Report of the 3rd Meeting of the Gulf of Thailand sub-region

Siem Reap, Cambodia

20-22 September 2011

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Report of the 3rd Meeting of the Gulf of Thailand sub-region

20-22 September 2011, Siem Reap, Cambodia

I. INTRODUCTION

1. The Third Meeting of the Gulf of Thailand sub-region was organized in Siem Reap, Cambodia from 20 to 22 September 2011. The Meeting was to reestablish the momentum on the cooperation among countries of the Gulf of Thailand (GOT) sub-region in terms of the integration of fisheries and habitat management and in efforts to manage fishing capacity (reducing over-capacity and to combat illegal and destructive fishing (IUU fishing). The Meeting also reviewed actions undertaken based on given recommendation during previous meetings organized in 2008 and 2009. Specifically, the Meeting wishes to come-up recommendations and actions to address issues of IUU Fishing, fisheries habitat management, fishing capacity, port monitoring, etc. Likewise, it also seeks partnerships and close cooperation among Members Countries in addressing such issues.

2. A total of 46 participants from the Gulf of Thailand countries namely: Cambodia, Malaysia, Thailand and Vietnam attended in this Meeting, including representatives from regional organizations namely: the Secretariat of the Regional Plan of Action (RPOA) to Promote Responsible Fishing Practices including Combating Illegal, Unreported and Unregulated (IUU) Fishing in the Region (Indonesia), the Asian Coastal Resources Institute (CORIN-ASIA, Thailand), the Learning Institute (Cambodia), former working group on Seagrass of the UNEP/GEF/SCS as well as officials from SEAFDEC/Secretariat, SEAFDEC/Training Department and SEAFDEC/Marine Fisheries Resource Development and Management Department. The List of participants appears as **Annex 1**.

II. OPENING OF THE MEETING

3. The Secretary-General of SEAFDEC, *Dr. Chumnarn Pongsri*, firstly welcomed the participants of the Meeting and appreciated the representation of all Gulf of Thailand countries and the warm hospitality given by the Government of Cambodia and the Fisheries Administration in particular. He pointed out the effort made SEAFDEC with support by the Swedish International Development Cooperation Agency (Sida) on the process to strengthen cooperation and collaboration among the Gulf of Thailand countries to address issues of management of fishing capacity and combating IUU fishing. He encouraged the participants to share information and views in order to come up with the recommendation on the various concerns relevant to fisheries management in the context of Gulf of Thailand sub-region that include fishing capacity, port monitoring and better closer cooperation on matters related to integration of fisheries management with habitat protection. His Introductory Statement appears as **Annex 2.**

4. The SEAFDEC Council Director and Director-General of the Fisheries Administration of Cambodia, His Excellency *Dr. Nao Thuok*, welcomed all participants to the historical city, Siem Reap. He expressed appreciation to SEAFDEC for the success of the organization the significant event the ASEAN-SEAFDEC Conference convened in

June 2011 and subsequently the adoption of the "Resolution on Sustainable Fisheries for the ASEAN Region Towards 2020" and "Plan of Action on Sustainable Fisheries for the ASEAN Region Towards 2020" which serve as a policy framework and directions guiding for the region's fisheries development towards sustainability and food security. While noting the importance of implementation activities by SEAFDEC and Member Countries to reduce IUU fishing and to integrate fisheries management with habitat management through an ecosystem approach to fisheries and to restore and maintain important habitats in the Gulf of Thailand, the sub-regional and regional cooperation would be needed to further to improve the fisheries management in the Gulf of Thailand sub-region. He then declared the Meeting opened. His Opening Remark appears as **Annex 3.**

III. BACKGROUND OF THE MEETING AND ADOPTION OF AGENDA

5. The Background of the Meeting was presented by *Ms. Pattaratjit Kaewnuratchadasorn* of the SEAFDEC Secretariat. She summarized the various rationale and objectives of the Meeting. The Prospectus of the Consultation appears as **Annex 4.**

6. Then, the Agenda which appears as **Annex 5** was adopted.

IV. REVIEW ON THE IMPLEMENTATION OF THE RECOMMENDATIONS OF THE GULF OF THAILAND MEETING IN 2009 AND THE SEQUENCE OF ON-SITE EVENTS ORGANIZED IN PHU QUOC, KAMPOT, KOH KONG AND TRAT

7. *Mr. Aung Nyi Toe*, the Regional Fisheries Policy Network (RFPN) Member for Myanmar, referred the activities conducted by the SEAFDEC-Sida project during 2003-2008 and reviewed the recommendations made during the Gulf of Thailand Meetings organized in 2008 and 2009 and also the sequence of on-site events organized around the Gulf of Thailand (Thailand, Cambodia, Vietnam). The Meeting encouraged the participants to provide recommendations to move and further the activities that have been started to carry on the momentum since the inception of this sub-regional cooperation. His presentation appears in **Annex 6**.

8. *Mr. Tep Chansothea*, researcher from the Learning Institute of Cambodia introduced the activities program that mainly focus to the strengthening the capacity of the community involve in natural resources management, with the empowerment of the local fishers as shown in **Annex 7**. The Meeting took note the community based management play important role by strengthening the involvement of the community in management and combating IUU within country's jurisdictional waters. The capacity building is essential approach in coping with other areas which tackled by Member Countries particularly on larger IUU fishing problems (i.e. large vessels encroaching inshore waters).

9. As a starting point and as a basis of discussion in the future, the Meeting suggested that status of IUU Fishing should be carried out around the Gulf of Thailand area. In addition, the Meeting also supported the establishment of sub-regional management body/arrangement for the Gulf of Thailand as a management measure.

Furthermore, the RPOA IUU was again stressed to be the basis/tool in combating IUU fishing in this sub-region stressing the importance of flag state and coastal state responsibilities.

10. Furthermore, the Meeting suggested that the necessary in developing the legal systems in the Gulf of Thailand region. However, consideration the inadequate of data and information in this area should be analyzed.

V. FOLLOW UP ON THE RECOMMENDATION AT THE EXPERT CONSULTATION ON MANAGING FISHING CAPACITY TO COMBAT IUU FISHING

11. The Meeting took note the summary of the recommendations from the Expert Consultation on Managing Fishing Capacity to Combat IUU Fishing in Southeast Asia which held on 15-17 September 2010 in Bangkok, Thailand as provided by *Dr. Ahmadi*, RFPN Member for Indonesia. Key issues for improving fisheries management, controlling fishing efforts and combating IUU fishing as well as reviewing on conventions relevant to fishing vessels (IMO) were highlighted such as fishing vessel registration and fishing licenses (vessels, gear and people) and institutional and legal responsibilities, vessel record and inventory, catch documentations, port monitoring, certification schemes, development of MCS Network which the Consultation provided a set of recommendation for improvement of fisheries management in the Gulf of Thailand sub-region. His presentation as show in **Annex 8.**

12. Linking with RPOA, *Mr Budi Halomoan*, representative from RPOA Secretariat presented the progress of the work under RPOA Workplan and activities 2011, particularly in strengthening legal, administrative and policy frameworks including model legislations and also strengthening regional/international cooperation through capacity building and information sharing. His presentation as show in **Annex 9**.

13. *Ms Panitnard Taladon*, representative from SEAFDEC/TD provided information on the Human Resource Development program supported by the Japanese Trust Fund. She also provided other relevant activities related for example “Improvement of Information Gathering System to Combat IUU-Fishing in Southeast Asian Region” and “Promotion of Fishing License, Boats Registration System and Port State Measures (TD and MFRDMD). Her presentation as show in **Annex 10.**

14. During the discussion, the Meeting took note that the study or research on the issues and gaps on combating IUU fishing should be carried out. To come up with the realization of ASEAN Economic Community by 2015, the Meeting was urged the Member Countries should start together and learn together for IUU Fishing is major problem that needs for cooperative effort to combat not just for the trade. Thus, country-specific study on IUU fishing including port state measures is needed. Furthermore, the variation of IUU Fishing among countries was highlighted. It was also suggested to study and evaluate the impact of IUU fishing activities in the region such as economic development (AFTA- in the year 2015) and bring forward for further discussion.

VI. INFORMATION ON SELECTED GLOBAL AND INTERNATIONAL INSTRUMENTS AND ITS RELEVANCE TO FISHERIES AND HABITAT MANAGEMENT (AND TO COMBAT IUU FISHING), INCLUDE REFERENCES TO ASEAN COMMUNITY DEVELOPMENT

15. The Meeting provided the review of various selected global and international instruments related to fisheries and habitat management by *Ms. Pattaratjit Kaewnuratchadasorn*, SEAFDEC-Sida Project Manager, which includes e.g 1982 UN convention on the Law of the Sea (UNCLOS), 1995 FAO Code of Conduct for Responsible Fisheries(CCRF), 1992 UN Conference on Environment and Development(UNCED), 1995 United Nations Fish Stocks Agreement(UNFSA), 2003 International Plan of Action for the Management of Fishing Capacity (IPOA-Capacity), 2001 International Plan of Action to Prevent, deter, Eliminate, Illegal, Unreported and unregulated Fishing(IPOA-IUU), and 2009 Agreement on Port State Measures to prevent, Deter, and Eliminate Illegal, Unreported and Unregulated fishing. Included the recent adopted ASEAN-SEAFDEC Resolution and Plan of Action as a guidance policy framework for the region highlighted key aspects of fisheries management by integrating the plans based on ecosystem approach to fisheries conservation and management and particularly addressed on the implementation and activities to combat IUU fishing and strengthening regional and sub- regional cooperation on fisheries management. These instruments forms as basis of fisheries management measure that maybe applied to the Gulf of Thailand Sub-region. Her presentation as show in **Annex 11.**

VII. FISHERIES AND HABITAT MANAGEMENT/*REFUGIA* AND TRANS-BOUNDARY STOCKS AND HABITAT

16. Mr. Ouk Vibol, former Working Group on Seagrass of the UNEP/GEF/SCS and currently Acting Director of Department of Fisheries Conservation of the Fisheries Administration of Cambodia recalled the activities implemented by the UNEP/GEF/SCS project that ended in 2008. He reviewed on the experiences and lessons learnt on establishment of Fisheries *Refugia* in coastal area of Cambodia waters. He further highlighted the implementation of the project in promotion of the Fisheries *Refugia* and management and stressed the linkages of fish life cycle and their critical habitats. While taking note the importance of the community involvement in consultations, data collection activities and the programs implementation was deemed essential for attainment of objectives. With regard to transboundary issues, the bilateral arrangement made, it was noted that Memorandum of Agreement between the two (2) transbounded/ neighboring provinces (Kampot in Cambodia and Kien Giang in Vietnam) has been signed and five (5) programs were stipulated under said MOA. His presentation appears as **Annex 12.**

17. While noting the importance of Fisheries *refugia* and its adaptation in the regional level has gained recognition throughout the years, several terms has been used resulting misunderstandings among users particularly local fishers. Thus it was suggested that uniform terms maybe widely adopted and evade usage of relevant words in this sub-region to avoid confusions and promote uniformity. However, it was as well stressed that fisheries *refugia* and other related terms maybe confusing but most importantly is that the

management implications might be the same and the involvement of the community is very essential in developing and establishment of these effort.

18. The Meeting recognized the need to specify species of concern for the establishment of fisheries *refugia* in the sub-region and their seasonal migration (feeding and breeding season), life cycle and other biological parameters be carefully studied and considered as basis of management options to be applied (area and season closure, gear restrictions. etc). Likewise, it was stressed that the instigation of smaller management areas is important in forming a bigger management area with transboundary consideration in this sub-region. Prior to imposition of measures, all aspects of biological, oceanographic and other parameters be studied and considered. In addition, involvement of all stakeholders in formulation of management measures is deemed important.

19. The Meeting also discussed the legal implications on Fisheries *refugia* context. It was again stressed that measures to be implemented must be in the conformity with the existing national legal framework of the Member Countries and similarities among MCs maybe seek out/identified to support a common measure.

VIII. STRENGTHENING MONITORING CONTROL AND SURVEILLANCE (MCS) IN THE GULF OF THAILAND AND RELATED ACTIONS

MCS Networks and the Establishment in the Gulf of Thailand (the MCS Network revisited) and the aspects on "community-based"

20. *Mr. Joeren S. Yleana*, RFPN member for the Philippines reviewed the information on MCS Network in the sub-region. He highlighted the recommendations made during the previous meetings. The initial option for MCS networks development was agreed to focus first on information sharing and institution cooperation by close coordination with agencies involved in member countries. Specific aspects of information include; vessel record and inventory, port monitoring mechanism and landing information. He also reviewed MCS programs in Member Countries. His presentation appears as **Annex 13.**

21. The Meeting recognized the unavailability, insufficiencies of quality and uniformity data among Member Countries as one of hindrances to enable information sharing thus mechanisms to address such should be agreed and considered by the representatives of Member Countries. Likewise, the variations of implementation of MCS activities in the region also served as challenge for sub-regional MCS Network. It was also informed that SEAFDEC may have to mandate in coming up of the Network in the (sub-) region, however it can provide/support technical efforts to combat IUU fishing in the (sub-) region.

22. The Meeting discussed about specific aspects of information sharing to initiate M, and C functions. The Meeting also encouraged on the minimum data requirement that should be gathered and shared among Member Countries. In this regard, it was suggested that this concern be brought to the council committee to make it obligatory (not voluntary). For better communication, it proposed that member countries to nominate focal point who will be responsible in facilitating communication and sharing of

information (as it possible the same focal point with the RPOA). The Meeting suggested that SEAFDEC should send official letters to member countries regarding this matter.

23. Since MCS among Countries in the sub-region is a shared or collaborative effort among national agencies thus, it was suggested that before jumping into the regional level, each country should developed first good cooperation among related agencies within their national government in implementing relevant measures. It was informed that the network does not only pertains on sharing of information but as multi-function program which involves; Monitoring-scientists, Control – legal component, Surveillance – patrolling.

24. The Meeting took note that the Community-based Fisheries Management should also be supported to enhance the participation of stakeholder and local government in management of fisheries and habitat including combating/reducing the IUU fishing. There are many lesson learned places in this region such as Coastal Resources Management Project in Philippines and CHARM project in Thailand.

25. The Meeting also stressed the complexity of the region's capture fisheries characterized by small-scale, multi-gear/species fisheries thus issues on the applicability of measures set by developed nations in SEA region will be reconsidered owing to variability and diversity and nature of fishing activities as position on international forum in setting up of global instruments (e.g. on IUU Fishing).

Cooperation through the Vessel Registration and Licensing System

26. Participants provided a short description of their respective country's program on vessel registration and licensing system. They highlighted their gaps and challenges in carrying out these systems recognizing the complexity and number of vessels/boats in their country. The Meeting recognized the variability in advancement vessel registration and licensing system in this sub-region and mentioned/recognized in particular the electronic system used by Malaysia which may serve as a good example to emulate among other GOT countries.

27. It was suggested (by Cambodia) that pattern of registration and licensing should discussed and agreed among MCs in accordance with FAO and other relevant patterns which should be adopted among MCs. Likewise, considering the diversity and multitude of fishing practices in this sub-region, uniform system should be adopted (e.g. forms).

28. It was also noted that before every intervention considerations on other relevant laws and regulations should be considered (e.g. – before issuance of license, operators should assure adherence to international standards for labor (ILO).

29. The Meeting also discussed on applicability of measures being imposed on small scale fisheries (i.e. logbook). Likewise, in some areas where moratorium on licensing of large scale fishing is imposed and encourage small scale fishing, limitations should be considered to control fishing capacity at safe levels. Thus, it was recommended that studies necessary for such measures be undertaken to come up with policy

recommendations. Likewise, good programs may serve as good example for other Member countries (e.g. Thailand's mobile registration)

Vessel Record and Inventory-building upon existing information

30. *Ms. Halimah Binti Mohamed*, RFPN Member for Malaysia presented information on the fishing vessel registration and licensing system of countries in the sub-region which are diverse in the systems and institutional responsibilities. Her presentation as shown in **Annex 14.**

31. The Meeting noted the suggestions to overcome the limitations in managing fishing vessel registration and licensing in the sub-region such as development of community-based vessel registration for small scale fisheries, improvement of national system for fishing vessel registration and to issue licenses to fish, development a mechanism to share and exchange data in the (sub-) region, explore options for, including assistance, to make inventory/census of fishing vessels, Develop a (sub-) regional vessel registration database was also suggested as option.

32. In addition, the Meeting was informed on the newest tool initiated by Food and Agriculture Organization (FAO) to combat IUU fishing activities is known as Global Record (GR). However, the implementation of GR is on voluntary basis but it would be a global requirement in the future as to control the IUU fishing activities in the region.

33. *Ms. Praulai Nootmorn*, Director of Marine Fisheries Research and Technological Development Institute, Department of Fisheries (DOF), Thailand presented on "Master Plan of Marine Fisheries Management of Thailand". She informed the Meeting on the progress activity under a ten-year Master Plan of Marine Fisheries Management starting in 2009 such as fishing vessel record and inventory, capacity building on marine fisheries management, enhancement on marine fisheries management at provincial level etc. the data from the field and input in the database at the Provincial level have assistances from NGOs whereas the cross check system on those activities will also be well-established.

34. In the discussion, the Meeting was clarified that the fishing vessel record inventory implemented by DOF, Thailand was applied in all sizes of fishing vessels and the cross check data with the Marine Department who is the vessel registration authority have also been carried out. In addition, the Meeting noted the information on the new ILO Convention effected in 2007 and will be enforced shortly by the ILO members. In this connection, the Meeting was urged the concerns especially on the minimum age of fishing crews and safety of crews which would affect the fishing industry in the near future.

Port Monitoring and Monitoring of Landings by neighboring country Vessels

35. *Ms. Nopparat Nasuchon*, RFPN Member for Thailand highlighted the development of the Agreement on Port State Measure which adopted in 2009. She also stated the monitoring of landing by neighboring country vessels which specified its importance particularly in this sub-region where-in rampant practice of having double-flagged vessels is evident. Her presentation appears as **Annex 15**.

36. The immediate ratification of Port State Measure is vital however considerations to be taken which involve; 1) national laws and regulations should be reviewed among MCs and national registration must be in place, 2)ensure inter-agency coordination and cooperation should also be in place, 3) staff recruitment/requirement to carry port inspection and other functions, 4)training and capacity building (at sub regional level), 5) common understanding on classification between fishing port and landing sites and 6) improvement of data collection and mechanisms of information sharing among GOT countries be in place.

37. The Meeting also noted the need to identify landing sites and fishing ports (number and status) throughout the sub region as good starting point for PSM initiatives and reference for future activities. Likewise, it was also stressed that even non-exporting MC (Cambodia) should consider PSM for re-export of fishery products necessitates application of such measures (traceability).

38. Attention was specified on process of documentation needed on catch landed by foreign/ GOT member countries to neighboring country's fishing ports (Malaysian vessels landing on Thailand Ports in particular). Reporting mechanisms by these double flagged vessels should be properly in placed (for landing of catches from Malaysian waters to foreign ports is considered illegal in Malaysia). Bi-lateral agreement among countries involved maybe solicited regarding this sensitive matters.

39. SEAFDEC as a technical inter-governmental agency may work to facilitate capacity building and technical support on context of PSM requirements in the sub-region (e.g. training of port inspectors). In addition, it may also consider investigating the status of double flagged vessels operating in the GOT. This is in order to know reasons of existences of the problem for better understanding to avoid/resolve conflicts and support management.

Catch Documentation and Certification /Validation

40. The Meeting took note of the presentation by *Dr. Somboon Siriraksophon*, Policy and Program Coordinator of the SEAFDEC/Secretariat on catch documentations and certifications as tools to support MCS networks, as shown in **Annex 16**. It highlighted the importance of information accuracy and mechanism on sending information to importer country. A guideline for this procedure is required to make the operation smooth. Sharing experience among the countries is the best practice on developing the system (e.g. logbook and landing data system as applied in Malaysia and Thailand).

41. The problem of landings by foreign vessels (Malaysian) to neighboring country's ports was raised. The practice hampers the necessary information for assessing and managing the country's fishing capacity and considered illegal (in Malaysian Laws). Inquiry was also raised on legality of the practice in port state, reasons why this occurs and measures how to control these fishing vessels from landing in Thai ports. It was then suggested that fact-finding study be considered by SEAFDEC on these different cases such as double flagged vessels and landing of catch from vessels to other port of which it's not flagged.

42. Representative from MFRDMD recommended the countries to share landing data as scientific information in order to measure stock assessment and fishing capacity. In addition, SEAFDEC should support Cambodia for data collection in order to balance stock assessment in region since GOT shared the same resources. Currently there is no status of resources information in Cambodia.

43. The fishermen should follow the importers requirements especially on proper and accurate documentation about the catch information. Likewise, it was suggested (Thailand) to re-arrange import system (Custom Department) for fishes in the region as for the fisheries officer to check import (raw fishes and products) information.

44. The Meeting also recommended the countries to promote catch documentations and certification scheme at national level (e.g. Cambodia and Vietnam).

