawn Closure
- Timed Prawn Closure (1st December to 31st March)

9



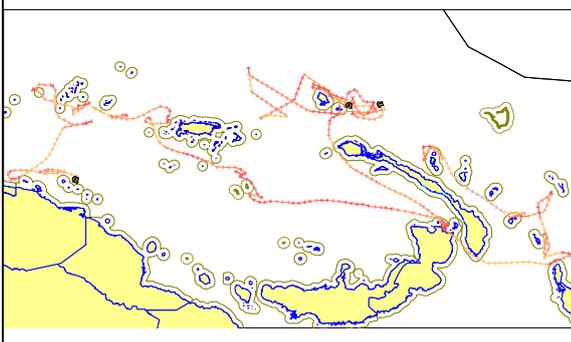
National Fisheries Authority, Papua New Guinea
Managing Fisheries for the Nation

Prawn Vessels Fishing



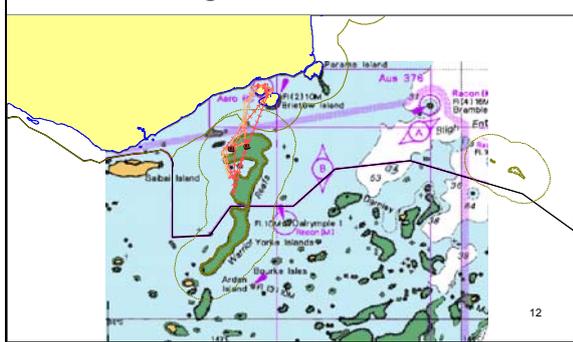
National Fisheries Authority, Papua New Guinea
Managing Fisheries for the Nation

Shark Longline Vessels

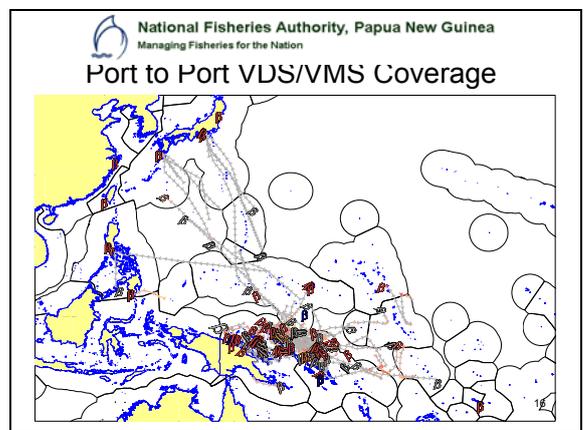
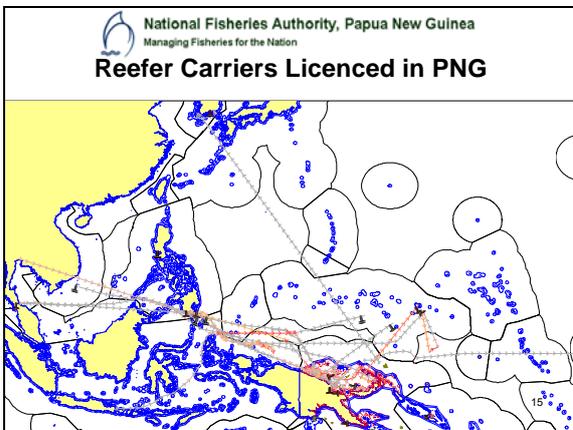
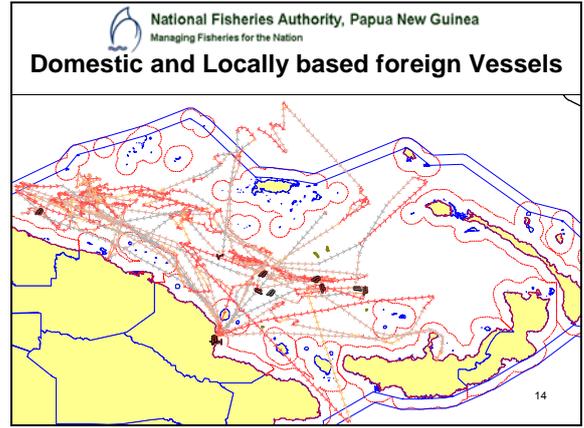
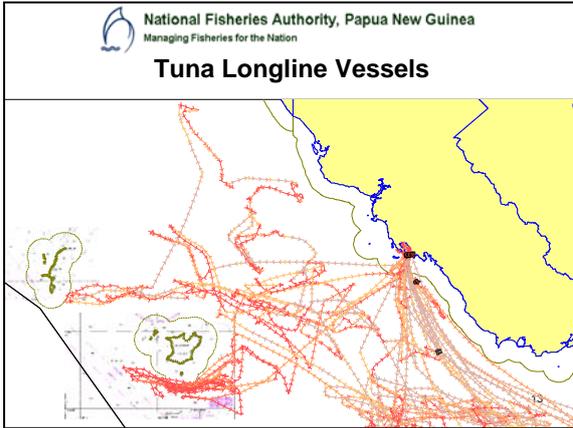


