Report of the Regional Technical Consultation on Development of Regional Plan of Action-Management of Fishing Capacity

Kuala Lumpur, Malaysia

24-26 February 2015

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Southeast Asian Fisheries Development Center

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I. BACKGROUND AND OPENING OF THE MEETING

1. The Regional Technical Consultation on Development of Regional Plan of Action-Management of Fishing Capacity was convened in Kuala Lumpur, Malaysia from 24 to 26 February 2015. The Meeting was attended by representatives from SEAFDEC member countries namely Cambodia, Indonesia, Lao PDR, Malaysia, Myanmar, the Philippines, Singapore, Thailand, Viet Nam, as well as the resource persons from the Department of Fisheries (DOF) Malaysia and Fisheries Research Agency (FRA) of Japan. Representatives from regional organizations such as FAO/RAP and RPOA-IUU Secretariat, senior officers from SEAFDEC and SEAFDEC Departments also attended the Meeting. The list of participants is as per **Annex 1**.

2. Management of fishing capacity has always been highlighted as critically important issue in the Southeast Asian region. Under the ASEAN Fisheries Consultative Forum (AFCF), Malaysia was chosen as the lead country for the cluster "Promoting sustainable fisheries practices-Fishing capacity and responsible fisheries practices" and with that mandate, Malaysia had fulfilled her commitment by formulating a Guideline for the Management of Fishing Capacity. As a follow-up action, Malaysia had offered to conduct a Meeting in collaboration with SEAFDEC during the 37th SEAFDEC Program Committee Meeting which was held in November 2014, with the aim to encourage the formulation of a regional plan of action for managing fishing capacity in Southeast Asia. In this regard, this Meeting was aimed to provide a platform for the Southeast Asian countries to identify issues and challenges in managing fishing capacity within the region and brainstorm on contents for the regional plan of action. At the same time, Malaysia took this opportunity to launch her second National Plan of Action (NPOA) for the Management of Fishing Capacity.

3. Secretary-General of SEAFDEC and the Chairman of the Meeting, *Dr. Chumnarn Pongsri* delivered his welcoming speech during the Opening Ceremony of the Meeting and Launching Ceremony of the NPOA for Management of Fishing Capacity (Plan 2). He welcomed the participants to the event and highlighted the importance of the Meeting. He also recalled some of the past initiatives carried out by SEAFDEC with regard to the effort on managing fishing capacity in the region. Before ending his speech, he hoped for active participation from the member countries and wished a pleasant stay in Kuala Lumpur. His welcoming speech appears as **Annex 2**.

4. On behalf of the Director General of Fisheries Malaysia, *Mr. Johari bin Ramli*, Deputy Director General of Fisheries Malaysia (Management) extended his warm welcome to all distinguished delegates and guests. He recalled the task as the lead country for the cluster "Promoting sustainable fisheries practices-Fishing capacity and responsible fisheries practices" as set forth in the AFCF Work Plan 2010-2012, and the effort in developing the draft Guideline for managing fishing capacity for the ASEAN region. While making reference to the International Plan of Action for the Management of Fishing Capacity (IPOA-Capacity), he urged the ASEAN-SEAFDEC Member States to pursue regional obligation in addressing the issue of

overcapacity. He also hoped that the Meeting would witness an active exchange of constructive views with productive deliberations that would help to further deepen and strengthen the cooperation in promoting responsible fishing practices and managing fishing capacity. Last but not least, he declared the Regional Technical Consultation on Development of Regional Plan of Action-Management of Fishing Capacity open, and launched the NPOA for the Management of Fishing Capacity (Plan 2). His opening speech appears as **Annex 3**.

II. ADOPTION OF THE AGENDA AND OVERVIEW OF THE MEETING

(Chairperson: *Mr. Ahmad Hazizi bin Aziz*)

5. First of all, *Mr. Ahmad Hazizi Bin Aziz*, Director of Planning and Development Division of DOF Malaysia, delivered his short remarks. He welcomed the participants and thanked SEAFDEC and donors, including Japanese Trust Fund (JTF) and the Government of Sweden in supporting the event. He also reiterated that managing fishing capacity is an important issue, particularly for the developing countries and agreed that it is timely for organizing such RTC to deliberate the development of Regional Plan of Action-Management of Fishing Capacity (RPOA-Capacity) for the Southeast Asian region. He then handed over the session to the Secretary-General of SEAFDEC, *Dr. Chumnarn Pongsri* for introduction of the other agendas. The Meeting continued with the introduction of participants.

6. *Dr. Worawit Wanchana*, Assistant Policy and Program Coordinator from SEAFDEC Secretariat presented the overview and introduction of the Meeting **(Annex 4)**. In his presentation, he quoted the definition of management of fishing capacity by FAO and also made reference to the Code of Conduct for Responsible Fisheries. The Meeting recalled the chronology of events in the development of IPOA-Capacity, and was enlightened with important information contained in the IPOA-Capacity, such as objectives and aims of the plan. The Meeting also noted the background of ASEAN-SEAFDEC cooperation, particularly its initiative on the work in relation to management of fishing capacity.

7. He further introduced the objectives of the Meeting, expected outputs and outcomes, and continued with arrangements of the agenda. The proposed agenda was adopted unanimously **(Annex 5)**.

8. *Mr. Ahmad Adnan bin Nuruddin*, Resource Person from DOF Malaysia presented the Guideline for Managing Fishing Capacity for ASEAN Member States **(Annex 6)**. The Meeting was informed that Malaysia had submitted the Guideline for Managing Fishing Capacity for ASEAN Member States to the 4th AFCF which was held in June 2012 in Yogyakarta, Indonesia. He highlighted the idea of the National Fisheries Policy related to fishing capacity and listed the components under the management status of capture fisheries, including resource assessment, fisheries statistical data, legal aspects, management measures, as well as institutional/divisional responsibilities. Meanwhile, he also pointed out the issues and challenges that were identified in the guideline and explained the important elements in management of fishing capacity. Strategies should be aimed to address the issues involving fisheries and its key actions and key performance indicators should be listed together in order to be able to evaluate the effectiveness of each actions. Under the Guideline, each Member Country was recommended to develop their respective NPOA-Capacity and that it shall be revised every four (4) years, to validate information on various items.

9. *Dr. Somboon Siriraksophon*, Policy and Program Coordinator of SEAFDEC congratulated DOF Malaysia for its effort in developing the Guideline and requested further elaboration on fuel subsidies provided to the fishers, introduction of alternative livelihood to reduce fishing capacity, and moratorium of fishing license and in Malaysia. In response to the inquiry, the Meeting was informed that Malaysia provides incentives in the form of fuel subsidy to small-scale fishers, as a measure to alleviate poverty and that the Government has also been reviewing the policies in the process of rationalizing the subsidy. The Meeting also noted that under the 11th Malaysian Plan, aquaculture has been identified as one of the alternative livelihood, especially for the fishers in the coastal area and in this regard, the Government has allocated financial support to promote the aquaculture industry. On the other hand, Malaysia has started to implement licensing system in early 80s and is moving towards limiting the number of fishing license in order to protect the resources.

10. The Meeting was explained that the status of fisheries resources is based on resource surveys, due to lack of funding for monitoring work. Based on the previous data, the demersal fishery resources in coastal waters of Malaysia is over exploited, which was the reason for rezonation of peninsular and east Malaysian Waters, as well as banning of trawl fisheries which would be imposed in 2016. Furthermore, Malaysia had strengthened the enforcement by prolonging the license suspension period to one (1) year, if the offshore fishers were found encroaching coastal areas.

11. With regard to the question on provision of subsidies to all agriculture sectors in Malaysia, the Meeting was clarified that policies formulated under the agriculture sector depends very much on the needs, and that subsidies are not provided to all agriculture sectors, but focused to commodities that contributes to food security such as rice. The Meeting further noted that policies pertaining to agriculture are linked to different international agreements, and the obligation and commitment towards these agreements also differs accordingly.

III. COUNTRY REVIEW ON MANAGEMENT OF FISHING CAPACITY

- **Cambodia**

12. *Mr. Buoy Roitana*, representative from Cambodia presented the country review on Management of Fishing Capacity in Cambodia **(Annex 7)**. He elaborated the current situation of marine fisheries resources assessment and existing issues on over capacity by providing general information such as production figures of inland capture, marine capture, and aquaculture subsectors. The Meeting noted that inland capture fisheries play an important role in fisheries production of Cambodia. Besides that, he also presented some of the legislative and institutional systems for fishing capacity management for marine fisheries subsector that were in place. Under the NPOA for management of fishing capacity, the marine capture fisheries is classified into two (2) levels, whereby national fishing is managed by the Ministry of Agriculture, Forestry, and Fisheries (MAFF) and Fisheries Administration (FiA), whereas international fishing is managed the Cabinet of Prime Minister Office. The Meeting was informed that the NPOA had been drafted and the Inter-Ministries Joint Working Group was formed to accelerate the approval and implementation of the NPOA.

13. The Meeting was clarified that the data representing number of fishing vessel reaching above 100,000 included both inland and marine fishing vessels. Meanwhile, the annual statistical data showed that the number of fishing vessels and the production of capture fisheries, regardless of inland or marine subsector was reported to increase by year. Noting the limitations in data

collection system in Cambodia, *Mr. Chhuon Kimchhea* suggested that studies should be conducted in order to improve the fisheries statistical data so that the current fisheries status could be clearly reflected.

14. The Meeting was also informed that FiA at central and provincial level records all fishing vessels, with or without engine. However, licenses are only issued for vessels with engines. The statistical data represents fishing vessels for both licensed and non-licensed.

- **Indonesia**

15. *Mr. Gunawan Dwi Nugroho* presented the country review on capacity, as per **Annex 8**. He provided basic information on the characteristics of marine fisheries, legal framework governing marine fisheries subsector in Indonesia, and status of fisheries resources in Indonesian waters. In addition, he highlighted fishing capacity management undertaken in Indonesia such as data collection and reporting, moratorium to imported fishing vessels, prohibition of transshipment at sea, prohibition of lobster and crab catch, prohibition of trawls and seine nets, and establishment of closing area for fishing (conservation). The Meeting noted that NPOA for the management of fishing capacity in Indonesia was drafted in 2007.

16. In response to the inquiry regarding quota system in Indonesia, the Meeting was clarified that quota allocated to fishing vessels in each fisheries management area is based upon the number of fishing vessels as well as the Maximum Sustainable Yield (MSY).

17. Regarding the prohibition of trawls and seine nets in Indonesia, the Meeting was informed that existing fishing licenses for trawls and seine nets are still valid until its expiration. However, issuance of new license for trawls and seine nets would not be allowed according to the new Ministerial Decree. In this connection, the government has been encouraging the small-scale fishers to change their fishing gear to comply with the new law.

18. Under the new fisheries regulation, all fishing vessels above 5 GT shall submit the logbook for reporting. Logbook data is filled by the fishing master and submitted to the officers at the fishing ports. The information in the logbook could be crosschecked with the VMS data based on the coordinate information, for reliability of the data and improvement of data collection.

19. The Meeting was clarified that the Indonesian NPOA is still in the draft stage and yet to be launched. The NPOA is referred as technical guidance and detailed action plan within the framework of the NPOA are in the process of development. The presenter cleared the misconception whereby the regulations on fishing capacity management in Indonesia were formulated as part of the fisheries management effort, and was not the result of the NPOA.

- **Japan**

20. *Mr. Tsuyoshi Iwata*, Technical Coordinator of SEAFDEC presented Fisheries Capacity Management in Japan, within his personal capacity. He provided quick review on the current situation of marine fisheries resource assessment whereby resource assessment for target species is conducted by the FRA with budget derived from the Fisheries Agency of Japan (FAJ). According to FAJ, fisheries resources in waters surrounding Japan are generally stable. He also highlighted the strengths of Japanese Fisheries Resources Assessment i.e. easy data collection at landing sites, reliable national statistics, and well established networks among research institutes.

As an example, he provided a case study on the Pacific Bluefin Tuna that was reported to be affected due to excessive fishing activity in the Pacific Ocean and measures taken by FAJ to reduce the catch of juvenile Pacific Bluefin Tuna. The Meeting also noted Japan's various legislative and institutional systems for fishing capacity management, including fishery right system in coastal and inland water fishing grounds, fishery license system, fisheries notification system, Total Allowable Catch (TAC) and Total Allowable Effort (TAE) systems, as well as fishing vessel control system. He informed the Meeting that Japan is of the view that it has already been implementing necessary measures pertaining to fishing capacity management and there was no need for its own NPOA-capacity. Moreover, Japan had compiled IPOA-IUU in the form of national actions, which could substitute NPOA. His presentation appears in **Annex 9**.

21. *Mr. Raja Bidin bin Raja Hassan* commented that fishers in Japan are well educated and aware of the importance in protecting fisheries resources, unlike the fishers in Southeast Asian region. Thus, awareness program would be necessary to educate the fishers on management of fishing capacity in this region.

- **Malaysia**

22. Representative from Malaysia, *Mr. Mohd Noor bin Nordin* presented the country review on managing fishing capacity. He provided general information on the length of Malaysian coastlines and status of fishery production in 2013. The Meeting was highlighted with Malaysia's achievements, including the development of several NPOAs for management of sharks, illegal, unreported, and unregulated (IUU) fishing, and management of fishing capacity. While referring to the launched NPOA-capacity (Plan 2), he outlined the contents of the NPOA and informed that it is a revision of the NPOA-Capacity (Plan 1), that was developed in 2008. The Meeting also noted the capacity building program, in particular Ecosystem Approach to Fisheries Management (EAFM) workshops that was conducted to promote sustainable fisheries management. His presentation appears as **Annex 10**.

23. The Meeting was clarified that Malaysia does not provide license for foreign fishing vessels. Fishing license is only issued to local vessels and locally owned companies, meaning that at least 51% of the share belongs to Malaysian citizen, as stipulated under the law.

24. With regard to the participation of stakeholders in the revision of NPOA-capacity, the Meeting noted that other government agencies and target groups such as fisheries association and NGOs were invited during the consultation for the formulation of NPOA-capacity, as it is part of the national procedure.

- **Myanmar**

25. *Dr. Than Than Lwin*, representative from Myanmar delivered her presentation titled Management of Fishing Capacity in Myanmar **(Annex 11)**. She briefed the legal framework, national policy, provincial/prefectural system for fisheries management and other important information on small-scale and commercial fishing. She also linked the existing issues of over-capacity with the country's regulations related to management of fishing capacity and current law enforcement in place. Towards the end of her presentation, she pointed out the challenges and future implementation for management of fishing capacity in Myanmar.

26. In response to the inquiry on the prohibition of fishing in high seas, the Meeting was clarified that the said law is only applicable to the small-scale fishers, taking into consideration the safety at sea.

- **The Philippines**

27. *Mr. Severino L. Escobar, Jr.*, representative from the Philippines presented the country review on management of fishing capacity **(Annex 12)**. First of all, he elucidated the legal and institutional framework, laws governing fisheries management as well as the responsible authorities for fisheries management in the Philippines. Fishing in the Philippines is divided into two (2) categories namely commercial and municipal fishing. He further detailed out the requirements and procedure for issuance of commercial and municipal fishing license. Last but not least, he pointed out the issues and problem on over capacity and explained the relevant policies on fishing capacity management. The Meeting noted that the Philippines does not have NPOA for fishing capacity in place, but the measures in relation to fishing capacity management such as moratorium of fishing licenses and some other activities are already implemented.

28. The Meeting was clarified that fishing vessel license and fishing gear license in the Philippines are distinct and issued separately.

29. In the effort to cope with issues and problem on over capacity, the Bureau of Fisheries and Aquatic Resources (BFAR) encourage close cooperation with Maritime Industry Authority (MARINA), since MARINA is mandated to license the fishing vessel. When an entity seeks to register a vessel, they need to get the assurance from BFAR. Meanwhile, in order to reduce the proliferation of illegal fishing vessel, BFAR conducts joint mobile registration and licensing with MARINA. As for the undervalued license and permit fees, BFAR had decided to amend the law pertaining to the license fees.

30. With regard to penalties for fishing without license or unregistered vessel, the Meeting noted that BFAR is in process of amending the existing fisheries laws, and that stiffer penalties would be included in the amendment. The minimum fine from 10,000 pesos would be increased up to 1 million pesos.

31. *Mr. Severino L. Escobar, Jr* explained that although the regulations on installation of JTED in trawl nets and mesh size are in place, monitoring the operations of the vessels and enforcement is still necessary to ensure the compliance with the regulations.

- **Singapore**

32. The representative from Singapore, *Mr. Kihua Teh* presented the country review on management of fishing capacity. He described the current situation on marine fisheries resources and legislative arrangement for fishing capacity management. He added that dwindling numbers of fishing vessels was due to high operating costs (fuel) and no succession plan to transfer the fishing businesses to younger generation. The Meeting took note of the current development of Singapore's NPOA, whereby inter-agency engagements was formed to have regular discussion and coordination towards the development of NPOA against IUU fishing activities, including the implementation of relevant Port State Measures Agreement. In addition, Singapore conducts regular reviews on policies and amendments to Fisheries Act to further strengthen the enforcement powers. His presentation appears as **Annex 13**.

33. With regard to fishing in high seas, the Meeting was informed that there was no license issued to Singaporean vessel to fish in high seas. However license was issued for one (1) carrier vessel.

34. On the status of resources in Singapore waters, *Mr. Kihua Teh* responded that the country had not conducted any stock assessment and would like to carry out a study on that.

- **Thailand**

35. *Ms. Praulai Nootmorn*, representative from Thailand presented the Country Review on Management of Fishing Capacity. She elaborated the current situation on marine fisheries resources assessment, country's legislative and institutional system for fishing capacity management including inter-agencies involvement in marine fisheries management as well as the problems and constraints in the management. The Meeting was informed that Thailand adopted its NPOA-IUU in 2009. On the other hand, she highlighted the concerns on effective enforcement of the new Fisheries Act which requires the installation of Vessel Monitoring System (VMS) and strengthening the system of traceability throughout the production line. Her presentation appears as **Annex 14**.

36. Regarding the joint venture arrangements with neighboring countries, The Meeting noted that Thailand had started to negotiate with Myanmar and Cambodia. In addition, the private sectors in Thailand had initiated negotiations with countries like Iran, Oman, Africa, and Papua New Guinea.

- **Viet Nam**

37. *Mr. Nguyen Thanh Binh*, representative from Viet Nam presented the National Plan of Action for Management of Fishing Capacity in Viet Nam **(Annex 15)**. He provided brief information on the number of fishing vessels, total capacity, capture fisheries production, and Catch per Unit Effort (CPUE). The Meeting was informed that Viet Nam had adopted its NPOA-capacity in 2014 and total number of fishing vessels had reduced by 12,000 units for the last three (3) years. Several objectives stipulated under the NPOA-capacity including reduction of trawl fishing vessels, establishment of fisheries co-management in coastal provinces, and controlled number of fishing boats in coincidence with allowable resources. He further elaborated on the activities, solutions, as well as implementation of the NPOA-capacity.

38. With regard to the increase of fishing vessels after 2008, the Meeting was clarified that the fishing activity in coastal areas, in particular the small-scale fishers had increased in number. Nevertheless, the total capacity did not increase drastically. Considering that CPUE units differ by type of fishing gear, the meeting noted that such CPUE was roughly calculated based on the overall fishing activity.

39. On the decrease of fishing vessels over the past three (3) years, *Mr. Pham Hung* clarified that those fishers had switched to alternative livelihood, such as venturing into tourism sector.

40. While noting the initiative by many countries in banning the use of trawl as an effort to manage fishing capacity, the Meeting suggested SEAFDEC to look into alternative gear that could replace trawl nets. In fact, trawls had been a major contributor to the production of capture fisheries in the region despite being labeled as relatively destructive gear.

IV. EXPERIENCE AND LESSONS LEARNED FROM INTERNATIONAL, REGIONAL, NATIONAL AND OTHER INITIATIVES IN MANAGING FISHING CAPACITY IN SOUTHEAST ASIAN REGION

(Chairperson: Ms. Mahyam Bt Mohd Isa)

- **FAO/APFIC**

41. The representative from FAO/APFIC, *Mr. Robert Lee* presented the initiatives of FAO to support fishing capacity management at the global level. He highlighted the issues in management of fishing capacity in Asia and the need for reducing capacity. He further introduced the IPOA-capacity which is a voluntary instrument linked to the CCRF. The Meeting also took note of the strategies, key principles, and approaches to achieve its objectives. Towards the end of his presentation, *Mr. Robert Lee* provided some suggestions to be considered during the development of RPOA-capacity. His presentation appears as **Annex 16**.

42. Regarding the connection between RPOA-IUU and RPOA-capacity, the Meeting was advised that both plans should be kept separately. However, RPOA-IUU should be taken into consideration while addressing the issues on fishing capacity. The Meeting also noted that FAO is developing a tool to quantify IUU fishing and that the results would be disseminated once available.

- **Japanese Trust Fund (JTF)**

43. *Mr. Tsuyoshi Iwata*, Technical Coordinator of SEAFDEC introduced the SEAFDEC activities that are supported by the Japanese Trust Fund (JTF). He explained that JTF is a contribution of Fisheries Agency of Japan to SEAFDEC to support the promotion of sustainable fisheries/aquaculture as well as sustainable utilization of aquatic living resources for human consumption in the Southeast Asian region. The JTF supported activities in relation to management of fishing capacity including Regional Fishing Vessel Record database (RFVR), promotion of Port State Measures (PSM), study on management measures for purse seine fisheries in Southeast Asia, promotion of community based fisheries management, capacity building on EAFM for Member Countries, and establishment of Regional Guidelines. His presentation appears as **Annex 17**.

- **SEAFDEC-Sweden Collaborative Project**

44. *Ms. Pattaratjit Kaewnuratchadasorn*, Program Manager for SEAFDEC-Sweden project presented a review on activities implemented by SEAFDEC-Sweden Collaborative Project. She elaborated the SEAFDEC-Sida Collaborative Project (2003-2006) and listed some of the corresponding events conducted to address the issue on excessive levels of fishing capacity. The Meeting was also enlightened with some of the initiatives in the past as well as important recommendations made during the meetings and consultations. She further introduced the current SEAFDEC-Sweden project (2013-2017) including the sub-regional management areas, namely Andaman Sea, Gulf of Thailand, Sulu-Sulawesi Seas, and Mekong River Basin, as well as the bilateral arrangements between the relevant countries within the sub-regions. The detail of her presentation appears as **Annex 18**.

- **REBYC-II CTI**

45. *Mr. Isara Chanrachkij* from SEAFDEC Training Department presented the strategies for trawl fisheries under the REBYC-II CTI project, which is the initiative by FAO. He introduced the Project REBYC Phase-I, which was implemented from 2002 to 2008, and the lessons learned from the said project. Next, he moved on with his explanation regarding the current REBYC-II CTI project (2012-2015), including the objectives and expected outcomes. He also listed the participating countries as well as the project partners who provided technical and financial support. Other details such as project implementation area, main components of the project, activities framework for each of the component, and lessons learned were also elaborated in detail. His presentation appears as **Annex 19**.