IX. WAY FORWARD FOR SUB-REGIONAL, SUB-SUB-REGIONAL AND BILATERAL COOPERATION ON THE INTEGRATION OF FISHERIES AND HABITAT MGT, INCLUDING EFFORTS TO COMBAT IUU FISHING IN THE GULF OF THAILAND AND RESPONSES TO CLIMATE CHANGE

45. To facilitate furtherance of agreements in this Meeting, common understanding on parties' limitations, input sharing and other sub regional concerns (labor migration and equal opportunities) should also be considered. In addition, focal persons should be identified/nominated for better communication and facilitate close cooperation and information sharing among GOT Member Countries. Commitment is as well encouraged among donor agencies, MCs and other entities for this sub regional cooperation to support in formulation of management measures.

46. To fully understand the purpose of managing fishing capacity as a tool in combating IUU fishing, technicalities on identification the various levels of capacity being exerted by various fishing gears should be discussed in relevant forums of SEAFDEC. This is to form common understanding on fishing capacity levels in the sub region considering the characteristics of the capture fisheries in the sub region (multi-gear and multi-species, small-scale dominated). In the context of reducing fishing capacity, several measures has been initiated like moratorium on issuance of trawl fishing license and impositions of larger mesh sizes of those still employs trawling (Thailand).

47. In advent of resource limitations, decreasing number of researchers/scientist, complexity of models, data variations/ insufficiencies among MCs and other related factors that influences reliable stock assessment, alternatives maybe devised. These includes the use of unconventional stock estimation methods like the determination of trophic and exploitation levels and use of indicators, etc. Likewise, capacity building should be facilitated by SEAFDEC for MCs to achieve data uniformity throughout the sub-region. Likewise, individual stock assessments by MCs may should always be consulted / planned among other GOT countries to harmonize methodologies and further encourage sharing. A Sub-regional Technical Consultation to come up with a uniform/standardized stock assessment methodologies maybe considered. Further, data

collected should always be interpreted at levels understandable by policy makers and other users for formulation of science-based policies.

48. To facilitate better and results-oriented recommendations, inter-agency cooperation within the government (inter-level) in formulation of programs and measures should be enhanced. This may somehow inflict (if not level up) the understanding of policy makers (in particular) on fisheries resources management. In addition, collaboration with NGOs should be enhanced to facilitate/trigger political will among policy makers on fisheries related concerns. Further, the importance of scientific data to cause political will is also deemed important thus understandable interpretation is essential. Furthermore, venue for researchers, policy makers, NGOs and other relevant stakeholders may be provided to better facilitate common understanding, prioritization of activities (avoid efforts duplication) and influence political will.

49. The Meeting also stressed that in order to initiate activities for MCS Network in the sub region, timeframe should be specified in every activity to be undertaken. Likewise, legal frameworks should be laid out and discussed among MCs particularly on points of similarity on licensing and other fisheries aspects.

50. Several studies and researches were suggested to support fisheries management in the sub-region. Further studies maybe required (by SEAFDEC) to investigate relativity of stocks (species-specific) in the sub-region. Studies on status and causes of IUU fishing in the sub-region are likewise suggested to really address the root cause of the problem. Efforts to investigate the advantages and disadvantages (weakness and strengths) to tools that maybe applied for stock assessment and other relevant researches. Further, the tagging program which is considered inexpensive and easy to interpret should also be continued/increased by bilateral collaboration for increased recovery and good results. In these undertakings, collaboration with academes and other research institutions is encouraged.

51. The Meeting took note of the political support from member state is necessary to ensure effective fisheries management and combating IUU fishing. Likewise it was noted that the policy makers' views may not focus on fisheries management/conservation management. The Meeting suggested to cooperated and concreted communication mechanism between agency responsible for fisheries and other agencies (NGOs and stakeholders) on the requirements to manage fishing capacity.

X. CONCLUSION AND RECOMMENDATION AND FOLLOW-UP ACTIONS

52. The secretariat of the Meeting prepared and presented the synopsis of the recommendations provided during the deliberations of issues during the Meeting. It highlighted major recommended actions to be considered pertaining to the following: Regional and National Management approaches, National Policy/Systems/Mechanisms, Data Collection and Information Sharing on the Management of Fishing Capacity, Research and Development Activities, Awareness Raising and Capacity Building, and Communication with International Community, as shown in **Annex 17**.

XI. CLOSING OF THE MEETING

53. The Secretary General of SEAFDEC, *Dr. Chumnarn Pongsri* expressed his gratitude to the participants for their inputs during the three-day Meeting in which a good exchange of views solidified closed cooperation among representatives. He as well congratulated the organizers for the success of the Meeting and thanked the continued support provided by Sida for these types of endeavor. By this, mechanisms for the management of fisheries in the sub-region are near realization.

Annex 1

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Annex 2

Introductory Statement

By Dr. Chumnarn Pongsri, SEAFDEC Secretary-General

Your Excellency Dr. Nao Thuok, SEAFDEC Council Director for Cambodia and Director-General of the Fisheries Administration
Distinguished participants,
SEAFDEC Senior Officials,
Ladies and Gentlemen, Good Morning to all of you!

First of all, On behalf of SEAFDEC, I would like to welcome all of you to the 3rd Meeting of the Gulf of Thailand sub-region. I also would like to take this opportunity to express my sincere thanks to the Government of Cambodia and the Fisheries Administration for the hospitality in welcoming us for this beautiful city of Siem Reap.

Your Excellency, Ladies and gentlemen,

During the last couple of years, SEAFDEC has provided a forum for dialogue among Member Countries of the region in aspects related to fisheries, which has increasing been addressing the need to over-capacity, to combat illegal fishing, reduce IUU fishing and to integrate fisheries management with habitat management and to restore and maintain important habitats in sub-region including joint approaches to management interventions and environmental protection.

At this point, we should recall that SEAFDEC convened the "1st Sub-regional Meeting on the Gulf of Thailand in March 2008" and "2nd Sub-regional Meeting on the Gulf of Thailand in February 2009". During these events participants discussed the process to initiate the development of MCS Networks. The meetings highlighted the need to strengthen cooperation and collaboration among Gulf of Thailand countries in Combating IUU fishing, and in taking steps to improve vessel registration/licensing and port monitoring. Furthermore, the Meetings discussed the identification and development of larger fisheries resources conservation areas including spawning areas of commercial important fish species together with the recommendations on joint approaches for the sustainable harvesting of Indo-Pacific Mackerel and related species including as well as on other aspects for the promotion of cooperation in the sub-region.

In order to provide updates on the progress of the project, we are having this Third Meeting of the Gulf of Thailand sub-region, which commences today and ends on Thursday. This Meeting aims to review and come up with recommendations on the various concerns relevant to fisheries management in the context of Gulf of Thailand sub-region that include fishing capacity, port monitoring and combating IUU fishing and serve as venue to discuss follow-up actions to the recommendations raised during February 2009 Gulf of Thailand Sub-region Meeting as well as relevant suggestions made in other related Meetings. We hope that the meeting will be successful in developing momentum that could develop into a more regular forum among Gulf of Thailand countries to enhance closer cooperation on matters related to integration of fisheries management with habitat protection.

Ladies and Gentlemen, I am pleased to inform you that recently ASEAN-SEAFDEC successfully convened the significant event, the ASEAN-SEAFDEC Conference on Sustainable Fisheries for Food Security towards 2020 in June 2011 and, the Resolution and Plan of Action on Sustainable Fisheries for Food Security for ASEAN region towards 2020 were adopted. This could serve as guiding points for the region's fisheries development towards sustainability and food security. With that, SEAFDEC together with Member Countries will continue working together and strengthen close cooperation for the fisheries development in our region.

Ladies and Gentlemen, I wish that this Meeting would be a very good opportunity to gather delegates to exchange and share experience among countries to come up with the significant recommendations for effective implementation of fisheries management in this Gulf of Thailand sub-region. I look forward to seeing a successful outcome.

Thank you very much indeed for your attention and have a good day!!!

Annex 3

Opening Remarks

By H.E. Dr. Nao Thuok,
SEAFDEC Council Director for Cambodia and
Director-general of the Fisheries Administration

Dr. Chumnarn Pongsri, SEAFDEC Secretary-General
Distinguished delegates,
Ladies and Gentlemen, Good Morning to all of you!

It is a great pleasure for me on behalf of the Royal Government of Cambodia and the Cambodian delegates would like to extend to you all the warmest welcome to this historical city, the gateway to the temples of Angkor. We would like to thank all of you for sparing your time to attend this 3rd Meeting of the Gulf of Thailand sub-region.

Firstly, let me express my appreciation for the effort that SEAFDEC together with ASEAN Member Countries made during the ASEAN-SEAFDEC Conference convened in June 2011 and the subsequent development of the "Resolution on Sustainable Fisheries for the ASEAN Region Towards 2020" and "Plan of Action on Sustainable Fisheries for the ASEAN Region Towards 2020" that were adopted to serve as a policy framework providing directions guiding the region's fisheries development towards sustainability and food security. The importance to cooperate for the sustainable utilization of fisheries resources are also emphasized in other international and regional instruments, including the ambitions and guiding principles for the development of an ASEAN Community by 2015. Fisheries are also recognized as one of priority sectors within the ASEAN region.

Over the last couple of years, the need to reduce over-capacity, to combat illegal fishing has been highlighted by the ASEAN Heads of State in 2007 and by SEAFDEC Council in 2010 and 2011 and efforts should be made to reduce IUU fishing and to integrate fisheries management with habitat management through an ecosystem approach to fisheries and to restore and maintain important habitats. In sub-regions and in border areas, attempts are being made to build up frameworks for joint approaches to management interventions and environmental protection.

Ladies and gentlemen, as you all aware that the Gulf of Thailand has one of the highest resource potentials in the Southeast Asian region, including that of pelagic fishery resources that straddles across boundaries in this sub-region. With increasing demand for fish and fishery products in regional and worldwide market, the pressures on our fisheries resources will surely grow and environmental and ecological impacts will increase. These impacts might be more severe due to impacts of climate change. To ensure the sustainability of the fisheries resources utilization in the Gulf, the fisheries managers need to be aware of how to properly manage and conserve our fisheries resources, and implement restrictions accordingly.

During this event, SEAFDEC is following up on earlier Gulf of Thailand meetings by bringing together participants from Cambodia, Malaysia, Thailand and Vietnam as well as representatives from key initiatives, such as the Secretariat of the Regional Plan of Action (RPOA) to Combat IUU Fishing. The invitation of legal advisors will allow the meeting to get feedback on the scope, purpose and context of existing and planned (under preparation) legal and regulatory framework. I do believe that one of the challenges ahead for ASEAN is to moving towards the development of inter-agency and sub-regional cooperation by creating a platform of common understanding in order to promote appropriate fisheries management to achieve sustainable development. Hopefully, this meeting will help us to move in this direction.

Ladies and Gentlemen, I am also very grateful to SEAFDEC, collaborating partners and stakeholder including all of you for your support by participating at this important event. To this end, I very much look forward to the success of this meeting, and await the recommendations that you arrive at during the meeting. Recommendations that could be used for guidance for the countries around the Gulf and for SEAFDEC on actions needed to promote regional cooperation and sub-regional arrangements. Lastly, I wish you all a very nice pleasant stay and enjoy the sight-seeing of Angkor Wat, the Great Lake and other memorable places of Siem Reap.

With regards, I take great pleasure in declaring the Third Sub-regional Meeting of the Gulf of Thailand open.

Thank you all for your work and your attention.

Annex 4

Prospectus

I. BACKGROUND

The Gulf of Thailand has one of the highest resource potentials in the Southeast Asian region, more particularly in term of the pelagic fishery resources. In tapping these resources, the Gulf of Thailand features a large amount of small-scale and coastal fishing operations together with a significant number of larger or medium sized vessels. The high fishing pressure had led to the need to regulate the fisheries and management, this including the need for development of management measures for popular pelagic species such as the Indo-Pacific mackerel (*Rastrelliger brachysoma*) also known as "Pla Too" in Thai and other important species in the Gulf of Thailand.

Moreover, the availability and reproduction of fisheries resources is also affected by destruction and degeneration of important habitats, such as mangroves, coral reefs, seagrass beds – a trend that also leaves coastal communities more vulnerable to climate change. Working towards sustainability, attempts are being made by fisheries and environmental agencies to improve fisheries and habitat management. An important step in this direction is to try to better control the active fishing effort, both large-scale and small-scale, and to reduce illegal, unreported and unregulated (IUU) fishing as well as destructive fishing. The nature of fishing, the migration of fish and the mobility of people and vessels involved in fishing – implies that there need to be regional, sub-regional and/or bilateral dialogue on measures to improve fisheries management and to safeguard important habitats.

In Southeast Asia, ASEAN and the Southeast Asian Fisheries Development Center (SEAFDEC) have since many years provided a forum for dialogue among countries of the region in aspects related to fisheries, economic cooperation and social development. In the ambitions toward an ASEAN Community by 2015, the fishery is also included as one of priority sectors. Over the last couple of years, it has increasingly been addressing the need to reduce over-capacity, to combat illegal fishing (ASEAN Heads of State, 2007, SEAFDEC Council in 2010 and 2011), reduce IUU fishing and to integrate fisheries management with habitat management (ecosystem approach to fisheries) and to restore and maintain important habitats. In sub-regions and in border areas, attempts are being made to build up frameworks for joint approaches to management interventions and environmental protection.

Several regional projects and initiatives supported and implementing in ASEAN region, such as the (now closed) UNEP/GEF Project "Reversing Environmental Degradation Trends in the South China Sea and Gulf of Thailand" (UNEP/GEF SCS) on habitat and fisheries management (fully operational February 2002), the Regional Plan of Action (RPOA) to promote responsible fishing practices including combating IUU fishing in the region (May 2007) and the ASEAN Fisheries Consultative Forum (AFCF).

The Gulf of Thailand is by these initiatives indicated as a suitable sub-region for the promotion of cooperation and the development of common approaches to management. SEAFDEC is, and has been, actively cooperating with these initiatives. In follow up to the cooperation with the UNEP/GEF project, SEAFDEC continues to promote the development of larger fisheries resources conservation areas (*refugia*) and to promote sub-regional and trans-boundary cooperation in the Gulf of Thailand. During the Coordinating Committee meeting of the RPOA (Manila, 28 – 30 April, 2008), the meeting confirmed the "Gulf of Thailand and adjacent waters" as a targeted sub-area (with Thailand as lead country in cooperation and with support from SEAFDEC) with an aim to promote development of MCS networks, combating IUU fishing and reduce destructive fishing, improve port monitoring and the management of fishing capacity.

1st Sub-Regional meeting on the Gulf of Thailand from 28-29 March 2008

To address the above mentioned issues and to promote sub-regional cooperation SEAFDEC organized the "**1st Sub-Regional meeting on the Gulf of Thailand"** from 28-29 March 2008 at SEAFDEC Secretariat, Bangkok, Thailand to follow up the RPOA-IUU-MCS meeting in Bali and to follow up on the cooperation with the UNEP/GEF Project on fisheries and habitat management. The Meeting was attended by ASEAN-SEAFDEC Member Countries around the Gulf of Thailand namely: Cambodia, Malaysia, Thailand and Vietnam as well as from FAO/RAP and UNEP/GEF/SCS. The meeting discussed the process to initiate the development of MCS networks (needs/constraints) and in the process to strengthen cooperation and collaboration among member countries in combating IUU fishing, steps to improve vessel registration/licensing and port monitoring (landings across boundaries). Furthermore, the meeting discussed the identification and development of larger fisheries resources conservation areas (*refugia*) including spawning areas of commercially important fish species. The meeting came up with recommendations on areas for conservation and management of the Gulf of Thailand fishery resources, including to follow up on *Rastrelliger spp*., the development of MCS-networks (starting with information sharing) and other aspects for the promotion of cooperation in the sub-region.

2nd Sub-Regional Meeting on the Gulf of Thailand, 24 – 26 February 2009

In February 2009, the **"2nd Sub-Regional Meeting on the Gulf of Thailand"** was organized by SEAFDEC in Bangkok, Thailand with participants from related agencies of the countries in the Gulf of Thailand Sub-region, namely: Cambodia, Malaysia, Thailand, and Vietnam as well as representatives from the Coordinating Body on the Seas of East Asia (COBSEA), the International Maritime Organization (IMO), and fisheries focal points of the UNEP/GEF/SCS project. The Meeting aimed to review and come up with recommendations on the various concerns relevant to fisheries and habitat management in the context of the Gulf of Thailand Sub-region that include fishing capacity, IUU fisheries, vessel registration, migratory species, fisheries resources conservation areas (*refugia*), etc. The meeting also aimed to discuss follow-up actions to the recommendations raised during the March 2008 Sub-regional Gulf of Thailand Meeting as well as relevant suggestions made in other related meetings since March 2008. The sections below provide a summary of major discussion points and recommendation.

Follow up and cooperation on the Vessel Registration/Vessel record

The meeting emphasised the need to establish cooperation among agencies responsible for the registration of fishing vessels and those that grant the license to fish. To support cooperation among institutions/countries, a mechanism for information sharing should be developed by establishing a network for the Gulf of Thailand with agreed reporting mechanism to facilitate sharing of information. Countries should assess the extent of available information in each country around the Gulf of Thailand that could be used for regional information sharing. The Meeting suggested that local organisations and fishing associations (community fisheries, local government units, etc) should be included to assist in collecting information on small-scale fishing vessels; collaboration between government agencies should be promoted and collaboration between government agencies and fisheries associations in order to obtain more reliable information should be strengthened. A clear distinction should be made between different types of "registrations" and "records" and the different legal/institutional responsibilities among concerned agencies;

Port Monitoring and Monitoring of Landings by "Non-national" Vessels

The March 2008 meeting strongly emphasised the "need to have good port monitoring". The February 2009 meeting were of similar opinion and, furthermore, suggested that a cooperation mechanism for port monitoring among the countries around the Gulf of Thailand should be established. This mechanism should also address and monitor the landings of "neighbouring country vessels" and landing across boundaries. Reliable port monitoring based on meaningful sub-regional cooperation would be suitable to prepare the countries for increasing demands on traceability, catch documentation and to combat IUU fishing.

Development of MCS network –institutional responsibilities of M, C and S respectively

The recommendation to explore ways and steps needed to initiate the establishment of an MCS Network for the Gulf of Thailand - while recognising that the institutional and financial resources are still not in place was supported by the 2009 Gulf of Thailand Meeting. The Meeting recognised the importance of the development of an MCS Network in order to strengthen the M, C and S functions and sustainable fisheries management in the sub-region. The difficulties in implementing any MCS schemes were well recognised with all the human and financial resources needed. It was noted that to cover the whole spectre of institutional responsibilities in the scope of a full "M", "C" and "S" framework in a Gulf of Thailand MCS Network would not be feasible given the present (2009) status of national institutional developments and cooperation, the lack of resources, including a limited understanding of the full range of institutional responsibilities of the functions to be performed under each of the three parts. The draft Institutional Matrix for Key Elements of "Monitoring", "Control" and "Surveillance" should be further developed. Special attention need to be made on ways to include information from community fisheries and community based fisheries management

In setting up, or initiating a MCS network, the February 2009 meeting agreed that a MCS network for the sub-region should be established which, initially, could facilitate the sharing of information and institutional cooperation, specific aspects to be included should include:

- Vessel record and inventory
- Port monitoring mechanism and information on landings
- Other points that could be considered was to include information sharing on the monitoring of:
  - gear and licenses
  - catches/catch documentation

Sub-Regional Cooperation for Combating IUU fishing in the Gulf of Thailand

The "Regional Plan of Action to Promote Responsible Fishing Practices including Combating IUU in the Region" (RPOA), was introduced to the Meeting with the recognition by the RPOA countries of the Gulf of Thailand as a suitable sub-region to promote joint efforts to combat IUU fishing. The February 2009 Meeting agreed that the existing RPOA "framework" and the involvement in the RPOA process as such, is a useful basis for the continued formulation of a sub-regional mechanism in combating IUU fishing for the Gulf of Thailand as well as a receiver of reports on progress made among Gulf of Thailand countries. The RPOA framework for sharing of experiences was also matching the priorities express by Gulf of Thailand countries.

Cooperation on trans-boundary fisheries and habitat management – options for joint approaches to Indo-Pacific mackerel (Pla Too), and related species

The UNEP/GEF Project, together with SEAFDEC, have been actively promoting the establishment of larger fisheries resources conservation areas (*refugia)* in the sub-region based on the integration of habitat and fisheries management. In the establishment, it is recommended to

build upon existing management areas (MPA's, closed seasons, wildlife sanctuaries, etc) together with information on spawning areas, migration, etc. Information on indications of trans-boundary migration of Indo-Pacific mackerel between the eastern Thai waters and the Cambodian waters including migration into Vietnamese waters were discussed and generally recognised as possible/likely. Additional research is needed to assess the abundance and migratory behavior of the Indo-Pacific mackerel and related fish stocks. Research is also needed on the migration and spawning patterns of other important species in the Gulf of Thailand.

The Gulf of Thailand countries should further build upon the information and data base of the UNEP/GEF South China Sea project and develop arrangements for information sharing among the Gulf of Thailand countries to conserve the shared and trans-boundary stocks - specifically in the eastern part of the Gulf of Thailand – and to protect important habitats. In the process ensure cooperation between fisheries and environment/marine and coastal resources departments. **Note**: this information sharing could well be linked to the MCS Network development that is indicated above. The February 2009 Meeting confirmed that there is a need for bilateral arrangements to manage habitats and trans-boundary stocks. Management arrangements could be based on the mechanisms and methods that have been implemented in the western part of the Gulf of Thailand as shown in the management and conservation of Pla Too.