National Fisheries Authority, Papua New Guinea
Managing Fisheries for the Nation

General Fishing Vessel in Western Province



12



VESSEL REGISTRATION SYSTEM IN TIMOR LESTE

Pedro Antero Maria Rodrigues

National Directorate of Fisheries and Aquaculture, Ministry of Agriculture, Forestry and Fisheries

VESSEL REGISTRATION SYSTEM IN TIMOR LESTE

1

INTRODUCTION

- Timor Leste coastline is 750 Km long
- EEZ 72000 sq km
- Total fishermen: 4964 persons
- Total fishing center: 151
- Total groups: 1059

2

Maritime Transportation Department

- Responsible for vessel registration
- Vessel registration is a system of record-keeping and all identification
- No legal framework to doing vessel registration
- All the vessels in the Timor Leste not yet registered

3

Commercial fishing

- Artesanal fishing (Zone A)
- Semi industrial fishing (Zone B,C and D)
- Industrial fishing (Zone E)

4

Non commercial

- Recreational fishing
- Game fishing
- Dive fishing

5

Decree law no. 6/2004 of 21 April 2004

- **Article 112 (Registration of Fishing Vessels)**
Without prejudice to the registration provided for in relevant legislation, the Minister shall establish and maintain an updated administrative registry of all fishing companies and vessels operating in the national maritime waters and hydrographical basins of the country, as well as of national fishing vessels authorized to operate on the high seas.

6

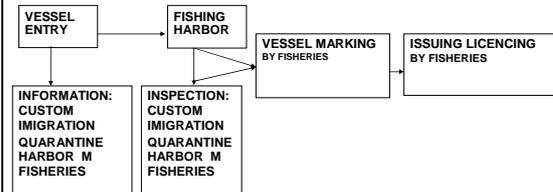
Continuation....

- **Article 113** (Marking of Fishing Vessels and Fishing Gear)

Holders of fishing permits shall be obliged to mark fishing vessels and the respective fishing gear in accordance with applicable regulations.

7

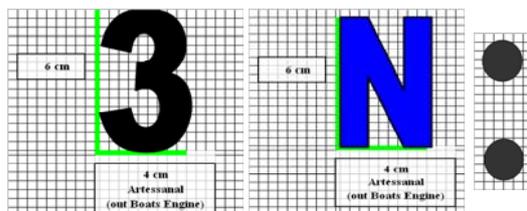
Procedure of vessel marking for industrial fishing vessel



8

Size of alphabetic and numeric

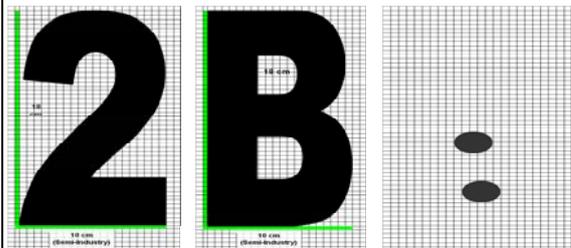
Artisanal



9

Continuation...