46. The Meeting noted that Thailand applies several measures such as fishing gear, seasonal and area closure fishing season, and zoning management. However, the acceptance towards the gear management is low compared to fishing season and zoning management seasonal and area closure. In this regard, the project emphasizes the application of Ecosystem Approach to Fisheries Management (EAFM) concept in trawl fisheries.

47. The trawl management plan in each country is different due to diversified resources and fisheries structure. The management plans are developed in appropriate to the fisheries condition in the concerned countries, and known to be site specific management plan.

48. While congratulating the presenter for his comprehensive presentation, *Mr. Severino L. Escobar, Jr.* informed that the Philippines had banned modified trawls and also undertaking the banning of trawls. In addition, under the Fisheries Administrative Order No. 237, the Philippines had required trawlers to install Juvenile and Trashfish Excluder Device (JTED). However, the Meeting was informed that the REBYC-II CTI project had encountered issues in trawl fisheries management in the Philippines due to the said regulations. In this regard, *Mr. Isara Chanrachkij* suggested that EAFM could be considered as an alternative approach in trawl fisheries management, besides having JTED installed in trawl nets.

49. On the other hand, Malaysia intends to ban trawl nets starting at the west coast area, in support to fishing capacity management. Nevertheless, the shrimp and demersal resources are utilized using the trawls. In this connection, the Meeting suggested SEAFDEC to conduct study on alternative fishing gear, which could replace the trawls.

50. In fact, Indonesia had also banned the usage of trawls in Indonesian waters. Currently, the government has been offering soft loans to the trawl fishers in order to change their fishing gear or switch towards mariculture. In this connection, *Mr. Robert Lee* commented that the approach for management of fishing capacity should be headed towards management of trawl fisheries rather than banning the trawls.

- **Fisheries Research Agency (FRA)**

51. The resource person from FRA Japan, *Mr. Takaomi Kaneko* provided a presentation on Japanese Fisheries Management: Autonomous activities supported by legislative framework. He described on the co-management system in Japan, case of autonomous Marine Protected Areas (MPA), autonomous input and technical rules in Fishery Cooperative Associations, and autonomous quota allocation rules. MPA in Japan is classified into two (2) namely the Legal Marine Protected Area (LMPA) and Autonomous Marine Protected Area (AMPA). It was noted that there are more than 1000 AMPAs in Japan. Meanwhile, Fisheries Cooperative Association (FCA) is well established and plays an important role in regulating marine resources

conservation and utilization. In conclusion, autonomous activities of fishers are the core of Japanese fisheries management as the combination of government control and autonomous activities could complement each other. The detail of his presentation appears as **Annex 20**.

52. Regarding the characteristic of coastal fisheries in Japan, the Meeting noted that most of the coastal fisheries are owner operator. It was also informed that the quota allocated to offshore fishers is not transferable among the fishers.

- **RPOA-IUU**

53. *Mrs. Sere Alina Tampubolon*, representative from RPOA-IUU Secretariat presented the Structure and Focus on Regional Plan of Action to Promote Responsible Fishing Practices including Combating IUU Fishing in the Region (RPOA-IUU). The RPOA-IUU is a voluntary instrument to enhance and strengthen overall level of fisheries management in the region, in particular South China Sea, Sulu Sulawesi Seas, and Arafura-Timor Seas. At the present, there are 11 participating countries covering 3 sub-regional groups (Southern-Eastern South China Sea and Sulu-Sulawesi Seas, Gulf of Thailand and Arafura-Timor Seas) and supported by 4 advisory bodies (FAO-APFIC, SEAFDEC, Worldfish Centre, and Info Fish). She highlighted some of the programs, including strengthening MCS, resource and management in the region, regional capacity building and Port State Measures, IUU Vessels Watch Program (from the RFMOs list) and some study cases. Her presentation is as per **Annex 21**.

54. With regard to illegal fishing incidents within the participating countries, the Meeting noted that the country where the IUU fishing happened could send a notification to the RPOA-IUU Secretariat on such incidents for circulation, so that the other involved country could take appropriate actions.

55. The Meeting was clarified that RPOA-IUU Secretariat is a voluntary organization, and that it does not have authority to conduct enforcement. The main task of the said organization is to share and circulate information pertaining to IUU fishing. Countries who wish to share information could send the inputs to RPOA-IUU Secretariat for circulation and distribution.

56. *Dr. Worawit Wanchana* shared that Google had initiated a program, called the Global Fishing Watch to address the issue on overfishing. It is a technology platform that uses satellite data to inform the public about fishing activities more transparent.

V. DISCUSSION ON DEVELOPMENT OF RPOA-CAPACITY, EMERGING ISSUES AND CHALLENGES

(Chairperson: *Dr. Chumnarn Pongsri*)

57. During the discussion session, the participants were divided into two (2) groups and both groups were given the same issues for deliberation. Both groups were tasked to determine the development of regional guidelines, or RPOA-capacity. Based on the decision, the groups defined clear objectives for the regional guidelines or RPOA-capacity and identified issues and challenges in managing fishing capacity for both inland and marine fisheries, feasible measures for management off fishing capacity, as well as technical assistance required from regional organizations.

- **Presentation of Group A**

58. Group A was facilitated by *Mr. Raja Bidin bin Raja Hassan*, consisting of delegates from Cambodia, Lao PDR, Malaysia, Singapore, and SEAFDEC. *Mr. Rosidi bin Ali* was nominated as the chairperson of the group while *Mr. Kihua The* was appointed as the presenter.

59. After in depth deliberation, Group A had identified seven (7) issues to be considered in the development of RPOA-capacity and provided recommendations to address the issues, as well as technical assistance required from regional organizations. The output of Group A appears as **Annex 22**.

60. *Mr. Raja Bidin bin Raja Hassan* justified that the decision to develop RPOA-capacity was made after considering the Council's direction on request for SEAFDEC to look into fishing capacity management.

61. With regard to the implementation and enforcement activities to ensure compliance with the plan of action in the RPOA-capacity, the Meeting suggested that there should be some sort of formal legislative document formulated and probably needs to be addressed at higher level, considering voluntary system in cooperative manner. In the meantime, the RPOA-capacity would also serve as good guidance for the development of individual NPOA-capacity for the member countries. In this connection, the Meeting was clarified that at this juncture, SEAFDEC would only work on the technical part and that the implementation is beyond its capacity.

62. The Meeting noted that regional guideline would be developed to support the formulation of individual NPOA-capacity in member countries. Even so, close cooperation with other organizations who are involved in aspects related to management of fishing capacity is also necessary, such as RPOA-IUU, as it is one of the main players in combating IUU by using the monitoring, control, and surveillance approach at the regional level. It is important to disintegrate and clearly define monitoring, control, and surveillance in the action plan for better implementation.

63. While making comparison between the ASEAN framework and European Union (EU), *Dr. Magnus Torell* pointed out that any decision made at the regional level would still have to be pursued under national law. However, the issue in ASEAN is that the national laws do not cover some of the regional framework.

64. The Meeting suggested using the IPOA-capacity that was globally accepted as guidance in the process of RPOA-capacity development. In addition, the Meeting was also made clear of the existing guideline that was developed by DOF Malaysia and that it will also be used as reference during the RPOA-capacity formulation.

- **Presentation of Group B**

65. Group B members consisting of Indonesia, Myanmar, the Philippines, Thailand, Viet Nam, FAO/RAP, RPOA-IUU Secretariat, FRA, and SEAFDEC, was facilitated by *Ms. Mahyam Bt. Mohd Isa*, *Mr. Severino L. Escobar, Jr.* was appointed as the chairperson while *Dr. Than Than Lwin* presented the output of the group.

66. Group B presented its decision to develop the RPOA-capacity and elaborated the objectives, general principles that should be incorporated in the RPOA-capacity, issues and

challenges, feasible measures, as well as technical and financial assistance required from the regional organizations. The output of Group B appears as **Annex 23**.

67. With regard to the suggestion on increase of license fees, the Meeting supported that it could be considered for commercial scale fishers instead of small scale fishers, as the current license fees in some member countries are too low.

68. The Meeting supported the suggestion on imposing safety inspection on vessels as a measure to ensure its compliance with safety requirements, and at the same time, detain vessels that do not comply with the safety standards. In order to carry out such measure, appropriate regulations have to be in place and training on safety inspection need to be conducted. While recognizing the suggestion as a good tool for commercial scale fishers, the Meeting highlighted the current issues with small scale fishers, especially in country like Cambodia. The small scale fishers could not upgrade their vessel to comply with the safety requirements due to insufficient capital, and is one of the reasons for the vessels not being able to register. Hence, the Meeting agreed that such suggestion has to be given careful thought as to avoid problems in future.

69. The Meeting recognized the importance of international tools such as IPOAs and the need for these tools to be regionalized to improve its applicability within the region. The Meeting was informed that some international guidelines such as CCRF, IPOA-IUU, and guideline for small-scale fisheries was regionalized to promote its implementation in the region. Having that in mind, the Meeting reminded that the contents in the RPOAs should be developed coherently to avoid overlapping.

VI. RECOMMENDATIONS AND WAYS FORWARD FOR THE FORMULATION AND DEVELOPMENT OF RPOA-CAPACITY

70. *Dr. Worawit Wanchana* presented the summary of the group discussions. The Meeting noted that Indonesia, Malaysia, and Viet Nam already had NPOA-capacity in place, while Cambodia and Philippines are in process of developing their respective NPOA-capacity. On the other hand, Lao PDR, Myanmar, Thailand, and Singapore have not developed NPOA-capacity. He merged the outputs of both groups and combined the suggestions that were in common. Furthermore, he also proposed the next steps for the formulation of the RPOA-capacity. His presentation appears as **Annex 24**.

71. With regard to engagement of consultant in the development of RPOA-capacity, the Meeting was clarified that engagement of consultants would be minimized in the process. However, they would be needed for polishing the English in the document. In terms of drafting of the RPOA-capacity, the Meeting noted that SEAFDEC would work with DOF Malaysia for developing the first draft, since Malaysia was appointed as the lead country under this cluster.

72. *Dr. Somboon Siriraksophon* informed the Meeting that some of the activities proposed during the deliberation are being conducted by SEAFDEC. Therefore, the activities that need the support of SEAFDEC should be clearly identified in order to avoid duplication.

73. The Meeting clearly noted that one of the objectives of the RPOA-capacity is to serve as guidance for the development of ASEAN guidelines while another objective is to support the countries in the development of respective NPOA-capacity.

74. The purpose and intention of the RPOA-capacity should be clearly defined e.g. in the preamble of the document, whereas the timeline for the RPOA-capacity and individual NPOA-capacity should be indicated as well. In terms of budget, the Meeting agreed that budget requirements would be accommodated into the draft, including strategies to fund the plan, visibility of the plan, commitments of the government, co-financing to prepare the plan, as well as approximate amount required. Taking that into account, a zero draft would be prepared for the consideration during the Second Regional Technical Consultation-Management of Fishing Capacity.

75. The Meeting recommended the countries without NPOA-capacity to develop its own NPOA-capacity, in support and commitment towards the RPOA-capacity that was agreed to be developed. In this regard, the development of the individual NPOA- capacity should not consume too much time as the scientific data used as reference may become invalid due to changes in fisheries condition. As for the countries who had adopted its NPOA-capacity, experience and lessons learned from the implementation of the plan could be shared with other Member Countries for better improvement.

76. While supporting the inclusion of timeline of the RPOA-capacity, *Mr. Md Noor bin Nordin* urged the Member Countries to look into its institutional and legal framework, and identify the appropriate institutions that are related towards the management of fishing capacity.

77. The Meeting agreed to include the element on review of the plan as to provide room for improvement of the RPOA-capacity. In addition to that, the Meeting also recommended prioritizing the steps and timeline, starting with the simpler actions to make the plan more implementable.

78. Noting that the RPOA-capacity would be a voluntary arrangement and guidance document for the region, the Meeting suggested that application of 3L concept (local material, low cost, and low technology) should be incorporated in the plan. While agreeing to the suggestion, the Meeting pointed out the need for expertise to guide on the application of 3L, such as using low technology (i.e. technology relatively easy for application and implementation) in fisheries management in Southeast Asia.

79. With regard to financing, the Meeting noted that there is a national based activity namely the coastal based development project (CRSD) in Viet Nam, financed by the World Bank. With that example, the member was encouraged to be skillful in looking for funds, as there are various organizations offering funds for development projects.

80. The Meeting agreed that the output of the first Regional Technical Consultation-Management of Fishing Capacity, in particular the development of the RPOA-capacity would be reported during the 47th SEAFDEC Council Meeting that was scheduled to be held in April 2015.

81. In addition, the Meeting also agreed on the inclusion of performance indicators for monitoring the progress of the development of RPOA-capacity and NPOA-capacity.

82. The Meeting noted that the recommendations of the Meeting would be used as basic guidance for drafting of the RPOA-capacity. Should the information insufficient, an expert group would be formed for consultation. The draft would then be circulated to the Member Countries for comments and considerations.

83. The Meeting was made clear that both RPOA-capacity and Regional Guideline would be developed to support the development of NPOA-capacity.

84. In the process of RPOA-capacity development, the Meeting agreed that an expert consultation would be convened and/or a consultant would be engaged to assist in the drafting of RPOA-capacity within three (3) months. The draft RPOA-capacity would be deliberated during the 2nd RTC-Management of Fishing Capacity, which was planned to be held in July 2015. After that, the finalized RPOA-capacity would be tabled at the ASEAN-SEAFDEC Fisheries Consultative Group Meeting in November 2015.

VII. CLOSING OF THE MEETING

85. On behalf of SEAFDEC and DOF Malaysia, *Ms. Mahyam bt. Mohd Isa* expressed her sincere gratitude to all the participants for their valuable inputs and active participation during the three (3) days of deliberation. She also extended her appreciation to DOF Malaysia for the hard work in ensuring the success of the Meeting. The suggestions and inputs provided were not only meant to address the interest of member countries in managing fishing capacity, but also to enhance the cooperation among ASEAN Member States for realization of ASEAN One Community. She wished that excellent relationship among the ASEAN Member States would be continued, to ensure sustainable development of fisheries sector. With that note, she wished safe journey to all the participants and declared the Regional Technical Consultation on Development of Regional Plan of Action-Management of Fishing Capacity closed.

Annex 1

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Annex 2

WELCOME REMARKS

By Dr. Chumnarn Pongsri, SEAFDEC Secretary-General

The Honorable Tuan Haji Johari bin Ramli Deputy Director-General (Management) of Fisheries Department Malaysia, representatives from SEAFDEC Member Countries and from international, regional and national organizations, my colleagues from SEAFDEC, distinguished delegates, Ladies and Gentlemen, Good Morning!

First of all, on behalf of the organizers, I would like to take this opportunity to convey my warmest welcome to all of you, to the Regional Technical Consultation on Development of Regional Plan of Action-Management of Fishing Capacity, here in Kuala Lumpur. I know that many of you have travelled long distance and this serves to remind us all just how important our work is in the next three days. Please allow me to express my special gratitude to the Department of Fisheries Malaysia for hosting this important event here in Kuala Lumpur, Malaysia's capital city packed with historic monuments, steel-clad skyscrapers, lush parks, mega-sized shopping malls, bustling street markets and trendy nightspots.

Ladies and Gentlemen,
As some of you may be already aware, SEAFDEC since 2006 has been organizing expert consultations and regional technical consultations in response to requests from the Member Countries, highlighting with critical importance on the need to manage fishing capacity in Southeast Asia. In fact, the need to promote sustainable management of fishing capacity was also one of the central themes raised during the ASEAN-SEAFDEC Conference on Sustainable Fisheries for Food Security towards 2020 in 2011 in Bangkok. This time, we are responding to the request made by Malaysia to facilitate the finalization of the Guidelines on Managing Fishing Capacity. We are here today, under the support of Japanese Trust Fund and SEAFDEC Sweden Program to provide support and platform for all ASEAN-SEAFDEC Member Countries, and provide inputs useful for drafting a Regional Plan of Action (RPOA). The reference being made to a "regional plan of action" is for countries to consider having an implementation plan attached and more clearly linked to the suggested development of NPOA-Capacity and the implementation of the IPOA-Capacity.

Ladies and gentlemen,
I believe the first stage for developing the RPOA would be gathering necessary information pertaining to the existing initiatives on managing fishing capacity by international, regional and national organizations. The organizers have therefore structured this Meeting to provide a venue for information sharing, and focused discussion on the contents of the RPOA as well as issues and challenges for managing fishing capacity in Southeast Asia. It is therefore my sincere wish that all of us would actively take part in the deliberations during this Regional Technical Consultation to come out with a RPOA which is envisaged to meet the requirements with regard to fisheries and fishing capacity in the ASEAN region.

Apart from working, I also hope that you will enjoy your stay in Kuala Lumpur. The Light Rail Transit (LRT) and bus station are just a stone's throw away from the hotel, which makes it easy for you to travel around the city and enjoy the panorama as well as the authentic delicacies which can be obtained along the streets. I wish that all of you will have a pleasant stay.

Thank you and have a good day!

Annex 3

OPENING REMARKS

By the Honorable Tuan Haji Johari bin Ramli, Deputy Director-General (Management) of Fisheries Department Malaysia

Dr. Chumnarn Pongsri, Secretary General of Southeast Asian Fisheries Development Centre (SEAFDEC), Mr. Robert Lee, Fishery Industry Officer, FAO Regional Office for Asia and the Pacific, Distinguished Chiefs of SEAFDEC's Technical Departments, Mr. Abu Talib bin Ahmad Director of Fisheries Research Institute of Malaysia and Head of Task Force for the Development of NPOA - Fishing Capacity Plan 2, Mr. Ahmad Hazizi bin Aziz, Director of Planning and Development Division, Department of Fisheries Malaysia and SEAFDEC National Coordinator for Malaysia, Mr. Haji Sani bin Mohd Isa, Director of Resources Management, Department of Fisheries Malaysia, Distinguished Delegates of ASEAN/ SEAFDEC Member Countries, Senior Officials of Ministry of Agriculture and Agro Based Industry and Department of Fisheries Malaysia, Honourable guests, Members of Media, Ladies and gentlemen.
Assalamualaikum Warahmatullahi Wabarakatuh and a very good morning,

First and foremost, please allow me to extend a very warm welcome to all of you our distinguished guests and delegates from ASEAN-SEAFDEC Member Countries, observers and advisory body representatives to the beautiful city of Kuala Lumpur Malaysia.

It is indeed a great privilege to be here with all of you today to officiate the Regional Technical Consultation on Development of Regional Plan of Action-Management of Fishing Capacity and to grace the official launching of Malaysia's Second National Plan of Action for the Management of Fishing Capacity-Plan 2. I sincerely thank the organizing committee for giving me this opportunity to be at this auspicious occasion.

Being the first ASEAN country to develop its National Plan of Action for Fishing Capacity, Malaysia has been tasked as the lead country for the cluster "Promoting Sustainable Fishing Practices – Fishing Capacity and Responsible Fisheries Practices" as set forth in the ASEAN Fisheries Consultative Forum (AFCF) Work Plan (2010-2012). Following this, Malaysia had developed a draft guideline for managing fishing capacity for the ASEAN region based on Malaysia's First NPOA Fishing Capacity (Plan 1).

Distinguished delegates, ladies and gentlemen,

We had presented the draft guidelines during the Fifth (5^{th}) ASEAN Fisheries Consultative Forum (AFCF) in Vientiane, Lao PDR in 2013. It was at that time SEAFDEC offered to host a workshop to discuss and finalize the draft Guidelines with the participation of ASEAN-SEAFDEC member countries. Malaysia is compelled to accomplish this desire thanks to SEAFDEC for organizing this RTC here in Kuala Lumpur.

Our effort today is consistent with the global call. During the United Nations General Assembly on 7 December 2010, all States have recognized and reaffirmed their commitment to expeditiously implement the International Plan of Action for the Management of Fishing Capacity. Noting this, in 2011 the Ministers of ASEAN-SEAFDEC Member Countries responsible for fisheries also had resolved to promote better management of fishing capacity and the use of responsible fishing technologies and practices. All Member Countries also had recognized the movement towards replacing the "open access" to fisheries resources with "limited access" through rights-based fisheries, and at the same time, secure the rights and well-being of inland and coastal fisheries

communities. Bearing in mind the international commitment, we as member of ASEAN-SEAFDEC also need to pursue our regional obligation to address the issue of fishing overcapacity.

Distinguished delegates, ladies and gentlemen,

As demand for fish continues to increase, the task of managing fisheries resources on a sustainable basis has become increasingly challenging. The threats of over-exploitation and the degradation of aquatic habitats have become serious problems. The existence of too many fishing vessels operating over the limited fishery resources is considered as one of the major contributors to the resources depletion. FAO recognizes this problem in fishing capacity and views it as a serious threat to the management and conservation of fisheries resources. This prevailing situation in the fishing industry demands an international guideline to be developed. This resulted in the formulation of International Plan of Action for the Management of Fishing Capacity (IPOA-Capacity) 1999 in support of the implementation of The Code of Conduct for Responsible Fisheries (CCRF) 1995.

This IPOA provides a guideline for the establishment of Malaysia's National Plan of Action for the Management of Fishing Capacity (Plan 1). As some of us may be aware, Malaysia had just completed its Second NPOA- Fishing Capacity –Plan 2 after a painstaking series of domestic consultation. Plan 2 is intended to be operationalized for the period of 2014 - 2018. As opposed to Plan 1, Plan 2 emphasizes on monitoring and evaluation on the action taken to manage fishing capacity. Another key highlight of Plan 2 is the incorporation of Key Performance Indicators (KPIs) for each and every program. I am particularly pleased that this Plan 2 finds its right time and place at this auspicious occasion for its official launching graced by all ASEAN SEAFDEC member countries.

Distinguished delegates, ladies and gentlemen

It is my fervent hope that the RTC on Development of Regional Plan of Action – Management of Fishing Capacity will witness an active exchange of constructive views with productive deliberations that will help to further deepen and strengthen our cooperation in promoting responsible fishing practices and managing fishing capacity.

I would like to express my utmost appreciation to the organizing committee and SEAFDEC Secretariat for such an admirable preparatory works done in ensuring the success of this meeting. My special appreciation goes to the NPOA-fishing Capacity Plan 2 review team for the tireless effort and timely conclusion of the Plan. It is our pleasure to extend the Malaysian hospitality and make everyone's stay in Kuala Lumpur a memorable one. Please take time to visit this vibrant and beautiful city and enjoy all the wonderful places and experiences it has to offer.

Dengan lafaz  saya merasmikan *Regional Technical Consultation on Development of Regional Plan of Action – Management of Fishing Capacity* dan melancarkan secara rasmi *Malaysia National Plan of Action for the Management of Fishing Capacity (Plan 2).*

In the name of Allah, the most gracious, the most merciful, I declare the Regional Technical Consultation on Development of Regional Plan of Action – Management of Fishing Capacity officially opened and the National Plan of Action for the Management of Fishing Capacity (Plan 2) officially launched. Thank you.