Fishery Laws and Legal Matters Related to Key Issues in the Sub-region

Creating an opportunity to discuss limitations – and opportunities – of existing legal and institutional arrangements as a basis for regional and sub-regional cooperation have been asked for since SEAFDEC Council in Bali April 2008. The February 2009 meeting opened a platform for legal advisors to share experiences on "fishery laws and legal matters" for the first time in the Gulf of Thailand context. It was emphasised, as a basic element for ambitions in regional and sub-regional cooperation, that implementation cannot go beyond what is constituted in relevant legal documents in each of the participating countries.

The dialogue between legal advisors, technical support staff, private sector, fishermen, should be developed to improve the understanding of the context of the law and its purpose to avoid that the "law" is seen as an obstacle and not the "tool" it is meant to be with regards to fisheries, marine and environmental laws as well as other basic laws with information shared to all countries – efforts should be made to aim for the legal documents to be seen as "living documents"

Cooperation on trans-boundary issues and opportunities – promotion of bi- and trilateral dialogue

How far would the Gulf of Thailand Group move into more regulated management arrangements for the Gulf. No direct response provided during this February 2009 Meeting. **Bi-and tri-lateral agreements** was not discussed as a separate agenda point but in moving towards more regulated management arrangements for the Gulf of Thailand it could be important to revisit the institutional (and legal) foundations for a management arrangement (fisheries, marine environment, etc) in an area like the Gulf of Thailand (that is totally within the national claims of EEZ's, etc). As mentioned earlier, agreements made will need to be implemented by the countries within the framework of their legal systems. In general, the 2009 Gulf of Thailand Meeting was in favour of the promotion and support to the development of a range of bi-lateral (and if feasible/applicable tri-lateral) agreements.

Developments since the 2nd Gulf of Thailand Meeting, February 2009

SEAFDEC and the SEAFDEC-Sida Project has not been able to follow up with individual Gulf of Thailand countries as the project focus has been on the Andaman Sea under the present Project. As the anticipation of a follow on UNEP/GEF Project with a focus on the continued

development of the integration of fisheries and habitat management by establishing a sequence of *refugia* in the Gulf of Thailand (and South China Sea) has not yet been approved by the GEF there has been a weakening of the momentum. SEAFDEC and the Project have been trying to follow up on developments in coastal areas through dialogue with the Wetlands Alliance, the Learning Institute and others. With regard to the management of fishing capacity and to combat IUU fisheries some advances have been made, involving Gulf of Thailand countries through the organization of regional events (see below).

Workshop on Fishing Vessel Record and Inventory, 27-29 July 2009, Satun Province, Thailand

The Southeast Asian Fisheries Development Center (SEAFDEC) organized the Workshop on Fishing Vessel Record and Inventory from 27 to 29 July 2009 in Satun Province, Thailand. The workshop followed-up on the recommendations made at the Expert Meeting on Fishing Vessel Registration held in 2008 on matters such as the possibility of information sharing in the region on records and/or registers of fishing vessels. The main objectives of the Workshop were to get clear feedback on the draft "Fishing Vessel Record and Inventory Forms" together with a schedule/indication on responses to be provided to SEAFDEC in order to build up a regional "vessel record and inventory" with the longer term aim to improve registration of fishing vessels and to improve the regional cooperation of information sharing in the ASEAN region.

An important message from the workshop was that it was generally recognised by the workshop that good cooperation between the authorities/agencies involved in the process of registration and licensing is essential to provide the information needed for effective fisheries management. The Workshop recommended that SEAFDEC should consult with participating countries to explore if there is any indication of facilitation needed such as a small seminar to bring agencies together that are involved in the process of registration and licensing. Such a seminar could also be requested to provide inputs (numbers of vessels) to the regional (and global) record.

Expert Consultation on Managing of Fishing Capacity to Combat IUU Fishing, 15-17 September 2010, Bangkok, Thailand

The Expert Consultation on Managing Fishing Capacity to Combat IUU Fishing in Southeast Asia was organized in Bangkok, Thailand from 15 to 17 September 2010. The Consultation was mainly aimed at following up on the recommendations by ASEAN and SEAFDEC member countries on the need to look beyond international agreements and conventions relevant to combating IUU fishing and to identify elements for sustainable fisheries management and controlling fishing efforts to combat IUU fishing in the Southeast Asian region. The Consultation discussed a range of key aspects with regards to combating IUU fisheries and the management of fishing capacity. The discussions and recommendations are available in reports from the meeting and further reflected in the following section (Rationale and Objectives). Topics for the Consultation included aspects such as 1) Regional and sub-regional cooperation/coordination; 2) the need to review legislation; 3) mobilizing lead countries for AFCF key clusters; 4) Training/capacity building; and 5) information sharing. There were specific recommendations provided on Vessel record and inventory as an input to information sharing; Fishing vessel registration and fishing license (vessel, gear and people) and institutional and legal responsibilities including safety at sea aspects; Catch documentation schemes available to register catches (log books, etc.); Port Monitoring (Including of landings by vessels from neighboring countries); Certification schemes to address the range of items that might need to be certified, by whom and how (catches, landings, environmental, social/labor, etc.); Monitor, Control and Surveillance-development of MCS Networks (based on existing initiatives in sub-region of Southeast Asia, linking with RPOA, ASEAN and SEAFDEC).

Regional Technical Consultation on Adaptation to a Changing Environment, 1 – 4 November 2010 in Bangkok, Thailand

The Regional Technical Consultation on Adaptation to a Changing Environment was organized on 1-4 November 2010 in Bangkok, Thailand. The Consultation included three main thrusts, namely: 1) Integration of fisheries into the ASEAN Economic Community and trade related matters; 2) Recommendation on Climate Change and responses by the sector and by people involved in and dependent on fisheries and fisheries Products (adaptation to and/or mitigation of); and 3) Livelihoods in coastal and inland fishing communities, and working opportunities for fisherfolk and migratory work force in the fishing sector (including post-harvest and processing).

Major changes for people in the region can be foreseen in the development of the ASEAN Community by 2015 and onwards, including both opportunities and threats. However, the rights of smaller coastal and inland communities, including their respective cultures, languages and religions, are guaranteed in national constitutions, in international conventions and the ASEAN Charter (Article 2) and Community Blueprints These rights should be respected accordingly in processes ahead in facing challenges, opportunities and threats to the development of the ASEAN Community. A major question is to what extent these rights can be secured.

Southeast Asia is dependent on the seasonal variety of the monsoon and variations in the climate. Hydrological and oceanographic patterns are important for the life-cycle of aquatic resources. Through actions by humans important habitats, including bio-diversity, are threatened through environmental degradation and destructive fishing. Over-fishing is a problem leading to reduced availability of fisheries products. Erosion is a serious problem and constructions (dams, roads, etc) in and around watersheds is impacting on the on the interconnectivity in the river systems affecting migration and spawning of fish. Livelihoods of inland and coastal communities are threatened. Immediate action is needed to combat negative trends both inland and offshore. Effects of climate change acts, in general terms, as a “stressor” or add to existing problems including that of frequency of storms, typhoons, etc.

1st Meeting of the Andaman Sea Sub-region, Phuket, Thailand, 20-22 October 2009

The First Meeting of the Andaman Sea Sub-region was organized by the Southeast Asian Fisheries Development Center (SEAFDEC) in Phuket, Thailand from 20 to 22 October 2009. The approach of the meeting was to build upon the experiences from the process of promoting sub-regional management arrangements that has already been ongoing for the Gulf of Thailand through the series of sub-regional meetings in 2008 and 2009. The Meeting could refer to the recommendations made during such meetings while initiating processes aiming towards suitable management actions for the Andaman Sea Sub-region. Specifically, the Meeting aimed to provide a venue to explore options to lay the foundation for the introduction of larger fisheries resources conservation areas (*refugia*) by initiating a dialogue with the countries around the Andaman Sea as well as promoting collaboration among agencies and organizations working on fisheries, environment and marine and coastal resources management in the Andaman Sea, and review and provide action-oriented recommendations in the Andaman Sea context on key issues of regional concern such as habitat management, fishing capacity, IUU fisheries, vessel registration, among others.

Similar to the Gulf of Thailand and among other things, the Meeting agreed that the MCS Network should be developed for the Andaman Sea Sub-region, where each relevant country should identify the institutions working on M, C and S, respectively and provide information on the relevant laws and regulations. From such information, the common concern, concept, practice or common legal framework would be synthesized to form a basis for the development of the MCS Network for the Andaman Sea Sub-region. Furthermore, the Meeting also agreed that a network on larger fisheries resources conservation areas (*Refugia)* should be initiated for the

Andaman Sea Sub-region taking into consideration the *Refugia* network in other ASEAN regions, including the Gulf of Thailand, as developed under the UNEP/GEF/South China Sea Project (in cooperation with SEAFDEC), and the efforts of India (in the Andaman-Nicobar Islands) as well as those of BOBLME and MFF in the development of *Refugia* in the Andaman Sea area.

Regaining the momentum in the Gulf of Thailand in promoting sub-regional cooperation

In the perspective of allocating potential additional resources to support sub-regional cooperation in the Gulf of Thailand from 2012, there is good justification to organize a 3rd Gulf of Thailand Meeting to regain some of the momentum created by earlier activities including sub-regional consultations and on-site events in Vietnam, Cambodia and Thailand.

II. RATIONALE AND OBJECTIVES OF THE MEETING

The intention with this Third Gulf of Thailand Meeting, is to provide a venue to review and provide action oriented recommendations in the Gulf of Thailand context on key elements that has been raised as being of regional concern, such as fishing capacity, IUU fisheries, vessel registration, port monitoring etc. Furthermore, the meeting will follow up on items identified during the March 2008 Gulf of Thailand Meeting such as cooperation on trans-boundary fisheries and habitat management – options for joint approaches to Indo-Pacific mackerel (Pla Too), and related species to indicate suitable actions for continued work at the sub-regional level.

The ambition to invite participants from different agencies is an attempt to improve the dialogue, not only between countries, but also between key institutions involved in matters such as vessel registration and habitat management together with the more fisheries specific agencies. The broader institutional presence will also provide an opportunity for the group of "legal advisors" to get feedback from more implementation oriented people on the scope, purpose and context of existing and planned (under preparation) legal and regulatory framework. In summary SEAFDEC will host the meeting (with support from the SEAFDEC-Sida project) with a main purpose to follow up on actions suggested during previous meetings such as those indicated above.

I. EXPECTED OUTCOMES

Updates and information on recent developments

1. Information provided on recommendations from the Second Gulf of Thailand meeting in February 2009 (and the sequence of on-site events organized by SEAFDEC in Phu Quoc, Kampot, Koh Kong and Trat).
2. Information provided on developments in the region since February 2009 and recommendations provided of relevance to the management of fishing capacity, port monitoring and combating IUU fishing.
3. Indications provided on selected global and international instruments and its relevance to fisheries and habitat management (and to combat IUU fishing).

Fisheries and habitat management/refugia and trans-boundary stocks

4. The criteria for defining suitable (larger) fisheries resources conservation areas (*refugia*) as indicated by the February 2009 Gulf of Thailand Meeting reconfirmed.
5. Updates provided on the status of important habitats and the establishment of "management areas" (MPA's, trawling free zones, closed seasons, wildlife sanctuaries, etc) and location of established/planned/indicated *refugia* (UNEP/GEF/SCS).
6. The migration and spawning patterns of important species in the Gulf of Thailand discussed and indicated.

7. Agreements provided on steps to take to establish (larger) fisheries resources conservation areas (*refugia*) including, as recommended, sub-sub-regional and on-site events and areas for cooperation.
8. The abundance and migratory behavior of the Indo-Pacific mackerel and related fish stocks determined or indicated for the western and eastern part of the Gulf of Thailand including indications on additional research needed.
9. Recommendations provided on Indo-Pacific mackerel ("pla too) and related fish stocks as suitable targets for "sub-regional" or "sub-sub-regional" arrangements together with area of cooperation and concrete steps to take to move in that direction.
10. Indications on the values and scope of a sequence of on-site and/or sub-sub-regional events to promote sharing of information, experiences and learning/capacity-building (building upon the sequence of on-site events organized by SEAFDEC in Phu Quoc, Kampot, Koh Kong and Trat).

MCS networks, vessel record, port monitoring, catch documentation and IUU fishing

11. Elements to be addressed in the process to initiate the establishment of a MCS Network for the Gulf of Thailand identified and/or reconfirmed based on February 2009 suggestions (starting with information sharing).
12. The MCS-matrix revisited: Based on the institutional "matrix" on Monitoring, Control and Surveillance Network for the Gulf of Thailand key institutions identified for the establishment of a MCS Network.
13. Indications provided on steps to take to design/develop and implement a cost-effective MCS System that allow for the integration of institutional responsibilities of relevant (key) institution/agencies and the needs of the Gulf of Thailand Countries.
14. Recommendations provided to ensure active involvement on the part of fishermen in the conduct of Community-based MCS and in resources conservation (link to habitat management).
15. Capacity-building needs with regards to monitoring, record and control in the Gulf of Thailand identified together with key thematic areas.
16. Strengthened coordination and collaboration among neighboring countries in the Gulf of Thailand to facilitate information sharing including identified steps to take to design and implement an (integrated) system for information and data management for the MCS Network.
17. A plan laid out for steps to take to share information on vessel registration and the process to issue licenses to fish (vessels, gear and people) with recommendations on suitable process for information sharing.
18. Based on the "flow chart" indicating institutional responsibilities at various stages of the vessel registration and in providing licences to fish indicate capacity building needs including institutional development to be able to provide information on larger and smaller vessels.
19. Gulf of Thailand Countries informed on the recommendations on September 2010 discussions on the Vessel Record and Inventory Form and recommendations provided by the Meeting on how best to follow up with each of the countries to assess the fishing capacity in the Gulf.
20. Identify the prospects of developing or design a monitoring mechanism to track and identify local and foreign fishing vessels operating within the vicinities of the Gulf of Thailand, with reference to larger and smaller vessels respectively.
21. Prospects of developing improved port monitoring routines indicated together with recommendations on capacity building needs in response to international requirements.
22. Recommendations provided on steps to take to monitor landings by "neighbouring" vessels and landing across boundaries (as a follow up to "port monitoring") including options to verify the origin and volume of the landed catch, including the location of fishing ground

where the fish was caught or fishing ground.

23. Gulf of Thailand countries recommendation of suitability of the Gulf of Thailand Group as to further design mechanisms or systems that will comply with FAO Port State Measures and the EU requirements on catch documentation and traceability, including needs to develop systems for certification and/or validation purposes.
24. Recommendations provided on the need to promote a sub-sub-regional or bi-lateral approach to meet requirements for port monitoring, catch documentation, certification, etc. (could well be linked to sub-sub-regional and on-site events indicated above for fisheries and habitat management).

Sub-regional cooperation, sub-sub-regional cooperation and bilateral arrangements

25. Awareness raised among participating institutions from around the Gulf of Thailand on benefits of regional/sub-regional cooperation and inter-sectoral cooperation to promote appropriate fisheries and habitat management to achieve sustainable development.
26. Strengthened cooperation/coordination/collaboration of the various sectors and national agencies concerned/involved in fisheries and habitat management including the management of fishing capacity and combating illegal and destructive fishing in the Gulf of Thailand.
27. Recommendations provided on further steps to provide a broader understanding on the context of legal and regulatory framework among the four Gulf of Thailand countries including recommendations on the clarifications/improvement of legal aspects of fisheries management.
28. Identification of critical steps to develop trans-boundary or sub regional agreements for cooperation on fisheries issues related to habitat and fisheries management in the process revisit the bilateral agreements (Kampot – Kien Giang and Trat – Koh Kong) drafted and facilitated by the UNEP/GEF/SCS Project.

Annex 5

Agenda

Agenda 1	Opening of the Meeting
Agenda 2	Background of the Meeting, Adoption of the Agenda and Arrangement of the Meeting
Agenda 3	Review on the Implementation of the Recommendations of the Gulf of Thailand Meeting in 2009 and the sequence of on-site events organized in Phu Quoc, Kampot, Koh Kong and Trat
Agenda 4	Follow up on the Recommendation at the Expert Consultation on Managing Fishing Capacity to Combat IUU Fishing
Agenda 5	Information on selected global and international instruments and its relevance to fisheries and habitat management (and to combat IUU fishing), include references to ASEAN Community Development
Agenda 6	Fisheries and habitat management/*refugia* and trans-boundary stocks and habitats
	6.1 Discussion on the establishment of fisheries resources conservation areas (*Refugia*)
	6.2 Discussion on trans-boundary stock and habitats and sub-regional arrangement/cooperation
Agenda 7	Strengthening Monitoring Control and Surveillance (MCS) in the Gulf of Thailand and related actions
	7.1 MCS Networks and the establishment in the Gulf of Thailand (the MCS network revisited) and aspects on “community-based” MCS
	7.2 Cooperation through the Vessel Registration System, Vessel record and inventory
	7.3 Vessel record and inventory – building upon existing information (followed up with individual countries)
	7.4 Port Monitoring and Monitoring of Landings by “neighbouring“ country vessels
	7.5 Catch documentation and certification/validation
Agenda 8	Way forward for Sub-Regional, sub-regional and bilateral cooperation on the integration of fisheries and habitat management, including efforts to combat IUU fishing in the Gulf of Thailand and responses to climate change
Agenda 9	Plenary discussion
Agenda 10	Conclusion, recommendation and follow up actions
Agenda 11	Closing of the Meeting

Annex 6

Review on the implementation of the recommendation of the GOT Meeting in 2009, and the sequence of on-site events

Mr. Aung Nyi Toe
Regional Fisheries Policy Network for Myanmar

Southeast Asian Fisheries Development Center/Secretariat, P.O. Box 1046, Suraswadi Building, Ladyao, Chatuchak, Bangkok, 10903, Thailand

Review on the implementation of the recommendation of the GOT meeting in 2009, and the sequence of on-site events

3rd Sub-regional Meeting on the Gulf of Thailand

20-22 September 2011, Siem Reap Cambodia

Issues discussed at the Gulf of Thailand Sub-region Meetings

- 2-Sub-Regional meetings on the Gulf of Thailand organized in 2008 and 2009, respectively.
- Attended by representatives from Cambodia, Malaysia, Thailand and Vietnam as well as relevant International Organizations
- Issues on the fisheries and habitat management and fishing capacity, IUU fisheries ,vessel registration, migratory species, fisheries resources conservation areas (*refugia)* were discussed in context of the Gulf of Thailand sub-region.
- Raised awareness on the need for better management including knowledge and relevant practices with regard to the adaptation and responses to natural hazards.

Review on recommendation of 2nd GOT meeting

- follow-up and cooperation on the Vessel Registration/Vessel record
- Port Monitoring and Monitoring of landing by "neighboring vessels"
- Development of MCS network – institutional responsibilities of M C and S respectively
- Sub-Regional cooperation for combating IUU fishing in the GOT
- Cooperation on trans-boundary fisheries and habitat management-options for joint approaches to indo-pacific mackerel and related spp
- Dialogue on fisheries Laws and Legal Matter related to provide understanding on limits and opportunities of existing national laws
- Cooperation on trans- boundary issues and opportunities-Promotion of bi-and trilateral dialogue exploring options for agreements

Follow up and cooperation on the vessel Registration/Vessel record

- Cooperation among agencies should be established.
- Mechanism for information sharing should be developed by establishing a network.
- Collaboration between government agencies and fisheries associations assist in collecting information on small-scale fishing vessels.

Port Monitoring and Monitoring of landings by "neighboring" vessels

- Strong emphasized the "need to have good port monitoring"
- To establish a cooperation mechanism for port monitoring.
- Address and monitor the landings of "neighboring country vessels"
- Based increasing demands on traceability, catch documentation and to combat IUU fishing.

Development of MCS network -institutional responsibilities of M C and S respectively

- The establishment of an MCS network was initiated.
- Develop and build upon the Institutional Matrix to identify key MCS network partners
- Sharing of information and institutional cooperation should be enhanced

Sub- Regional Cooperation for Combating IUU fishing in the GOT

- RPOA was introduced to promote joint efforts to combat IUU fishing based on a sub-regional approach
- Existing RPOA framework is a basic mechanism for information sharing between sub-regions and matching priorities between sub-regions, with Thailand and SEAFDEC in a lead for the process among GOT countries

cooperation on trans-boundary fisheries and habitat management- options for joint approaches to Indo- Pacific mackerel(Pla Too) and related species

- UNEP/GEF/SCS, together with SEAFDEC promote establishing *refugia*
- Information collection and sharing on spawning area, migration, habitats, etc
- Information sharing could link to the MCS network and could indicate areas and needs for to additional research
- Indicate need for bilateral arrangements to habitats and trans-boundary stocks, such as *Rastrelliger* spp, seagrass beds, etc

Fishery Laws and Legal Matters Related to Key Issues in the sub- region

- Opened a platform for legal advisors to share experiences on "fisheries laws and legal matters" based on existing national laws.
- Emphasized the basic importance for regional and sub-regional cooperation including bi-and trilateral agreements.
- Information shared among all countries – efforts should be made to increase awareness.