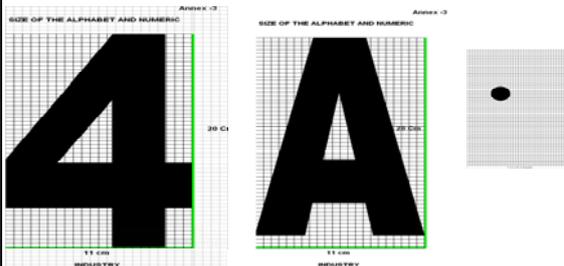
- Semi industrial vessel/non commercial



10

Continuation....

- Industrial vessels



11

Record of vessels marking

No	Type of vessel	Code	Number of vessel	Picture
1	Artesanal vessel	COMA01LA	532 – 37495	
2	Industrial vessel	PAFE01TL TOPE01TL	5 1	
3	Non commercial vessel	LNCR09TL	11	

Problem facing

- No legal framework to register the fishing vessels in Timor Leste
- Lack of the capacity
- No patrol vessel
- Finance

13

Recommendation

- Legal framework
- Capacity building
- International adviser

14

VESSEL REGISTRATION IN EU COUNTRIES

Bela Thinsz

On Behalf of Swedish Board of Fisheries, P.O. Box 423, 401 26 Göteborg, Sweden



Vessel Registration

In EU Countries




Vessel Registration in EU

- ▶ Name: Mr. Béla Thinsz
- ▶ From: Swedish Board of Fisheries
- ▶ Occupation: Consultant within IT-Systems for fisheries
- ▶ Experiences: Construction of vessel registers for several countries such as Sweden, Estonia, Latvia, Lithuania, Romania, Slovenia, Cyprus and Turkey.

▶ www.bt-assist.se



2



Fishery in EU

- ▶ EU consists today of 27 countries
- ▶ The yearly production is approx 7 million tonnes of fisheries products.
- ▶ This makes the EU 3rd producer in the world.



3



Fishery in EU

- ▶ Fisheries production declined by 17% from 1995 to 2002.

2002

- ▶ Denmark (1.47 million tonnes)
- ▶ Spain (1.15 million tonnes)
- ▶ France (0.95 million tonnes)
- ▶ United Kingdom (0.87 million tonnes).

- ▶ These four Member States accounted for almost 60% of the EU-25 total production.



4



Fishing fleet in EU

- ▶ Which country do you think has the most fishing vessels in Europe?



5



Fishing fleet in EU

- ▶ Greece 19,000 vessels
- ▶ Italy 15,700 vessels
- ▶ Spain 14,400 vessels
- ▶ Portugal 10,300 vessels
- ▶ The EU fleet is reduced every year.



6

Fishing fleet

(2004)



Country	Vessels	Tonnage
Belgium	123	23 289
Cyprus	894	11 999
Germany	2 171	68 177
Denmark	3 427	96 744
Spain	14 400	487 880
Estonia	1 032	24 939
Finland	3 396	18 270
France	7 897	217 151
United Kingdom	7 061	222 289
Greece	19 000	93 878
Ireland	1 419	85 192
Italy	15 700	212 712
Lithuania	290	76 445
Latvia	941	41 932
Malta	2 252	4 623
Netherlands	759	178 689
Poland	1 282	46 457
Portugal	10 300	115 857
Slovenia	139	822
Sweden	1 600	44 581
EU-25	94 083	2 071 928

7

Objective of the Fleet Register



The main objective of the Fleet Register is to enable any Community fishing vessel and her key characteristics to be identified, with the aim of :

- Monitoring the implementation of capacity management measures.
- Being a source of information for the officials of the Commission and Member States in charge of control and inspection.
- Serving as an accurate source of statistical data on the European fishing fleet.
- Serving as a reference database for vessels characteristics for other applications that manage information on fishing vessels (see below).