Annex 4

PROSPECTUS

1. Background and Rationale

The management of fishing capacity is the key element in fisheries management. Fisheries management schemes being developed is not focused on the management of the "fish" as such but rather to regulate the fishing effort by developing schemes to give direction on where, how, total number of vessels that can be allowed, the type of gear to be used (and not to be used) including special restrictions on protected areas, protected species and seasonal restrictions and to be able to regulate the actual fishing effort. The importance of the management of fishing capacity to the sustainability of fisheries was one of the central themes raised during the **ASEAN-SEAFDEC CONFERENCE ON SUSTAINABLE FISHERIES FOR FOOD SECURITY TOWARDS 2020**, held in Bangkok, Thailand, 13-17 June 2011, under Sub-Theme 1.2: Management of Fishing Capacity and reflected in the **2011 Resolution and Plan of Action**.

SEAFDEC on the request by member countries have, since 2006, been able to organizing expert consultations and regional technical consultations highlighting critical importance to management of fishing capacity in Southeast Asia, In Southeast Asia, regulations or measures to resolve fisheries conflicts are in general linked to the large over-capacity that were reported from throughout the region[1]. It has been considered to be of vital importance[2] to manage fishing capacity in Southeast Asian region in order to: (i) reduce present open access regime (that tend to increase the vulnerability of small-scale fisherfolk through encroachment and over-harvesting by larger vessels leaving them with reduced catches while having limited alternative employment; and (ii) balance the interest between small- and commercial scale fisheries. Over-capacity also tend to increase incidences of illegal fishing and a requirement for efforts to reduce and combat illegal fishing is that countries are committed to effective management of the fishing capacity through national management plans and regional cooperation to agree on acceptable levels of fishing effort.

In reinforcing actions of ASEAN Member States to tackle on issues of fishing capacity management, the FAO Code of Conduct for Responsible Fisheries provided several concerns to improve fisheries management. Furthermore, FAO Member States adopted, subsequent to the Code of Conduct an International Plan of Action on the Management of Fishing Capacity, 1999 (**IPOA-Capacity**). The IPOA-Capacity specified a number of steps to be taken, including: a) assessment and monitoring of fishing capacity; b) preparation and implementation of national plans; and c) international (regional) consideration and recommendations for immediate steps address the management of fishing capacity. There are a number of countries in the region to already have a NPOA-Fishing Capacity (Indonesia) or on their way to develop one.

To facilitate the discussion and to finalize the RPOA-Fishing Capacity or Guidelines, SEAFDEC was requested to support and provide the platform for all ASEAN-SEAFDEC Member and provide inputs useful for drafting RPOA or Guidelines which meet the requirements and specific situation with regard to fisheries and fishing capacity in the ASEAN region. In response to this, SEAFDEC proposes to organize the 1st RTC on Development of the Regional Plan of Action or Guidelines for Managing Fishing Capacity in February 2015 in Kuala Lumpur, Malaysia. The reference being made to a "regional plan of action" is for countries to consider having an implementation plan attached and more clearly link to the suggested development of NPOA-Fishing Capacity and the implementation of the IPOA-Capacity.

Prior to, and during the RTC, and in line with earlier recommendations[3] with regard to the management of fishing capacity ASEAN/SEAFDEC member countries should to facilitate future actions to be undertaken

[1] WorldFish Centre: Fish Fights Over Fish Rights in Southeast Asia: Implication for Managing Overcapacity in Fisheries, presented at 2006 SEAFDEC Expert Meeting on Management of Fishing Capacity in Southeast Asia.
[2] SEAFDEC. 2006. Expert Meeting on Management of Fishing Capacity in Southeast Asia.
[3] SEAFDEC. 2006. Regional Technical Consultation on Management of Fishing Capacity and HRD in Support of Fisheries Management in Southeast Asia.

identify and involve responsible agencies in the member countries that are responsible for registration of fishing vessels and those responsible for issuing licenses to fish (vessels, gear, people) including aspects of: (i) policy development; (ii) resource sustainability; (iii) socio-economic well-being and institutional development. In line with earlier recommendations[5] processes to develop NPOA-Fishing Capacity should build upon existing policies of fisheries with regard to the management of fishing capacity (including gear restriction, restrictions with regard to where, when and how to fish) and have those policies revised and/or revisited, as needed, to improve national planning and management of the fishing capacity.

The initiative is timely as countries, in the perspective of ASEAN Community building, are increasing their efforts to cooperate and coordinate in various aspects of resources utilization. The focus on building a RPOA-Fishing Capacity could by the focus on the management of fishing capacity as such provide an effective complement to the Regional Plan of Action to Promote Responsible Fishing Practices, including Combating IUU Fishing in the Southeast Asian Region (RPOA-IUU). The implementation plan of the RPOA-Fishing Capacity could possibly consider a sub-regional approach to facilitate dialogue on matters regarding regulation of fishing effort.

As Malaysia is a Lead Country for the cluster "Promoting sustainable fisheries practices – Fishing capacity and responsible fisheries practices" under the ASEAN Fisheries Consultative Forum (AFCF), at the 37th SEAFDEC Program Committee Meeting, which held in Ubon Ratchathani Province, Thailand in November 2014, the representative from Malaysian offered to organize a meeting with SEAFDEC with the aim to encourage formulation the regional plan of action for managing fishing capacity in Southeast Asia. In this connection, SEAFDEC plans to organize the 2015 Regional Technical Consultation on Management of Fishing Capacity with the co-financial support of the Japanese Trust Fund and the SEAFDEC-Sweden Program.

2. Expected outputs

- Updated identification of issues and challenges for managing fishing capacity in Southeast Asia
- Updated the suggestion on policy directions for management of fishing capacity in Southeast Asian Countries and how a RPOA-Fishing Capacity can support efforts to combat illegal and destructive fishing (IUU-Fishing), etc.
- Agreed contents of the RPOA-Capacity
- Recommendations on next step in supporting SEAFDEC Member Countries in Management of Fishing Capacity

3. Expected participants

It is envisaged that participants of the RTC will be:

1. Representatives from the ASEAN-SEAFDEC Member Countries namely; Brunei, Cambodia, Indonesia, Japan, Lao PDR, Malaysia, Myanmar, Philippines, Singapore, Thailand, and Viet Nam
    - One fisheries manager/decision maker who is responsible for management of fishing capacity;
    - One representative who is working for fishing vessel/fisheries licensing
    - One representative from ASEAN SEC
2. Representative from International and regional organizations (FAO, Fisheries Research Agency/Japan, Swedish Agency for Marine and Water Management (SwAM), RPOA-IUU, etc.)
3. Representative from SEAFDEC Secretariat, TD and MFRDMD and RFPN for Malaysia.

Annex 5

Agenda

Agenda 1: Opening of the Meeting and Launching Ceremony of Malaysia NPOA for Management of Fishing Capacity

Agenda 2: Adoption of Agenda and Overview of the Meeting

Agenda 3: Country Review on Management of Fishing Capacity

Agenda 4: Experience and Lessons Learned from International, Regional, National and Other Initiatives in Managing Fishing Capacity in Southeast Asian Region

- Project-based initiatives on fishing capacity in the Southeast Asian region: FAO/APFIC, SEAFDEC (JTF, SEAFDEC-Sweden and REBYC-II CTI)
- Japanese fisheries management: Autonomous activities supported by legislative framework by *Dr. Takaomi Kaneko*, Fisheries Research Agency of Japan
- Structure and Focus of the Regional Plan of Action to Promote Responsible Fishing Practices, including Combating IUU Fishing in the Southeast Asian Region (RPOA-IUU) by the Secretariat of RPOA-IUU Fishing, Indonesia

Agenda 5: Development of the RPOA – Managing Fishing Capacity

Agenda 6: Issues and Challenges in Managing Fishing Capacity in Southeast Asian Countries

Agenda 7: Recommendations on Ways Forward for Formulation and Development of RPOA- or Sub-RPOA – Management of Fishing Capacity in Southeast Asian Region

Agenda 8: Closing of the Meeting

Annex 6

Guideline for Managing Fishing Capacity for ASEAN Member States

Ahmad Adnan bin Nuruddin
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Guideline for Managing Fishing Capacity for ASEAN Member States

As Submitted to THE 4th ASEAN FISHERIES CONSULTATIVE FORUM (AFCF) 4-5 June 2012, YOGYAKARTA, INDONESIA

Regional Technical Consultation (RTC) on Development of Regional Plan of Action – Management of Fishing Capacity

24-26 February 2015
Ancasa Hotel & Spa,
Kuala Lumpur

Guideline for Managing Fishing Main Headings

- **EXECUTIVE SUMMARY**
- **Introduction**
- **National Fisheries Policy Related to Fishing Capacity**
- **Management Status of Capture Fisheries**
- **Issues and Challenges**
- **Management of Fishing Capacity**
- **NPOA Fishing Capacity**
- **Suggested Work Plan and Timeline**
- **Conclusion**
- **Glossary**

2

Guideline for Managing Fishing

Executive Summary:

- **Background and reason for the preparation of the guideline.**
- **Commitment by Malaysia as lead country.**
- **Offer AFCF Member States a template for NPOA-FC).**
- **General outline of activities in managing capture fisheries.**

3

Guideline for Managing Fishing

Introduction

- **The National Plan of Action for Fishing Capacity had been introduced under the FAO-CCRF.**
- **The NPOA – FC will focus on strategies to manage fishing capacity for sustainable exploitation.**
- **The plan should be prepared by researchers and managers and focus only on the management of fishing capacity in marine capture fisheries.**
- **Defines the term *fishing capacity*, *over capacity* and *excess capacity*.**
- **The objective of the NPOA-FC is achieving an efficient, equitable and transparent management of fishing capacity nationwide by a specified target date.**
- **Governments should be committed to provide the necessary budget and manpower to implement the NPOA-FC.**

4

Guideline for Managing Fishing

National Fisheries Policy Related to Fishing Capacity

- **Agencies tasked with managing fisheries resources should for formulate management policies that are periodically reviewed, monitored and amended.**
- **A Fisheries Management Plans (FMP) should be formulated to frame these policies.**
- **NPOA-Fishing Capacity (NPOA-FC) and other npoas should be placed under the FMP.**
- **The NPOA-FC should aim to bring about a reasonable balance between fishing capacity and available resources using a precautionary approach.**
- **Countries that already have NPOA-FC should list all the relevant policies while those that have yet to create a NPOA-FC should first of all formulate the relevant and required policies and regulations**

5

Guideline for Managing Fishing

Management Status of Capture Fisheries – Resource Assessment

- **Consider relevant biological, technological, economical, social, environmental and commercial aspects of fisheries.**
- **Determine the current stock biomass and resource potential.**
- **Updated information on indicators (catch rate and exploitation rate) and reference points (MSY, Optimum effort and MEY) are vital to formulate management strategies and measures.**
- **Up-to-date information on the status of the fishery from research activities, including periodic resource surveys, are required for a correct balance between the fishing capacity and resource availability.**
- **Other management tools such as onboard observors programme, port monitoring programme, Landing of Vessel (LOV)/Log book system, Vessel Monitoring System (VMS) should also be used.**

6

Guideline for Managing Fishing

Management Status of Capture Fisheries – Fisheries Statistical Data

- Regular collection of national fisheries statistics should be carried.
- These statistical data will be utilized to determine the status and trend of the fisheries.
- It is recommended that countries adapt the FAO guidelines that have been adjusted for this region.

7

Guideline for Managing Fishing

Management Status of Capture Fisheries – Legal Aspects

Countries that intend to formulate a NPOA-FC should list down:

- Agencies involved in the registration or issuance of licenses for fishing vessels and fishing gears.
- Relevant legislation from all the agencies involved in the registration or issuance of licenses.
- Agencies involved in enforcing fisheries regulations and their relevant legislations
- Agencies involved in collecting data and information related to fish resource status and fishing effort which is required by legislation.

8

Guideline for Managing Fishing

Management Status of Capture Fisheries – Management Measures

Measures to balance fishing effort, sustainability of resources, and environmental conservation:

- Limit fishing effort through the issuance of fishing gear and fishing vessel licenses;
- Restructuring of ownership patterns of fishing licenses;
- Registration of fishers;
- Management of a zoning system based on the tonnage of fishing vessels, type of fishing gears used and ownership patterns;
- Relocation of fishers to other economic activities such as aquaculture, ecotourism or other related activities;
- Conservation and rehabilitation of the marine ecosystems through the establishment of marine protected areas and deployment of artificial reefs;
- Continuous research and development, particularly in the monitoring of resource potential and development of resource and eco-friendly fishing gears.
- Prohibition of methods of fishing such as using explosive and poison, pair trawling, moro-ami, beam trawl, electric fishing, mechanized push net and mesh size restriction of some fishing gears.

9

Guideline for Managing Fishing

Management Status of Capture Fisheries – Institutional/Divisional Responsibilities

- Listing of all agencies involved in fisheries matters and their responsibilities pertaining to:
  - resource management
  - enforcement
  - research and development
  - extension works
  - corporate planning
  - legislation
  - socio-economic aspects of the fishers and shareholders
  - fish marketing
  - general management of the fishers associations.
- Stakeholders consultations should be carried out.

10

Guideline for Managing Fishing

Issues and Challenges

- Overfishing
- Habitat degradation
- Encroachment into coastal waters
- Encroachment of foreign fishing vessels
- Illegal fishing vessel
- Use of destructive fishing and less selective gears & methods
- Lack of political will
- Inadequate enforcement capacity and capability
- Lack of public awareness and participation
- Conflicts in policies objectives

Proper management of fishing capacity can address most of these issues.

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Guideline for Managing Fishing

Management of Fishing Capacity - Fishing Capacity Assessment

- Each country should establish it's own fishing capacity measurement.
- Ad-hoc technical committees may be formed to carry out a preliminary assessment of current fishing capacity.
- Results from such assessments may indicate imbalances existing between capacity and resources.

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Guideline for Managing Fishing

Management of Fishing Capacity - Development of NPOA-Fishing Capacity (1)

Assess current level of fishing capacity :

(a) Indicative measures:

- Must be based on scientific methods
- Indicator approach
- Use a combination of indicators
- Among the potential indicators:
  - The biological status of the fisheries (Overfished, approaching, subject to)
  - Management category (Open access, Limited access, right-based-ITQ)
  - The harvest – TAC relationship (may not work for multi-species fisheries but may be applicable to inland fisheries)
  - The catch per unit effort (CPUE) - decline over time implies overfishing & overcapacity
- It should be cautioned that CPUE could remain constant or improve with overcapacity

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Guideline for Managing Fishing

Management of Fishing Capacity - Development of NPOA-Fishing Capacity (2)

Assess current level of fishing capacity :

(b) Analytical measures, some of which are:

- Peak to peak
- DEA (Data Envelope Analysis)
- Stochastic Production Frontier & Inefficiency Model (SPF)
- Ratio VPA

Countries should adopt a method suitable with their availability of data. Countries that are capable are recommended to use any of the analytical measures

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Guideline for Managing Fishing

Management of Fishing Capacity - Identifying desired level

- **Member countries are suggested to apply the MSY approach in identifying the desired level of fishing capacity.**
- **Apart from the use of MSY, reference points from the indicators mentioned in the previous slides may also be used**.

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Guideline for Managing Fishing

Management of Fishing Capacity - Strategies

- Strategies are aimed at addressing the issues involving fisheries as mentioned earlier (Para 4 of the draft guidelines).
- Each issue and challenge to be addressed should list key actions, together with the suggested Key Performance Indicators, subject to suitability of individual countries.

Example of the strategy to "Review and Implement effective conservation and management measures".

Issues and Challenges	Among the Key Actions	Key Performance indicators (KPI)
Overfishing	Allocate adequate asset and financial resources for assessment	
	Control number of fishing effort at MSY level	• Number of vessel in operation at optimum level (f_{msy}) • CPUE at MSY
	Standardize (regulate) specification of fishing gear (net dimension, number of hook, number of traps, etc) and vessel	
	Implement Individual Quota System (IQS) through Total Allowable Catch (TAC) Estimation	• CPUE at MSY

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Guideline for Managing Fishing

Management of Fishing Capacity - Implementation, Monitoring and Evaluation

- **All, or at least some, of the various actions listed to address issues and challenges should be implemented and monitored periodically.**
- **Annual workshops to review and verify the status of performance of the indicators should be held and proceedings published for public scrutiny and transparency.**
- **It is suggested that Information should be shared among countries through a formalized network/framework in managing fishing capacity.**

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Guideline for Managing Fishing

NPOA Fishing Capacity

- **Each member country is recommended to develop their respective NPOA on Managing Fishing Capacity.**
- **It is recommended that this NPOA document shall be revised regularly every four years to include updated information on the various items.**
- **The lead implementing agency in the development and review of this NPOA shall be the relevant agency tasked with managing the fisheries.**
- **Each country can select relevent actions under strategies listed in Section 5.3 of the draft guideline for implementation.**

18

Guideline for Managing Fishing

Work Plan and Timeline

- **A suggested work plan and time line is provided under Section 7 of the draft guideline.**
- **This suggestion can be modified to suit each country's needs and capabilities.**

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Guideline for Managing Fishing

Conclusion

- **Managing fishing capacity properly is paramount to ensure sustainability of fishery resources.**
- **The implementation of the NPOA-FC needs to be effectively monitored and evaluated from time to time.**
- **Proper integration of all activities as outlined in the work plan is needed to obtain the highest level of success**
- **Relevant agencies should spearhead all the necessary actions in collaboration with other related agencies.**

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Guideline for Managing Fishing

Glossary

A glossary is provided to define and explain some of the terms used in the draft guidelines. This will assist agencies and stakeholders who may not be familiar with these terms and avoid confusion and misinterpretation amongst them.

21

Country Review on the Management of Fishing Capacity in Cambodia

Buoy Roitana, Chhuon Kimchhea, Heng Sotharith and Chea Tharith
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P.O. Box 582, Phnom Penh, Cambodia

Regional Technical Consultation on Development of Regional Plan of Action-Management of Fishing Capacity, 24-26 February 2015, Kuala Lumpur, Malaysia

Management of Fishing Capacity in Cambodia

By

Buoy Roitana, Chhuon Kimchhea, Heng Sotharith and Chea Tharith

1

OUTLINE

I. Current Situation on Marine Fisheries Recourses Assessment;

II. Existing Issues of Over-capacity;

III. Legislative and Institutional Systems for Fishing Capacity management;

IV. National Plan of Action for Management of Fishing Capacity

2

I. Current Situation on Marine Fisheries Recourses Assessment

Cambodia has 435 Km coastlines in the Gulf of Thailand, located between Vietnamese borders in the south to Thai border in the west. There are four provinces namely:

Koh Kong (237 Km),

Preah Sihanouk (105 Km),

Kampot (67 Km) and

Kep (26 Km)

The Exclusive Economic Zone (EEZ), the area extended from the shoreline to 200 nautical miles, which covers 55,600 Km^2

3

Classification of small-scale and commercial fisheries

Countries	Small-scale Fisheries	Commercial Fisheries
Cambodia	Coastal fisheries small-scale fisheries with/without engine (from 5-50 Hp) operating in Zone 1	Commercial fisheries: more than 50Hp operating in Zone 2

Fishing Zones

Countries	Fishing Zone 1	Fishing Zone 2	Fishing Zone 3	Fishing Zone 3
Cambodia	From shore line to 20 m depth	From 20 m depth to EEZ limit		

4

Improve the coverage and sampling methodologies for marine fisheries resources assessment

Fishing logbook has been used to collect capture fisheries data;

Some data has been collected from private fishing port;

Marine Research Vessel from SEAFDEC and Japan were also provided some statistic data on some fishing gear;

Beside improve the used of logbooks to record catch data, the public or state fishing ports would be the best options to collect the catch data and manage fishing capacity.

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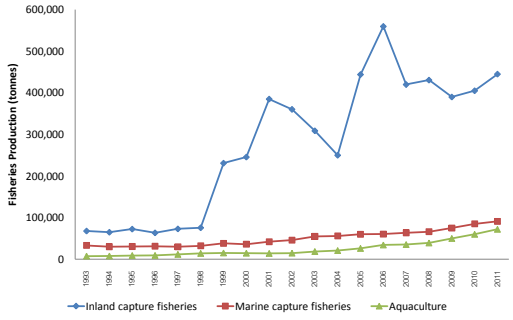
II. Existing Issues of Over-capacity

Fisheries Production By Sub-Sector



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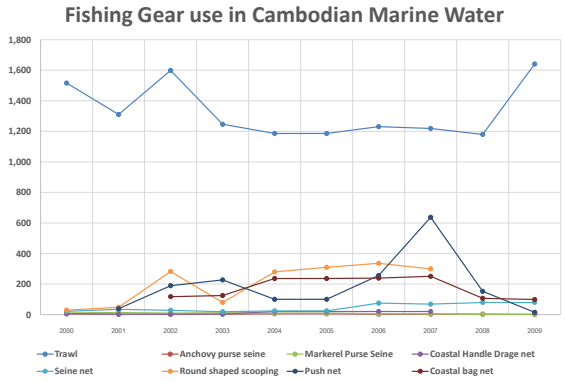

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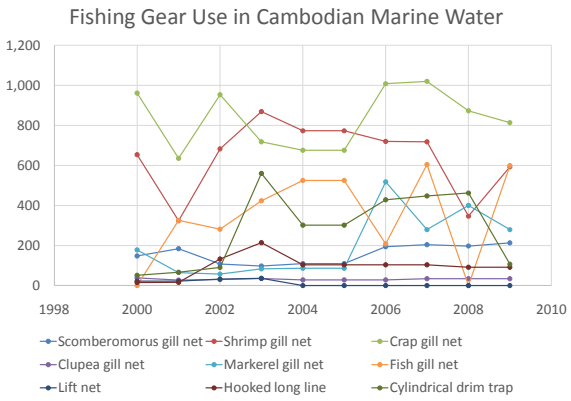

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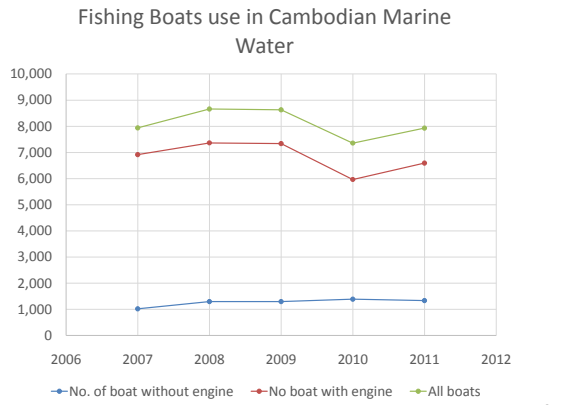

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III. Legislative and institutional systems for fishing capacity management

Law on Fisheries-2007:

Article 45:
All type of fishery exploitation in the marine fisheries domain, except subsistence fishing shall be allowed only in the possession of license and the exploitation shall follow the conditions and obligations in fishing logbook.
The model of fishing logbook shall be determined by the proclamation of the Ministry of Agriculture Forestry and Fisheries (MAFF).