Promotion on HRD activities on fisheries management by SEAFDEC-Sida project (2003-2006)

- In 2003-2006, SEAFDEC-Sida project implemented activities related fisheries management to work towards the achievement of sustainable fisheries.
- HRD is important to improve understanding and knowledge at all levels.
- On-site training and National Workshops conducted for HRD on fisheries management in Trat, Kampot, Koh Kong and Phu Quoc in 2005-2006.

Issues identified at the On-site Trainings and National Workshops around the GOT countries

- Excess fishing capacity, decreased coastal resources and illegal and destructive fishing (particularly push nets and trawls in coastal areas) were a major concern in the Gulf of Thailand.
- Unorganized policy for development and management of coastal resource use and weak translation of the policy into action;
- Unclear institutional arrangement and weak institutional capability for coastal fisheries management particularly at the local level;
- Ineffective implementation of existing management measures and law enforcement;
- Limited coordination among agencies concerned; and
- Limited participation of resource users and local administrative organizations in development planning and management of coastal resource use.

Points were recommended at the On-site events

-Fisheries should be integrated into sustainable development and management of coastal areas, by balancing aspects on – social, economic, and environment/ ecological.

-Concepts and requirements for establishment of fisheries *refugia* introduced and its role in the Management of Fishing Capacity.

- Conservation and management of aquatic species should be incorporated into the coastal resource management plan, which includes the use of fisheries *refugia* as a management tool.

-Promote human capacity building for the management of coastal resources utilization by mobilizing the lesson learned from initiatives based on the experiences in other related projects.

Points were recommended at the On-site events

-Empowering community and strengthening local institutions are key elements of capacity building for sustainable coastal resource management including adaptation to effects of climate change.

-Data collection techniques are important to obtain reliable data and information. Community should be involved in the process to ensure that the results are realistic.

-Policy framework for sustainable coastal fisheries development and management should be developed as a basis for actions to be taken at the provincial and local levels.

-Strengthening coordination mechanisms among agencies and at various levels for Coastal Resource Management.

Points were recommended at the On-site events

-Management and conservation of habitat and trans-boundary resources, dialogues among neighboring areas/countries should be initiated and supported by collaborative mechanism for sharing information and expertise.

-Networking of national and provincial centers in the management of the use and conservation of coastal resources, and social well-being, at the sub-regional and regional level could facilitate sharing of information and experience.

Priority areas based on the on-site events

- Management of fishing capacity, combat illegal/destructive fishing.
- Develop data and information management system (collection, storing and retrieval, analysis, reporting, dissemination and user-friendly presentation).
- Research on issues of site specific relevance with community involvement.
- Participatory decision-making and project planning.
- Strengthen local organizations and networking.
- Efforts to monitor and record fishing capacity to further promote sustainable development of coastal resources management and to combat illegal fishing.

Annex 7

Lesson Learn From Coastal Cambodia, Promoting Community Fisheries

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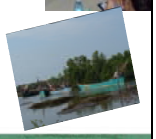
About The Learning Institute

People and Natural Resources

Formerly known as Community Based Natural Resources Management ***(CBNRM)*** *Learning Institute*

- Non-profit, non-political Cambodian organization
- Working with a wide range of civil society, public and private sector organizations
- Contribute more effectively to the sustainable management of natural resources
- In partnership with Fisheries Administration
  - Technical Working Group for Fisheries (TWGF)
  - Department of Community Fisheries Development
  - Gender working group
  - Fisheries Administration Cantonments



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Approach

Participatory Approaches

- Action research
- Capacity development for people involved in natural resource management at local, sub-national and national level
- Information: Learning & Sharing
- Field based & local community

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Results

Using our approaches, we are trying to:

- Try to improve local governance
- Empower local community
  - women
  - men sensitivities
- Lead to community ownership
- Still limit within our mandate
- Work closer with Gov't agencies

Results

By achieving.....

- Assess the coastal livelihoods
- Small-Scale Fisheries Study
- Crab bank Assessment
- Women roles in Community Fisheries
- Promoting Women Leadership Role in Community Fisheries
- Successful story of Women's Participation in Resource Management
- Gender Tanning

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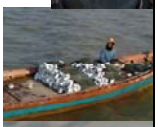

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Publication: Fisheries

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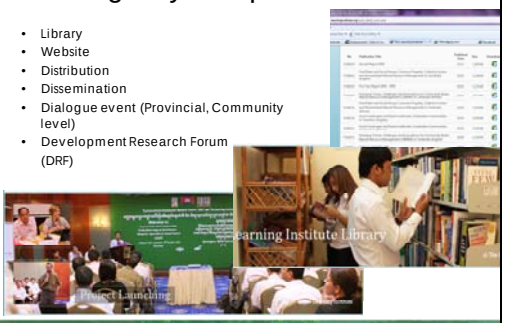
Moving beyond publication

- Library
- Website
- Distribution
- Dissemination
- Dialogue event (Provincial, Community level)
- Development Research Forum (DRF)



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For community level

Reflection

- Majority is small-scale fisher with subsistence fishing capacity
  - Crab, shrimp, squid
- Community Fisheries spread across the coastal provinces (Kep, Kampot, Preah Sihanouk and Koh Kong)
  - Working on institution development
- Community play vital role in offshore habitat protection
  - Sea grass
  - Mangrove
- Local participation in resources management is not yet fully
  - Some still focus more on daily livelihoods
  - More women are likely visible

Next

- Go on with promoting local participation, governance and ownership in coastal resource management
- Assess the truth of Climate Change
  - Local Knowledge and action
  - Local perception
  - Future of local adaptation

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Thanks

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Annex 8

Review the recommendation from the Expert Consultation on Managing Fishing Capacity to Combat IUU Finishing in Southeast Asia, 15-17 September 2010, Bangkok, Thailand

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- In September 2010, the Expert Consultation on Managing Fishing Capacity to Combat IUU Fishing was organized in Bangkok.
- Attended by ASEAN-SEAFDEC Member Countries, international organization (FAO, RPOA, IMO)
- Discussed on the elements for improvement of fishing management, control fishing effort and combat IUU fishing

Key Areas to manage and control fishing, fishing capacity and fishing efforts

KEY AREAS

1. *Fishing Vessel Registration, Fishing License, and Institutional and Legal Responsibilities*
2. *Vessel Record and Inventory*
3. *Catch Documentation Schemes*
4. *Port Monitoring*
5. *Certification Schemes*
6. *Development of MCS Network*

A. General Points

1. Strengthen cooperation and build upon the lead countries for AFCF "*key clusters areas*" under AFCF framework.
2. Establishment of National Plan of Action (NPOA) to Promote Responsible Fishing Practices including Combating IUU Fishing. This should involve a range of concerned sector agencies.
3. Establishment of a regional network to facilitate the compilation of information on blacklisted vessels or vessels that are known to practice IUU fishing.
4. Prioritization of the issues of the RPOA to combat IUU fishing in the region.

A. General Points

5. Strengthen information sharing on the initiatives of the countries in combating IUU fishing especially on classification, procedures, etc. relevant to both large and smaller scales fishing in the region.
6. Development of a common mechanism to improve and combat IUU fishing.
7. Establishment of regional (and sub-regional) guideline/ criteria/standard for combating IUU fishing through improvement fisheries management & fishing capacity
8. Providing assistance to national institutions in strengthening fisheries management framework with the aim of eliminating IUU fishing.

A. General Points

9. Strengthening the national capabilities in formulation of national legislation by involving policy maker, manager and related stakeholders in the process.
10. RPOA and SEAFDEC should provide a clear definition on fishing vessels, refrigerated transport vessel, supply vessel, transshipment vessel, reefers.
11. Promote utilization of VMS and develop low cost vessel tracking system suitable for ASEAN countries
12. Scaling up/down efforts of MCS as practical include local level initiatives and promotion of community-based MCS.
13. Promotion of measures to combat IUU fishing in inland fishery

B. Specific Points

I. Fishing Vessel Registration, Fishing License, and Institutional and Legal Responsibilities

1. Fishing vessel registration and fishing license should be clear defined especially to the fishers and relevant stakeholders.
2. SEAFDEC should update the fishing vessel registration and fishing license flowchart and institutional responsibilities to cover all the ASEAN member countries.

Cont..1/5

II. Vessel Record and Inventory

1. Countries were requested to submit their existing fishing vessel registration and licensing formats to SEAFDEC and RPOA SEC for consolidation and further discussion.
2. Countries should involve concerned agency such as maritime department in development of fishing vessels record and inventory
3. Countries should report and update their FVs status (number,size,etc) by national categories to provide a clear picture of fishing capacity status in the region

Cont..2/5

III. Catch Documentation Schemes

1. Countries were requested to share good examples of their successful applications in catch documentation and validation to combat IUU fish.
2. SEAFDEC/TD should develop appropriate training program for trainers on the implementation of the catch documentation scheme.
3. SEAFDEC/Sida was requested to facilitate the meeting on catch documentation and validation of catches being landed in neighboring country ports.

Cont.. 3/5

IV. Port Monitoring

1. Common criteria/guidelines on port monitoring should be applicable by the countries in the region to develop systems for port inspection and validation.
2. Development of guidelines or standard procedures for port monitoring should *involve lawyer in the process*. (Annex B PSM Agreement)
3. Strengthening national capacity building in various aspects including flag state and port state, port inspection, documentation and *training for inspectors* and port officers (Annex E PSM Agreement)

Cont.. 4/5

V. Certification Schemes

1. Countries should consider market-based measures as tools to combat IUU fishing.
2. Consider and examine the social and working conditions of all those producing fish and fishery products, subsequently, indicate where social certification might be option to demonstrate the legality of fisheries operations.
3. Consider the promotion of "branding" for products produced in sustainable and equitable way.
4. Ensure the use of sustainable sources of fish meal and consequence effect on the trade of aquaculture products under certification requirements.

Cont.. 5/5

VI. Development of MCS Network

1. SEAFDEC should conduct training on MCS using as reference the RPOA-endorsed curriculum or other suitable modules.
2. RPOA and SEAFDEC should provide recommendations on the implementation of MCS network at sub-regions.
3. Undertaking joint surveillance activities among ASEAN countries as well as with neighboring countries such as Australia, Timor Leste and PNG, or with India in Andaman Sea, China in Northern South China Sea/Gulf of Tonkin.

Annex 9

Progress of the Work under RPOA Work plan and Activities 2011

Mr. Budi Halomoan
Head, Program Division

Secretariat Directorate General of Marine and Fisheries Resources Surveillance
Ministry of Marine Affairs and Fisheries, Indonesia

THE 3rd MEETING OF THE GULF OF THAILAND
Siem Reap, Cambodia, 20–22 September 2011

PROGRESS OF THE WORK UNDER RPOA WORKPLAN AND ACTIVITIES 2011

RPOA Secretariat
www.rpoa.sec.kkp.go.id

OBJECTIVES & FRAMEWORK

- **To enhance and strengthen**
  the overall level of fisheries management in the region, in order to sustain fisheries resources and the marine environment, and to optimise the benefit of adopting responsible fishing practices.
- **The actions**
  cover conservation of fisheries resources and their environment, managing fishing capacity, and combating illegal, unreported and unregulated (IUU) fishing in the areas of the South China Sea, Sulu-Sulawesi Seas (Celebes Sea) and the Arafura-Timor Seas.
- **A voluntary instrument and takes its core principles**
  from already established international fisheries instruments for promoting responsible fishing practices, including UNCLOS, UNFSA, FAO 'Compliance Agreement' and 'Code of Conduct for Responsible Fisheries', and IPOA.

RPOA WORKPLAN 2011 – Progress

Strengthening Legal, Administrative, and Policy Frameworks

1. Harmonize Fisheries Legislation

- Completed report on Model Fisheries Legislation Study for participating countries
- Published on RPOA Web
- Countries to report the improvements taken, after study completed and circulated

2. Framework for human and institutional capacity development

- Framework agreed in the RPOA workshop on human and institutional capacity building for marine capture fisheries management amongst RPOA countries (29 – 30 Nov-2010)
- Summary of Capacity Development Priorities including strengthening (i) fisheries management planning, (ii) fishing capacity management, (iii) information system, (iv) scientifc and economic basis for fisheries management, (v) effective decentralization, (vi) MCS, (vii) regional/international cooperation, and (viii) legal, policy and administrative support
- Finalized framework to be endorsed in the 4th RPOA CC meeting
- Countries to review it and identify priority programs/projects-potential donor agencies/regional organisations to progress

3. Strengthening cooperation and building linkages programs with Fisheries Regional Bodies

- RPOA Term of Reference (ToR) circulated to RPOA Advisory Bodies-SEAFDEC, FAO APFIC, Worldfish Centre, InfoFish and Coral Triangle Initiative seeking advice and close cooperation on areas of mutual interest
- Their advice/comment will be discussed further during 4th RPOA CC

Strengthening Regional / International Cooperation

4. Implementation FAO Port State Measures Agreement

- Countries to consult internally on and to report to the Coordination Committee on action taken.

5. FAO PSM Capacity Building Workshop

- Inspector training workshop on FAO PSMA, attended by participants from RPOA participating countries, including Solomon Island as observer (June, 2011)

6. Share of Information

- Countries to continue share information on experiences, regulations and IUU listed vessels (surveillance, inspection reports) on RPOA website. Secretariat to include website links to RFMO IUU Vessel Lists.

7. **Countries to designate and publicise the ports to which vessels may request entry on their national websites, consistent with FAO Port State Measures Agreement.**
8. **Public Information Campaign (PIC)**
   - o As the lessont learnt for RPOA countries, existing joint Australia-Indonesia program on PIC to be reviewed. The review will include comments on extending PIC into other RPOA countries, including various stakeholders.
9. **Vietnam to organise a workshop to assess the impacts of the EC Regulations on small scale fisheries.**

RPOA UPCOMING EVENT - 2011

- **Workshop review on Joint Public Information Campaign Indonesia-Australia (October 2011)**
  - o The objective is to identify lessont learnt and to discuss its development for the extension into RPOA countries
- **The 4th RPOA Coordination Committee Meeting (Cambodia, 1 – 5 November 2011)**
  - o Will be attended by representatives from 11 RPOA countries, RPOA Advisory Bodies, and other relevant regional initiative such as CTI
  - o To evaluate RPOA workplan 2011 and to agree workplan 2012
- **Vietnam to organise a workshop to assess the impacts of the EC Regulations on small scale fisheries (Vietnam, Dec 2011).**

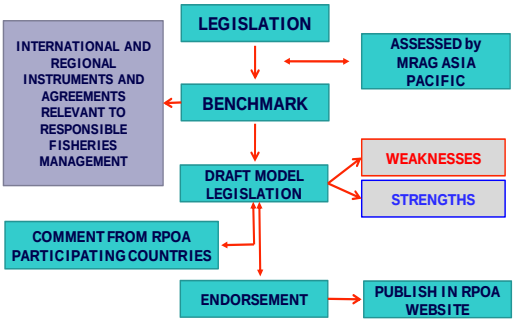
Follow up from Expert Consultation on IUUF

- **FAO PSM Capacity Building Workshop:**
  - o Inspector training workshop on FAO PSMA conducted in Malaysia, 7 – 10 June 2011
- **Vietnam to organise a workshop to assess the impacts of the EC Regulations on small scale fisheries (Vietnam, Dec 2011).**
- **Building MCS Network in the three of RPOA subregion**
  - o Share information between subregion on IUU list is continuing to be developed
  - o Southern-eastern area of SCS and Sulu-Sulawesi : (i) adopt best practices, (ii) exchange and attachment official among MCs, (iii) information sharing on license vessels, apprehended vessel committing IUU, (iv) notification of innocent passage, (v) regular capacity building programs.

Follow up from Expert Consultation on IUUF

- **Building MCS Network in the three of RPOA subregion**
  - o Arafura-Timur Seas: Will arrange meeting at the end of this year to discuss evaluate and agree next workplan. Issues (i) to analyse whether the vessel doing transhipment-report mechanism, (ii) the importance of air surveillance and coordinated patrols, (iii) to consider MoU arrangement on MCS operation, (iv) exchange data on supply vessel/mothership, and (v) training on boarding, evidence collection
- To review fisheries legislation

MODEL LEGISLATION



MODEL LEGISLATION

Benchmark under international and regional instruments and agreements relevant to responsible fisheries management:

- Ecosystem Approach to Fisheries Management
- Data Collection, Monitoring and Research
- Management Plans
- Fishing Vessel Registration
- Flag State Authorisations to Fish and Effective Control over Nationals
- Authorisations to Fish by the Coastal State
- Monitoring, Control and Surveillance
- Port State Controls
- Catch Certification and Other Trade Measure
- Tracking Proceeds of Illegal Fishing
- Reporting Requirements

MODEL LEGISLATION

STRENGTHS

- **States with recently updated legislation have introduced the concept of ecosystem based fisheries management and/or included related objectives of sustainable management and conservation. These countries include Indonesia, Papua New Guinea, the Philippines, Timor-Leste, Vietnam and to a lesser extent Cambodia.**
- **Some countries have introduced the requirement for management plans including Australia, Cambodia, Malaysia, Papua New Guinea and Vietnam.**
- **Vessel registration systems are established in all RPOA member countries except Brunei Darussalam and Cambodia (which requires registration but provides no elaboration of requirements).**
- **All countries have implemented at least a basic form of general licensing of commercial fishing activities.**

MODEL LEGISLATION

STRENGTHS

- **The development and implementation of legislative capacity to track the proceeds of illegal fishing is a new field, although Indonesia, Australia, Vietnam, Thailand, Singapore and Papua New Guinea have developed initial legislation and implementing systems. Such work has commenced in Timor-Leste and Cambodia; systems are in place in Malaysia and Brunei Darussalam but with limited effectiveness.**

WEAKNESSES

- **The vessel registration systems are weakened in most cases by the absence of a requirement to take into account the history of flagging, ownership and compliance of vessels with fisheries laws.**
- **A consistent weakness across numerous states was the absence of measures to exercise effective port state controls over fishing vessels including designation of ports and the requirement for advanced notice of entry.**

MODEL LEGISLATION

WEAKNESSES

- **The concept of catch certification has been given a recent increase in profile by the introduction of the European Union (EU) Regulation 1005/2008. As expected, a response to the regulation (which requires the production of a catch certificate with every consignment of wild caught seafood product entering EU member countries) has not been reflected within the legislation of RPOA member countries at this early point.**

CAPACITY BUILDING

INSPECTOR TRAINING WORKSHOP ON THE FAO PORT STATE MEASURES AGREEMENT, JOHOR BAHRU, MALAYSIA 7-10 JUNE 2011

The objectives:

⇒ To give an overall picture on PSMA and ensure that participants are:

- Familiar with the background, international legal context and purpose of Port State Measures
- Agreement (PSMA) ;
- Conversant with the relevant provisions of the PSMA and its purpose in combating IUU fishing;
- Trained in inspection procedures set out in PSMA ;

CAPACITY BUILDING

The objectives:

- Able to determine a sampling plan for vessel inspections and understand the importance of doing so;
- Familiar with PSMA documentation and the use of appropriate international coding in the completion of inspection documentation ;
- Appreciative of the information available on IUU fishing and informed of the relevant information sharing requirements of the PSMA ;
- Able to share their training experience, and provide further training in their home agency in accordance with the training requirements in PSMA.

CAPACITY BUILDING

Outcomes and Recommendations

Workshop indicated the following to be of primary importance:

- An exchange officer program or similar with experienced inspectors, in the conduct of
- practical on board inspections
- Country by country training
- Investigative and inspections skills
- Fish product identification
- Hold Volumetric
- Provision of an inspectors „tool kit" i.e. inspection forms, operating procedures, species
- ID charts etc placed centrally on the RPOA website

Annex 10

HRD and Awareness Building Programs for Sustainable Fisheries and Combating IUU Fishing in Southeast Asia

Ms. Panitnard Taladon
Head of Training and Extension Section

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HRD and Awareness Building Programs for Sustainable Fisheries and Combating IUU Fishing in Southeast Asia

TRAINING DEPARTMENT

Background

- IUU fishing can take place in all aspects of capture fisheries, both national and high seas waters
- Capacity-building has been widely recognized as the important tools/methods for human resource development.
- TD had proposed a program on **"Human Resource Development for Sustainable Fisheries"** which is implementing under the support of JTF II

THE REGIONAL WORKSHOP ON HRD PROGRAMS FOR SUSTAINABLE FISHERIES AND RELATED COUNTER-MEASURES TO COMBAT IUU FISHING IN SOUTHEAST ASIA
6-8 July 2011, Bangkok, Thailand

1. Provided a forum for information exchange on HRD programs for sustainable fisheries in the region;

2. Identified the needs and requirements on HRD programs in promoting sustainable fisheries and related counter-measures to combat IUU fishing in the region;

3. Established regional network to mobilize and strengthen cooperation in terms of HRD programs among the SEAFDEC Member Countries.