8

Common format



- Common regulation for all countries
- No 26/2004 on the 30th December 2003.**
- This regulation describes the information that has to be sent from the Member States to the Commission.
- Each Member State send **every three months** a copy, or snapshot, of its national fleet register, including its historical dimension to the Community Register.
- Separate computerized system in each country

9

Examples of the format



The data in the Fleet Register can be put in four groups:

- Administrative identifications** : name, port, external marking, IRCS, etc.
- Technical characteristics** : length, tonnage, power, fishing gear, etc.
- Historical events** : entry into and exit from the fleet, modifications of characteristics.
- Personal data** : agent and owner's name and address.

10

Examples of the format



- Malta
- Spain
- [Examples](#)

11

Fishing fleet in EU



- A handful of people in each country has access to the EU fishing vessel register.
- Secure pages
- Different access levels
- <https://webgate.ec.europa.eu/fides/front>

12

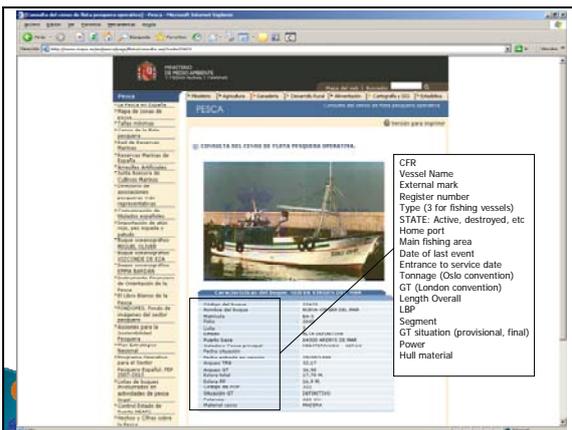
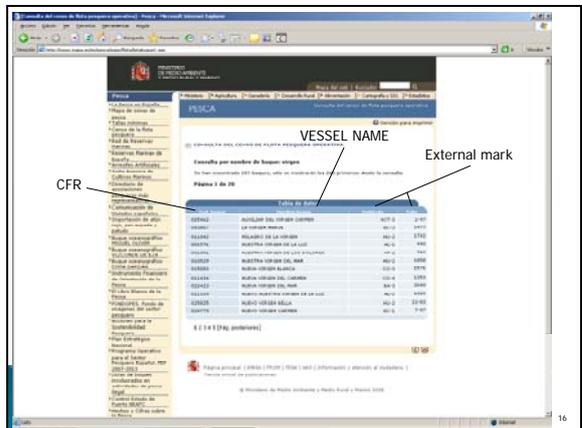
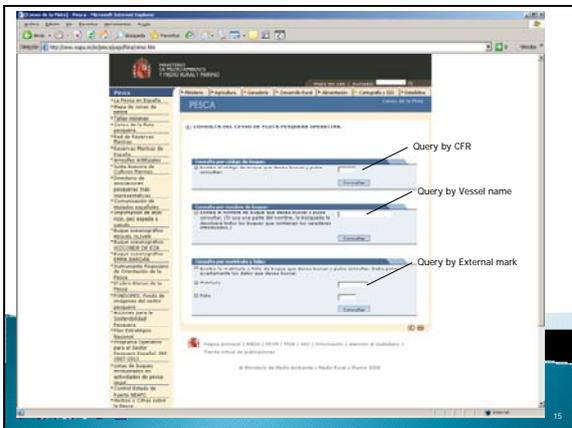
EU Fleet Register On the NeT – FRONT



Spanish fleet



- ▶ All vessels presented on internet
- ▶ Free access to the information
- ▶ <http://www.mapa.es/es/pesca/pags/flota/censo.htm>



How can East-Asia benefit from this

- ▶ Define a common format (simplified) (can be changed later)



List proposal

1. Country Code
2. Fleet Reg number
3. Event Code
4. Event start date
5. Event end date
6. License indicator Y/N
7. Registration number
8. External marking
9. Vessel name
10. Port Code
11. Port Name
12. IRCS Code
13. IRCS indicator Y/N
14. Vms Indicator Y/N
15. Gear Main code
16. Gear sec code
17. Length overall
18. Ton GT
19. Power Main
20. Power aux
21. Hull Material
22. Construction year
23. Construction place
24. Agent name
25. Agent address
26. Owner name
27. Owner address



How can East-Asia benefit from this

- ▶ Decide for a historic register (day-by-day) or a static register (as it is now)
- ▶ Example updated 30 June 2008

Date from	Date to	Name	Length	Date updated	Name	Length
2004	2006	Maria	12,5	30 June 2008	a	14,9
2006	2007	Bogota	12,5			
2007	now	Bogota	14,9			



20

How can East-Asia benefit from this

- ▶ Upload to a Fishing vessel register centre quarterly, yearly.
- ▶ Decide for an open access system or a closed system with users/passwords.