10

Article 47:
Fishermen shall transship fishery products at a fishing port determined by Fisheries Administration (FiA).
Foreign fishing vessels that are permitted to fish in the marine fisheries domain shall inform the FiA prior to port in marine fisheries domain in Cambodia.
Other terms and conditions on transshipment of fishery products and anchoring of the foreign fishing vessels shall be determine by FiA.

Article 48:
Based on precise scientific information that the fishing practices have been or are being the cause of serious damage to fish stock, FiA has the right to immediately and temporary suspend fishing activities and propose for a re-examination of the fishing agreement in order to seek for the decision from the MAFF.

11

Article 49:
Trawling in the inshore fishing areas shall be forbidden, except for the permission from MAFF at the request of FiA to conduct scientific and technical researches.

Article 51:
Permission to do fishing or fisheries resource research in the international marine water shall be registered according to the United Nation Convention on the Law of the Sea

Physical or legal person who has been granted fishing rights or fishery resource research in the international marine water shall respect the national and international laws

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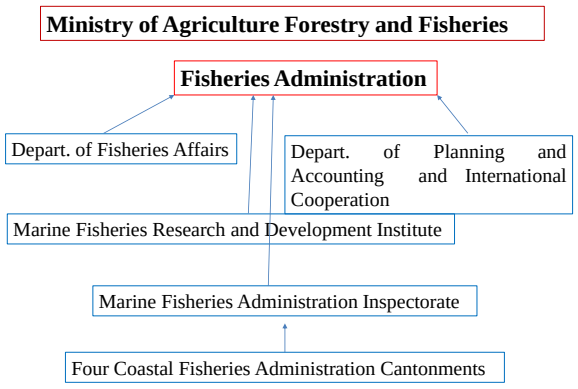

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6. Department of Fisheries Affairs

- Prepare the fishing logbook, fishing boat record and other fisheries investment, bidding or renting fishing lot's documents;
- Monitor and collaborate in solving all issues/ controversies related to the fishing exploitation;
- Monitor and evaluate the fishing exploitation situation;
- Scrutinize all kinds of proposals of fishing activities and utilization of fishing boats and vessel;
- Prepare the document to define the fishing fee

Department of Planning Accounting and International Cooperation

- Scrutinize the contracts related to the fisheries;
- Manage fisheries statistics and equipment and survey on fisheries market trend;
- Solicit and collect the fishing fee, fine, fund from selling material and equipment of illegal fishing activities and other debts

14

Marine Fisheries Administration Inspectorate

- Formulate strategic management plan and fisheries resource protection,
- Inspect, survey and patrol all kinds of fisheries exploitation, prevent and protect illegal fishing activities;
- Supervise, monitor and evaluate all fishing inspection activities of FiA Cantonment and Division;
- Check the licenses of fishery exploitation, aquaculture, establishment of selling-buying, stocking places, fish processing location, quality, hygiene and freight in of fish and fish product

7. Fisheries law enforcement is implement by 4 Coastal Fisheries Administration Cantonments, Marine Fisheries Administration Inspectorate and Department of administrative Affairs and Litigation.

15

IV. National Plan of Action for Management of Fishing Capacity

The management of fishing capacity classify into 2 levels:

1. National fishing: all fishing boats conduct fishing in Cambodian Marine Water is managed by MAFF and FiA and

2. International fishing: All fishing boats conduct fishing outside Cambodian Marine water use Cambodian flag is managed by Cabinet of Prime Minister Office.

The National Plan of Action has been drafted. The Inter-Ministries Joint Working Group was setting up in-order to play role to push the NPA to approve and implement.

16

Annex 8

Country Review on the Management of Fishing Capacity in Indonesia

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Directorate for Fisheries Resources, Directorate General of Capture Fisheries, Ministry of Marine Affairs and Fisheries (MMAF), Jl. Medan Merdeka Timur No. 16, Jakarta Pusat 10110, Indonesia

Characteristics

- Large fishing vessel types
  ~ 99.3% small scale fisheries
- Multi gears
  ~ 39 type of gears
- Multi species
  ~ 119 marine species

2

Legal Framework

- **Act** No. 31/2004 as amended by No. 45/2009 on Fisheries.
- **Act** No. 27/2007 as amanded by No. 1/2014 on Coastal and Small Islands Management.
- **Regulation of Government** No. 60/2007 on Fish Resources Conservation.
- **Ministerial Decree** No. 45/2011 on Estimation of Fish Resources Potention in FMA.

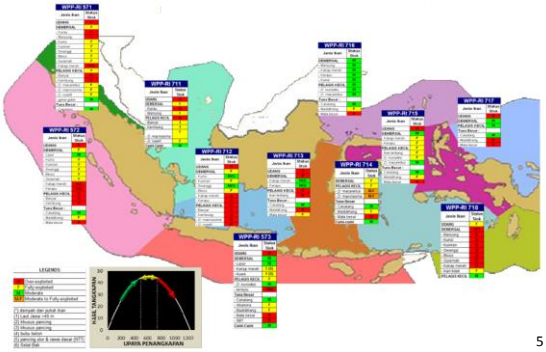
3

Issues

- Data collecting
  – Unreported catch data (small scale fisheries)
  – Transhipment at sea
- Data reporting
  – Year - 1 publication

4

Fish resources status



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Fisheries management ~ data collection

- Fishing log book
  – In accordance with Minister Regulation 48/2014 of 17 October 2014
- Observer on board
  – In accordance with Minister Regulation 1/2013 of 22 February 2013

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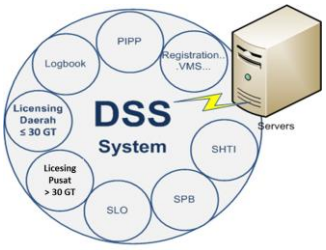
Fisheries Management ~ data reporting



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Moratorium to Imported Fishing Vessels

In accordance with Minister Regulation 56/2014 of 3 November 2014:

- No issuance of new fisheries business permit as well as fishing permit and fish carrier permit .
- No extension of expired fishing permit and fish carrier permit.

8

Prohibition of Transhipment at-sea

In accordance with Minister Regulation No.57/2014 of 12 November 2014, transhipment at-sea is prohibited.

9

Prohibition of lobster and crab catch

In accordance with Minister Regulation No.1/2015 of 7 January 2015, catch of lobster (*Pannulirus spp.*) and crab (*Scylla spp.* and *Portunus pelgicus spp.*) are prohibited in FMA.

10

Prohibition of trawls and seine nets

In accordance with Minister Regulation No.2/2015 of 9 January 2015, trawls and seine nets are prohibited in FMA.

11

Establishment of Closing Area for Fishing (Conservation)

In accordance with Minister Regulation No. 4/2015 of 15 January 2015, fishing operation in Banda Sea (FMA 714) is prohibited. This area is considered as breeding ground and spawning ground.

12

NPOA For The Management of Fishing Capacity

- Drafted in 2007
- Institution authority
  - Licensing
  - Research
  - Surveillance and controlling
  - Reporting

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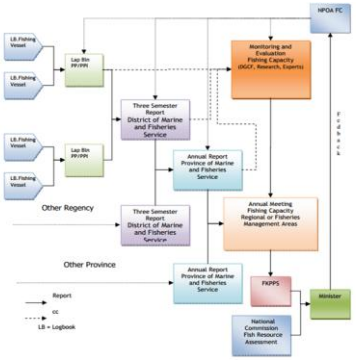
Action Plan



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Annex 9

Country Review on the Management of Fishing Capacity in Japan

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Fisheries Capacity Management in Japan

Regional Technical Consultation on Development of Regional Plan of Action-Management of Fishing Capacity

24-26 February 2015, Kuala Lumpur, Malaysia

Tsuyoshi Iwata (Mr.)
SEAFDEC Secretariat

1

Ⅰ Current situation on marine fisheries recourses assessment

【Stock Assessment by FRA】

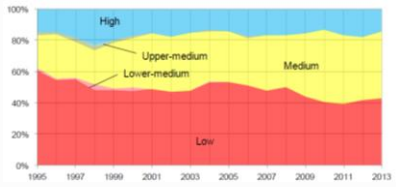
- Fisheries Research Agency (FRA) takes charge of assessment of main fisheries resources in waters surrounding Japan every year.
- Budget for this resources assessment derives from Fisheries Agency (FAJ) . Actually, FRA is a consignee of FAJ for this resources assessment.
- In collecting necessary information for resource assessment, FRA is in cooperation with relevant institutes, such as Prefectural Fishery Experiment Stations (Research Centers) and Universities, and carries out analysis of the data in a various methods which are suitable for target species/stocks.

- Target species/stocks of the assessment in FY 2013 were 84 stocks within 52 species.

【Results of the Stock Assessment】

Chronological Changes in the assessment results shows that proportion of Low-level stocks is decreasing, whereas that of Medium-level is increasing. FAJ comments that Fisheries Resources in waters surrounding Japan is generally stable (White Paper on Fisheries: May, 2014).

【Changes in the Results of Stock Assessment】



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【Assessment of Fisheries Resources by Local Institutions】

- In addition to "National" stock assessment by FRA, Fishery Experiment Stations (Research Centers) in 47 prefectures all over Japan are engaging in its own stock assessment. Target species of such "Prefectural" stock assessment are typically sedentary or local resources, such as: Bivalves; Sea Cucumber; and Flat-fish.



4

【Strong Points of Japanese Fisheries Resources Assessment】

□Data collection at landing sites are relatively easy (Most of the fisher's catch are sold via fisher's organizations).

□Reliable national fisheries statistics (compiled by Statistics Department of Ministry of Agriculture, Forestry and Fisheries)

□Well established research institutes and their network (including FRA, Prefectural Fisheries Experiment Stations, Universities).


5

【Challenges in Stock Assessment of Japan】

- As financial situation of Japanese Central Government as well as Local Government is getting worse in recent years, securing sufficient budget allocation and maintaining experienced staff are becoming more and more difficult .
- Activities for raising awareness of Japanese taxpayers as well as policy makers on the importance of fisheries research should be strengthened.

6

Ⅱ Existing Issues of over-capacity

【PBF Stock is in a Historically Lowest Level】

- ISC (International Scientific committee for Tuna and Tuna-like Species in the North Pacific Ocean) estimates that:

→Pacific Bluefin Tuna (PBF) stock is in the historically lowest level.

→If we do not reduce catch of juvenile PBF by 50%, its biomass will not be restored to the historical medium level (43,000 ton).

7

【Decision of WCPFC】

- In line with recommendation of ICS, Western and Central Pacific Tuna Fisheries Commission (WCPFC) adopted management measures to reduce catch of juvenile PBF (less than 30kg) by 50% starting 2015.

【Responsibility of Japan】

- As a major fishing/market country of PBF, FAJ decided to tackle on 50% reduction of juvenile PBF (less than 30kg) catch by Japanese Fishers.

8

【Principles in Japan's Catch Reduction of PBF】

- PBF resources is sure to be restored if we implement appropriate management measures (Successful case of Atlantic BFT restoration through ICCAT).

- For this purpose:

→All relevant fisheries have to abide by catch reduction measures.

→We will never accept "Free Riders"*.

*Fishers who is free from catch reduction, thereby benefit from other fisher's catch reduction

9

【Pacific Bluefin Tuna Fisheries of Japan】

- More than 90% of PBF catch (in number of fish) is juvenile (less than 3 years).

- Consists of the following fisheries:

□Trawling Line Fishery: Catching 0 year juvenile (for Sashimi-tuna and aquaculture fingerling)

□Purse Seine Fishery: Catching 1-3 year juveniles (for Sashimi-tuna)

□Handline Fishery: Catching Adults more than 4 years (for highest quality Sashimi-tuna)

□Other Fisheries: Mainly Set Net Fishery

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【Implementation of PBF Catch Reduction Measures】

- Following intensive discussion with fishers, FAJ decided to introduce nation-wide measure to reduce catch of juvenile PBF (less than 30kg) by half (From 8,015 ton* to 4,007 ton) starting January, 2015.

*Average annual catch of Japan in 2002-2004.

【Practical implementation of nation-wide catch reduction】

- Total amount of catch (4,007 ton) is divided in consideration of recent record of catch, and allocated to each fishery.
- →Allocation to Purse Seine Fishery: 2,000 ton
- →Allocation to other Coastal Fisheries (Trawling Line, Set Net, etc.): 2,007 ton

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【Monitoring and Control of Catch】

□Purse Seine Fishery

・Allocation of 2,000 is monitored and controlled by purse seine fisher's organization covering each fishing area.

□Other Coastal Fisheries (Trawling Line, Set Net, etc.)

・Reporting/Monitoring system of juvenile PBF has newly been established.

・39 prefectures (all prefectures facing at sea) in Japan are divided into 6 blocks, and parts of total amount (2,000 ton) are allocated to each block.

・Fishers (through Fisheries Cooperative Associations) report the amount of catch to FAJ.

↓ ↓ ↓

・FAJ compiles the reported catch amount block by block, and feedback the catch amount information to each prefecture.

↓ ↓ ↓

・Each prefecture will inform updated catch amount to fishers (through Fisheries Cooperative Associations).

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↓ ↓ ↓

- When the catch amount of each block comes close to the allocation, JAF will issue an alert/warning. Each prefecture will notify the alert/warning to fishers (through Fishery Cooperative Associations) and control the fishing operation in the prefecture.
- FAJ will publicize the alert/warning to the general public (alert/warning will be uploaded to FAJ's website, press release will also be issued) with the aim of getting cooperation from stake holders (Processers, Wholesalers, Retailers, Consumers, etc.).

【Challenges in dealing with issues of over capacity】

In introducing measures to restrict fishing operations, it is of vital importance to formulate understanding and cooperative-relationship with fishers.

As the situation surrounding fisheries business management is becoming harder (i.e. higher fuel cost, lower fish price), building trust with fishers through frank and intensive exchange of views will be a key to the success of fishing capacity management measures.

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Ⅲ Country's legislative and institutional systems for fishing capacity management

1. Fishery Right System in Coastal and Inland Water Fishing Grounds

Legal Background

Based on Fisheries Law, Prefectural Governors grant Fishery Rights to qualified applicants.

- The Prefectural Governor designates coastal and inland fishing grounds which are suitable for establishing Fishery Right. Then, the Governor will grant Fishery Right to qualified applicants.
- There are 3 types of Fishery Rights.

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【3 Types of Fishery Rights】

Name of Fishery Right	Types of Fisheries/Aquaculture	Qualified person/legal person	Duration
Common Fishery Right	Fishery for Sedentary Aquatic Species, Small Scale Fixed Net, Inland Water Fisheries, etc	Fisheries Cooperative Associations (FCAs)	10 years
Demarcated Fishery Right	Any Aquaculture Operation in public waters	FCAs or Private Aquaculture Business (person/legal person)	10years or 5 years
Fixed Net Fishery Right	Large Scale Set Net Fisheries (depth of the catching net exceeds 27m, etc.)	Private Fishery Business (person/legal person)	5 years

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- Person/Legal Person who are granted Fishing Right are responsible for maximizing fishery production in the designated area through realization of well-coordinated fishing activities.
- For this purpose, Fisheries Cooperative Associations (FCAs) who are granted fishing rights will establish autonomous regulations titled "Fishery Right Exercise Rule".
- Fishery Right Exercise Rule determines conditions of fishing operation in the designated area, such as: seasonal closure of fisheries; closure of fishing ground; number of fishers eligible for designated fishery, thereby sustaining well-organized fishing operations by each FCA member (fisher), as well as preventing overfishing in the area of Fishery Right.

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2. Fishery License System

1) License of Designated Fisheries, etc.

Legal Background

Based on Fisheries Law, Minister of Agriculture, Forestry and Fisheries issues licenses for operation of Designated Fisheries.

【Designated Fisheries】

- As for large scale offshore and distant water fisheries, it is necessary to implement rigid control measures of fishing capacity (i.e. number of fishing vessels, size and engine power of fishing vessels, etc) in order to secure sustainable utilization of target resources.
- Furthermore, these large scale fisheries typically operate in waters off the coast of multiple Prefectures or even in International Waters. So, these fisheries are suitable for nation-wide uniformed regulation by the responsible Minister.

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- 13 types of fisheries* are designated by Government Ordinance (based on Fisheries Law), so these fisheries are called "Designated Fisheries". The Minister issues licenses for operation of Designated Fisheries.

*Example of Designated Fisheries

Trawl fishery (Vessel Size ≧15 ton), Purse Seine Fishery (≧ 40 t) , Skipjack Baitboat Fishery (≧ 10t), Tuna Longline Fishery (≧ 10t) , Squid Jigging Fishery (≧30t), Salmon Drift Net Fishery (≧30t)

- Persons/Legal Persons who want to operate Designated Fishery have to receive licenses issued by the Minister.
- The Minister determines maximum number of fishing vessels or maximum total gross-tonnage of fishing vessels for each fishery, and licenses are issued within such limitations.
- Furthermore, the Minister imposes restrictions/conditions on the license, such as: size of fishing vessels; prohibited area; and prohibited season, thereby securing sustainable fishing operations.

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【Specific Fisheries with Minister's License】

- There is one more category of fisheries under the Minister's direct control, which is called "Specific Fisheries with Minister's License" (5 fisheries including Snow Crab Trap Fishery and Deep Sea Gill Net Fishery in the Pacific).
- These fisheries are deemed not necessary to impose such rigid management measures as on Designated Fishery, but need to limit number of engaging fishing vessels. So, the Minister issues licenses for operation of these fisheries.

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2) Fisheries licensed by Prefectural Governors

Legal Background

Based on "Fisheries Coordination Regulation" established by Prefectural Governors according to related articles of "Fisheries Act " and "Act on Protection of Fisheries Resources", Prefectural Governors issue fishing licenses.

- As for fisheries outside of the scope of Minister's control, Prefectural Governors can impose necessary regulations for well-organized fishing operations and for conservation and management of fishery resources off the coast of the Prefectures.
- Prefectural Governors itemize fisheries which require Governor's license. Fishers granted such fishing licenses have to operate in accordance with "Fisheries Coordination Regulation*" as well as conditions/restrictions imposed on the license.

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3. Fisheries Notification System

Legal Background

Minister of Agriculture, Forestry and Fisheries requires notification from the fishers for engaging in specific fisheries, based on Ministerial Ordinance (established according to "Fisheries Law" and "Law on Protection of Fisheries Resources").

- As for fisheries which do not need licenses and which are out of scope of Fishery Rights, any fishers of Japanese Nationality (including legal person) can freely operate fishing activities.
- However, as for fisheries Minister considers it necessary to monitor states of fishing operations, the Minister requires notification from fishers for engaging in such fisheries as well as mandatory report of fishing activities.

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4. TAC System

Legal Background

Based on "Act on Preservation and Control of Living Marine Resources", Minister of Agriculture, Forestry and Fisheries and Prefectural Governor take charge of TAC management.

- The Minister determines Total Allowable Catch (TAC) for7 kinds of fish every year.
- The 7 kinds are: Saury; Walleye Pollock; Sardine; Mackerel (Chub Mackerel and Spotted Mackerel); Jack Mackerel; Japanese Common Squid; and Snow Crab.
- These kinds of fish is designated as TAC controlled fishes because of
- 1) Importance for national economy or Existence of foreign vessel's catch, and
- 2) Availability of sufficient scientific information to determine TAC.

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- TACs are established annually based on Allowable Biological Catch (ABC), as well as in consideration of status of fishery business management.
- Allocation of TAC is divided into the following 2 categories:

1) Fisheries under control of the Minister:
(a)Designated Fisheries and (b) Specific Fisheries with Minister's License)
→As for Fisheries under control of the Minister, amount of TAC allocation is determined fishery by fishery.

2) Fishery under control of Prefectural Governors
(a) Fisheries under Fisheries Right and (b) Fisheries licensed by Governors
→As for Fisheries under control of Prefectural Governors, amount of TAC allocation is determined prefecture by prefecture.

Thank you for your kind attention!

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- Fishers who catch TAC species are responsible for reporting amount catch though Fisheries Cooperative Associations (FCAs) and other fisher's organizations.
- The Minister and Prefectural Governors are responsible for monitoring accumulated catch for TAC species and take necessary measures including order of ceasing fishing operations.

5. TAE System

Legal Background

Based on "Act on Preservation and Control of Living Marine Resources", Minister of Agriculture, Forestry and Fisheries takes charge of TAE management.

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- In order to support "Resources Recovery Plan"*, the Minister determines Total Allowable Effort (TAE) of target species by designated fishery in the designated area.

* Resources Recovery Plan:
Action Plan for cooperation of every stakeholders (fishers, managers, scientists, distributors etc.) with the aim of urgent actions toward restoration of depleted fishery resources .

- Typically, TAE is in the form of "Number of Fishing Vessels multiplied by Fishing days".

- The Minister notifies establishment of TAE to relevant Prefectural Governors every year, thereby supporting Prefectural Governor's control of fishing efforts towards target species.

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6. Control Systems of Fishing Vessels

1) Permission for Construction of Fishing Vessels

Legal Background

Based on "Fishing Vessel Act", Ministry of Agriculture, Forestry and Fisheries or Prefectural Governors grant permission for Fishing Vessel Construction.

- In order to ensure well-ordered fishing operations, permission of the Minister or relevant Prefectural Governor is required for construction of any fishing vessels equipped with engine and whose length is 10 m and more.
- As for construction of fishing vessels which needs Minister's license for their fishing operation, permission of the Minister are required.
- As for construction of fishing vessels which needs Prefectural Governor's license for their fishing operation, permission of the Prefectural Governors are required.

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- As for construction of fishing vessels which does not need any license for its fishing operation:

→Minister grants permission for construction of vessels 20 gross tons and more.

→ Prefectural Governor grants permission for construction of vessels less than 20 gross tons.

2) Registration of Fishing Vessels

Legal Background

Based on "Fishing Vessel Act", Prefectural Governors takes charge of fishing vessels registration.

- All fishing vessels equipped with engine and whose size are 1 gross ton and more have to be registered in the "Fishing Vessels Registration List", and receive a "Fishing Vessel Registration Card".
- Prefectural Governors are responsible for compiling Fishing Vessels Registration List as well as issuing Vessels Registration Card for vessels which have base of operation within the area of the prefecture.
- To confirm that actual status of a fishing vessel is in line with the contents of Vessel Registration Card, the vessel owners have to undergo a vessel inspection every 5 years.

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7. Other Regulations Related to Fishing Capacity Management

1) Restriction of Fishing Gears/Fishing Methods used by non-fisher people

Legal Background

Based on "Fisheries Coordination Regulations", Prefectural Governors takes charge of this regulation.

- "Fisheries Coordination Regulations*" of all 47 prefectures in Japan stipulates "Restriction of Fishing Gears/Fishing Methods used by non-fisher people".