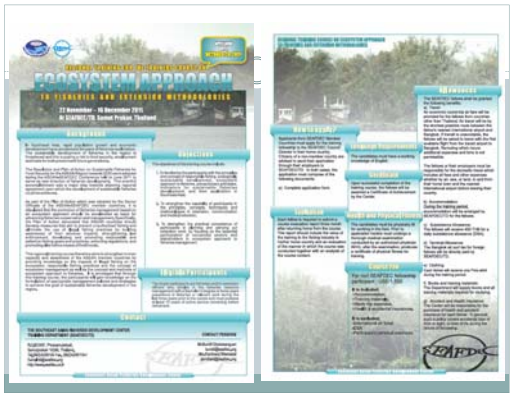
Training Course Titles (2011-2014)

Activity 1	Regional Training Course on Fisheries Management to Combat IUU Fishing
Activity 2:	Regional Training for the Trainers Course on Ecosystem Approaches to Fisheries and Extension Methodologies
Activity 3	Regional Training Course on Effective MCS System
Activity 4	Regional Training for the Trainers Program on Fishery Information and Statistics for Management of Marine (Coastal) Fisheries
Activity 5	National Training/Workshop on Fishery Information and Statistics for Management of Marine (Coastal) Fisheries

Regional Training Course on Fisheries Management to Combat IUU Fishing for Fishery Managers (6-15 September 2011)

Regional Training for the Trainers Course on Ecosystem Approach to Fisheries and Extension Methodologies
22 Nov. – 16 Dec. 2011, SEAFDEC/TD

- **To familiarize participants with the principles and concept of responsible fishing, ecosystem approach to fisheries and their application in Southeast Asia**
- **To strengthen capacity of participants in principle, concepts, techniques and methodologies in extension, communication and media production**
- **To strengthen practical competence of participants in planning and carrying out extension work by focusing on essential participation of concern sectors and stakeholders in ecosystem approach to fisheries management**



Other Projects

- **Improvement of Information Gathering System to Combat IUU-Fishing in Southeast Asian Region (TD)**
- **Promotion of Fishing License, Boats Registration System and Port State Measures (TD and MFRDMD)**
  - Regional Core Experts Meeting on Fishing License, Boats Registration and Information on Export of Fisheries Products in Southeast Asia, **from 4 to 7 October, 2011**, at Windsor Suites Hotel, Bangkok, Thailand

Annex 11

International instruments and its relevance to fisheries and habitat management (and to combat IUU fishing), including references to ASEAN Community Development

Ms. Pattaratjit Kaewnuratchadasorn
SEAFDEC-Sida Project Manager

SEAFDEC/Secretariat, P.O. Box 1046, Kasetsart Post Office, Bangkok 10903, Thailand

International instruments and its relevance to fisheries and habitat management (and to combat IUU fishing), including references to ASEAN Community Development

The 3rd Meeting of the Gulf of Thailand sub-region

20-22 September 2011
Siem Reap, Cambodia

Selected international instruments

- 1982 UN Convention on the Law of the Sea (UNCLOS)
- 1995 FAO Code of Conduct for Responsible Fisheries (CCRF)
- 1992 UN Conference on Environment and Development (UNCED)
- 1995 United Nations Fish Stocks Agreement (UNFSA)
- 2003 International Plan of Action for the Management of Fishing Capacity (IPOA–Capacity)
- 2001 International Plan of Action to Prevent, Deter, Eliminate Illegal, Unreported and Unregulated Fishing (IPOA–IUU)
- 2007 Model Port State Measures
- 2009 Agreement on Port State Measures to Prevent, Deter, and Eliminate Illegal, Unreported and Unregulated Fishing

Scheme comparison between fisheries and ecosystem management

Criteria	Fisheries Management	Ecosystem Management
Stakeholders and political base	Narrow, Essentially fishery stakeholders. Progressively opening to other interests	Much broader. Society-wide. Often with support from recreational and small-scale fisheries
Global instruments	1982 Law of the Sea Convention, 1995 UN Fish Stock Agreement, 1995 FAO Code of Conduct and 2009 FAO Port State Agreement	Ramsar Convention, UN Conference on Environment and Development and 1992 Agenda 21, Convention on Biological Diversity and Jakarta Mandate
Measure	Regulation of human activity inputs (gear, effort, capacity) or output (removals, quotas) and monitoring (MCS, ports) and trade measures	Protection of specified areas and habitats, including limitation or exclusion of extractive human activities. Total or partial ban of some human activities

Source: FAO Fisheries Technical paper 443, 2003 (with updates)

Ecosystem Approach to Fisheries

FAO Fisheries Technical paper 2003

"Balance diverse societal objectives, by taking account of the knowledge and uncertainties about biotic, abiotic and human components of ecosystems and their interactions and applying an integrated approach to fisheries within ecologically meaningful boundaries".

International concerns in Fisheries management

- 2009 FAO Agreement on Port State Measures to deter IUU fishing
- FAO Global Record
- EC Regulation no. 1005-2008 establishing a community system to deter IUU fishing

Growing concerns and regional responses

- ASEAN Economic Community Blueprint –"strengthen efforts to combat illegal fishing"
- ASEAN Socio-Cultural Coomunity Blueprint – priority on working conditions and migratory workers
- APFIC, ASEAN, RPOA, SEAFDEC give priority to the management of fishing capacity and to combat IUU fishing, including ref to IMO and ILO Conventions and others
- Cooperation→ Sub-regions: Arafura-Timor Sea, Sulu-Sulawesi, Gulf of Thailand, Andaman Sea

ASEAN-SEAFDEC Conference
on Sustainable Fisheries for Food Security Towards 2020
"Fish for the People 2020: Adaptation to a Changing Environment"
13-17 June 2011, Bangkok, Thailand

2011 ASEAN-SEAFDEC Resolution and Plan of Action

B. FISHERIES MANAGEMENT

7. Regularly review, update and strengthen national fisheries policy, legal and institutional frameworks through consultation and engagement of government agencies, the private sector, fishers, civil society and other relevant stakeholders.
8. Accelerate the development of fisheries management plans based on an ecosystem approach, as a basis for fisheries conservation and management.
9. Take measures to prevent unauthorised fishing and eliminate the use of illegal fishing practices by building awareness of their adverse impacts, strengthening law enforcement, developing and promoting responsible and selective fishing gears and practices, enforcing regulations and encouraging alternative means of livelihoods.
10. Establish and implement comprehensive policies for an ecosystem approach to fisheries management through effective systems (i) to provide licenses to fish (boats, gear and people), (ii) for community fishing rights/rights-based fisheries, (iii) that provide for the development of supporting legal and institutional frameworks, (iv) encourage and institutional cooperation, and (v) that aid in streamlining co-management.

ASEAN-SEAFDEC Conference
on Sustainable Fisheries for Food Security Towards 2020
"Fish for the People 2020: Adaptation to a Changing Environment"
13-17 June 2011, Bangkok, Thailand

MARINE FISHERIES

21. Strengthen regional and national policy and legislation to implement measures and activities to combat IUU fishing, including the development and implementation of national plans of action to combat IUU fishing, and promote the awareness and understanding of international and regional instruments and agreements through information dissemination campaigns.
22. Establish and strengthen regional and sub-regional coordination on fisheries management and efforts to combat IUU fishing including the development of regional/sub-regional Monitoring, Control and Surveillance (MCS) networks.
23. Facilitate consultative dialogue among fisheries legal officers to share, at the sub-regional/regional level, perspectives of the respective legal and regulatory framework in terms of developing MCS-networks and to implement efforts to combating IUU fishing.
24. Build up capacity among Member Countries, including functions for regional and sub-regional cooperation, to effectively meet the requirements of port state measures and flag state responsibilities.

Aspects to be considered

- Increasing concern in consumer markets on sustainability of fisheries resources.
- An opportunity to strengthen national, sub-regional and regional efforts to manage fisheries integrated with habitat management, to manage fishing capacity and to combat IUU fishing.
- Review legislation, consider existing laws and regulations - how far can countries act under their laws.
- Mobilize lead countries for AFCF key clusters to be involved and to take a lead on improved action.
- Areas for improved management: vessel record and inventory, registration and licensing, port monitoring, MCS, catch documentation

Management Fishing Capacity -Ecosystem Approach to Fisheries

Building sustainability by addressing management of fishing capacity to reduce pressure and destruction of habitats

Annex 12

Management of Fisheries habitat/ Refugia

Mr. Ouk Vibol
Director of Department of Fisheries Conservation Former working group on Seagrass UNEP/GEF/SCS

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THE 3RD MEETING OF THE GULF OF THAILAND SUB-REGION
20-22 SEPTEMBER 2011
SIEM REAP, CAMBODIA

Management of Fisheries habitat /*Refugia*

By Mr. Ouk Vibol
Acting Director of Department of Fisheries Conservation

Contents

- Establishment and Management of Fisheries Refugia
  - The Fisheries Refugia Approach
  - Definition of Fisheries Refugia
  - Activities of Establishment and Management of Fisheries Refugia
- Transboundary Water Management
  - Goal and Objectives
  - Progamme and Actions

Establishment and Management of Fisheries Refugia

- Potential Fisheries Refugia through out the Cambodian coastline is 29 sites
- The target of fisheries refugia by 2019 is 15 sites
- Till date 7 sites established but need to be strengthened in management

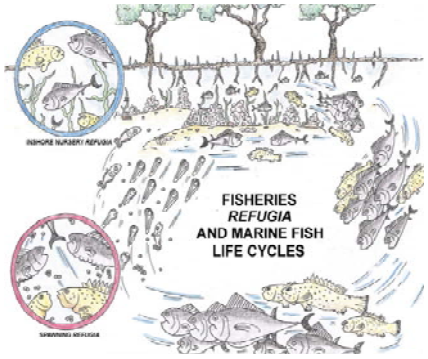
The Fisheries *Refugia* Approach

The UNEP/GEF Regional Working Group on Fisheries considered that the concept used to develop any mechanism should:

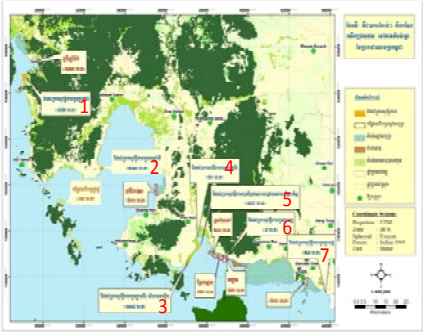
- Focus on fish life-cycle and critical habitat linkages
- Promote sustainable use rather than prohibition, and
- Include communities in all aspects of planning and development.

Definition of Fisheries *Refugia*

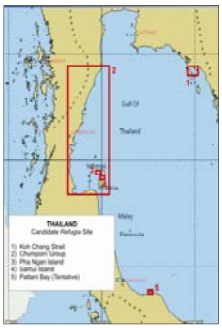
"A spatially and geographically defined, marine or coastal area in which specific management measures are applied to sustain important species [fisheries resources] during ***critical stages of their lifecycle***, for their sustainable use."



Candidate Fisheries *Refugia* Sites - Cambodia



Candidate Fisheries *Refugia* Sites - Thailand



Candidate Fisheries *Refugia* Sites – Vietnam

Objective of Fisheries Refugia Management

- ***Implement operational management of fisheries refugia at the selected site, with an aim of improving longer-term sustainable yields of target resources.***

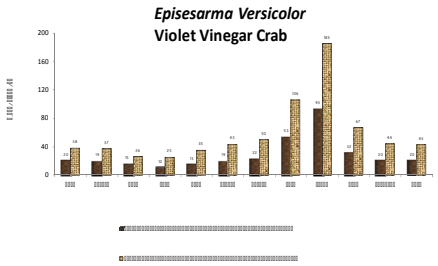
Activities of Management of Fisheries Refugia

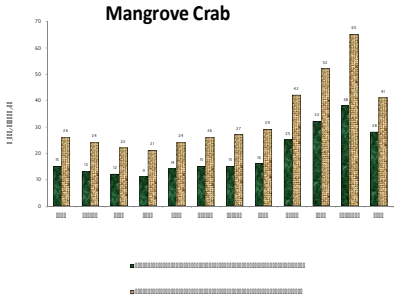
10 activities agreed for operational management under UNEP/GEF South China Sea Project and Gulf of Thailand. Cambodia and Vietnam apply these management system for Cambodian refugia

1. Formally establish cross sectoral consultative group/management board
   - Cross-sectoral consultative group/management board must contain representation of all major stakeholder groups to guide establishment and management of fisheries refugia
2. Preparation of an inventory of spawning and nursing grounds
   - Stakeholder consultation with local fishermen
   - Anticipated output is an inventory of known fish spawning and nursing area at the site, including seasonally of spawning and production of a preliminary map of possible sites.
3. Agreement on selected fisheries refugia site and demarcation of the boundaries of the site
   - Stakeholder consultations to define the boundaries of known fisheries refugia

4. Development of a fisheries profile at the site
   - Stakeholder consultation aimed at refining information about known refugia. Anticipated outcome of this activity is a report detailing: the status of important fisheries resources; annual production and value of living marine resources harvested from the site; the number/type of fishing vessels/gears used in the area; the number of individuals/families involved in fishing and associated management issues, This report will also make recommendations for fisheries management measures to be applied in fisheries refugia areas at the site.
5. Development of mechanisms and measures for refugia management
   - Stakeholder consultation and participation in development of fisheries management measures within the fisheries refugia areas. Enact ordinance/regulation for relevant measures. Select indicators for monitoring effectiveness of fisheries refugia. Key outcomes of this activity will be the adoption of these management framework for the participation of community members in the establishment and management of fisheries refugia.

6. Establishment of procedures for the enforcement of fisheries
   - This activity involves the establishment of a community-based fisheries refugia management team at the site. This team will be comprised of local community members, including fish buyers and fishing sector representatives.
7. Publish and disseminate guidelines for the management of fisheries refugia sites
   - This activity involves the preparation of guidelines for implementation of fisheries refugia management measures for dissemination to local community groups.
8. Implementation of operational fisheries management at the site
   - Operational management of the site. Involvement of stakeholders in the implementation of fisheries management measures. Periodic evaluation of stakeholder effectiveness in management.
9. Monitoring, evaluation and review of management
   - Monitoring of fisheries refugia effectiveness, and improvement of fisheries management measures at the site.
10. Dissemination of lessons learned on refugia establishment and management
   - Preparation and republication of materials.





Transboundary Management of Fisheries Resources between Kampot and Kien Giang Provinces

Ouk Vibol

Goal and Objectives

- Cooperation between two provinces for biodiversity conservation, reversing environment degradation trends and sustainable use of resources, and for improvement of livelihood of local communities

Programmes and actions

- **Programme 1. Strengthening of institutional arrangement for management of coastal resources and environment and integration to development policy of two provinces**
  - Action 1. Review of existing legal documents of both provinces regarding management resources and environment

  Action 2. Integration of resource and environment management to cooperative agreement between two provinces and conduct of joint meetings of the Management Board/Steering Committee once or twice a year.

- **Programme 2. Improvement of management effectiveness for resource and environment management in the transboundary waters**
  - Action 1. Additional inventory of biodiversity and resources for management purpose
  - Action 2. Capacity building for scientific research, resource assessment and monitoring, management skill, and transferring knowledge and information to local communities
  - Action 3. Study tour and workshop/seminars for local people, managers and policy makers for experience exchange in resource and environment management between two provinces and others in the region
  - Action 4. Strengthening information exchanges and sharing between two provinces and maintenance of the joint GIS database for uses in management of resources and environment
  - Action 5. Joint management and control of illegal trade, exploitation activities of resources in the transboundary waters; and to stop catching rare and endangered species

- **Programme 3. Enhancement of public awareness on marine conservation and sustainable resource**
  - Action 1. Strengthening education capacity, communication system and establishment of network of communication for enhancement of public awareness on marine resource sustainable use
  - Action 2. Development and distribution of public awareness materials and implementation of communication programmes regarding ecosystem importance and sustainable use of coastal resources
  - Action 3. Orgnisation of exchanges programme for natural resources conservation and environment protection for youths and students of Kien Giang and Kampot

Programme 4. Development and execution of joint projects with supports from International Organisations

Action 1. Project for development and management of transboundary fisheries refugia belonging the two provinces

Action 2. Project for migratory and endangered species conservation

- Programme 5. Financial sustainability for long - term management and livelihood alternatives
  - Action 1. Development of programmes for livelihood alternatives, including technical supports for aquaculture, fisheries processing, tourism, animal raising and integrated farming system
  - Action 2. Development of models for community-based resource management
  - Action 3. Promotion for development of tourism in the transboundary waters
  - Action 4. Fund raising from international organisations for livelihood, and resource and environment management

Implementation Terms

- In the principal of cooperation, equality and co-development of project;
  - Each province delegated a focal point/ agency to response for the organisation and implementation of the activities within the province under the leadership/ guidance of the provincial governments
  - In case of unpredictable problem(s) occurred, the partner has to inform the other at least 60 days in advance in order to have enough time to discuss and solve the problem(s);
  - Both sides agreed to implement this policy and framework for the protection of the environment, conservation of biodiversity and sustainable use of the resources and human well-being of the two provinces;

Annex 13

Establishment of MCS Network in the Gulf of Thailand

Joeren S. Yleana[1] and Pierre Easter L. Velasco[2]

I. Introduction/Background

The promotion and development of the Monitoring Control and Surveillance (MCS) Network among surrounding countries (Thailand, Malaysia, Cambodia and Vietnam) of the Gulf of Thailand (GOT) has been conceptualized for the sustainable utilization and management of its fisheries resources. SEAFDEC has been continually providing platform for improved collaboration and cooperation among these countries. In line with this, SEAFDEC-Sida first organized the sub-regional meeting in March 2008 and followed by the Second Meeting in February 2009 in which discussions were made in the process to initiate the development of MCS networks (needs/constraints) and to strengthen cooperation and collaboration among member countries. During these meetings, the difficulties and constraints for the establishment of MCS network in the sub-region were well recognized understanding the human, financial and other resources it entails. However, it was resourced that a MCS network for the sub-region should be initially established in which it should first facilitate information sharing and institutional cooperation among member countries. Likewise, it recognized the importance of the development of a network in order to strengthen "M", "C" and "S" functions for sustainable fisheries management in sub-region.

Considering the extent of requirements for the establishment of a working MCS network in the sub-region it is well encourage that strategies and efforts may be made cost-effective. Lastly, this 3rd Sub-Regional Meeting is organized to continually provide platform to encourage and strengthen the cooperation among member countries for feasibility and realization of the MCS Network in Gulf of Thailand.

II. Overview of the Countries' MCS (related?) Initiatives

Thailand- Main MCS functions is shared between the Department of Fisheries (DOF) and the Department of Marine and Coastal Resources (DMCR). DOF maintains and operationalizes its floating assets (patrol boats) for surveillance. Both agencies conduct catch, fishing activities, fish stock and ecosystem monitoring. For large fishing vessel, registration is conducted by the Marine Department under the Thai vessels act, B.E. 241. Small fishing vessel and gears registration and licensing is conducted by the Provincial Fisheries Office and reported to DOF annually. Conversely, the registration of fishermen is carried out by the Provincial Office of small scale fisheries. Likewise, inspections of working conditions of laborers at fishing vessels, harbors and processing plants is also carried out by DOF relevant to the provisions of international conventions and agreements like IMO and ILO as well as compliance to proper wastes management. In support, the Dept. of Harbors also surveys each vessel annually. As

[1] Fisher Officer of the Bureau of Fisheries and Aquatic Resources, and Regional Fisheries Policy Network for the Philippines work for the Philippines (from 1 July-31 December 2011)

[2] Fisher Officer of the Bureau of Fisheries and Aquatic Resources , Former Regional Fisheries Policy Network for the Philippines (from 2 August 2010-30 June 2011)

precautionary approach of management, the DOF has ordered suspension in issuance of new licenses for trawlers and considering the establishment of fishing zones, control on gears, and introducing catch quotas.

Malaysia- The MCS activities is a joint responsibility of the Department of Fisheries (DOF), Fisheries Development Authority of Malaysia (FDAM), and the Department of Environment (DOE). Monitoring covers biological, socio-economic aspects of fisheries which includes catch, fishing activities, port monitoring, trade, fish stock and environmental health monitoring (by Fisheries Management Information System). The Resource Management Branch on the other hand translates data into plans, policies and regulations. Control is supported by effective legislation that includes zoning, catch quotas, fishing units control and mandatory reporting. Registration and licensing of boats, gear, and people is charged to the DOF. The identification and listing of important habitats is both under the DOF and Department of Marine Park (DOMP). Surveillance activities are a collaborative effort involving various stakeholders (DOF, DOMP, Marine Police, Navy and the Malaysian Maritime Enforcement Agency). These include joint seaborne operations, air and sea patrols, and fishing vessel inspection. VMS is in place and operational supported with 100 patrol vessels and 3 Boston whalers for offshore patrolling.

Vietnam- MCS activities in Vietnam is supervised by the Department of Capture Fisheries and Resources Protection (DECAFIREP). Surveillance capability maybe less but National Network for Fishery Conservation was established to manage and protect fishery resources. In 2009, MCS Center was established by DECAFIREP with close collaboration with local coastal Branches to have a system on statistics collection, data and information summarization. This activity mainly focuses on building mechanism, organizing training and guiding local officers in setting up plans and analysis methods. Fishing vessel monitoring activities started in the late 1980s in some local provinces and the function was delegated in all coastal provinces in the country in year 1995. The monitoring activities/missions were carried out either direct Monitoring (On-site through the controlling activities of fisheries enforcers) or Indirect Monitoring (through the equipments and intermediaries, e.g. VMS?).