21

The decision is up to you!

- ▶ Thank you



22

International Maritime Organization

Brenda Pimentel

Regional Presence for Technical Co-operation in East Asia, 7th Floor, First Maritime Place, 7458
Bagtican Street, San Antonio Village, Makati City, the Philippines

Experts Meeting on Vessel Registration

30 June - 2 July 2008
Phuket, Thailand

Brenda V. Pimentel
IMO Regional Co-ordinator, East Asia



1

Introduction to IMO

- The specialized agency of the UN Systems dealing with maritime affairs
- Established in 1948 through a Diplomatic Conference and became effective in 1958
- 167 members with 3 associate members
- Headquartered in London



2

Purposes of IMO

- To provide for co-operation among Governments in the field of regulation and practices relating to shipping engaged in international trade
- To encourage and facilitate the highest practicable standards on:
 - maritime safety
 - efficiency of navigation
 - prevention and control of marine pollution from ships



3

Safety of fishing vessels – a matter of concern to IMO

- Fishing – one of the world's oldest industries
- Fishing at sea is probably also the most dangerous occupation
- Increased competition, excessive fishing, reduced profitability, economies in vessel maintenance, equipment and manpower, fatigue, recklessness, inadequate training and skills of the crew are just of the few factors that contribute to making fishing at sea as the most dangerous occupation



4

Initiatives leading to the adoption of an international convention on the safety of fishing vessels

- Conference on Safety of Life at Sea, 1960
- Resolution A.52(111) concerning safety of fishing vessels was adopted in 1963 on "Intact Stability of fishing vessels."
- Parallel activity undertaken by the FAO
- IMO members also carried out studies on stability of fishing vessels.



5

Code of Safety of fishermen and Fishing Vessels

Developed through the co-operation and contributions on the respective fields of competence of FAO, IMO and ILO

FAO - fisheries in general
ILO - labour in the fishing industries
IMO – safety of life, vessels and equipment at sea



6

The Code consists of two parts:

Part A - addressed to skippers and crews containing operational and occupational requirements

Part B - addressed to shipbuilders and owners containing requirements for the construction and equipment of fishing vessels

The Code is not mandatory

7

1977 Torremolinos Convention

Adopted in Torremolinos, Spain on 2 April 1977

Purpose: To provide uniform principles and rules concerning construction, equipment, stability, radio communications and other safety aspects of fishing vessels

Contains safety requirements for the construction and equipment of new, decked, seagoing fishing vessels ≥ 24 meters in length

8

1993 Torremolinos Protocol

- Torremolinos 1977 did not enter into force
- A Protocol amending the Convention was adopted 16 years after; the Protocol updates, amends and absorbs the parent Convention, taking into account technological evolution in the intervening years and the need to take a pragmatic approach to encourage ratification of the instrument.

9

1993 Torremolinos Protocol

- Covers fishing vessels ≥ 24 meters in length
- Safety provisions addressed by the Protocol, in addition to the 1977 Convention include:
 - automatically controlled machinery spaces
 - improved life-saving appliances
 - immersion suits and thermal protective aids
 - satellite communications systems and other components of the global maritime distress and safety systems

10

Contents of the 10 Chapters of the Torremolinos Protocol

- I - General Provisions
- II - Construction, watertight integrity and equipment
- III - Stability & associated seaworthiness
- IV - Machinery & electrical installations and periodically unattended machinery spaces
- V - Fire protection, Fire Detection, Fire Extinction & Fire Fighting

11

Torremolinos Protocol ...