- By this regulation, fishing gears/methods allowed for "ordinary people" (non-fishers) are itemized in the regulation. Typically, Pole Fishing, Handline Fishing, Casting Net, Small Scoop Net, Fish Lance, Shellfish Tearing Devices, etc, are itemized in the regulation.

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- Through this regulation, eligible people to use effective fishing gears/methods is limited to fishers. This regulation has effects to prevent excessive utilization of fisheries resources in coastal and inland fishing grounds.

2) Regulation on activities of Foreign Fishing Vessels in Japanese Port

Legal Background

Based on "Act on Regulation of Fishing Operation by Foreign Nationals", Minister of Agriculture, Forestry and Fisheries takes charge of this regulation.

- Foreign Fishing Vessels are not allowed to carry their catch (fish) directly from the fishing ground into Japanese Port. If they want to carry fish and enter into Japanese Port, the fish have to be accompanied by "certifications of foreign country's authorities" which certify that the fish had been shipped from foreign ports.

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- This regulation prohibits utilization of Japanese Port as "fishing bases" of foreign fishing vessels, thereby preventing excessive fishing pressures by foreign fishing vessels in waters surrounding Japan.

9. Enforcement of Regulations related to fishery

- Fisheries Enforcement Officers are appointed both from FAJ and all Prefectural Offices. Enforcement officer of FAJ serve as "National Fisheries Enforcement Officers", whereas Enforcement officers of Prefectural Government serve as "Prefectural Fisheries Enforcement Officers".

- To attain "compelling power" which is of vital importance for effective enforcement of regulations, Fishery Enforcement Officers are in close cooperation with relevant Law-Enforcement Organizations, including Coast Guard and Prefectural Polices.

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Ⅳ Information on NPOA

- With regard to management of fishing capacity, Japan is of a view that Japan has already been implementing necessary measures. Therefore, Japan did not compile "National Plan of Actions for Fishing Capacity Management".

- On the other hand, as for implementation of the "International Plan of Action to Prevent, Deter and Eliminate IUU Fishing", Japan compiled "National Actions" which substitutes NPOA.

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Country Review on the Management of Fishing Capacity in Malaysia

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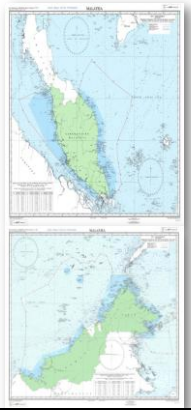
Contents

General Features

- Coastlines – 4,490 km
- Extension of Malaysian fisheries waters from 47,000 sq.nm to 160,000 sq.nm after EEZ declaration in 1980.
- 453,186 km^2 EEZ waters comprises part of the Andaman Sea, the Straits of Malacca, the South China Sea, the Sulu Sea and the Celebes Sea.



Fisheries Sector in 2013

- Fish production is 1.75 million tonnes valued at RM10.8 billions and 1.10% national GDP.
- Marine Capture fisheries production is 1.48 million tonnes, valued at RM8.3 billions.
- Coastal fisheries production is 1.16 million tonnes, valued at RM6.6 billions and accounted for 78% total marine production.

Fisheries Sector in 2013

Fishermen
- 144,019

Fish culturists
- 26,802

Licensed fishing vessels
57,095 (mostly operating in area below 30nm from shore)

Importance of Managing of Fishing Capacity

- 1 of the 4 International Plan of Action (IPOAs) for implementation of FAO Code of Conduct for Responsible Fisheries (CCRF)

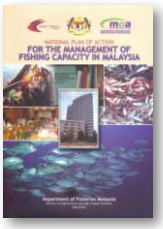
"States should prevent overfishing and excess fishing capacity and should implement management measures to ensure that fishing effort commensurate with the productive capacity of the fishery resources and their sustainable utilization"

Other IPOAs:
- Incidental Catch of Seabirds in Long-line Fisheries
- Conservation & Management of Sharks
- Prevent, Deter & Eliminate IUU Fishing

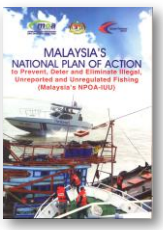
Our Achievement

2006

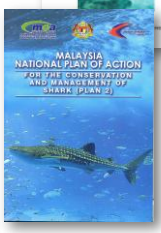
2008



2013



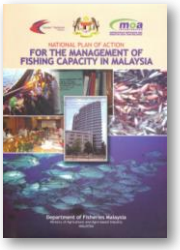
2014



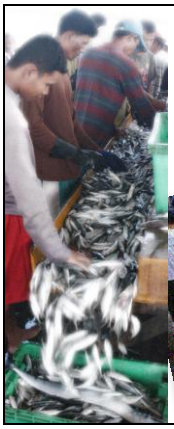
Fishing Capacity as Defined by FAO

- Fishing capacity - the amount of fish (or fishing effort) that can be produced over a period of time (e.g. a year or a fishing season) by a vessel or a fleet if fully utilized and for a given resource condition

- Underlines important strategies & key actions to overcome the issues arising from an inadequate resource management system especially pertaining to over capacity.
- Published in 2008.



Contents of NPOA Fishing Capacity (Plan 2)



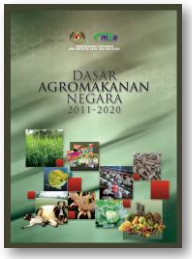
This document is a revision and an update of the NPOA Fishing Capacity (Plan 1)

1. Introduction
2. National Fisheries Policy Related to Fishing Capacity
3. Management Status of Capture Fisheries
4. Issues and Challenges
5. Review of the Past NPOA Work Plan
6. Development of the NPOA-Fishing Capacity (Plan 2)
7. NPOA Revision
8. Work Plan and Timeline

National Fisheries Policies Related to Fishing Capacity

- Development of fishing industry in Malaysia closely followed National Agro-Food Policy 2011-2020 (NAP).

"Sustainable development of capture fisheries industry is important to ensure fisheries resources are preserved and could be sustained for the future."



National Fisheries Policies Related to Fishing Capacity

- The Strategic Plan of DOFM provides framework and roadmap in transforming the fisheries sub-sector as outlined in the Government Transformation Program and NAP.

Management Status of Capture Fisheries

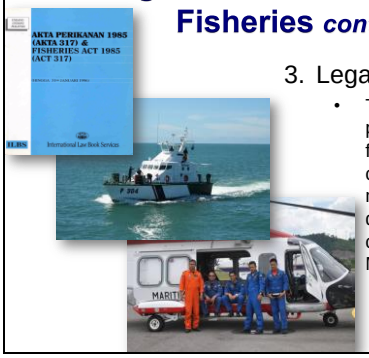
1. Resource Assessment
   - Resource surveys/research activities
   - Determine current stock biomass level and resource potential

Management Status of Capture Fisheries *cont...*

2. Fisheries Statistics Data

- Published in Annual Fisheries Statistics (Volume 1) and DOFM website
- Statistical data to determine the status and trend of fisheries, formulate policies and planning strategies

Management Status of Capture Fisheries *cont...*



3. Legal Aspects

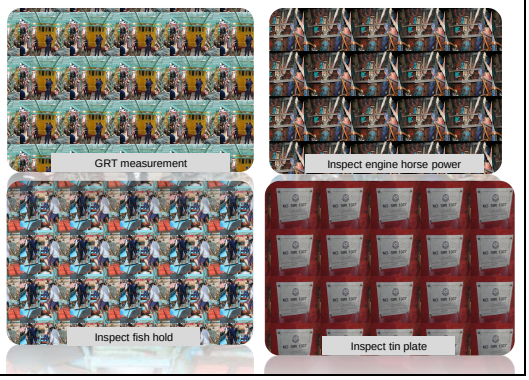
- The Fisheries Act 1985 provide the legislative framework for the conservation, management and development of the capture fisheries in Malaysia.

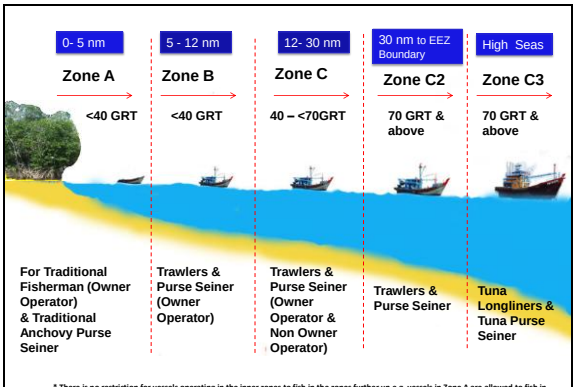
Management Status of Capture Fisheries *cont...*

4. Management Measures
   - Developed various comprehensive management approaches to manage fisheries i.e:
     - Regulating the issuance of fishing gear and fishing vessel license to limit fishing effort
     - Management of zoning system
     - Conservation and rehabilitation of marine ecosystems through establishment of MPA and deployment of artificial reefs
     - Prohibition of destructive fishing methods

Marking & identification of fishing vessels

Inspection of Vessel





* There is no restriction for vessels operating in the inner zones to fish in the zones further up e.g. vessels in Zone A are allowed to fish in Zone B, C and C2.

Management Status of Capture Fisheries *cont...*

5. Institutional/Divisional Responsibilities
   - Role of DOFM, DOFS and FDAM
   - Consultation with stakeholders in line with Ecosystem Approach to Fisheries Management (EAFM)

Issues and Challenges

1. Resources being overfished
2. Overcapacity
3. Inadequate updated data on fisheries resources
4. Incomplete gear specification documentation
5. Inadequate capacity and capability for monitoring and surveillance
6. Insufficient public awareness and participation
7. Decisions inconsistent with current policies

Issues and Challenges *cont.*

8. Foreign fishermen working on board local fishing vessels
9. Incentives
10. Lack of political will and awareness towards conservation and management
11. Encroachment of local fishing vessel into prohibited area
12. Encroachment of foreign fishing vessels
    (11 & 12 is covered under NPOA IUU Fishing)

Review of the Past NPOA Work Plan

Development of NPOA Fishing Capacity Plan 2

- Focus on 12 issues and challenges
- 3 strategies:

Strategy 1: Review and implement effective conservation and management measures

Strategy 2: Strengthen capacity and capability for Monitoring and Surveillance Programme

Strategy 3: Promote public awareness and education program.

NPOA Revision

- Shall be reviewed after 5 years.

Conclusion

- **The long term objective of this NPOA Plan 2 is for Malaysia to achieve an efficient, equitable and transparent management of fishing capacity in marine capture fisheries by 2018.**
- **Aims to create fisheries that are not only economically viable but also profitable and sustainable in the long term while protecting and conserving the environment.**

Country Review on the Management of Fishing Capacity in Myanmar

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Management of Fishing Capacity

- Legal Frame Work

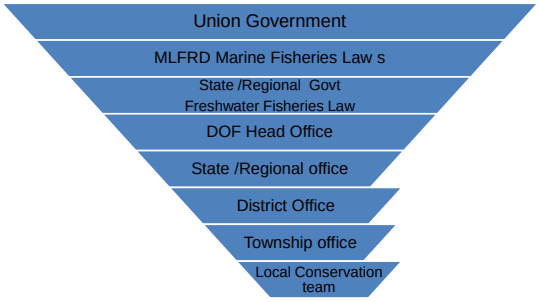
  Myanmar Marine Fisheries law (1990) and the law relating to the fishing rights of foreign fishing vessels (1989)

- National Policy

  "to undertake food security and food safety in Livestock and Fisheries sector and to implement sustainable development of rural area"

2

Provincial/prefectural systems



3

Coastal or Small- scale fishing

- 10 nautical miles from the shore to seaward
- Under the 30 feet in length and 25 Horse Power Engine
- Mechanized push net, paired trawls and baby trawls
- Offshore fishing vessels are prohibited

4

Commercial Large- scale fishing

- 1979-80 (Dr. Fridtjof Nanson)
- MSY is 1.05 million metric ton. CPUE is 639 kg/hr.
- 2007(MV SEAFEDEC II)
- Catch per unit effort is 89 kg/hr
- 2013 (Dr. Fridtjof Nanson)
- 37.33%(Biomass) . CPUE is 104 in 200 meter depth

5

Existing Issues of over-capacity

a) Increasing Fishing vessel (over 2700)
b) Fishing Gears Limitation (Trawl, Stow net)
c) Engine Power (Between 300 and 600 HP)
d) Gross tonnage (100-200)
e) Notification of closed season and closed area (April ,May)

6

Country's regulations related to management of fishing capacity

- DoF's rules ;
- Prohibition of building or importing new fishing vessel.
- prohibited fishing in high sea
- Trawl can transform to other fishing gears
- Other fishing gears can not transform to trawl
- flag state measure and port state measure
- installing of VMS

7

Laws enforcement

- MCS system in check points
- One stop service inspection team
- Inspection at sea (Myanmar NAVY)
- Punished with fines and vessel confiscating

8

Future Implementation for Fishing Capacity Management (Challenges)

- To promote effective inspection for all fishing vessels at sea;
- To initiate using VMS for effective MCS system in all fishing vessel
- To encourage using TEDs and JTEDs in trawl fishing vessels;
- To study the survey on fishing capacity of each fishing gear group;

9

Contd.

- To study the survey on fishing capacity of inshore (small scale)fishing vessel
- To encourage the fishing vessels to fish in deep sea waters in Myanmar EEZ.
- To control the transshipment at the sea.
- To reduce the discards and low valued fish.
- To improve the effective use of landing catch.
- To promote the awareness of fishers and fisheries stakeholders.

10

Contd.

Myanmar will try to collaborate with regional and international institutions in development and application of technology, materials and operational methods for all functions.

11

Country Review on the Management of Fishing Capacity in Philippines

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PHILIPPINES

COUNTRY PRESENTATION

Regional Technical Consultation on Development of Regional Plan of Action-Management of Fishing Capacity

SEVERINO L. ESCOBAR, JR.
Supervising Fishing Regulations Officer

NILO S. KATADA
Senior Aquaculturist

Bureau of Fisheries and Aquatic Resources

Regional Technical Consultation on Development of Regional Plan of Action-Management of Fishing Capacity

24-26 February 2015, Kuala Lumpur, Malaysia

Legal and Institutional Framework

-Laws governing fisheries management & conservation:

1. **Republic Act 8550** – The Fisheries Code of the Philippines
2. **Republic Act 7160** – The Local Government Code of the Philippines

-Fisheries Management Authorities

1. **Bureau of Fisheries and Aquatic Resources (BFAR)**
2. **Local Government Units (LGUs)**
   - Barangays
   - Cities/Municipalities
   - Provinces

2

Legal and Institutional Framework

-Fishing in the Philippines is an "open access" system

-Divided into two classifications:

1. **Commercial Fishing** – fishing with the use of fishing vessels 3.1 Gross Tons (GT) and above and operating beyond 15 kilometers from the shoreline.
2. **Municipal Fishing** – fishing with the use of fishing vessels less than 3.1 GT and operating within the area of 15 kilometers from the shoreline.

-Registration of commercial fishing vessels is the mandate of the Maritime Industry Authority (MARINA) while registration of municipal fishing vessels is delegated to the Local Government Units (LGUs)

-Licensing of commercial fishing vessels is the mandate of the Bureau of Fisheries and Aquatic Resources while licensing of municipal fishing vessels is the authority of the Local Government Units (LGUs)

3

Legal and Institutional Framework

Commercial Fishing License

- issued by BFAR
- decentralized
- new licenses are issued in BFAR Central Office while renewal of licenses are done in BFAR Regional Field Offices

-fishing vessel and gear license is issued jointly in a single document called Commercial Fishing Vessel/Gear License (CFVGL)

- only Filipino citizens are qualified
- if a corporation, must have at least 60% of capital stock owned by Filipinos
- support vessels such as carriers, lightboats, etc. are also required to be issued with CFVGL

4

Legal and Institutional Framework

Requirements for CFVGL:

- Duly accomplished CFVGL application form
- Duly Notarized Affidavit of Undertaking and Certification
- Two (2) copies of 8" X 10" colored pictures (starboard/port side)
- Grid map indicating proposed fishing grounds
- Authenticated copy of Certificate of Vessel Registry (CVR), Certificate of Ownership (CO) and Fishing Vessel Safety Certificate (FVSC)
- approved Articles of Incorporation from SEC (for corporations), cooperation papers from CDA (for cooperatives)
- fishing logbook/logsheet (for catchers only)
- Tax Identification Number (TIN)

5

Legal and Institutional Framework

Process Flow for Registration and Licensing of Commercial Fishing Vessels:

Get construction clearance and/or importation clearance	**BFAR**
↓	
Register the fishing vessel under Philippine flag - CVR	**MARINA**
↓	
Secure CO and FVSC	**MARINA**
↓	
Get commercial fishing/gear license or CFVGL	**BFAR**
↓	
Secure International Fishing Permit (IFP) if operating in international waters	**BFAR**

6

Legal and Institutional Framework

Municipal Fishing License

- Executive Order No. 305
- registration/licensing is the responsibility of the Local Government Units (LGUs)
- used in information generation, granting of priority rights, revenue generation and regulation
- only registered fishermen in the municipality are eligible to apply

Requirements:

- municipal fishing license application form
- Certificate of Number (CN)
- Clearance from PNP-Maritime Group
- Payment of license fees

7

Issues and Problems on Over Capacity

General:

1. Lack of laws or stringent measures on fishing vessel/boat registration and licensing limitation
2. Lack of management plans in place
3. Catch and effort statistics not regularly collected
4. There is a significant number of fishing vessels/boats that are not registered and licensed
5. Undervalued license and permit fees which does not reflect the appropriate resource rents
6. False declarations of actual gross tonnage to disguise as municipal fishing vessel in order to fish within municipal waters
7. Decline of catches

BFAR Intervention:

1. Forged a pro-active and closer coordination with MARINA (ex. MOA)
2. Establishment of database of registered and licensed fishing vessels
3. Amendment of pertinent laws/policies to improve licensing regulations (ex. Fisheries Administrative Order (FAO) No. 198
4. Re-establishment of moratorium on the issuance of NEW LICENSES
5. Conduct research studies on fisheries resource rents that will be used as basis to reflect license and permit fees

8

Issues and Problems on Over Capacity

BFAR Intervention:

6. Management plans are now being considered and some already in place
7. Implementation of license limitation
8. Banning of destructive fishing methods
9. Conduct vessel/boat inventory and survey

9

Relevant Policies on Fishing Capacity Management

1. ***Moratorium on the issuance of Commercial Fishing Vessel and Gear License and Other Clearances***
2. ***Boat building restrictions***
3. ***Commercial Fishing License Limitation***
4. ***Gear and vessel restrictions***
5. ***Space or time restrictions***

10

NPOA - Managing Fishing Capacity in the Philippines

1. **The Philippines does not have a NPOA on Fishing Capacity Management yet (Plan to develop NPOA within 5 years?)**
2. **Established a moratorium on the issuance of new licenses and other clearances**
3. **Stopped building new boats and importing second hand boats**
4. **Conducted joint mobile registration and licensing with MARINA**
5. **Conducted inventory of all commercial fishing boats**
6. **Have implemented the *FishR* - registered about 1.5 M fishworkers including establishment of FishR Database**
7. **Have launched the *BoatR* – inventory of all municipal fishing boats**
8. **Conducted stock assessment studies regularly thru our National Stock Assessment Program**

11

Country Review on the Management of Fishing Capacity in Singapore

Kihua TEH
Agri-Food & Veterinary Authority (AVA), Jurong Fisheries Port, 35 Fishery Port Road, Singapore 619742, E-mail: Teh_kihua@ava.gov.sg

Current situation on marine fisheries recourses assessment

- Governing legal framework – Fisheries Act (within territorial waters of Singapore)
- Single system - national
- Fisheries authority – AVA
- Licence fishing vessel, gear, fisherman

Current situation on marine fisheries resources assessment

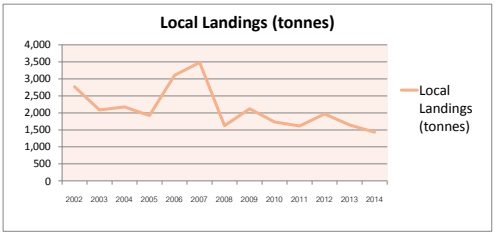
Fishing Vessel	Offshore	Inshore
Number	4	32
Average Length	20 metres	6 metres
Average GRT	40	0.8
Fishing area	Territorial waters of Singapore	Inshore waters except navigational channels

Existing issues of over-capacity

Year	Number of offshore fishing vessels
1991	120
2001	33
2011	6
2014	4

4

Existing issues of over-capacity



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Existing issues of over-capacity

- Dwindling numbers of fishing vessels due to high operating costs (fuel) and no succession plan.
- Require fish stocks assessment to determine if any issues of over capacity.

6

Country's legislative and institutional systems for fishing capacity management

- Fishing Capacity is monitored through catch declaration and reporting. This forms part of AVA's licensing requirements.
- No more licences issued for inshore fishing vessels.

7

Information on NPOA

- Initiated inter-agency engagements to have regular discussion and coordination towards the development of SG's NPOA against IUU fishing activities, including the implementation of relevant PSMA measures.
- Review of policies and amendments to Fisheries Act to further strengthen enforcement powers.

8

Country Review on the Management of Fishing Capacity in Thailand

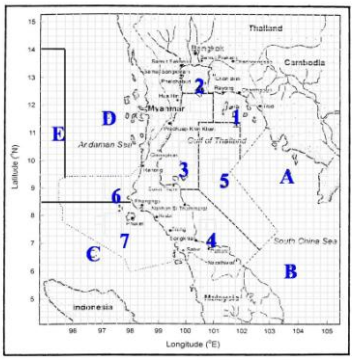
Praulai Nootmorn and Tunyakamon boonpaonitichot
Marine Fisheries Research and Technological Development Institute, Department of Fisheries
Kaset-Klang, BangKhen, Bangkok 10900, E-mail: nootmorn@yahoo.com

•Current situation on marine fisheries recourses assessment

-General Characteristics of Marine Fisheries

Marine fisheries of Thailand are somewhat complex. It features a great variety of fishing gears, employed by different types and sizes of fishing vessels targeting a great variety of fishes and shellfishes. By types, these fishing vessels can be segregated into commercial and artisanal fisheries; their difference is clearly distinguishable by the types of gear they employ. The nature of fishing grounds and socio-economic prevalence are sometimes useful for identifying these fisheries. Its complexity is also attributed to a great number of stakeholders at different socio-economic layers that are involved. Problems and conflicts arising from this multifarious structure are both common and serious. The problems sometimes develop from both fishing in territorial and deep sea fishing grounds. The territorial waters are fished by commercial and artisanal fishing fleets; the former is much more dominant as it landed some 90% of the catch by volume

Current situation on marine fisheries recourses assessment



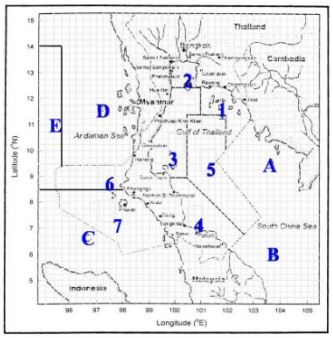
Current situation on marine fisheries recourses assessment

Table 1: Thailand's marine fisheries landings, 1996-2007 Unit: tonnes
Source: Department of Fisheries

Year	Total landing	Food fishes	Trash fish	Shrimps	Crabs	Cephalopods	Molluscs	Miscellaneous
1996	2,786,125	1,457,935	864,130	134,483	52,759	173,183	73,139	30,496
1997	2,679,492	1,409,674	822,110	126,343	50,994	173,648	54,330	42,393
1998	2,708,968	1,467,626	864,991	96,645	57,945	188,156	68,845	64,760
1999	2,725,207	1,478,223	765,209	86,717	55,443	174,382	80,631	84,602
2000	2,773,665	1,441,195	775,079	87,812	58,108	177,455	94,175	139,841
2001	2,631,702	1,483,508	738,538	88,857	50,273	165,381	55,862	49,283
2002	2,643,711	1,571,005	696,641	85,598	42,121	184,830	34,230	29,286
2003	2,651,223	1,593,008	697,145	84,702	43,630	168,367	55,091	9,280
2004	2,635,969	1,542,877	771,723	77,304	42,222	163,505	36,536	1,802
2005	2,603,361	1,509,050	754,416	81,569	37,905	159,351	24,403	36,667
2006	2,484,803	1,373,586	672,686	75,782	47,364	147,516	28,009	139,860
2007	2,079,351	1,239,408	583,076	63,201	35,137	131,766	18,409	8,354

Current situation on marine fisheries recourses assessment

Figure 1: Map showing fishing grounds in Thailand for fishery statistical purpose.