Cambodia. The Fisheries Administration (FiA) of the Ministry of Agriculture, Forestry and Fisheries is in charge of developing research and drafting laws and policies on fisheries (and aquaculture) and is also vested with inspecting powers. At local level, fisheries management is a Provincial-Urban Fishery Authorities' functions, which have the necessary powers to ensure compliance with the law, in the area under their jurisdiction (FAO). The concept of MCS as management tool is yet to be developed in Cambodia and capacity building is found crucial for such development. The country has adopted various fisheries management tools such as control of fishing pressure by issuance of fishing permits/licenses for commercial fishing (foreign and local), gear type and size restrictions, trawling prohibitions (<20 m. water depth),etc but enforcement of these measures is considered poor (FAO). However, efforts for community based management has been developed and applied in some coastal communities in recent years.

III. Considerations for Sub-Regional MCS

Initial activities for the development of MCS network in the Gulf of Thailand Sub-Region as result of previous meetings prioritized on information sharing and close coordination with agencies involved in member countries. As basis, the MCS Network will be an arrangement of national organizational/institutions in charge of fisheries-related MCS activities, which have been authorized by their countries, to coordinate and cooperate to address sub-regional fisheries related

issues and concerns. In addition, the current adopted RPOA provides a framework for cooperation among countries in the region to collaborate in the implementation of MCS measures. Further, as tackled during the meetings agreements made will need to be implemented by the countries within the framework of their legal systems. Furthermore, the 2009 Gulf of Thailand Meeting was in favor of the promotion and support to the development of a range of bi-lateral (and if feasible/applicable tri-lateral) agreements. To facilitate better understanding and cooperation among member countries for the establishment MCS network, listed below are some organizational considerations that maybe discussed;

- Information Sharing (Technical, Scientific, etc.)
- Share experiences/understanding on limitations – and opportunities – of existing legal and institutional frameworks among Gulf of Thailand countries
  - Options for regulatory arrangement and/or agreements
- Regional Training /Joint Exercises/Awareness-raising
- Involvement of Various Stakeholders (Fisheries/Private Sector, Community Fisheries, Coast Guard, Navy, Foreign Affairs)
- Infrastructure Requirements
- Others

The main points on the development of MCS network as summarized in the "Report of the Sub-Regional Meeting on the Gulf of Thailand", Bangkok, Thailand, 24 – 26 February 2009 are provided in Appendix 1.

Several regional organizations and bodies have been successfully implemented cooperative Regional MCS Measures such as the Pacific Islands Forum Fisheries Agency (FFA), Organization of Eastern Caribbean States (OECS) and the Northwest Africa Sub-regional Fisheries Commission, among others. Within the Southeast Asian region experiences could be drawn from the cooperation on MCS in the Arafura-Timor Seas. The **GOT** Sub-region may review and consult the mechanisms implemented by these bodies and/or may integrate some adoptable structures and arrangements for its initialization. Lastly, it is envisaged that this activity will assure furtherance of activities started for the establishment of the MCS Network in the Sub-region particularly for strengthened cooperation and agreement on structures among member countries.

Appendix 1 of Annex *13*

***Part of the Report* of the Sub-Regional Meeting on the Gulf of Thailand", Bangkok, Thailand, 24 – 26 February 2009

3.4 Development of MCS network –institutional responsibilities of M, C and S, respectively

1. The March 2008 GOT Meeting indicated a recommendation to try to explore ways and steps needed to initiate the establishment of an MCS Network for the Gulf of Thailand - while recognising that the institutional and financial resources are still not in place. This recommendation was strongly supported by this GOT Meeting and the Meeting recognised the importance of the development of an MCS Network in order to strengthen the M, C and S functions and sustainable fisheries management in the sub-region. The difficulties in implementing any MCS schemes were well recognised with all the human and financial resources need - as well as the political will of key stakeholders and a related recommendation was that MCS activities should be properly designed with the objective of reducing costs on all parties including the fishermen.

2. However, to cover the whole spectre of institutional responsibilities in the scope of the full "M", "C" and "S" framework in a Gulf of Thailand MCS Network would at this stage of national institutional developments and cooperation would not be feasible due to many reasons, lack of resources was mentioned above, including a limited understanding, or announcement, of the full range of institutional responsibilities of the functions to be performed under each of the three parts.

3. There was a general feeling (consensus) that the GOT Countries need to start somewhere and that points, and recommendations from earlier agenda points (vessel record and inventory; port monitoring) would provide a good start to deliberations on the development of a Gulf of Thailand MCS Network. To avoid being too ambitious to start with it was emphasised that a key element in a build up to a MCS Network should focus on information and information sharing – in practice indicating a focus on the "M" to start with.

4. In setting up, or initiating a MCS network the meeting agreed that a MCS network for the sub-region should be established which, initially, could facilitate the sharing of information and institutional cooperation, specific aspects to be included should include:

- 4.1 Vessel record and inventory (see recommendations under point 3.2 in the full Report)
- 4.2 Port monitoring mechanism and information on landings (see recommendations under point 3.3 in the full Report)
- 4.3 Other points that could be considered (based on later agenda points) was to include information sharing on the monitoring of:
  - gear and licenses
  - catches/catch documentation
- 4.4 Special attention need to be made on ways to include information from community fisheries and community based fisheries management

5. The rationale for promoting the MCS Network include, already in the short term, an ambition to promote compliance on the part of the fishermen on the requirements of sustainable fisheries and through the M,C,S Network to prepare the countries for increasing demands on traceability, catch documentation (EU and others) and on the eventual enforcement of the legally binding port State Measures. The Meeting suggested that MCS-related promotion/activities should be implemented together with efforts to:

5.1 provide information to increase awareness among fishermen on conservation and responsible fisheries

5.2 enhance human capacity building through training, workshops, study tours, etc. by requesting international donors, and other sources, to assist in strengthening the MCS capacity in the sub-region

5.3 develop and conduct a specific course on MCS by SEAFDEC starting with the GOT sub-region

6. With specific focus on small-scale and community fisheries the meeting suggested that efforts should be made to:

6.1 Strengthen community participation specifically in the M and S activities

6.2 The Sub-region could learn from the experience of Thailand particularly the CHARM pilot project in southern Thailand where MCS was successfully implemented at the local community level

6.3 Explore experiences to be shared also from other countries in the region

7. As regards the draft Institutional Matrix for Key Elements of “Monitoring”, “Control” and “Surveillance” which is aimed at promoting institutional cooperation in the Gulf of Thailand, the Meeting agreed to request the countries to study the contents of the draft Matrix and send comments to Thailand which has been tasked to serve as the repository of the data and the lead country for the MCS Network.

Annex 14

Vessel Registration and Inventory

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Vessel Registration and Inventory

By

Halimah Mohamed

3rd Sub Regional Meeting on the Gulf of Thailand
20-22 September 2011, Siam Reap, Cambodia

Number of fishing boats (licensed) by Country (Marine)

COUNTRY	2007	2008	2009
BRUNEI	.....	3,184	2,750
INDONESIA	590,314	604,847	596,230
CAMBODIA	**.....**	**.....**	**108,145**
THAILAND	**13,056**	**12,920**	**16,891 (40,776* as at 23 Aug 11)**
MALAYSIA	**34,221**	**40,959**	**48,745**
MYANMAR	31,371	31,371	30,428
PHILIPPINES	788,526	.....	788,526
SINGAPORE	142	142	133
VIETNAM	**12,920**	**22,529**	**24,990 (2010 – 26,489 small scale FV)**

Source: SEAFDEC Fishery Statistical Bulletin of Southeast Asia
Department of Fisheries Malaysia website http://www.dof.gov.my
Note * according to the 2008 Master Plan, database of Thai fishing boats of 2011

Fishing Vessel Registration and Licensing System

COUNTRY	REGISTRATION SYSTEM	
	RESPONSIBLE AGENCIES	SYSTEM
MALAYSIA	DOF	Provincial and federal by the DOF
THAILAND	MARINE DEPT DOF	-Vessel registration (Marine Dept) -Fishing license (DOF)
CAMBODIA	M. MARINE DEPT DOF LOCAL GOV/PRO	- Vessel Registration (Merch. Marine Dept) -Engine over 33 Hp (DOF) -Engine < 33 Hp (local/provincial) -Non motorized (not registered)
VIETNAM	MINISTRY OF AGRICULTURE AND RURAL DEVELOPMENT (MARD)/PROV. DEPT. OF FISHERIES PEOPLE'S COM.	-20 HP engines - NO engines but waterlines of more than 15 meters as well as a proper license to fish (for boats and people). -Smaller vessels and traditional/coastal fishers need to have a license. Registration and licenses at local/district level is organized through the people's committee

ISSUES

A. Fishing vessel registration and licensing to fish managed by different agencies in some countries

- *Limited data integration and information sharing among responsible agencies*
- *required amendment on existing computer applications and modification of rules and regulations (cost).*

B. Promote efforts to generate political and diplomatic support to enforcement and combating of illegal activities by foreign fishing vessels and avoid interventions delaying action

C. Terminology used for vessel registration not well defined and item vary between countries and registration forms are not synchronized among the ASEAN member countries

D. There is no mechanism in the (sub-)region to detect double registration of vessels.

E. Currently, the system for transferring ownership of the vessel from one country to the other in this (sub-)region is not well established.

F. There is no (sub-)regional database in the region to record vessels known to have engaged in illegal fishing activities.

G. FAO Global Record: Non of the countries fulfills core requirements (more information later).

Suggestions

- Assist development of community-based vessel registration for small scale fisheries as applied at Satun, Thailand or as applied in Vietnam
- The countries should improve their national system for fishing vessel registration and to issue licenses to fish
- Identify and develop a mechanism to share and exchange data in the (sub-)region, including documents for changing the country flag, owner transfer, sale, parallel-in ship, parallel-out ship and etc. Report to the FAO Global Record as applicable
- Explore options for, including assistance, to make inventory/census of fishing vessels (similar to the process in Thailand)

- Coordinate the format and structures of databases to facilitate data sharing and exchange within the (sub-)region to improve monitoring and recording of illegal activities by fishing vessel.
- Develop a (sub-) regional vessel registration database that can follow-up on double registration and double flagging.
- Include information and list of vessels known to have been engaged in illegal fishing.
- Relevant information from other national agency should integrated with that of the DOF/FiA in order to get a comprehensive information – and to be shared within the (sub-)region.

FAO Global Record: An initiative developed by FAO to have a comprehensive record on fishing vessels and to develop a Unique Vessel Identifier (UVI). Countries will be requested to report information indicated below to FAO

Core information requirements for obtaining a UVI

• Registered owner	• Moulded depth
• Flag state	• Beam
• Name of fishing vessel	• MMSI (if issued)
• National registration/official number	• GT or GRT (to be specified)
• Previous vessel names	• Net tonnage (if applicable)
• Port of registry	• Power of main engine or engines
• Address of owner or owners	• Ship builder
• Previous flag or flags (if any)	• Country of build
• International radio call sign (if issued)	• Parallel registry (if applicable)
• Where and when built	• Commercial operator (if applicable – name and address)
• Type of vessel	• Date entered onto flag State register
• Dead weight (if applicable)	• Date ship de-registered (by the previous flag State, if applicable)
• Length	

8

Additional information to be collected within 5 years of a UVI being issued
Vessels ≥ 100 GT / 100 GRT / 24 m (LOA)

• Parent company registered owner	• Parallel-in ships true ownership
• Ship manager (if applicable)	• Registration details (if any)
• Barebat/doemise charter (if applicable)	• Parallel-out ships true owner details(if any)
• MSSI Number (New)	• Net Tonnage (New)
• Flag State Identification Number (official number) – (New)	• Death Weight (New)
	• Date entered onto Flag State (New)

Link to Global Record Analysis

9

Annex15

Status of Port monitoring in Southeast Asia

Nopparat Nasuchon, Pirochana Saikliang and Magnus Torell

Introduction

There is an increasing demand around the world for fish and fisheries commodities. To meet the demand the active fishing vessels have been growing in numbers and efficiency leading to overcapacity in most parts of the world and it is a well-known fact that fisheries resources are over-exploited worldwide. According to FAO, there has over the last two decades been a decreasing trend in quantity from marine capture fisheries.[3] There is great concern worldwide about the effectiveness of fisheries management, enforcement of restrictions and regulations and the long term sustainability of present levels of utilization of fisheries products.

A number of key international instruments have been developed and agreed upon globally that are providing guidance to countries on measures to take and restrictions to apply in order to achieve sustainability in resource utilization. Important conventions and other instruments include the 1982 UN Law of the Sea Convention (UNCLOS 1982), the United Nations Fish Stocks Agreement (UNFSA), FAO Compliance Agreement 1993 and the FAO Code of Conduct for Responsible Fisheries. A common element among these, and other instruments, is the emphasis on the need to manage fishing capacity and to ensure that fishing effort do not exceed the availability of resources while in the process reduce destructive and illegal fishing. Gradually, the concept of "Illegal, Unreported and Unrecorded (IUU) fishing" has been used as basis for international efforts to combat IUU fishing.

IUU fishing is generally recognized as one important factor that obstructs efforts to conserve and maintain fish stocks. MRAG (2009) estimated that the global economic impact due to IUU fishing is between US$ 9 billion and US$ 24 billion annually, or around 11 and 26 Million Tonns of fish[4]. Initially, when attention were growing on the need to combat IUU fishing the main threats to the sustainability of fisheries resources through "illegal, unregulated or unreported" fishing came from developed countries, including large fleets from Eastern Europe. Over the last decades vessels from developing countries and vessels from Asian countries have increased significantly and many Asian and Southeast Asian countries are now among the top 10 and top 20 fishing nations.

Under the umbrella of FAO member countries have, since 1990, been calling for efforts to combat IUU fishing 1990 and, in March 2001, the FAO Committee on Fisheries (COFI) adopted the International Plan of Action to Prevent, Deter and Eliminate IUU fishing (IPOA-IUU). The IPOA-IUU is to be applied on a voluntary basis[5]. Although the IPOA-IUU encourages the use of port state measures to combat IUU, the main responsibilities to enforce measure to combat IUU fishing rested with the flag states. However, in spite of increased efforts and global recognition on

[3] FAO, available in website:http://www.fao.org/figis/servlet/SQServlet?file=/usr/local/tomcat/FI/5.5.23/figis/webapps/figis/temp/hqp_11498.xml&outtype=html, Accessed 7 July 2011

[4] MRAG. 2009. Illegal, Unreported and Unrecorded fishing, Policy brief 8. Available in website: http://www.mrag.co.uk/Documents/PolicyBrief8_IUU.pdf, Accessed 21 July 2011

[5] The term "coastal State" is generally understood to mean a State bordering a marine area. The term "flag State" is generally understood to mean a State in whose territory a vessel is registered and whose flag a vessel is entitled to fly. The term "port State" is generally understood to mean a State in whose port a vessel is seeking or has obtained access, and for the purposes of the IPOA-IUU ports include offshore terminals.

the need to combat IUU fishing, there was an international concerns that existing management efforts that relied on enforcement by the flag states should be supported by more regulations to strengthen the role and functions of the port states.

Development of the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (PSM Agreement), adopted in 2009

In the beginning of the millennium, FAO had initiated a process to develop some standards or models for control measures to be taken in fishing ports. In 2005, the FAO Committee on Fisheries (COFI) endorsed the Model Scheme on Port State Measures to Combat IUU Fishing, which recommends international minimum standards for PSM, requiring appropriate implementation at the regional or national level. The model scheme was still to be applied on a voluntary basis. Following requests for more stringent measures, COFI endorsed and initiated a process to develop a binding agreement on port state measures based on the Model Scheme and the IPOA-IUU.

The Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (PSM Agreement) was approved by the FAO Conference at its Thirty-sixth Session on 22 November 2009. The Agreement is binding to all parties and aims to prevent illegally caught fish from entering international markets through ports and address the role of a port state to prevent IUU fishing at landing sites, in ports and on transshipment vessels (being considered the first "port").

Basically, the PSM Agreement strengthens the role and functions of the port state by establishing binding requirements for inspections and monitoring of the legal status of catches (by foreign vessels) to be landed (including "landings" at transshipment vessels) in national ports and landing sites by control of catch documentation and other supporting documents (registration, crew lists, etc). It should be noted that to ensure that all needed documents are available and reliable is still the responsibility of the flag state.

Key requirements identified in the PSM Agreement include: 1) Foreign fishing vessel wishing to enter a port to land its catch (or part of the catch) should notify the desired port in advance to obtain to land the catch. The notification should include information on fishing gear used, fishing area and the type of fish on-board, 2) Port states should, in designated ports, ensure that regular inspections are undertaken based on (internationally) recognized standards established for the purpose of port inspections, 3) Ports state inspectors should control the papers of the vessel (registration, licenses, crew documents, etc), survey of fishing gear on board, examination of catch and the catch documents, and other information and records related to the vessels, 4) States party to the PSM Agreement must ensure that port inspectors are adequately equipped and trained (building upon the "guidelines for training of port inspectors" that is annexed to the PSM Agreement) 5) When a vessel is denied access to a port the Port State should publicize the information and the Port State should inform relevant authorities of the Flag State of the vessel for the Flag State to take appropriate follow-up action, 6) Port State should create an information sharing network to exchange information on IUU associated and listed vessels, and 7) Parties to the convention should provide assistance to developing countries to be able to meet with the obligations and requirement for implementation of the PSM Agreement.[6]

By adopting the PSM Agreement on 22 November 2009, the PSM Agreement was also opened for signature up until 21 November 21 2010. The PSM Agreement will enter into force 30 days after the deposit with FAO of the 25th instrument of ratification, acceptance, approval or

[6] SEAFDEC. 2010. Report of the 12th meeting of the Fisheries Consultative Group of the ASEAN-SEAFDEC Strategic Partnership (FCG
"""""""""/ASSP), Kuta Kinabulu, Sabah, Malaysia, 19-20 November 2009. SEAFDEC/PCM33/REF05

acceptance. As of 15 August 2011, 23 states are signatories (only Indonesia among ASEAN countries). One state (Norway) has Ratified the PSM Agreement, one state/"regional economic integration organization" (European Union) have stated approval of the PSM Agreement while two states (Myanmar and Sri Lanka) have acceded to the PSM Agreement according to the FAO Legal Office.

The PSM Agreement defines the roles of port states and flag states, respectively, including measures to take in connection with landings of catches by fishing vessels. The PSM Agreement is highlighting the **role of the port State** in the adoption of effective measures – through effective port monitoring and stringent inspections as needed from time to time to control the legality of catches being landed – to promote the sustainable use and the long-term conservation of living marine resources and to combat IUU fishing. At the same time, it is recognised that measures to combat illegal, unreported and unregulated fishing should build on the **primary responsibility of flag States** (From the ASEAN-SEAFDEC Expert Consultation on Managing Fishing Capacity to Combat IUU Fishing in Southeast Asia, September 2010).

Although the PSM Agreement is not yet in force some states and/or "regional economic integration organization" have already prior to adoption and entry into force of the PSM Agreement developed national laws and regulations based on the principles of the PSM Agreement with a common aim to combat IUU fishing. Important is the steps taken by the European Union (EU) and on 29 September 2008 the EU adopted the Council Regulation (EC) No 1005/2008 "establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing". The Regulation came into force on 1 January 2010.[7] The EC Regulation could be seen as one example on how the principles of the PSM Agreement can be incorporated in national legislation.

The EC Regulation states that all marine fisheries products exported to the EU (and marine fisheries products exported within the EU) need to have proper catch documents attached to validate and confirm that the fisheries products are not coming from any IUU fishing. The requirements on traceability imply that it should be possible to track the products all the way to the actual fishing ground. The validity of the catch documents should be verified at the fishing port.

During the 29th Session of FAO-COFI held in Rome, Italy, 31 January to 4 February 2011, Member Countries were encouraged to ratify, accept, approve or accede to the PSM Agreement and to make extra-budgetary contributions to support capacity development to implement the agreement.[8]. The COFI reviewed progress made with regards to measures taken against IUU fishing including implementation of port state measures and market state measures, the performance of flag states was reviewed as well as the status of the development of "Comprehensive Global Record of Fishing Vessels, Refrigerated Transport Vessels and Supply Vessels".

Southeast Asia: a major trading partner in fisheries products

Southeast Asia is one of the major food producing regions in the world. Through international trade products from the region are supporting people around the world. Fisheries products forms dominating part of the food items being exported from (and within) Southeast Asia. FAO reported that the fisheries capture production from Southeast Asia was, in 2007, around 16,133,493 tons or 17.91 % of the world production. The main countries with high production

[7] Official journal of the European Union. 2008. Regulations: Council Regulation (EC) No.1005/2008 of 29 September 2008. Available in website: http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:286:0001:0032:EN:PDF, accessed on 4 July 2011

[8] COFI. 2011. Committee on Fisheries, 29th Session, Rome, Italy, 31 January-4 February 2011, COFI/2011/5

from capture fisheries are Indonesia (4,936,629 tons), Philippines (2,499,634 tons), Thailand (2,468,784 tons), Myanmar (2,235,580 tons) and Vietnam (2,121,400 tons).[9] Furthermore, FAO reports indicate that the value of fish products exported, in 2007, from East and Southeast Asia was around 10,982,115 billion US$ or 13.41% of recorded world trade. The main markets are shown in Table 1.[10]

Table 1 Trade flow of East and Southeast Asia fisheries products in 2007

Region	**USA**	**EU**	**East & Southeast Asia**	**China**	**Others**
Value (US$)	3,141,873	1,794,435	1,120,394	888,499	6,945,201
%	28.61	16.34	10.20	8.09	36.70

The importance of the EU as a target for Southeast Asian fisheries products provide a strong indication on the need to improve the management of fishing capacity (combat IUU fishing), establish traceable routines for catch documentation and to improve port monitoring and port inspection. During the SEAFDEC Council Meeting in April 2011, it was agreed that the routines and standards should be upgraded also with regards to trade among ASEAN countries. This is important as fisheries products from one country might be processed and re-exported from another country to international markets – and if implementing such measures in the region the status, standards and recognition of the reliability of Southeast Asian fisheries will improve. Improving trade within ASEAN and strengthening efforts to combat IUU fishing is also of high priority in the building of the ASEAN Community by 2015 and beyond.