- VI - Protection of the crew
- VII - Life-saving appliances and arrangements
- VIII - Emergency procedures, musters and drills
- IX - Radio communications
- X - Shipborne navigational equipment and arrangements

12

Entry into force of the 1993 Torremolinos Protocol

- The Protocol will enter into force one year after 15 States with at least an aggregate fleet of 14,000 vessels of 24 meters in length and over have ratified it
- To date, fifteen States have ratified the Protocol (Bulgaria, Cuba, Croatia, Denmark, France, Germany, Iceland, Ireland, Italy, Kiribati, Netherlands, Norway, Saint Kitts and Nevis, Spain and Sweden)

13

Advantages of the entry into force of the 1993 Torremolinos Protocol

- Provides harmonized standards
 - which results in lower cost for the flag State in terms of developing legislation/regulations as well as administration of its fleet
 - easier for shipowner and flag State as well as the shipyard wherever the vessel is built
 - the same is true for vessels being transferred from one flag State to another

14

Advantages . . .

- Promotes competition on equal level
 - harmonization of requirements on safety standards removes the practice of operating at sub-standard vessels
 - prevents implementation of conflicting national regulations and standards
 - enhances economic efficiency by reducing barriers to competition

15

Advantages . . .

- SAR services to fishing vessels
 - Protocol enables fishermen to receive warning messages from cyclone or hurricane warning systems
 - facilitates rescue operations as because onboard equipment such as NAVTEX allows communications with services ashore.

16

Other IMO instruments dealing with safety of fishing vessels

- Standards of training, certification and watchkeeping: **International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel (STCW-F), 1995**
 - standards for safety for crew of fishing vessels mandatory
 - applies to fishing vessels ≥ 24 meters in length

17

•Shipborne navigational equipment and arrangements: **International Convention for the Safety of Life at Sea (SOLAS), 1974 as amended**

- Differences in design and operation between fishing vessels and other types of ships-a major obstacle to the inclusion of fishing vessels in the SOLAS and the Load Lines conventions.
- Certain regulations of SOLAS apply to fishing vessels e.g. Chapter V on Safety of Navigation.
- Leaves to flag State to determine to what extent certain provisions of Chapter V of SOLAS do not apply to among others, fishing vessels e.g. bridge design

18

• 1972 International Regulations for Preventing Collisions at Sea (COLREG), 1972

- Apply to all vessels upon the high seas and all waters connected to the high seas and navigable by seagoing vessels (therefore applicable to fishing vessels)
- Provisions specifically applicable to fishing vessels:
 - Rule 26 on light requirements for fishing vessels
 - Annex I, Section 4 on details of location of direction-indicating lights for fishing vessels
 - Annex II on Additional signals for fishing vessels in close proximity

19

• International Convention for the Prevention of Pollution from Ships (MARPOL) 73/78

- Annexes I, IV, V and VI of MARPOL are applicable to fishing vessels:
- Annex I on Prevention of Pollution by Oil
 - Annex IV on Prevention of Pollution by Sewage from Ships
 - Annex V on Prevention of Air Pollution by Garbage from Ships
 - Annex VI on Prevention of Air Pollution from Ships

20

Code on Intact Stability for all Types of Ships (IS Code)

- Adopted in 1993 and amended in 1998
- Consolidation in a single document, recommended provisions relating to intact stability. These recommendations are primarily based on existing IMO instruments, e.g. Assembly Resolutions
- Contains intact stability criteria for certain types of ships ≥ 24 m, including fishing vessels
- Non-mandatory

21

Regional Standards or guidelines

- Pursuant to Article 3, paragraphs (4) and (5) of the Protocol, there were developed regional uniform standards developed and which were submitted to IMO.
- the guidelines are to apply to fishing vessels over 24 meters in length but less than 45 meters where the regulations of the Protocol will cover only those fishing vessels 45 meters and over.
 - one such regional guidelines is that for East and South-East Asia region.

22

Regional Guidelines.. East and South Asia

- Established by the Conference on the Safety of Fishing Vessels Operating in the East and South East Asia Region, held from 3-6 February 1997 in Tokyo.
- The guidelines as at present are not legally binding.