Current situation on marine fisheries recourses assessment

Status of fisheries resources in the Gulf of Thailand

The over-exploitation of marine shrimps was revealed by a study by Vibhasiri (1993) who concluded that their stocks had been overfished since 1981-82. Supongpan (1995) also suggested that over-exploitation had occurred with the cephalopods stocks. She further suggested that the stocks of *Loligo duvauceli* had been fully exploited since 1984 (Supongpan, 1998; FAO, 1993). Her study on another squid stock (*Loligo chinensis*) also suggested that over-exploitation had already occurred (Supongpan, 1988). Supongpan (1993) again suggested the octopus stocks as well as cephalopods stocks were over-fished.

Status of fisheries resources in the Andaman Sea

Current situation on marine fisheries recourses assessment

National Marine Fisheries Management Policies

For the marine fisheries sub-sector's integrity, the vision crafted and documented in the Master Plan highlights the concept of "*sustainable fisheries development based on the Sufficiency Economy philosophy that places the people at the center.*"

The Marine Fisheries Master Plan has been written for the commission over a period of 10 years from 2009. Its three immediate objectives are:

-The sustainable and stable marine fisheries shall continue to generate 1.7-2.0 million tonnes of quality fish catch comprising at least 80% of high value fish from the EEZ;

-At least one fishermen's organization in each province is established to take the responsibilities for the management and networking with the neighboring provinces;

-At least 10 coastal communities take initiative to manage their fishing and fishery resources with active community participation under the concept of co-management.

Legislative and institutional systems

National Marine Fisheries Management Policies

Current legal instruments in fisheries

The principal legal instrument in fisheries is the Fisheries Act of 1947. This law was amended in 1953 and 1985. Composed of 73 articles, it was clear that the enactment of this law aimed primarily at the conservation of the fishery resources, particularly those in freshwater or inland habitats. The Act has a provision for the adoption of a regulation (the instrument that requires a Cabinet approval) and a notification (instrument that can be issued by the responsible Ministry in pursuant to the Act). A number of regulations and notifications have been adopted and issued for the management of both freshwater and marine fisheries.

Legislative and institutional systems

National Marine Fisheries Management Policies

Current legal instruments in fisheries

The new Fisheries Act, B.E.2558 was composed of 11 Chapters and 104 sections, the new Fish Act will be implementing on ~~1st April~~ 2015. It was clear that the enactment of this law aimed primarily at the conservation of the fishery resources, particularly those in freshwater or inland habitats, coastal habitats and marine habitats. The Act has a provision for the adoption of a regulation (the instrument that requires a Cabinet approval) and a notification (instrument that can be issued by the responsible Ministry in pursuant to the Act). A number of regulations and notifications have been adopted and issued for the management of both freshwater and marine fisheries. The Chapters are composed of Fisheries Management, Fishery Zone, Promotion of Aquaculture, Standard of Fish or Fish Products, Importation and Exportation of Fish and Fish Products, Overseas Marine Fishery, Fees on license or Permit and Substitute, Transferability, Competent Official, Administrative Measure, Penalties.

Legislative and institutional systems

Involvement of government agencies in the marine fisheries management

The Department of Fisheries (DOF) serves as the principal agency dealing with fishing, marine resources, and the management of maritime habitats. Department of Marine and Coastal Resources (DMCR) and the Office of Natural Resources and Environmental Policy and Planning (ONEP), under the Ministry of Natural Resources and Environment (MONRE), with their legal mandates overlapping with the DOF, particularly in the maritime and coastal areas, have been working closely together.

Legislative and institutional systems

Marine fisheries management

-Closed areas and closed season to fishing

-Conservation zone

-Fishing gear restrictions

-Fishing gear licensing

-Clamping down on destructive fishing gears

Legislative and institutional systems

Marine fisheries management intervention

-Establishment of a Provincial Advisory Committee (PAC)

-Establishment of a Fisheries Conservation Committee

-The National Fisheries Policy Committee

Legislative and institutional systems

Problems and constraints in marine fisheries management

- Ineffective law enforcement

- Inadequacy of scientific evidences

-The National Fisheries Policy Committee

NPOA C-IUU Fishing

NPOA C-IUU Fishing

4.1 Database system on the fishing network of Thai fishing vessel (CIUU) is set up and the system will be operated soon.

4.2 Marine Department and Department of Fisheries have agreed to complete the Memorandum Of Understanding (MOU) on the database exchange between the number of fishing vessel and fishing license which benefit for fishery management.

4.3 Extension the period of exempt on the fee for fishing vessel inspection less than 20 TG. Marine Department, Ministry of Communications has issued the fee of fishing vessel inspection from March 14, 2011 to December 31, 2012. Include fee of fishing vessel license from April 30, 2012 to December 31, 2012. Therefore Department of Fisheries has requested to Marine Department for extension the period of exempt on the fee for fishing vessel inspection less than 20 TG force from July 2013 - June 2014.

4.4 To improve the National Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated concern the effective enforcement of the new Fisheries Act, encourage to installation Vessel Monitoring System, strengthen the system of traceability throughout the production line.

Country Review on the Management of Fishing Capacity in Viet Nam

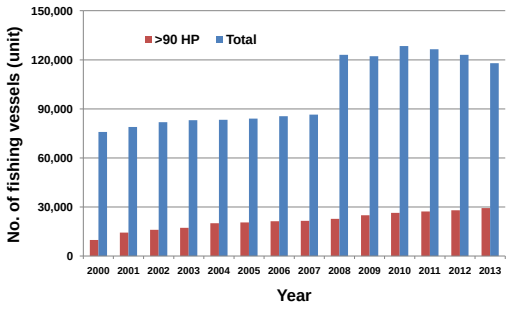
Nguyen Thanh Binh and Pham Hung
Fisheries Administration, 10 Nguyen Cong Hoan, Ba-Dinh, Hanoi, Viet Nam, E-mail: ntbinh@mard.gov.vn

Background information

- Viet Nam: 330,972 km^2
- Population: 89.708 million (2013)
- Coastline: 3,260km with 112 estuaries
- EEZ: over 1 million km^2
- 28 coastal provinces/63 provinces
- Coastal districts: 17% area, home of 25% population

2

Fishing Capacity: Fishing vessels



Source: General Statistics Office; D-FISH

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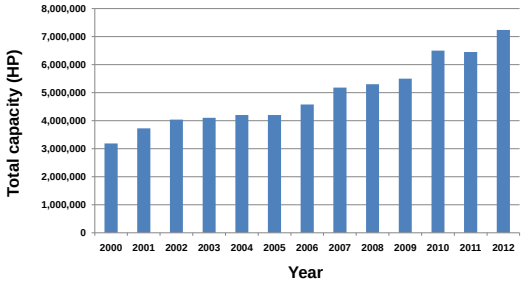
Fishing Capacity: Total Capacity



Source: D-FISH

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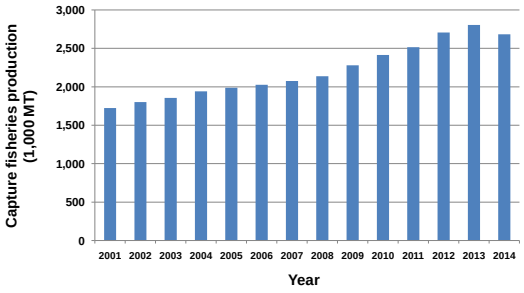
Capture Fisheries: Production



Source: General Statistics Office; 2014: D-FISH

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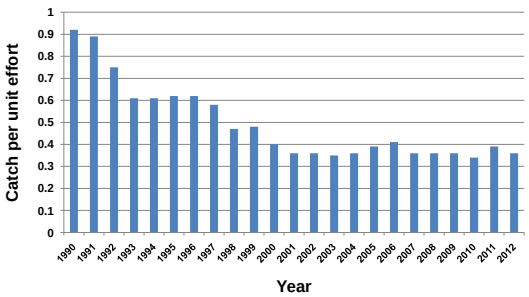
Fishing Capacity: CPUE



Source: D-FISH

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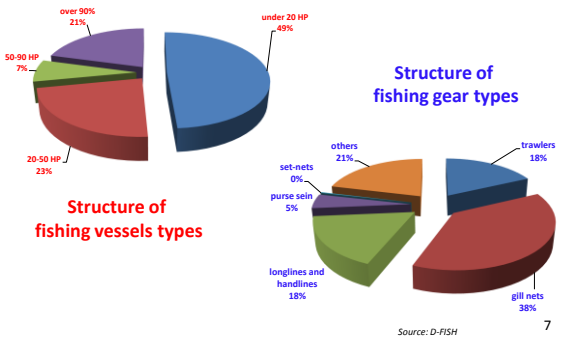
Fishing Capacity: Fishing gears



Source: D-FISH

7

NPOA-Capacity: Background

- Proposed by the **Fisheries Administration**
- Adopted by the **Minister of Agriculture and Rural Development** (Decision No. 787/QD-BNN-TCTS of April 2014)
- For last 3 years, total number of fishing vessels has reduced by 12,000 units.

8

NPOA-Capacity: Formulation Progress

❖ A starting workshop in Nha Trang: May 2010
❖ National Launch Workshop in Hanoi: Feb 2013
❖ Three regional workshops (North, Central, South) in three regions:
  ✓ In Thanh Hoa: May 2013;
  ✓ In Nha Trang: August 2013;
  ✓ In Ba Ria Vung Tau: August 2013
❖ A final workshop in Hanoi: October 2013
❖ Implementation workshop in Da Nang: April 2014

9

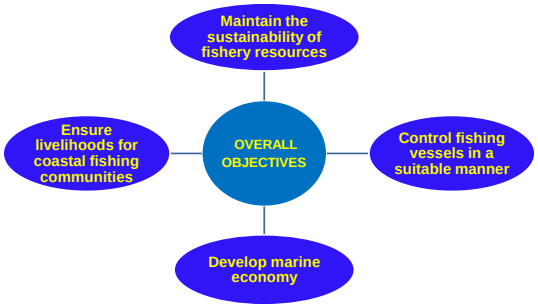
NPOA Capacity: Legal basis

1. **Vietnamese legal documents:**
- Fisheries Law (2003);
- Viet Nam's Marine Strategy to 2020;
- Government's relevant decrees, resolutions and decisions;

2. **International legal documents**
- International Convention on the Law of the Sea (1982);
- Code of Conduct for Responsible fisheries (FAO, 1995);
- FAO Tech. guidelines of IPOA for the Management of Fishing Capacity;

10

NPOA-Capacity: Overall Objectives



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NPOA-Capacity: Specific objectives

Reduce total trawl fishing boats by 15% in 2014-2017, and 12% in 2018-2025

Fisheries co-management is applied for 08 coastal provinces in 2014-2017, and 28 provinces in 2018-2025

Fishing boats are controllable in consistenc with allowable resources of each particular area in 2018-2025

12

NPOA-Capacity: Activities

1. **Policy and Legal Frameworks:**
- Review existing frameworks;
- Develop regulations for fishing vessels < 90CV;

2. **Fishing capacity management:**
- Limit fishing capacity in coastal and inshore areas;
- Prohibit fully or partially specific fishing gears in particular fishing grounds;
- Define total allowable fishing capacity based on resource assessment, and further develop quota system for provinces;
- Encourage the utilization of traditional and local knowledge to support the management of fisheries and fishing capacity;

13

NPOA-Capacity: Activities

3. Enforcement and MCS

- Establish database and analysis tools;
- Continue development of VMS for fishing vessels;
- Strengthen and build capacity for relevant fisheries officers: inspection and surveillance;
- Establish coordination mechanism among monitoring and surveillance forces at the seas;

4. Research and Assessment

- Promote research and effective utilization of regular data collection;
- Research on impact assessment on the change of fish population;
- Conduct assessment to better identify overcapacity by fleet segment and gear used in order to better adjust strategies;

14

NPOA-Capacity: Activities

5. Promote Participation of Relevant Stakeholders

- Define specific roles of stakeholders in NPOA-Capacity implementation;
- Formulate and strengthen central and local institutional framework for co-management;
- Support effective participation of fisheries associations;
- Cooperate with community organizations and individuals in the development and implementation of NPOA-capacity at lower levels;

15

NPOA-Capacity: Solutions

1. **Mechanisms and policies**
2. **Promote advocacy, awareness**
3. **Education and training**
4. **Human resource development**
5. **Financial mechanism and capital mobilization**
6. **International cooperation**

16

NPOA-Capacity: Implementation

1. **Fisheries Administration**
2. **Legal and Organization Departments**
3. **Accounting and Planning Departments**
4. **Research Institute for Marine Fisheries**
5. **People's Committees of coastal provinces**
6. **Social and professional associations**

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Annex 16

Fishing capacity management in Asia and the FAO IPOA – Capacity

Robert Lee
Fishery Industry Officer, FAO Regional Office for Asia and Pacific (FAO/RAP), Maliwan Mansion, 39 Phra Athit Road, Bangkok 10200, Thailand, E-mail: Robert.lee@fao.org

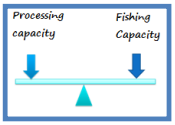
Fishing Capacity Management ?

- **How to manage fishing capacity when the total effort are not known?**
  - Number of vessels and gears???
  - It's the gear that catches the fish not the boat
  - Are MPAs, and fishery management measures enough. How many vessels and gear must leave the fishery? Open Access, User rights?
- **How many countries in the Region have a NPOA - Capacity? And are Implementing**
  - Malaysia, Indonesia,
- **Who will lose and who will win?**
- **Can there be a WIN/WIN?**
- **Who has the mandate and responsibility to implement capacity management?**

2

Diagnostic of Overcapacity …

- **Overfishing beyond environmental and economical sustainability**
  - Needs for monitoring MSY and MEY
  - Lack of precise data on Vessels, fishers and gears
  - Need for Clear Objectives: Technical, Resource, Social and Economic
  - Partial implementation of policy Approaches and Strategies
- **Overlapping Multi species and Multi fleet fisheries**
  - Different objectives for different fleet segments (Untangle)
  - SSF + Semi Industrial + Industrial
  - Different levels of negative environmental impacts
  - Conflicts between segments
  - Needs definition on where to reduce capacity
- **Large processing capacity**
  - Needs raw materials
  - Provide employment
  - Processing capacity can drive overcapacity
  - Finding the balance



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Capacity Drivers in Asia – 1.

- **Direct Subsidies**
  - **Fuel, construction, loans or compensation, Now is the time to cut. Other sectors**
- **Technological advances and adaptations and accumulated effect**
  - **Gear modifications , ++ engine HP, electronics, ++ Length**
- **Aquaculture development**
  - **driving demand for fishmeal**
  - **keeps fish price low inside region, jobs, exports, seen as economic development**
- **Domestic & regional diversity in fish consumption**

4

Capacity Drivers in Asia - 2

- **Growing regional & international trade**
  - **globalization, FTAs, advances in rapid transport, containerization, cold chain - airports**
- **Changing trade trends**
  - **local supply of fresh and consumption towards iced, frozen for regional and global trade**
  - **preferences for a huge diversity of products forms**
- **Added value through processing**
  - **Modern packaging, processing and products Improved logistics and utilization of low value fish**
  - **added value not passed back to the fishery**
- **Gaps and inconsistencies in governance policies**
  - **lack of capacity controls, weak MCS, foreign labour, incomplete registries of vessel and fishers**
  - **Obsolete laws and/or non application of laws**
  - **Crisis Management rather than Change Management**

5

The policy makers dilemma

- **Competing interests**
  - Economic development vs. Resource sustainability
  - Reduce capacity but Proof of brighter richer future
- **Economic development, export income**
  - driven by industry/ processors/exporters/fleet owners and sensitive to trade issues and markets vs. EU IUU regulation
  - strong lobbying power
  - important for exporting countries
- **Social inclusion, livelihoods**
  - rural development, poverty alleviation
  - votes – local politics
  - Limited alternatives
  - important for LDC and SIDS
  - Reducing conflicts
- **International Context**
  - International obligations, conventions vs. Local Politics

Is Sustainability is becoming the foundation of policy??

6

Arguments to not reduce capacity

- **Asia Region produces >50 % of global capture fisheries**
- **5 Asian States among top 10 global producers**
- **49 of 58 million fishers are in Asia – Huge Labour Force (85%)**
- **Market demand increasing and lucrative**

Sub region	Annual Production trend 2000 -2010	% decadal increase/decrease
China	Stable / fluctuation 1-2%	+4
South Asia	Fluctuation 5 – 8%	+28
S.E Asia	Consistent Increase 2 – 4%	+29
Other Asia	Relative stable	-16%
Oceania	Large decreases 2005 -2010	+9

7

Fisheries Management – Why we must reduce Capacity

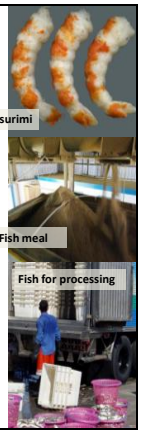
- The country presentations testify to the necessity to reduce capacity
- 70% of 3.23 million boats in Asia motorized

- 49 of 58 million global fishers are in Asia
- Global IUU estimated at 10 – 23 Billion USD. ?? Separate IUU vs. Capacity
- Something has to Change. Business As Usual cannot continue

8

Managing capacity can have benefits

- Fishing and processing companies that have sound financial capacity to persevere see longer term benefits
- Diversify and adapt to new environmental technologies
  - Replace low value fish meal with alternatives
  - Culture other herbivorous species
- Small scale fishers benefit from reduced overcapacity of industrial fleets and reduced conflicts
- Companies that invest in sustainability, Reduce cost, waste and Carbon
- Good corporate citizens
- Aquaculture production

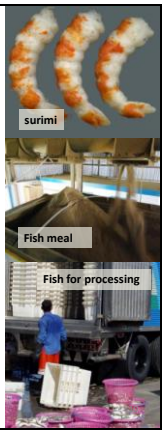


Managing capacity causes losses

- Debt strapped fishing and processing companies – Over invested
- Banks that made bad loans based wrong #s
- Vessels that cannot fish further
- Processing plant workers that get laid off
- Consumers that will have to pay higher prices
- Local governments will lose revenues
- Companies with NO GCC policy
- Good news !!

Losses will be temporary if its not too late.

But We need the BUSINESS CASE?



Lessons learnt in Capacity Management

- Few politicians have the stomach to make the necessary reforms – cut production in the short run. Business case?
- NPOAs exist but, how to measure success? Indicators?
- Lack of precise data on state of the resources, number of boats, fishers and gears (types, x numbers, x characteristics)
- Lack of human and financial resources to enforce regulations and collect data at landing sites and harbors. Budget ??
- Better coordination & rationalization Enforcement responsibilities and capabilities
- Large inshore fleets relatively controlled, Offshore mainly uncontrolled. Flag State responsibilities?
- Long slow process with no REAL end in sight
- Reducing fishers and limiting catches not easily accepted
  - Preference for banning certain gears, alternative livelihoods, MPAs WF study

Management of Fishing Capacity and Resource Use Conflicts in Southeast Asia: A Policy Brief 2006. CAM PHI THA

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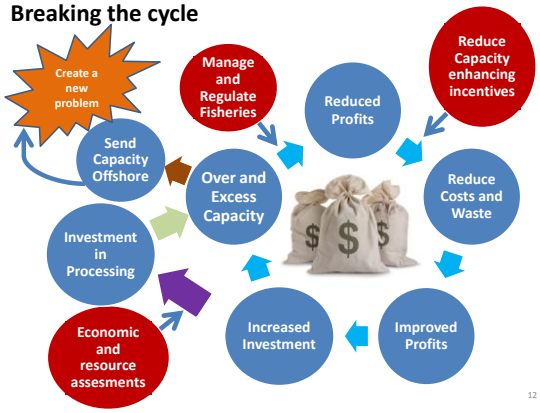
Breaking the cycle



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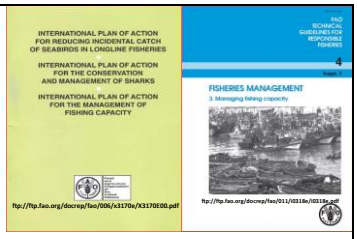
The International Plan of Action for the Management of Fishing Capacity



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History and Objective

- Requested by COFI with Technical Consultation 1998 – **19 Years Ago**
- **Voluntary Instrument** linked to the CCRF
- Applies to States, Regional and Sub regional organizations
- ACHIEVE EFFICIENT, EQUITABLE AND TRANSPARENT MANAGEMENT OF FISHING CAPACITY BY 2005 **10 Years Ago**.