Moreover, the importance and relevance of the implementation of port state measures as a means to take measures to combat IUU fishing is being recognized by regional fisheries management organizations (RFMO) such as the Indian Ocean Tuna Commission (IOTC). During the 14th session of the IOTC that took place in Busan, Korea, March 2010, members adopted the Resolution 10/11 on "Port State Measures to prevent, deter and eliminate illegal, unreported and unregulated fishing". The Resolution came into force on 1 March 2011. The Resolution 10/11 affect IOTC member countries and cooperating non-contracting parties (CPCs) and they have to provide information as requested to the IOTC secretariat. Information to be provided includes lists of designated ports, information on "prior notification periods" established by each CPCs and information about the "designated competent authority" appointed in each of the port states among the CPCs.[11]

Port monitoring in Southeast Asia and collaboration on port monitoring in sub-regions

As described in earlier sections, the fisheries in Southeast Asia and the trade in fisheries products is one of the most important sources of employment, income earning and trade – with the countries of the region among top trading nations in the world this becomes even more significant. To verify the legal status of fisheries products being landed in the ports of the region practices and procedures for port monitoring and port inspections needs to be developed to meet international standards and to meet the ambitions of the ASEAN Community development and the development of the ASEAN Economic Community with increased trade among ASEAN countries. In Southeast Asia it is necessary to have efficient and reliable port monitoring/inspection to ensure the sustainability of marine resources and to maintain sustainable trade – and to combat IUU fishing.

[9] FAO. Global capture production. Available in website: http://www.fao.org/fishery/statistics/global-capture-production/query/en, accessed on 19 July 2011

[10] FAO. Fishery Commodities Global Production and Trade, Available in website: http://www.fao.org/fishery/statistics/global-commodities-production/query/en, Accessed on 19 July 2011

[11] IOTC. 2011. Implementation of IOTC Port State Measures Resolution. Available in website: www.iotc.org/files/circulars/2011/35-11%5BE%5D.pdf, Accessed on 4 July 2011

In its broad sense, “port monitoring” includes monitoring of all activities in the ports and landing sites of each country. The PSM Agreement establish a focus on monitoring and inspection of landings by foreign vessels, national vessel having fished outside of national EEZ’s, “domestic” landings by national vessels intended for export, landing through transshipment vessels, including landing across boundaries by neighboring states and other landings across boundaries. Monitoring and inspections should review data and documentation on fishing activities (gear, fishing ground), information on the vessels and crew, catch documentation, current fish stocks, trade flows and market. It could be anticipated that monitoring of “domestic” catches are being done for all types of fishing under national law as applicable in accordance of the legal requirements of each country. The requirements of the PSM Agreement need to be applied for domestic landings if the catches are intended for export.

To establish and enhance port monitoring mechanisms, it is necessary to establish good cooperation among all relevant sectors and institutions, as well as among neighboring countries. It is important to recognize that during port monitoring, it is required that both local and foreign vessels are monitored to be able to validate and support the increasing requirements for catch traceability and other documentations.

In facilitating the process which could be provided the support for countries by building upon existing well-managed ports to be developed as a model for the country and establish protocols relevant to the laws and regulations to each country on how to manage fishing ports in support of efforts to combat IUU fishing.

Landings by vessels in neighboring ports require special consideration in the process of validation of the legal status of landed catches, especially with regards to artisanal fisheries as indicated in the PSM Agreement. Initially, this could be followed up in relation to cross-boundary relations with regards to areas such in the Gulf of Thailand between Cambodia and Vietnam, Cambodia and Thailand and in the area between Malaysia and Thailand. Similar efforts should be explored for border areas in the Andaman Sea, such as between Myanmar and Thailand and in the south between Indonesia, Malaysia and Thailand.

A relevant training program needs to be developed, building upon the “guidelines for training of port inspectors” that is annexed to the PSM Agreement. This was emphasized during the Expert Consultation on “Managing Fishing Capacity to Combat IUU Fishing in Southeast Asia” (September 2010) in order to improve the capacity of personnel, including port inspectors, working at key fishing ports in the region. This is also in line with indications in the PSM Agreement (and the EC Regulation) that recognize the need to assist developing countries in building up capacity. In support of strengthening institutional capacity there is a need to develop a mechanism or set of standards for port inspection and port monitoring that would clarify the measures the port states have to take, and how that relates to the measures that the flag states of the region has to take in order to combat IUU fishing (From the ASEAN-SEAFDEC Expert Consultation on Managing Fishing Capacity to Combat IUU Fishing in Southeast Asia, September 2010).

Sub-regional collaboration and implementation on port monitoring; the Gulf of Thailand and the Andaman Sea

To effectively combat IUU fishing it is necessary to establish closer cooperation among countries in regions such as Southeast Asia and around sub-regional sea such as the Gulf of Thailand and the Andaman Sea where countries share common interest in sustaining the benefits derived from productive fisheries. In these sub-regions countries share the need to address similar problems such as illegal and destructive fishing and by promoting cooperation efforts to combat IUU fishing could be more effective. Through other initiatives cooperation is promoted, including

efforts to combat IUU, in the sub-regions of Sulu-Sulawesi Seas and Arafura-Timor Seas

Countries in the region and sub-regions should in a more systematic way develop systems to share information. It is important that the knowledge and capacity of officers and personnel in agencies responsible for management of fishing capacity (registration, licensing etc), port monitoring/inspection and other relevant institutions are developed to meet higher expectations including ability to cooperate with other institutions and across boundaries. SEAFDEC could, as indicated by member countries, play an important role in supporting capacity building through regional training courses, regional consultations and on-site events in countries around identified sub-regions.

SEAFDEC, through the SEAFDEC-Sida Project initiated in 2008 a process to promote sub-regional cooperation in the sub-regional seas of the Gulf of Thailand and the Andaman Sea by organizing a sequence of sub-regional Meetings that brought together countries from the two sub-regions. The events were organized with an aim to allow the countries to discuss matters of mutual concern in fields like the integration of fisheries and habitat management and the need to manage fishing capacity to combat IUU fishing. In both of the sub-regions participants put an emphasis on the development of port monitoring. The Gulf of Thailand and Andaman countries, respectively, indicated that the common practice to land catches in fishing ports in neighboring would need special attention by countries in the sub-regions.

In 2008 and 2009 SEAFDEC organized two Gulf of Thailand Meetings. The first meeting took place in Bangkok during 28-29 March 2008 and the second meeting was held in Bangkok during 24-26 February 2009. In both meetings participants from Vietnam, Cambodia, Thailand and Malaysia attended together with resource persons from international organizations and UNEP/GEF South China Sea Project. The March 2008 meeting strongly emphasised the "need to have good port monitoring". The February 2009 meeting were of similar opinion and, furthermore, suggested that a cooperation mechanism for port monitoring among the countries around the Gulf of Thailand should be established. This mechanism should also address and monitor the landings of "neighbouring country vessels" and landing across boundaries. Reliable port monitoring based on meaningful sub-regional cooperation would be suitable to prepare the countries for increasing demands on traceability, catch documentation and to combat IUU fishing.

The first meeting of Andaman Sea countries took place in Phuket, Thailand during 20-22 October 2009 with participants from Thailand, Malaysia, Indonesia, Myanmar and India (through cooperation with BOBPLME). The approach of the meeting was to build upon the experiences from the process of promoting sub-regional management arrangements, similar to the Gulf of Thailand sub-regional meetings in 2008 and 2009. Aspects has been emphasised during the meeting that need to be addressed when aiming towards suitable management actions for the Andaman Sea Sub-region. In the process a focus should be given to key issues of regional concern such as fisheries/habitat management, fishing capacity, IUU fisheries, vessel registration, port monitoring, among others, thus building upon opportunities to implement an "ecosystems approach to fisheries" (EAF). There is common understanding among the Andaman countries that "Port monitoring" is something that would be of increasing priority and special reference was made during the meeting to the "final" version of the requirements of the PSM Agreement on Port State Measures, EU requirements for catch documentation (applied from 1 January 2010) and of a more local nature to the landings of fish that is being done in "neighbouring countries".

Ideally, port monitoring should include all fishing ports and landing sites, district and provincial, bearing in mind that the places where the catches of fisheries products are landed are important and critical control points. Good port monitoring (and port inspection) is not only important to combat IUU fishing but is needed to control the quality of fisheries products passing through the port, there need to be a control on the environmental standards of the ports and it is at the ports

and landing sites where the authorities, through the catch and landing documents, can assess how much that should be paid out in terms of taxes and other revenues. Presently, port monitoring in this region is basically or primarily done with a purpose to monitor the management of the ports and landing sites as such and is not so much focused on a systematic monitoring and validation of catch documents and documents linked to the operation of the fishing vessels (registration, licenses, crew documents, etc) as required by the PSM Agreement.

One special challenge is how to validate the legal status of catches from traditional small-scale fisheries. That challenge is further "challenging" by verifying the origin of landings at the border fishing ports for the small scale fishing boats with limited monitoring and no records of their catch. Finding, solution possibly be done by exploring the application of "cluster arrangements" whereby the authorities at the landing site can verify and validate that the combined landings from the "cluster" of small boats are fished in accordance with national law in a sustainable manner. Cluster arrangements have been suggested as option to certify products from small-scale aquaculture. This has also been indicated as an option by representatives from EU during a seminar in 2008 in Bangkok. With regards to artisanal landings across boundaries the PSM Agreement gives some guidance in Article 3, Para, part b "Each Party shall, in its capacity as a port State, apply this Agreement in respect of vessels not entitled to fly its flag that are seeking entry to its ports or are in one of its ports, except for a) vessels of a neighbouring State that are engaged in artisanal fishing for subsistence, provided that the port State and the flag State cooperate to ensure that such vessels do not engage in IUU fishing or fishing related activities in support of such fishing.

Another challenge is how to validate catches and the legal in areas where they also have fishing vessels with two flags and double registration so they can operate in two countries and provide no record of their production as well or have the catches recorded where most convenient for the day (best price). Furthermore sometimes the institutional structures actually obstructs attempts to implement good port monitoring through the number of agencies involved with fish landing and the lack of cooperation for sharing information among themselves is a hindrance to adequate enforcement.

Since the adoption of the PSM Agreement at FAO in November 2009 only Myanmar, of the countries in the region have acceded to the PSM Agreement (22 November 2010) while Indonesia have signed the PSM Agreement (22 November 2009). Indonesia have, during SEAFDEC Council (April 2011) and other events stated that they will ratify the PSM Agreement.

During the discussions in regional and sub-regional events organized since 2008, it has been repeated by participants that there is a need to develop a mechanism or set of standards for port inspection and port monitoring that would clarify the measures the port states have to take, and how that relates to the measures that the flag states of the region has to take in order to combat IUU fishing. The "Port inspections procedures" that are attached to the PSM Agreement is attached below (Appendix 1).

Considering that the lack of training and of skills of personnel has been identified as one of the problems that led to the deficiency in national capacity to improve the port management capacity including port inspections as needed from time to time the need to develop a relevant training program, building upon the "guidelines for training of port inspectors" that is annexed to the PSM Agreement has been emphasized in order to improve the capacity of personnel, including port inspectors, working at key fishing ports in the region. The "Training of Inspectors" that are attached to the PSM Agreement is attached below (Appendix 2).

Conclusion

It seems that the implementation on Port State Measures in the region is slowly progressing in some countries. This region lacks control of the fishing port especially at the border regions; fishes landed from small scale fishing boats and at the border also do not clearly identify the owner of the fishing boat. The PSM Agreement is still not in force. Thus, for the long term of marine resources sustainability and utilization the Member Countries should keep in mind that ratification is needed as soon as possible. In the 2nd meeting of the Gulf of Thailand countries they agreed to share information on Port State Measures – and Flag State Measures. It is very important to prevent IUU fishing because in this region we still have many illegal fishing boats. Thus, there is an imperative that we should develop the system and mechanism for sharing information now not later, as this will facilitate monitoring and control.

To help countries to build up capacity to follow and implement the requirements of the PSM Agreement, capacity building is therefore needed at all levels, following the indications provided in Attachment on training of port inspectors. Furthermore, efforts should be to strengthen regional and sub-regional cooperation to more efficiently combat IUU in the region and its sub-regions.

Appendix 1of Annex 15

Port Inspection Procedures

Port inspection procedures as indicated in Annex B of the PSM Agreement

Inspector shall:

a) Verify, to the extent possible, that the vessel identification documentation onboard and information relating to the owner of the vessel is true, complete and correct, including through appropriate contacts with the flag State or international records of vessels if necessary;
b) Verify that the vessel's flag and markings (e.g. name, external registration number, International Maritime Organization (IMO) ship identification number, international radio call sign and other markings, main dimensions) are consistent with information contained in the documentation;
c) Verify, to the extent possible, that the authorizations for fishing and fishing related activities are true, complete, correct and consistent with the information provided in accordance with Annex A;
d) Review all other relevant documentation and records held onboard, including, to the extent possible, those in electronic format and vessel monitoring system (VMS) data from the flag State or relevant regional fisheries management organizations (RFMOs). Relevant documentation may include logbooks, catch, transshipment and trade documents, crew lists, stowage plans and drawings, descriptions of fish holds, and documents required pursuant to the Convention on International Trade in Endangered Species of Wild Fauna and Flora;
e) Examine, to the extent possible, all relevant fishing gear onboard, including any gear stowed out of sight as well as related devices, and to the extent possible, verify that they are in conformity with the conditions of the authorizations. The fishing gear shall, to the extent possible, also be checked to ensure that features such as the mesh and twine size, devices and attachments, dimensions and configurations of nets, pots, dredges, hook sizes and numbers are in conformity with applicable regulations and that the marking correspond to those authorized;
f) Determine, to the extent possible, whether the fish on board was harvested in accordance with the applicable authorizations;
g) Examine the fish, including by sampling, to determine its quantity and composition. In doing so, inspectors may open containers where the fish has been pre-packed and move the catch or containers to ascertain the integrity of fish holds. Such examination may include inspections of product type and determination of nominal weight;
h) Evaluate whether there is clear evidence for believing that a vessel has engaged in IUU fishing or fishing related activities in support of such fishing;
i) Provide the master of the vessel with the report containing the result of the inspection, including possible measures that could be taken, to be signed by the inspector and the master. The master's signature on the report shall serve only as acknowledgment of the receipt of a copy of the report. The master shall be given the opportunity to add any comments or objection to the report, and, as appropriate, to contact the relevant authorities of the flag State in particular where the master has serious difficulties in understanding the content of the report. A copy of the report shall be provided to the master; and
j) Arrange, where necessary and possible, for translation of relevant documentation.

Appendix 2 of Annex 15

Training of inspectors

Annex E of the PSM Agreement states the "Each Party shall ensure that its inspectors are properly trained taking into account the **guidelines for the training of inspectors in Annex E**. Parties shall seek to cooperate in this regard".

ANNEX E: Guidelines for the training of inspectors

Elements of a training programme for port State inspectors should include at least the following areas:

1. Ethics;
2. Health, safety and security issues;
3. Applicable national laws and regulations, areas of competence and conservation and management measures of relevant RFMOs, and applicable international law;
4. Collection, evaluation and preservation of evidence;
5. General inspection procedures such as report writing and interview techniques;
6. Analysis of information, such as logbooks, electronic documentation and vessel history (name, ownership and flag State), required for the validation of information given by the master of the vessel;
7. Vessel boarding and inspection, including hold inspections and calculation of vessel hold volumes;
8. Verification and validation of information related to landings, transhipments, processing and fish remaining onboard, including utilizing conversion factors for the various species and products;
9. Identification of fish species, and the measurement of length and other biological parameters;
10. Identification of vessels and gear, and techniques for the inspection and measurement of gear;
11. Equipment and operation of VMS and other electronic tracking systems; and
12. Actions to be taken following an inspection.

Annex16

Catch Documentations/ Certifications as Tools to Support MCS Networks

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Catch Documentations/ Certifications as Tools to Support MCS Networks

SEAFDEC/SEC

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Background -1

- The RPOA –to promote RF and combat IUU-fishing has been established in 2007.
- Gulf of Thailand and adjacent waters was confirmed as a targeted sub-area (Manila, April 2008), (with Thailand as lead country in cooperation and with support from SEAFDEC).
- Key issues of POA are
  - Devel. MCS networks to combat IUU fishing
  - Reduce destructive fishing,
  - Management of fishing capacity.

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Background -2

- **At 1st Sub-Regional Meeting on GOT (March 08) ;**
  - Development of MCS networks (needs/constraints) and strengthening cooperation/collaboration in combating IUU fishing,
    - ✓steps to improve vessel registration/licensing
    - ✓port monitoring (landings across boundaries)
    - ✓Recommendations

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Background -3

- **At 2nd Sub-Regional Meeting on GOT (April 09) ;**
  - Review on various concerns relevant to fisheries and habitat management that include
    - Fishing capacity>> vessel registration
    - IUU fisheries, target shared stock species, fisheries resources conservation areas (*refugia*),
    - Port monitoring
    - Recommendations

traceability, catch documentation/ Certification schemes would be necessary by Countries for promoting the sub-regional cooperation

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What's Catch Documentations/ Certification?

How important ?
Why do we need these tools?
How linkage to GOT Management?

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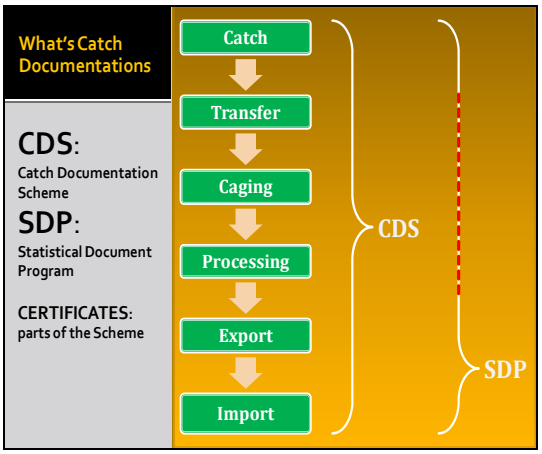


Catch Documentations/ Certification

- One of the Market State Measures to prevent IUU sourced fish - fish products from accessing certain major markets.
- A key to effective fisheries management and traceability.
- It is a basic requirement for both binding agreement of Port State Measures & EC regulation to combat IUU fishing.
- EU Catch Documentation apply to countries those export fish-fish products to EU since 2010
- Catch Documentations used by Tuna RFMOs such as IOTC, WCPFC… <Indonesia, Malaysia, Thailand, Vietnam and Philippines>

Purposes of Catch Documentation Scheme-1

- ✓ to monitor the international trade in fish-product;
- ✓ to identify the origins of fish imported into or exported from ….
- ✓ to determine whether fish imported into or exported from …are legally fishing
- ✓ to gather catch data for the scientific evaluation of the stocks.

To Meet the Purposes of CDS-2

- ✓ All landings, tran-shipments and importations of fish into A-Country…will require a completed catch document.
- ✓ This will specify a range of information relating to the volume and location of catch, and the name and Flag State of the vessel.

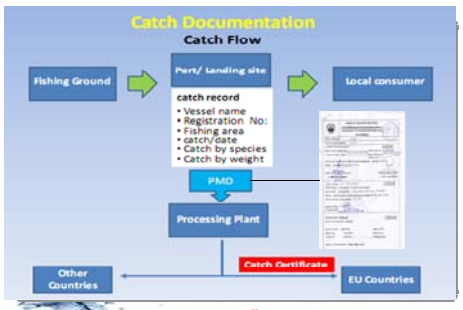
Lesson Learns (1)

on Catch Documentation Scheme

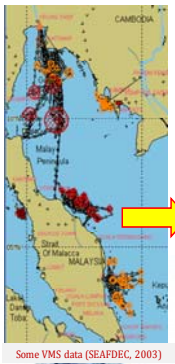
1) Fishing Logbooks (FLB) :Thai fishing vessels have to submit their Fishing Logbook to report their fishing activities in order to collect fishing period, area and volume of capture fish data and statistic.
2) Marine Catch Transshipping Document (MCTD): This document provide for the transship vessel that carry aquatic animals from the capture fishing vessels outside through the fishing port. After landed, both MCTD and FLBs were submitted to the Provincial Fishery Officer.
3) Marine Catch Purchasing Document (MCPD) : A movement of aquatic animal which has been caught from Thai fishing vessel to the factory is controlled via a MCPD to facilitate a traceability system. MCPD is as a record of the transshipment operation through fish landing at a landing port, collectors, and frozen storage to processing plants.