23

Concluding remarks

- Several international instruments are applicable to fishing vessels
- The Torremolinos Protocol of 1993 provides a comprehensive set of regulations dealing with fishing vessel safety
- Flag States should consider ratifying and implementing the Torremolinos Protocol

24

The results of Working Group Discussion

Group 1

EXPERT MEETING ON
FISHING VESSEL
REGISTRATION
WORKING GROUP 1

Type of system
Fishing Vessel Register

	Closed (login)	Open (No login)
Input	Always	
Public Output		ID-Reg No, Vessel name, IRCS, Ext Marking, Nationality
Official Member countries	?	
National Officers	All	

2

National Collaboration

How many authorities are involved and how to improve the collaboration?

Difficulties today

No access to vessel register from fisheries
No MoU between concerned authorities
Interagency needed

Solutions

Establish communication and collaboration (MoU) between all concerned agencies
Stakeholders committee
Sharing of information/Data

3

Focus on Fishing Vessel Register

Establish a separate Fishing vessel register apart from the Maritime register.
Responsibility to Fishery Dept.

Historic contra Static register

Create a computer system where it is possible to see historical changes with the registrations

Legal Framework

Without a functioning legal framework it is impossible to manage (control) the fisheries

Solution

Reviewed relevant fisheries laws and regulations in order to accomplish national fishing vessel registration

4

Group 2

EXPERT'S MEETING ON VESSEL REGISTRATION
WORKING GROUP NO. 2

Facilitator: Awangku Isa bin Pengiran Hj. Amjah

Definition of Fishing Vessel Registry

1. it is a national registry/record of fishing vessel
2. to be established by or under the Fisheries Authority
3. it does not create obligation to fly the flag

Rationale/Objective

1. Harmonization of information or data
2. Facilitate monitoring and control and surveillance
3. Promote cooperation and dialogue within the country and the region
4. Provide awareness and information on policy makers on needed improvement on legislation and regional cooperation (ASEAN)
5. Combat IUU fishing in the ASEAN region

1

**Proposed Minimum
Requirement of the
Fishing Vessel Registry**

1. registration number
2. place built
3. date built
4. type of vessel
5. Length (m)
6. Breadth (m)
7. Width (m)
8. Depth (m)
9. name of owner
10. address of owner
11. type of fishing method/s
12. GT
13. NT
14. power of engines (kilowatt)
15. nationality or flag
16. number of crews
17. fishing vessel or homeport
18. former name (if applicable)
19. former owner (if applicable)

2

Group 3

EXPERT MEETING ON FISHING VESSEL REGISTRATION WORKING GROUP 3

**Purpose: To control activities
of fishing vessels**

1

REGISTRATION	LICENSING
Information collected for the purposes of SOLAS, pollution, SAR	Information collected for the purpose of managing fisheries
Gives vessel nationality	Gives vessel/owner right to fish
Name of owner	Name of operator
Vessel spec (Length, GRT, HP)	Boat name
Applies to vessels of a minimum size (>24m)	Conditions (eg Area allowed to fish)

Acknowledge that the purpose for collecting information is different but similar information is used

2

RECOMMENDATIONS

- Future work should focus on improving licensing systems
- A process needs to be determined for SSF. If not in place, recommend that it be developed by fisheries agency.
- Registration information should be collected at the local level but coordinated at the central level to ensure standardization.
- Govt to develop minimum standards for SOLAS issues on SSF. If not in place, recommend that it be developed by fisheries agency.
- National systems must be developed first.

3

Framework for regional vessel list

Tentative base for discussions and draft t.o.r for the initiation of a regional vessel list as a mean to support information exchange between neighbour countries in East-Asia in order to combat iuu.

Swedish Board of Fisheries

Phuket 4 July 2008
by Mr. Béla Thinz

FRAMEWORK FOR REGIONAL VESSEL LIST

TENTATIVE BASE FOR DISCUSSIONS AND DRAFT T.O.R FOR THE INITIATION OF A REGIONAL VESSEL LIST AS A MEAN TO SUPPORT INFORMATION EXCHANGE BETWEEN NEIGHBOUR COUNTRIES IN EAST-ASIA IN ORDER TO COMBAT IUU.