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Strategies to achieve the objectives

- Conduct National, regional and global assessments of capacity and improve monitoring of fishing capacity
- Preparation and **implementation** of national plans to manage capacity including urgent actions for coastal fisheries
- Strengthening of regional fisheries organizations and mechanisms
- Immediate actions for major trans boundary, straddling and highly migratory stocks and high seas fisheries
- Awareness raising, education, technical and regional coordination and cooperation

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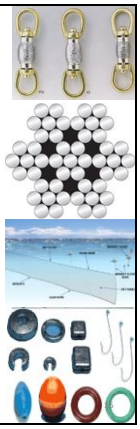
Key principles and Approaches

- ***Participate*** and cooperate to implement the IPOA
- ***Phased implementation*** - assessment and diagnosis (2000), management measures (2002) and periodic re assessment and results by 2005
- ***Holistic*** – National and International
- ***Conservation***
- ***Prioritize*** already overfished fisheries
- ***New technologies*** and their positive and negative impact
- ***Mobility*** between fisheries discouraged
- ***Transparent implementation***



NPOA Action Plan

- **Stakeholder dialogue & participation – EAFM approach**
- **Specify the nature and extent of the capacity problem**
  - Define actions to prevent, avert or reduce
  - Different strategies for different fisheries
- **Aligned with**
  - current laws and policies
  - International agreements and conventions
- **Define objectives, goals and milestones**
- **Specify needs**
  - Resources, Responsibility, When, Where and How
- **Monitoring, performance assessment, timeline**
  - Research, data and training needs defined

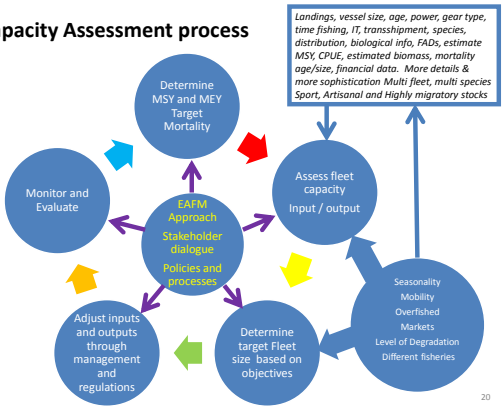
No universal definition for capacity

- **Capacity is an abstract concept**
  - Many inputs (#s boats, gears, Vessel length, Fishing days, fishing time, HP (Nominal, Brake, Shaft), Tonnage (GRT, Net, Displacement), Vessel Length
  - **Proxy = Effort = Fishing Mortality**
- **Input Capacity measurement**
  - Number of Boats
  - Number of gears
  - HP or Tonnage
  - Fishing Days
- **Outputs Capacity measurement**
  - Total production, Production per vessel, Production by gear
  - Economic and financial returns
- **Potential vs. Actual**
  - Potential = hypothetical capacity that a fleet can produce
  - Actual = what the fleet actually produces

Excess Capacity vs. Overcapacity

- **Excess Capacity**
  - Short term
  - Fleet may be optimal for a period of time
    - Seasonal fishery
    - Market price fluctuations
  - Problem occurs production > Sustainable yield
  - Excess capacity does not necessarily mean overcapacity
- **Overcapacity**
  - Long term problem
  - Number of vessels exceed MSY
  - Catches decline after reaching MSY but fleet grows
  - Fishing continues with no capacity management
- **Both Excess and Overcapacity need to be addressed**

Capacity Assessment process



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Conclusions for NPOA - Capacity

- **Develop a national definition of capacity and with neighbors where these overlap**
- **Apply EAFM principles especially Stakeholder engagement, consensus and methods**
- **Develop NPOAs – Assessment, data, training, monitoring, define approaches and management measures, create incentives for change, MCS, monitoring**
- **Success depends**
  - Transition planning, update legal frameworks
  - Guarantee financing of the capacity management incl. training, research
  - Reduce and eliminate subsidies
  - Adhere to regional & international conventions, agreements and foster partnerships – Like this workshop.

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Suggestions for RPOA – Capacity Management

- **Create a Regional Capacity Implementation Task Force or other mechanism with Terms of Reference and Agreed Mandate**
  - Develop and agree on a Regional Definition of Capacity
  - Develop and agree on Regional Objectives, Principles, Approaches and Strategies
  - Develop an agreed Regional Capacity Assessment Methodology
  - Develop and monitor a Regional Harmonized Plan of Action
  - Desk and Case studies = deeper understanding of Capacity Management
  - Develop Economic and Financial Benefits and Justification of implementation of RPOA
  - Attract Funding to Support the RPOA – and Country implementation
- **Regional Harmonized Plan of Action**
  - Time frame with milestones
  - Country studies related to Regional MSY, MEY, Target capacity, Input and Output capacity
  - Capacity management Database – Define fields, location, reporting frequency, sharing
  - SMART Indicators for Member States
  - Training and Capacity Building, Management Measures – APPLY EAFM
  - Linkage with the RPOA – IUU, Harmonized MCS and data sharing
  - Align and synergize with regional international conventions, agreements and foster partnerships and collaborate with RFMOs
- **Realign NPOAs to Harmonized Plan of Action**
  - Conduct Assessments and Implement Monitoring
  - Update legislation and regulations
  - Guarantee National Budget to implement and monitor, statistics, capacity assessment
  - Transition planning
  - Reduce and eliminate capacity enhancing incentives
  - Implement fisheries management measures – REDUCE CAPACITY

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Fishing Capacity Management ?

- **How to manage fishing capacity when the numbers of vessels and gears are not known?**

Assessments and NPOA supported by RPOA

- **How many countries in the Region have a NPOA - Capacity?**

ALL should have but BY WHAT DATE ?

- **Who will lose and who will win?**

IUU and Greedy Businesses

Serious about the future

- **Can there be a WIN/WIN?**

Serious about the future and resource conservation

- **Who has the mandate and responsibility to implement capacity reduction?**

RPOA, States and EVERY ONE OF US

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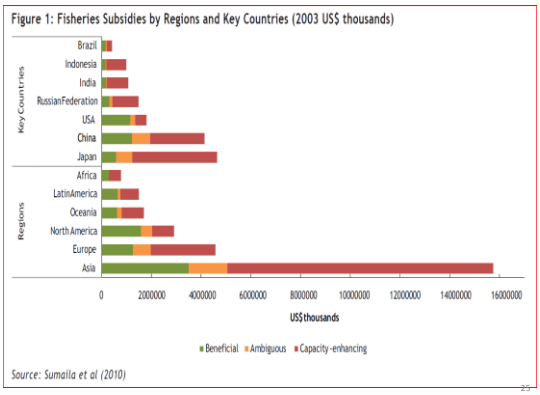

Ratifying countries

Ratifying Body	Date of Ratification
Mozambique	August 19, 2014
New Zealand	February 21, 2014
Gabon	November 15, 2013
Oman	August 1, 2013
Seychelles	June 19, 2013
Uruguay	February 28, 2013
Chile	August 28, 2012
Norway	July 20, 2011
European Union	July 7, 2011
Sri Lanka	January 20, 2011
Myanmar	November 22, 2010

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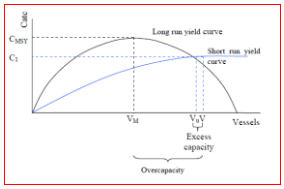
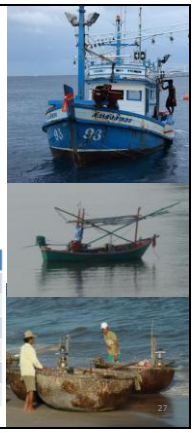
Excess Capacity vs. Over Capacity



Excess Capacity	Over Capacity
Short run	Long Term problem
Fluctuating stock	Both have to be addressed
Market fluctuations	Assets in use > optimum MSY
VarIATIONS from year to year	
SRYC >LRYC unsustainable	

Capacity management = Removal of Excess and Over capacity



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Annex 17

Introduction of Relevant SEAFDEC Activities supported by Japanese Trust Fund (JTF)

Tsuyoshi Iwata
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Introduction of relevant SEAFDEC Activities supported by Japanese Trust Fund (JTF)

Regional Technical Consultation on Development of Regional Plan of Action –Management of Fishing Capacity

24-26 February, Kuala Lumpur, Malaysia

Tsuyoshi Iwata (Mr.)
SEAFDEC Secretariat

【About JTF】

・JTF (Japanese Trust Fund) is a contribution of Fisheries Agency of Japan to SEAFDEC.

・ Objective of this fund is to "Support Activities of SEAFDEC in promoting sustainable fisheries/aquaculture as well as sustainable utilization of aquatic living resources for human consumption in the Southeast Asian Region"

2

【Introduction of JTF-Supported Activities of SEAFDEC with Relevance to Management of Fishing Capacity】

・Regional Fishing Vessels Record Database (RFVR)

→ RFVR is an ASEAN-wide initiative to combat IUU fishing.
Fishing Vessels whose length are 24m and over should be registered in this database. SEAFDEC is planning to launch this database in April 2015.

・Promotion of Port State Measures (PMS)

→To support capacity building of ASEAN Member States to combat IUU fishing, SEAFDEC has been organizing Workshops and Training Courses on PSM.

3

・Study on Management Measures for Purse Seine Fisheries in Southeast Asia

→Study for consideration of appropriate management measures for Purse Seine Fisheries in the Southeast Asian Region, which are characterized by their multi-species nature.

・Promotion of Community Based Fisheries Management

→To tackle on typical obstacles in coastal/inland fisheries management in Southeast Asia (e.g., lack of data and fund, and limited government support), SEAFDEC is promoting Community Based Fisheries Management in ASEAN Member States through on-site training course.

4

・ Promotion of EAFM

→ To promote EAFM (Ecosystem Approach on Fisheries Management) in Southeast Asian Region through Human Resources Development, SEAFDEC is organizing Regional Training Course for fishery officers of ASEAN Member States.

・Establishment of Regional Guidelines

→SEAFDEC is providing Member Countries with the fora for discussion and development of policy guidance documents.

→Through this activity in 2014, "ASEAN Guidelines for Preventing the Entry of Fish and Fishery Products From IUU Fishing Activities into the Supply Chain" as well as "ASEAN Catch Documentation System/Scheme" has been finalized.

→This meeting is also categorized in this activity!

5

Review on activities implemented by SEAFDEC-Sweden Collaborative Project

Pattaratjit Kaewnurachadasorn
Program Manager, SEAFDEC Secretariat, P.O. Box 1046, Kasetsart Post Office, Bangkok, E-mail: pattaratjit@seafdec.org

Fundamental issues

- The combination of open access, increasing demand for fish, relocation of population to coastal areas and introduction of modern fishing technologies has led to widespread overfishing and excess capacity.
- Many countries have established licensing systems, however, weaknesses in MCS (due to lack of budgetary commitments and training) have resulted in open access conditions prevailing in most fisheries.
- The Regional Code of Conduct for Responsible Fisheries were adopted and SEAFDEC supported Member Countries in the implementation of the CCRF through a project that attempted to regionalize the code taking into account regional specificities.

SEAFDEC-Sida Collaborative Project (2003-2006)

- SEAFDEC-Sida Collaborative Project (2003-2006) focused on providing HRD and raising awareness on fisheries management related to CCRF with specific aimed to:

- Enhance awareness of the necessity of appropriate fisheries management to achieve sustainable development.
- Advise stakeholders on the mechanisms of the innovative fisheries management system.
- Promote various HRD activities on fisheries management with identified target groups.
- Identify the various options to alleviate the problems caused by the excessive levels of fishing capacity.

3

Several events conducted to identify options to alleviate problems caused by excessive levels of fishing capacity

Events	Country	Year
➢ Regional Technical Consultation on HRD in Fisheries Management -To gradually introduce rights-based fisheries management regimes - To understand the state and trends of fisheries using indicators -To control the number of fishing boats	Cambodia	2004
➢ Preparatory Expert Meeting on Fishing Capacity and Related HRD Needs in the ASEAN Region	Thailand	2004
➢ Implementation of the "pilot process" in selected countries		2005-2006
➢ Consultation with experts and involvement from various project		2004-2006
➢ Expert Meeting on Management of Fishing Capacity in SEA	Cambodia	2006

4

What had been done in the past?

Regional Technical Consultation on Human Resource Development for Fisheries Management , June 2004, Cambodia

- The issues of overcapacity were raised through the group discussion, stressed out that issues of excess fishing capacity could be addressed in the region through 3 main tracks:

-To gradually introduce rights-based fisheries management regimes.

-To understand the state and trends of fisheries using indicators.

-To control the number of fishing boats.

5

Prep. Expert Meeting on Fishing Capacity and Related HRD Needs in the ASEAN Region, Sept 2004, Bangkok

- Purpose: identify problem areas, possibilities and target groups for various HRD interventions to alleviate problems caused by excess fishing capacity and its reduction.
- The Meeting recognized the applicability of an approach that promotes "learning by doing". The need to identify government "service delivery system" and its link and support to local authorities was also seen as central in order to define applications of local management systems and responsibilities.
- The Meeting emphasized on necessity to look at:

  - related HRD needs and to explore the whole line of delivery down to the local level.
- HRD initiatives for the management of fishing capacity bearing in mind that it should not be developed in "isolation" but on a holistic basis, including legal environment and social aspects.

6

Expert Meeting on Management of Fishing Capacity in Southeast Asia, July 2006, Cambodia

- Experiences and lessoned from international, regional and national and other initiatives in managing fishing capacity were shared (e.g. FAO, WorldFish Center).
- SEAFDEC initiatives related to management of fishing capacity were also reported e.g.

  ❖ SEAFDEC project on right-based fisheries

  ❖ SEAFDEC project on Promoting the Use of Indicators for Sustainable Development and Management of Capture Fisheries in the ASEAN Region.

7

Expert Meeting on Management of Fishing Capacity in Southeast Asia, July 2006, Cambodia

- Two major vital need for management of fishing capacity in the region should be:
  - ➢ To avoid conditions of open access that invariable leads to increasing vulnerability of small-scale fisheries, when faced with very limited alternative employment.
  - ➢ To balance the interest between small-scale and commercial fisheries.

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Common approaches to Management of Fishing Capacity are:

- Better understanding of status and trends of fisheries
- Promotion of co-management and right-based fisheries
- Strengthening local institutions through delegation of management functions
- Strengthening communities through a better organization and participation
- Freezing and controlling number of fishing vessels
- Develop supplementary/alternative livelihoods for coastal communities
- Habitat Management and stock enhancement

9

Issues to be addressed for Management of Fishing Capacity in the Region

- Introducing a "regulatory" system in the open access regime
- Registration of fishers and fishing boats as a basis for right-based fisheries
- Understanding the concept of fishing capacity
- Freeze current number of fishing boats as a basis for reduction strategies
- Balance of inter-relationship between small-scale and large-scale fisheries
- Mobility of fishing capacity considering resource, social and economic dimensions.
- Diversify means of livelihoods
- Knowledge of total numbers of boats/gears vs active boats/gears
- Build up capacity beyond manager and fishers
- Pilot areas/cases → a nation side implementation
- Packaging policy and technical advice into guidelines for future references.

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Suggested Management of Fishing Capacity through management areas:

- Ecological areas beyond go-political boundaries
- Facilitation of trans-boundary arrangement
  - Local and national roles
    - Information gathering and harmonization
  - Networking and dialogues
  - Capacity building and technical supports
  - Regulate/ensure status of regionally mobile supply of fish workers/migratory workforce

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Suggested points in Support to MCs in Management of Fishing Capacity

- The 2006 Meeting recommended the major long-term policy issues for collaboration to
  - ❖ establish a "Regional and Sub-regional Fisheries Management Body" and
  - ❖ set up regional collaboration by sub-regional management areas
    - Gulf of Thailand (Cambodia, Malaysia, Thailand and Viet Nam)
    - Malacca Strait (Indonesia, Malaysia and Thailand) and Andaman Sea (Indonesia, Malaysia, Myanmar and Thailand)
    - South China Sea
    - Sulu Sea and Sulawesi seas

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- The 2006 Meeting also suggested continued effort on the support of the regional collaboration by sub-regional management areas as follow:
  - Support the development and implementation of NPOAs in the countries involved
  - Provide a platform for discussion on management of fishing capacity among countries and institutions involved
  - Develop concept for management of sub-regional management areas among countries
  - Develop a collaborative framework

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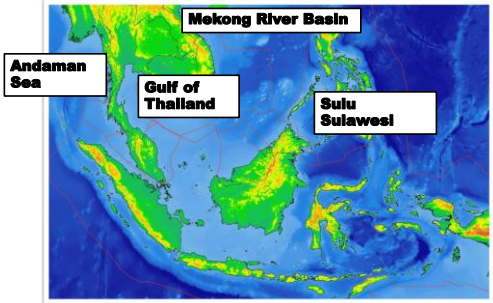
Current SEAFDEC-Sweden project (2013-2017)

Sub-regional management areas



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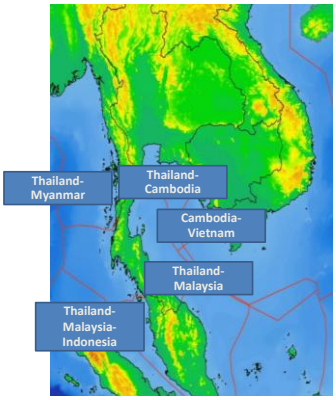

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Promotion of more effective management of fishing capacity and to reduce illegal and destructive (combat IUU) fishing

- The issues were identified and information shared on:

  1) illegal (IUU) and destructive fishing in ASEAN waters;

  2) deregistration and re-registration of vessels and licensing system and procedures; and

  3) procedures on landing of catches across boundaries.
- In order to address such issues, the project facilitated the discussions between two neighboring countries (i.e., Cambodia-Vietnam, Thailand-Malaysia, Thailand-Cambodia, Thailand-Myanmar) in each sub-regional areas.
- It was suggested to review law and legislation of each countries as well as existing arrangement between bordering countries.

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Annex 19

Strategies for Trawl Fisheries Bycatch Management: REBYC-II CTI

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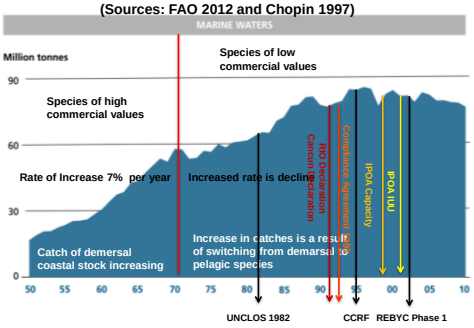
Content

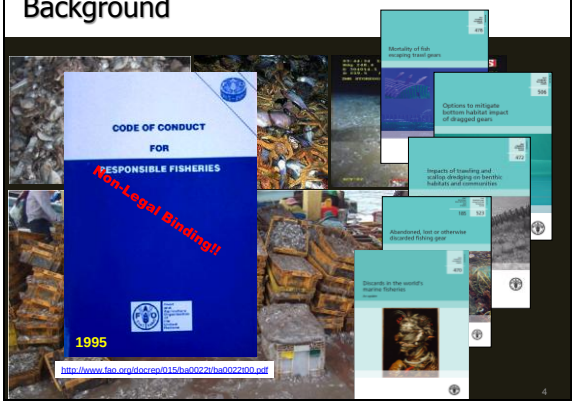
- REBYC Phase-I
- Lesson learnt from REBYC Phase-I
- REBYC-II CTI (Phase-II)
- Goal and Objective
- Project Expected Outcome
- Implementation Plan – Year 1
- Lesson learnt from REBYC-II CTI (Year 1)

Background

World marine Production from year1950 to 2010
(Sources: FAO 2012 and Chopin 1997)



Background



FAO Initiative

Project REBYC Phase-I (2002-2008)

Reduction of Environmental Impact from Tropical Shrimp Trawling through the Introduction of Bycatch Reduction Technologies and Change of Management

- To reduce capture of immature/ juvenile fishes of commercial species;
- To reduce the harvest of other unwanted bycatch fish and non-fish species

Bycatch Reduction Devices (BRDs)

- Improvement national capacities for the management of the shrimp-trawler fisheries and
- increased cooperation among countries at the regional and global levels

Indonesia + Philippines ➡ FAO
Malaysia, Vietnam, Cambodia ➡ SEAFDEC
Brunei Darussalam , Myanmar, Thailand

FAO Initiative

Project REBYC Phase-I

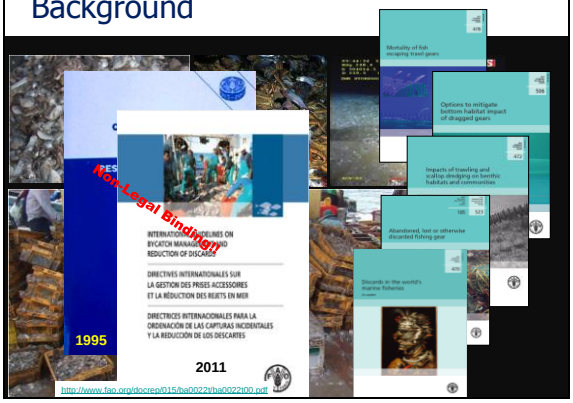
Reduction of Environmental Impact from Tropical Shrimp Trawling through the Introduction of Bycatch Reduction Technologies and Change of Management

Lesson learn REBYC Phase-I

- Multi-species fisheries resources of found in Southeast Asia and the Pacific Region
- Types and Scale of Trawlers
- Fisheries resource management
- Bycatch is largely utilised and considered part of the total catch

Gear modification solutions need to be supported by appropriate legal and incentive frameworks
+ Cooperate with Stakeholder

Background



Strategies for Trawl Fisheries Bycatch Management (REBYC-II CTI)

2012-2015

Objectives

Sustainable utilise fisheries resources and healthier marine ecosystems in the project region by:

- Minimizing the catch of juveniles of economic species
- Minimizing species at risk from trawling
- Minimizing discards where such take place
- Avoiding negative impacts on habitats
- Improving utilization (value adding)
- Increasing resilience of coastal livelihoods

The project aims to facilitate the change by seeking balance between environmental well-being and human well-being!