Lesson Learns (2)

on Catch Documentation Scheme



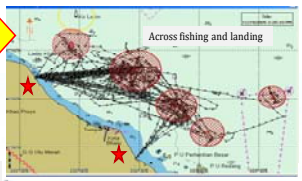
Issues on GOT Fisheries



Some VMS data (SEAFDEC, 2003)

Cambodian boats Trad province

Licensed boat (Pattani)



Applying CDS to GOT (1)

Key Issues of Fisheries Management in GOT sub-region
for trans-boundary species

- ❖ Catch Data/ Effective fishing logbook system
  - ✓ Artisanal fisheries/ small-scale fisheries
  - ✓ Commercial fisheries, Large-scale fisheries
- ❖ Across-border fish landing / fishing
  - ✓ Port Inspection/ Port Monitoring system
  - ✓ Surveillance system
  - ✓ Enhancing local market
  - ✓ Awareness building at community and local government
- ❖ Fishing licensing/ Boat registration
- ❖ Awareness Campaign

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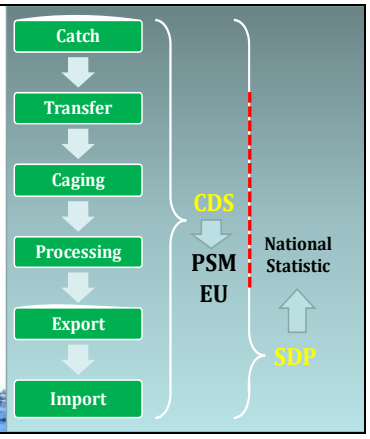
What's Catch Documentations

SDP: Statistical Document Program

CDS: Catch Documentation Scheme

CERTIFICATES: parts of the Scheme



Ways Forward to Promote CDS or SDP

- ✓ Better integration of commercial and artisanal/ SS-fisheries into CDS (RFMOs Members) or SDP.
- ✓ Guidelines for smooth operation may required
- ✓ Sharing experience for best practice on developing of logbook or landing data system./
- ✓ Thinking of new device for better tracking such as electronic tag (as Malaysia Practices)
- ✓ Link the issue to Licensing system
- ✓ Capacity building

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The Country Recommendations on catch documentation/certification scheme are welcome

Thank You for Your Attention

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Annex 17

CONCLUSION AND RECOMMENDATIONS

I. Introductory conclusions/suggestions

1. There was a general understanding among participants that one of the purposes of the meeting was to reestablish the momentum on the cooperation among countries of the Gulf of Thailand (GOT) sub-region in terms of the integration of fisheries and habitat management and in efforts to manage fishing capacity (reducing over-capacity and to combat illegal and destructive fishing (IUU fishing).
2. SEAFDEC should consider taking role in the conduct research/ study on what actual causes/constraints of illegal and destructive (IUU) fishing, the situation that lead to unsuccessful implementation of fisheries management measures in the GOT Countries, including habitat degeneration, and come up with recommendations on how countries should proceed with future directions. In the process, as indicated below, should with each of the GOT Countries develop a set of baseline information that would indicate present status of key functions and important actions to take.
3. A fact finding study should be undertaken to explore among GOT Countries on their general perceptions and importance given to combating IUU fishing, ecosystems approach to fisheries, port state, flag state and coastal state responsibilities, etc. A "research framework" will be developed in dialogue with Cambodia and Thailand. Based on questions raised by some people on the relevance of the concept of IUU fishing to this sub-region reference is in these conclusions frequently done to "illegal and destructive (IUU) fishing" to emphasize the relevance also to the GOT Countries.
4. The issue of climate change was raised during the meeting and it was generally recognized that climate change is something that will impact on us all, including the habitats and fisheries that we try to conserve and manage. The recommendation provided is that climate change will be incorporated as a cross-cutting and not as a stand-alone issue. References to the way actions taken respond to the effects and impacts of climate change, including build-up of adaptive capacity, will be done as relevant in each case.

II. Summary of actions to be made by GOT Countries, SEAFDEC, RPOA and other partners

This section will be further developed based on responses from the GOT countries by extracting information on direct/immediate action from the text below. The actions would include (to be further elaborated later)-

5. References from each of the countries on priority information (to be shared) and baseline information on the status in key areas.
6. National priority areas for capacity building and priority action
7. Status of establishment of marine parks, wildlife sanctuaries and other measures on habitat conservation
8. Options to develop a "census", similar to the one in Thailand, on the actual number of fishing vessels (small and large)

III. Management Approaches to fisheries and habitat management

9. The Meeting supported, in general, the promotion and establishment of a sub-regional fisheries management body and/or related arrangements for the Gulf of Thailand (GOT)

sub-region, including as appropriate bi- and trilateral arrangements/agreements for fisheries and habitat management. SEAFDEC should further coordinate with the RPOA Secretariat in developing activities to support fisheries management and to coordinate with other relevant bodies in support of habitat management

10. The GOT Countries recognized the adaptation of an ecosystems approach to fisheries (EAF) by integrating fisheries and habitat management, including management of fishing capacity and reduction of illegal and destructive fishing. Addressing institutional and legal responsibilities, social well-being and local organization are basic elements of the approach.
11. There is a need to emphasize that the GOT Countries are all "coastal states, flag states and port states" and this need to be recognized by the countries in the perspective of cooperation on fisheries and habitat management in the Gulf as well as in the implementation of national laws and regulations. This implies that a wide range of measures, including "port state, flag state and coastal state measures", should be considered by each state in order to come up with sub-regional approaches for effective fisheries and habitat management while at the same time combat IUU fishing and to reduce illegal and destructive fishing
12. The Meeting reconfirmed earlier support to the concept of fisheries *refugia* initiated by the UNEP/GEF/SCS project in collaboration with SEAFDEC. There was also a general recognition on the relevance to establish "larger fisheries resources conservation areas" that would build upon, or incorporate, earlier established (smaller) *refugias*, MPA's and other defined and managed areas. These larger areas could stretch across boundaries and SEAFDEC should, with each of the GOT Countries, explore the options to develop bi-and trilateral agreements for coordinated management, such as the one between Cambodia (Kampot) and Vietnam (Kien Giang). See also section IV "Trans-boundary opportunities" below.
13. With reference to the large *refugia* (including closed seasons) established in the western part of the GOT (primarily to regulate the fisheries on indo-pacific mackerel (Pla Tu), and related species, during important life-cycle stages) the meeting agreed that there were good opportunities to explore the options for a similar larger *refugia* in the eastern part of the GOT based on indication of migrations patterns of indo-pacific mackerel (Pla Tu) and related species The area would include Thailand, Cambodia and Vietnam. This would include agreements on the management of critical habitats and prohibition of fishery activities during critical stage of life cycle (spawning and nursing stage) thus recognizing the seasonal variations in order to ensure the long-term availability and sustainability of the resources. Research is however required for scientific-based information that could further identify spawning grounds, spawning seasons and migratory patterns for important species (see more below under "research and development").
14. The GOT Countries agreed on the importance to manage active fishing capacity (*e.g.* in terms of numbers and capacity of fishing vessels, fishing gears, etc.) for the GOT sub-region as basic tool to reduce over-fishing and to combat IUU fishing. Approaches should be explored and/or enhanced and cooperation promoted to ensure long-term sustainability of resources utilization. Activities may include monitoring of existing fishing capacity (*e.g.* through vessel registration/inventory), reduction of fishing capacity and monitoring of major fishing areas. A census or inventory such as the one in Thailand is recommended as needed in other countries to provide a baseline on the number of vessels. Other activities may include assessments of stocks, resources availability and habitats, closed seasons and application of practical indicators to see whether or not the resources is sustainable utilized etc. Unconventional methods could be explored as alternative to traditional stock assessments.
15. The GOT Countries provided a continued commitment to promote the establishment of MCS network(s) for the GOT sub-region with information sharing being an important initial step. Given the range of institutions involved in M. C and S, respectively, with

significant variations among the GOT Countries SEAFDEC was requested to go back to each of the GOT Countries to identify key institutions to be involved in the network. Indications should also be explored on what type of information that should be shared among countries as well as to indicate specific needs for capacity building.

16. The involvement of coastal communities in MCS actions should be encouraged. Although they may not have any authority to take actions in undertaking Surveillance (policing and enforcement) activities the communities can be supported to be involved in Monitoring and Control and if some illegal activities happen, they can further report to the responsible authority to take actions.
17. Community-based natural resources/habitats management should be supported to enhance the participation and involvement of community members, fisher-folk, local administrations and other stakeholders in management of fisheries and habitats, including efforts to combat/reduce illegal and destructive (IUU) fishing. Development of supporting legal framework should, if not available, be promoted to strengthen the rights and roles of communities and local administrations as applicable given the legal framework of each GOT Country. (It was noted that according to Malaysian laws coastal communities cannot be "empowered" for fisheries management). Local (fisheries/habitat) organization should be strengthened to increase adaptive capacity and social recognition (encourage registration of community members and vessels). As applicable (as in Malaysia) issue ID Card and license for people involved in fishing
18. Trans-boundary management issues and opportunities should be followed up with each of the GOT Countries, including sub-sub-regional events and on-site events for information sharing and capacity building/learning. Options should be explored to build upon and establish bi- and trilateral agreements, such as the one between Vietnam (Kien Giang) and Cambodia (Kampot)
19. For better communication and close cooperation among the countries of the GOT sub-region it is suggested that one, or two, focal point should be nominated by respective GOT countries in order to facilitate communication and sharing of information (Annex 1). One of the focal points should be similar to the national focal point for the RPOA and the other focal points should have relevant responsibilities with regards to habitat management and fisheries resources conservation. SEAFDEC were advised to issue official letters to Council Directors of respective GOT Country to nominate focal points.
20. The ability, resources, needs and requirements of GOT Countries are quite diverse when it comes to available information and implemented practices with regards to fisheries and habitat management, including perceptions of IUU fishing (illegal and destructive fishing). SEAFDEC is recommended to follow up with each of the GOT Countries on expectations, main areas for information sharing, key institutions and priority areas for improvement of management routines (including cooperation among GOT on capacity building). Specific attention to be given to trans-boundary issues and opportunities. See below for further elaborations.

IV. National policy, awareness raising, capacity building and links to the ASEAN Community development

21. Fisheries and habitat management need to be better reflected in national policies and development plans. GOT participants emphasized that political support from GOT governments is necessary to provide the necessary means and resources to responsible departments to facilitate improved habitat and fisheries management, improved capacity for M, C, and S, and to strengthen efforts to combat IUU (illegal and destructive) fishing. National priorities often have a major focus on other sectors than fisheries and habitat conservation and management such as general national (industrial) development contexts and food security. Ways need to be explored to generate strengthened political support among GOT Countries for fisheries and habitat management and the well-being of fisher-

folk and coastal communities, including efforts to combat IUU (illegal and destructive) fishing.

22. In the process of ratification, acceptance or accession to the FAO PSM Agreement, each country should consider the followings: 1) review national laws, regulations and procedures regarding port management and port inspection process. 2) ensure suitable mechanism to encourage inter-agency coordination and consultation in the country; 3) process of recruitment of required staff for implementation of monitoring and inspection measures; 4) Training and capacity building at national and local level; 5) regional and sub-regional workshop/training to be conducted to establish a common understanding; 6) classification and definition of existing (or planned) landing site and fishing port; 7) Review functions expected from the fishing ports and landing sites in addition to the monitoring of landed catches, such as quality control, good environmental practices (quality of port management), health, customs, immigration, etc

23. Any process or efforts to improve management of fishing capacity and to combat IUU fishing relies on actions taken by the flag state including an accurate record or estimate on numbers and type of vessels. To facilitate an accurate record each GOT Country need to have 1) proper or good system for registration of fishing vessels; 2) processes to issue licenses to fish (vessels, gear and people) should be functioning; 3) Established system for reliable and verifiable catch documentation (logbooks, etc) 4) For smaller vessels special records or systems for registration could be developed as suitable in each country. ID Cards could be considered, as in Malaysia, for community members involved in/licensed to fish. Where information is uncertain a census or inventory such as the one in Thailand is recommended as needed in other countries to provide a baseline on the number of vessels. A good, and accessible, record on numbers and type of vessels as well as on types and numbers of fishing licenses is an important basis for MCS efforts and in the build-up of MCS network among GOT Countries

24. Sub-regional cooperation, including bi- and trilateral agreements need to have a base in the provisions provided within national legislation. GOT Countries cannot be expected to agree on measures that are more far-reaching than the rules and regulations of their own structures. GOT Countries, SEAFDEC and the RPOA should continue to encourage dialogue among the four countries on the applicable of the respective laws and regulations with a view to finding a common platform on key aspects.

Awareness-raising

25. Activities should be implemented (at the national level) to create understanding and awareness among relevant stakeholders including the youth, decision makers and politicians (on conservation and management) on the importance of fisheries and habitat management (e.g habitat rehabilitation, habitat management, MPA's, the importance to provide proper licenses to fish (vessels, gear, people), the need for traceability and good catch documents, port monitoring and inspections, etc. to facilitate cooperation among all relevant parties in the application of the relevant systems and requirements for the sustainability of habitats and fisheries, including efforts to combat illegal and destructive (IUU) fishing.

26. Awareness should be raised for local fisher-folk to understand the modern concepts of fisheries and habitat management and awareness should be raised at central and sub-regional level on the knowledge, traditional management and conservation practices among communities in coastal areas, including their adaptive capacity in respond to natural hazards.

27. Relevant information should be simplified in order to generate materials for awareness raising and training activities. The concepts should be explained in a simple way.

Policy makers and the need to create political will

28. Information and recommendations should also be provided to policy makers on the need for improved management of fisheries and habitats, including efforts to combat illegal and destructive (IUU) fishing in order to secure social well-being and improved livelihoods. The options and benefits of sub-regional and trans-boundary arrangements should be emphasized, including options for economic development, social wellbeing, improved management of resources and the mitigation of risks for conflicts among neighboring countries.
29. Information derived from the conduct of research activities should be interpreted and provided to policy makers to serve as a basis for the development of relevant information based policy. To trigger political will among policy makers, close collaboration with NGOs, users groups and other external pressure groups, including the private sector, should be enhanced. Relevant information should be simplified in order to generate materials that fit into the political agenda and related priorities. The concepts should be explained in a simple way.

Capacity building

30. To enhance capacity of GOT countries in applying an ecosystems approach to fisheries, to integrate fisheries and habitat management and for the implementation of Flag State Measures and Port State Measures the following aspects are among those that should be considered:
    a. To provide training and information on the concepts and benefits of an ecosystems based approach to fisheries, including the integration of fisheries and habitat management
    b. Clarify and agree on relevant definitions (*e.g.* landing sites vs. fishing ports; and *refugia* vs. MPA) among the GOT Countries and relevant agencies (*e.g.* SEAFDEC, RPOA, APFIC, etc.)
    c. Follow up on the FAO PSM Agreement guidelines for training of port inspectors and clarify/enhance the capacity of GOT Countries in the application of Annexes A-E of the FAO PSM Agreement.
    d. Capacity building, learning events and/or training should preferable be applied as “on-the job training” with an aim that those that need the training (for their work) also would get it.
    e. Training should be provided by relevant organizations in cooperation with GOT Countries (*e.g.* SEAFDEC and RPOA) and aim should be to try to target areas, people and countries in most need of capacity building

ASEAN Community 2015

31. The fisheries sector is one of priority sectors under the ASEAN Economic Community Blueprint and the aim to combat illegal fishing is clearly stated among ASEAN Heads of State. The challenges emerging out of a (FAO) global initiative to combat IUU is now very much a regional concern as is verified by the SEAFDEC Council and the RPOA. Other aspects, such as resources conservation and environmental management together with poverty reduction and improved social well-being, improved working conditions and the role of migratory workforces are key factors to the sustainability of fisheries in the GOT Sub-region. It is also central factors to the development of the ASEAN Community by 2015. The countries of the GOT, together with SEAFDEC and the RPOA, should report to ASEAN Policy making bodies for informed policy decisions to be taken. Information on progress, and difficulties, should also be provided to FAO and other global bodies with an aim that further global dialogue has an adequate amount of information also from the GOT Sub-region, together with information from other Southeast Asian sub-regions and the ASEAN Region.

V. Trans-boundary opportunities

32. An area of specific importance to the GOT Countries is to highlight the efforts being made to create opportunities for trans-boundary arrangements, such as the agreement between Vietnam (Kien Giang) and Cambodia (Kampot). Another important area is to share experiences in local arrangements with regards to landing of catches from vessels of neighboring countries, which is a common feature in all three "border areas" of the Gulf (Thailand – Cambodia, Cambodia – Vietnam and Malaysia – Thailand)

33. SEAFDEC should consider conduct fact-finding studies for selected cases (*e.g*. double flags, double registration, landing of catch from vessels holding one country's flag in the port of other countries: Thailand-Cambodia, Vietnam-Cambodia, Malaysia-Thailand) in order to come up with information, which could be incorporate with formal data to facilitate better understanding on the actual situation and resources to support better management/mitigate potential emerging conflicts. The result if possible should be presented for the next meeting.

VI. Information, information sharing, research and studies

34. Coordination and mechanisms for communication between agencies responsible for fisheries, habitat, environmental protection, social development and other concerned agencies including NGOs and other stakeholders should be enhanced including requirements to manage fishing capacity (*e.g.* MCS network, vessel registration, licensing and port monitoring etc.). SEAFDEC could/should work out with each country a set of key institutions, NGO's etc for initial coordination and communication, especially with an eye to the sharing of information among GOT Countries.

35. There is a general agreement among GOT Countries that there is a need to improve the collection of information and data to be shared among countries in the GOT sub-regional level. There is also a need to identify the type of information/data that the GOT Countries see as a priority for information sharing as a basis for sub-regional dialogue. SEAFDEC could follow up on this in contact with each of the GOT Countries.

36. An important area of information sharing is the exchange of experiences of countries that successfully apply various management measures, *e.g*. vessel registration, the use of logbook, catch certification, port monitoring etc. The exchange of experiences should also include larger fisheries resources conservation areas (such as the western part of the Gulf), habitat management (mangroves, corals, etc) and the applications of MPA's and the relation to fisheries management.

37. The importance to share information on fishing vessels was emphasized and the Meeting discussed various options relevant to the GOT sub-region. Recommendations were made that the information shared should be based on the information available for all types of vessels (small and large) in each country (established in according with their own legal requirements). Given the variety of information to be provided the options for a "correcting factor" should be explored that could provide a basis for bi-lateral and sub-regional discussion. The meeting took note of some other initiatives that aim to come up with standardized vessel records, esp. the FAO Global Record. A baseline on available information on vessels (smaller and larger) among the GOT Countries should be developed.

38. There is a general understanding that there are no "statistics" on IUU fishing as such. However, recommendations were made that a record, or information base, should be established on reported incidences of illegal, destructive and IUU fishing including information on the area of the illegal activity. If available, the names and origin of the vessels should be included in the information.

39. Taking into account the requirement of time series for good monitoring the Meeting emphasized that routine data collection is very important in order to support the fisheries management. To strengthen and focus the data collection it is important to establish the "minimum" data requirement that is essential and required for improved management. To improve the management efforts, to support the build-up of MCS network and to ensure improved fisheries management, including efforts to combat IUU fishing, countries should consider developing and implementing catch documentation schemes and/or statistical data program for small-scale and commercial fisheries.

40. Variations among GOT Countries on availability of information, data quality as well as insufficiency in specific areas should be understood. SEAFDEC (and RPOA) should explore with each of the GOT countries on specific needs for capacity building and priorities and information collection with activities aiming for a similar level of information availability and quality among GOT Countries. Data and information sharing for bilateral and tri-lateral arrangements should be enhanced in the process and neighboring countries should/could be encouraged to participate in capacity building activities.

41. The Meeting recognized that the information on fisheries resources/stocks was limited and needed to be updated. The information on important habitats (seagrass, mangroves, corals, etc) is more updated following the work coordinated by the UNEP/GEF/SCS). In cooperation with GOT Countries SEAFDEC should consider assist countries in the conduct of study/estimation of fishery resources/stocks status using methodologies that are appropriate for the region, including further developments of models based on available information as well as use to apply the use of indicators, determination of trophic levels and exploitation levels etc.

42. Other tools, *e.g*. unconventional methods, small satellite tagging or DNA studies could be explored as alternative to traditional stock assessments. In the assessment process methodologies and applications should be further shared with GOT Countries in order to enhance the capacity of countries to develop the studies as well as to build up the capacity of needed young scientist on stock assessment. Assessments to be conducted should be planned in coordination among GOT Countries in order to harmonize the data collection methodologies and facilitate sharing and analysis of data to provide a comparable picture on the Gulf as a whole

43. The Tagging of small pelagic fish species, such as Indo-pacific mackerel, should be continued by SEAFDEC in order to obtain information on the species migratory route, spawning ground, etc. However, due to the low recapture rate during the previous project, cooperation among countries in the GOT sub-region should be enhanced, particularly in raising awareness for fishers to bring back the recaptured fish.

44. SEAFDEC, in cooperation with suitable partners (RPOA, BOBLME, APFIC, etc), should compile information and references on sets of different tools/methodologies (for scientific, socio-economic studies, etc.) that could be used in different situations that might be relevant to the Gulf of Thailand - with pros. and cons. for each application - and provide that to the GOT Countries for reference and usage.

Annex 1: Gulf of Thailand National Focal Points

	Habitat/resources	**RPOA Focal Point**
Cambodia		
Malaysia		
Thailand		
Vietnam		