Background

This is a proposal for actions based on the international Expert Meeting on Fishing Vessel Registration hold on June 30 – July 2, 2008 in Phuket, Thailand arranged by Seafdec and Sida.

Expected outputs from the meeting was:

- Enhanced awareness regarding the necessity of appropriate fisheries management to achieve sustainable development of the resources;
- Existing fishing vessel registration systems in the ASEAN-SEAFDEC region reviewed
- Experiences shared among experts on fishing vessel registration systems and its applicability to countries in the region;
- Recommendations and improved knowledge regarding the International Maritime Organization (IMO) conventions;
- Recommendations on improved in-country as well as regional coordination among concerned agencies
- Recommendations on the need to develop and formulate a draft program/curriculum on fishing vessel registrations to improve MCS to combat IUU-fishing and to improve fisheries management.
- Recommendations and inputs for further development of vessel registration systems

Proposal

The meeting showed that there is a large difference between the different countries. Some of the countries seems to have a good structure for the vessel registration and licensing and other countries lacks all information or have just started to collect some information. Also there seems to be a gap between the number of registered vessels and the total number of vessels. Based on these facts me and representatives from Seafdec had a post conference meeting in order to plan the future actions. This meeting together with other discussions resulted in the following proposal for actions. The proposal can be divided in six steps, each required to get an overview of the standard for vessel registration in the region.

1. Availability chart
2. Definition of items in the regional vessel list
3. Data collection plan
4. Aggregated data from small scale fishery
5. Focus on a group of countries.
6. Legal aspect – flow chart analyze

In order to keep up the attention gained from the conference now when the interest has been raised and the different countries seems to be eager to accomplish something in this area we think it is wise to immediately start the planning ahead. The work with the first part can be started immediately now, and the active work with the next items can be done during a session in September.

1. Availability chart

The first step is to define a list of major items that can be a part of the vessel list. This is a loose list of items that can be used to analyze the availability of these data in different countries. A matrix can then be produced for each country that answers these questions.

When looking at vessel data there is a difference between different sizes of vessels. For some sizes there is data available and for some sizes not. This is why this matrix must be defined according to the different size groupings in each country respectively. Some countries use length as a method of grouping and some uses tonnage. For each group of vessels

1. Does the data exist
2. How is it produced/measured/calculated

2. Definition of items in the regional vessel lists

Based on the result of the previous information gathering exercise and based on different requirements a list of items will be produced and a definition of how each

item is defined will be produced. This list will then be defined in a database and a structure for importing data items to that information list will then be produced.

3. Data collection plan

To produce a regional framework for the collection of vessel data in order to facilitate vessel data information exchange. Here a yearly approach is quite sufficient. The way this can be done, how this information can be collected and who will have access to this vessel list is subject for discussions. The result of this activity is a recommended information plan where transfer method and contents are defined.

4. Aggregated data from small scale fishery

In the small scale fishery most of the vessels are unregistered in a national vessel register or only registered in a local system. In order to find out the total amount of these vessels the information about the number of vessels in this category can be collected in an aggregated way. First we have to find the definition of small scale fishery in each country. Then the number of vessels in this fishery can be grouped in these two groups:

1. Without engine
2. With engine

5. Focus on a group of countries

In order to facilitate the collection of data maybe a focus on only some of all countries in east-Asia can be a benefit. One proposal is to start with a smaller regional group, for example consisting of Malaysia, Vietnam, Thailand and Cambodia. Even in this smaller group there are countries with different level of experience. The result from this minor group can then inspire the rest of the countries.

6. Legal aspect – flow chart analyze

How the registration of a vessel in each country is managed can be described. How is the registration done? to what agency? in what order? And how is the legal aspect. This is of course a difficult task but can be managed as an overview and be presented as a flow chart for each country. This will facilitate the administrative understanding of the process of vessel licensing and registration.