Expected Outcomes of REBYC-II CTI

- Agreed trawl management plans
- Critical barriers for executing responsible fishing by private sector understood and addressed
- Appropriated Incentives for trawl operators defined and implemented
- Institutional arrangements and processes for public and private sector partnership in place
- Cost-effective measures and practices to reduce juvenile fish and other species at risk (ETPs)
- Improved data - standardized methods
  - Catch composition
  - Condition of critical fishing grounds

Project Partial Details

- Executed by five countries + SEAFDEC
  - Indonesia, Papua New Guinea, Philippines, Thailand, Vietnam
  - SEAFDEC is the Regional Project Facilitating Unit (RFU)
- Project partners:
  - Swedish International Development Cooperation Agency (SIDA)
  - Sustainable Fisheries Partnership (SFP)
  - International Fishmeal and Fish Oil Organisation (IFFO)
  - Regional Fisheries Livelihood Programme for South and Southeast Asia (RFLP)
  - World Wide Fund for Nature (WWF)
  - SEAFDEC

Project Countries – Project Area

-South China Sea-
-Coral Triangle Area-

Project Countries

Indonesia: Arafura Sea (Maluku-Papua)

Papua New Guinea: Gulf of Papua

Philippines: Samar Sea for small-scale trawlers; whole country large-scale trawlers

Thailand: Gulf of Thailand (Chumporn Province)

Viet Nam: Southern part of Vietnam (Kien Giang Province)

Project Components

Component 1: Policy, Legal and Institutional framework

Component 2: Resource management and Fishing operations

Component 3: Information management and Communication

Component 4: Awareness and knowledge

+ Project management

Project Planning and Implementation
REBYC-II CTI Member Countries

Administrative and Technical Support
LTU + TF + RFU + SEAFDEC

1. Policy, Legal and Institutional framework

Activities Frame work

- Support the establishment or update of trawl fisheries bycatch management plans in project site
- Revision on existing legal and regulatory framework to support improvement of trawl fisheries management measures
- Coordination and Cooperation between different sector through participatory and co-management principles

2. Resource management and Fishing operations

Activities Framework

- Gear modifications: Selective fishing gear and practices
- Mapping fisheries resource for recommendations of spatial-temporal management measures and related management arrangements.
- Inventory of selected trawl fleets in project areas Recommendations for fishing effort and capacity management
- Incentive packages for trawl fisheries in project areas. (reduction of fishing costs, market-based incentives)

3. Information management and Communication

Activities Framework

- Bycatch data collection
  - Landing sites
  - Onboard vessels
- Standardized methods for bycatch data collection will be promoted across project countries
  - Revise Logbooks, sampling methods/guides
  - HRD for Enumerator
  - Review Observer Program
- Communicating bycatch data and information (Through website and Information, Education and Communication (IEC) material)

4. Awareness and knowledge

Activities Framework

- Fishers and other relevant stakeholders have improved their knowledge on bycatch, sustainability issues and collaborative managements
- Regional and national policy and decision-makers have been sensitized with regard to responsible trawl fisheries management
- Private sector, technical officers and extension workers (Government and NGOs) have improved their knowledge on trawl management measures

Potential Solutions

- Effective zonation (Exclusion from coastal zone)
- Fishing effort controls
- Improved fishing practices, alternative gears
- Effective incentives
- Improved legislation/governance
- Strengthen Participatory Approach, co-management, EAF principle
- Awareness, empowering, training, support

An effective integrated policy, technical and community support measures is needed

Lesson learn REBYC-II CTI

- The Participating Countries have different background of trawl fisheries
- Countries have different interests to develop management
- Establishment of stakeholders of trawl fisheries should be clearly identified and prioritized
- Data collection is one the major challenges. Hindrances are different in each countries
- Gear modifications are important but they are not always the most appropriate tool.
- MCS are required, however, the requirements are different between the countries

Lesson learn REBYC-II CTI

- Regarding to geographical feature, scientific information from one country should be shared with other countries
- Socio-economic study and research on the incentives for fishers to comply with measures
- Agreed Trawl Fisheries Management Plans is possibly based on Ecosystem Approach to Fisheries
- Collaboration and supporting by FAO and Organizations e.g. APFIC, SIDA, BOBLME and SEAFDEC is significant strength to reach the project outcome

http://www.rebycti.org

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Papua New Guinea: Mr. Leban Gisawa, Mr. Ian M. Liviko

Thailand: Mr. Suchart Sanchang, Dr. Mala Supongpan

Vietnam: Ms. Nguyen Thi Trang Nhung, and Mr. Pham Viet Anh

Japanese fisheries management: Autonomous activities supported by legislative framework

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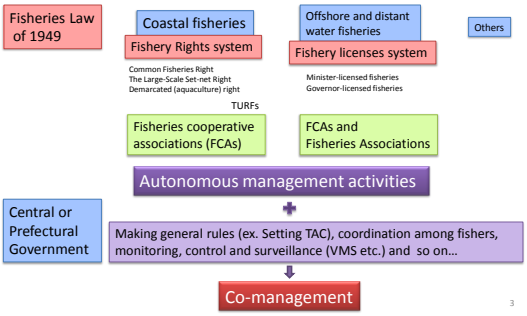
Contents

1. Co-management in Japan
2. A case of autonomous MPAs
3. Autonomous input and technical rules in FCAs
4. Autonomous quota allocation rules

2

Co-management in Japan



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Advantages and disadvantages of autonomous approaches

	Advantages	Disadvantages
Command & Control (Top down) approaches by government	・Strong enforcement based on laws	・Non-flexible ・High management cost
Autonomous (bottom up) approaches by fishers	・Flexible ・Low management cost ・Strong enforcement with strong leadership ・Use of local knowledge	・Poor enforcement without strong leadership and revenue

Combination of government control and autonomous activities based on rights

➡ **Flexible and strong fisheries management**

4

Meetings and discussions at FCA

http://www.pref.aomori.jp

http://www.pref.mie.jp

http://www.pref.iwate.jp

5

A wide variety of local fishers' autonomous activities

Cleanup activities by FCA members' family

(http://www.minato-j.fks.ed.jp/seito/gyouji/shizen/shizen.html)

Forestation activities by local fishers' wife

(http://www.jf-net.ne.jp/hkyubetsu/sigen.htm)

6

Fish scale produced by local FCA

(http://www.jf-net.ne.jp/cbgyoren/sigen.html)

Autonomous resource assessment or setting Individual Catch Quota of Sea cucumber

7

A case of autonomous MPAs

8

Two classification of Japanese MPA

- **Legal Marine Protected Area（LMPA）:**
  Established directly based on a legal framework:
  ex: Nature Conservation area (Natural Conservation Law), Natural Park (Natural Park Law), Common Fisheries Right Areas (Fisheries Law)
- **Autonomous Marine Protected Area（AMPA）:**
  Established based on local initiatives and set on an Issue-specific basis
  There are more than one thousand AMPAs in Japan

A legal restriction is not a necessary condition for establishing MPAs.

9

Siretoko World Natural Heritage area(AMPA)

- Southernmost limit of seasonal ice floes
- Main industries: Fisheries & Tourism
- Fisheries production (2006): 73,641 tons, US$ 28.4 million.
- There are 3 FCAs, with 851 members.
- About 20% of local people works for fisheries industry.

10

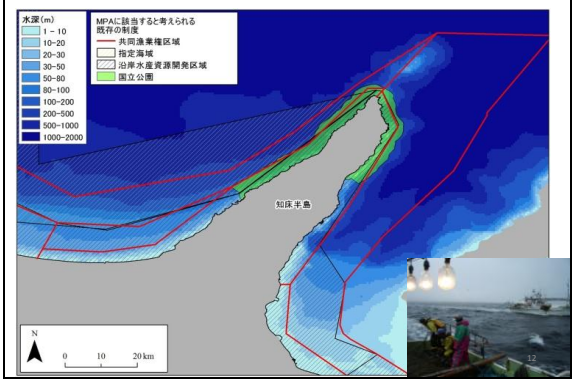
Legal MPAs in Shiretoko World Natural Heritage area

Legal MPAs

- National Park (Natural Park Act)
- Marine Resources Development area (Marine Resources Development Promotion Act)
- Common Fisheries Right Area(Fisheries Act)
- (UNESCO National World Heritage area)

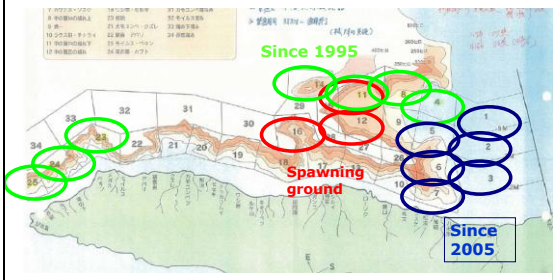
11

Shiretoko Peninsula



12

Autonomous MPAs to protect Walleye Pollack SSB



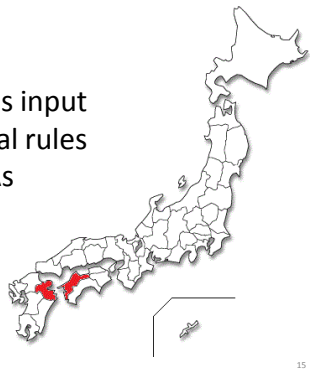
(Bottom trawlings are legally prohibited at the coastal area)

Some other autonomous measures for Walleye pollock

- Rules on fishing season, operation time, #nets, etc.
- Enlargement of gillnet mesh size based on the results of academic research (Ueda, 1992)
- Vessel buyback program. Compensation costs, US$13.5milli, are paid by residual fishers and FCA.
- Collecting biological data (e.g. maturity)
- (TAC is set by the govt.)

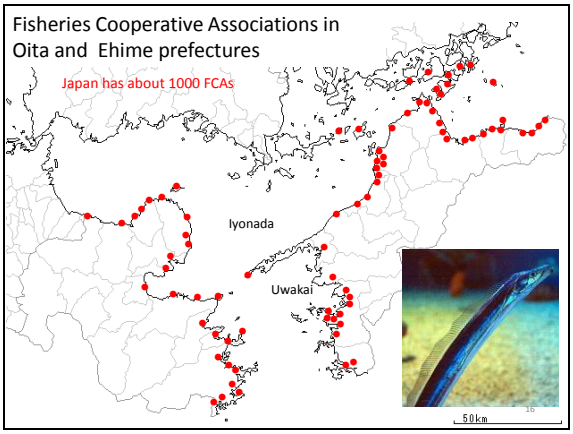
14

Autonomous input and technical rules in FCAs



15

Fisheries Cooperative Associations in Oita and Ehime prefectures



Regulations in Oita and Ehime Prefecture

	Oita Prefecture	Ehime Prefecture
Regulations at Prefectural level	1. Size limit Line and hook, long line, set net Each fisher can sell 5 cartons/day (200-250g size) Under 200g: prohibit the sales 2. Effort Control (No- fishing days) Line and hook, long line The second and forth Saturday of June, July, October and November Small scale bottom trawling Every Saturday in June, July, October and November All fisheries 6 days in May and June 3. Marine Protected Areas Spawning Grounds	Uwakai area Small scale bottom trawling : 1. No-fishing days (May, last August) 2. Mesh size (more than 1 cm) 3. Vessel size (Upper limit is set) Purse seines: Control of effort Iyonada area Small scale bottom trawling : 1. No-fishing days (the days before the fish market closes) 2. Mesh size (more than 1 cm) 3. Vessel size (Upper limit is set) Purse seines: Control of effort Long line is prohibited（Local act in Prefectural Level ）

Autonomous Rules in Each FCAs

	Oita Prefecture			Ehime Prefecture				
FCA name (fictitious name)	A	B	C	D			E	F
Gear Type	Hook and Line / Bottom longline	Small Scale Bottom Trawling	Hook and Line	Hook and Line	Small Scale Bottom Trawling	Large and middle Scale Purse Seine	Hook and Line	Small Scale Bottom Trawling
Management council	○	○	○	○	○	○	○	○
Role of Management Council	1. Ban on night fishing 2. Regulation of race for good fishing ground 3. Check of gear restriction (light power and number of hook) Ban on fishing in evening (Local Custom)	Guidance of enlarge of mesh size	1. Check of no-fishing days 2. Set of bait control rule 3. Surveillance of fishing gear	Check of no-fishing days	Check of no-fishing days	Check of no-fishing days	1. Check of no-fishing days 2. Set of bait control rule 3. Surveillance of night fishing 4. Surveillance of gear restriction Ban on fishing in evening (Local Custom)	1. Check of no-fishing days 2. Regulation of mesh size
Bait Control (Available Bait)	○ (Only frozen small horse mackerel and sandeel)		○ Only frozen sandeel, fresh sandeel, frozen sardine, and small horse mackerel)	○ Only frozen pacific saury and horse mackerel			○ Only frozen sandeel	
Autonomous no- fishing days	○ (ex. The day of local festival)			○ (ex. The day of local festival)				

The Total Allowable Catch (TAC) system

- The TAC system directly manages the catch of specified species with the upper limit of total catch in tonnage.
- 7 TACs to 8 species.
- TAC is based on the Allowable Biological Catch (ABC) , which is recommended by the scientists in Fisheries Research Agencies and prefectural research stations.
- This system is based on the Law Regarding Preservation and Management of Living Marine Resources.

Examples of Autonomous Individual Quotas (IQs)

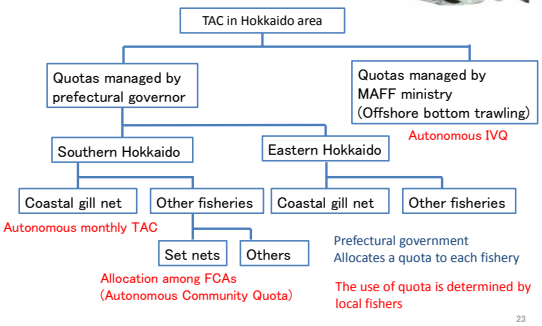
- Offshore Fisheries (under TAC systems)
  - Chub mackerel and spotted mackerel in north Pacific District
  - Walleye Pollock in Pacific area
- Coastal Fisheries (based on stock assessment by prefectural research station and local fishers)
  - Surf clam fisheries in Hokkaido prefecture
  - Horse Club fisheries in Hokkaido prefecture

Autonomous TAC and IQ

Chub mackerel and spotted mackerel in north Pacific District

- Autonomous individual vessel quotas on a monthly basis started from 2007 (H19).
- Federation of North Pacific District Purse Seine Fisheries Co-operative Associations of Japan (Kita-maki) has its responsibility.
- Positive effect to stock recovery and price stability

TAC allocation of the pacific stock of Walleye Pollock in Japan



Conclusions

- Autonomous activities of fishers are the core of Japanese fisheries management. The combination of government control and autonomous activities can make up for each disadvantage.
- For promoting these activities, government should give legal rights to fishers (ex. Territorial use of rights) and guarantee their rights.
- Even in the output controls, autonomous rules (ex . independent quota allocation rule) enhance the effectiveness of management.

Annex 21

Structure and Focus: Regional Plan of Action to Promote Responsible Fishing Practices including Combating IUU Fishing in the Region (RPOA-IUU)

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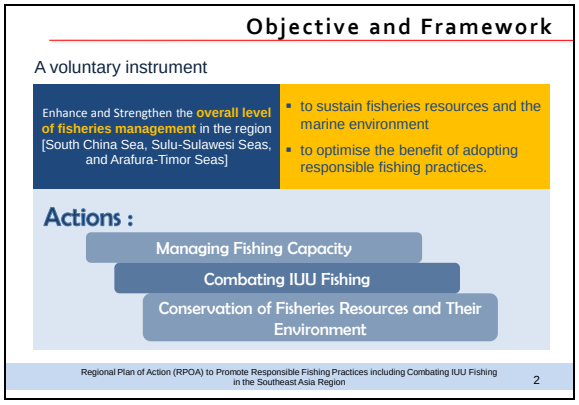
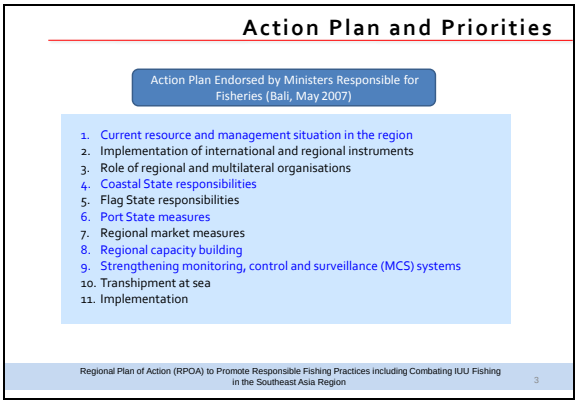
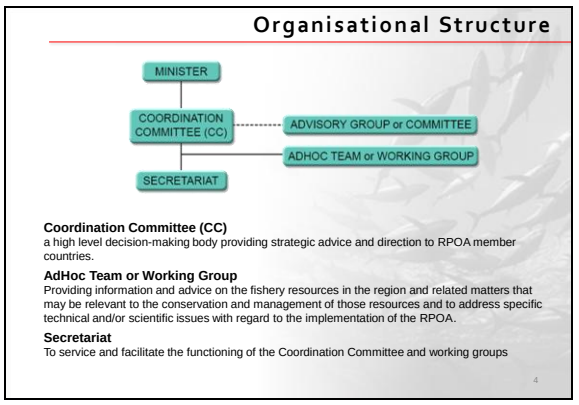
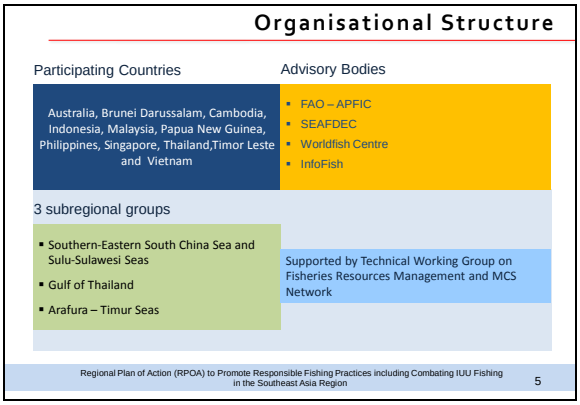
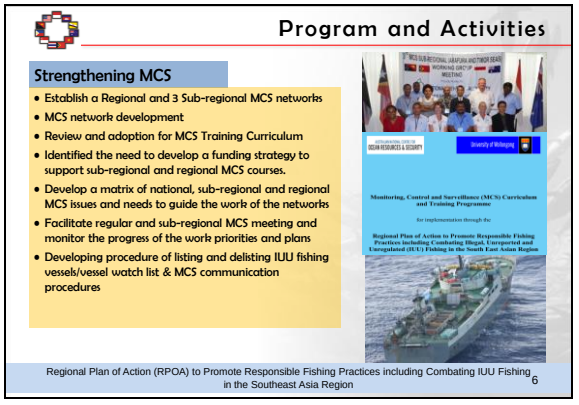
Director of Surveillance for Fisheries, Mina Bahari II Building 17th Floor, JL. Medan Merdeka Timur 16, Jakarta 10110 Indonesia, Email: serealinat@yahoo.com

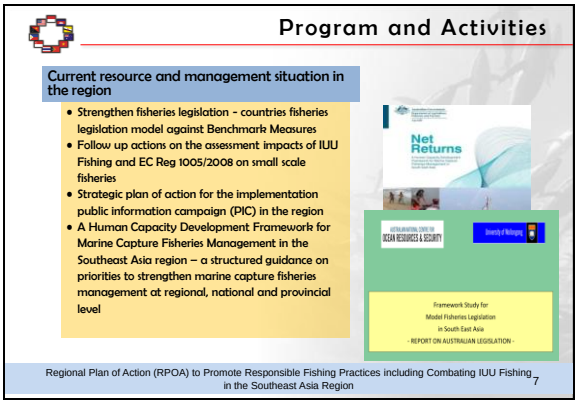












Program and Activities

Regional Capacity Building

Port State Measures

- Port Monitoring Techniques, Regional Fisheries Inspector Training Workshop for the implementation of PSMA
- Workshop on the Development of Global Record Fishing Vessels
- Workshop on PIC
- Monitoring and preventing the IUU vessels accessing ports facilities

Highlighted Programs

RPOA – IUU MCS Network was agreed in Manila, June 2008

An arrangement of national organisations/institutions in charge of fisheries-related MCS activities authorised by their countries to enhance and strengthen fisheries-related MCS activities in order to promote responsible fishing practices including combating IUU fishing in the region.

Why MCS Network

- MCS as an effective tools in fisheries management to form responsible fisheries, including to combat IUU Fishing
- To strengthen the capacity to implement the MCS - needs collective actions on co-ordination, cooperation in the area of collecting and sharing the MCS information, enhance data exchange, conduct effective surveillance
- Geographical condition of the area within the region

Highlighted Programs

How it works

- Identified organisations/institutions responsible for fisheries-related MCS and the primary contact person as coordinator
- Collect and provide timely and accurate MCS information to other parties to the arrangement;
- Considered requests and, where appropriate and possible, cooperate in joint fisheries-related MCS activities;
- Promote technical assistance, training, experience exchange and institutional development to impropve MCS knowledge and capability among participating parties; and
- Consider particular needs and obstacles faced by developing countries.

Highlighted Programs

Operating Protocol

- Participating countries voluntarily participate
- The RPOA Secretariat regularly maintain and distribute an up to date list of each country's primary contact/coordinator person, and an alternate

Information Sharing

- Organisations/institutions form cooperation in collecting, sharing and transforming the information.
  - Requests for information shall be made to the relevant designated contact person(s).
    - A request of information shall be confidentially treated and held securely as appropriate.

Highlighted Programs

IUU Vessels Watch

- Information exchange on IUU vessels – mostly from RFMOs list, to monitor the movement and to prevent when accessing and utilizing the ports facilities of RPOA countries
- Update on vessel's movement using air surveillance data

Study Cases

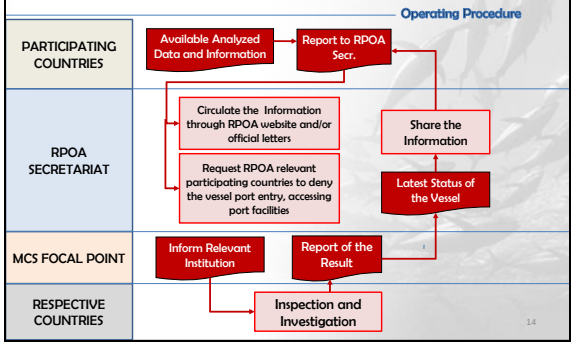
- ☑ Malaysia and Singapore on investigated FV Pion [January-June 2012]
- ☑ Malaysia on investigated FV Thunder [March-April 2012]
- ☑ Indonesia on investigated FV Thunder [April 2013]
- ☑ Indonesia on Investigated FV Perlon [Oktober 2014]

Highlighted Programs

Summary - investigated IUU Vessels

- Available analysed data/information including updated vessel history and air surveillance-AFMA, RFMOs IUU list, etc was received by RPOA Sec as exchange data/info on IUU fishing vessel activities/movement that possible to access RPOA countries port.
- RPOA Sec circulated the information to MCS focal point requesting RPOA countries to deny the vessel port entry, accessing port facilities. The request was also placed on the RPOA website.
- Respective country inspect and investigate in cooperation with other authorized agencies in their port, and assisted by AFMA.
- Respective country reported the investigation result to the RPOA Sec and shared with RPOA countries, including to inform the latest status of the vessel – time of departure, next port of call, etc.
- The list of IUU vessels is updated regularly

Highlighted Programs



Regional Plan of Action (RPOA)
to Promote Responsible Fishing Practices
including Combating IUU Fishing
in the Southeast Asia Region

~ Thank You ~

Annex 22

Outputs from the Group Discussion

Group 1

Guidelines or RPOA-Capacity?

- RPOA-Capacity

Objectives

- To have a good guidance for development of NPOA-Capacity
- To enhance regional cooperation
- To increase trust in international market through management of fishing capacity of the region
- To sustain fisheries resources in managing shared stocks in the region
- To have mechanism to improve management of fishing capacity in the region

Issues	Feasible measures	Technical assistance from regional org.
1) Ineffective policies, legal framework in managing fishing capacity - Decisions inconsistent with current policies - Lack of political will and awareness towards conservation and fisheries management - Subsidies vs incentives	- Strengthen good governance - Voice out in ASEAN platform - Identify gaps and issues in legal framework - Consistency in policy and implementation (both national and regional levels)	- Consultations to improve understanding by politicians/policy makers using recommendations based on scientific evidence - Capacity building
2) Insufficient information for fishing capacity management 2.1 data on concerned fishing capacity (e.g. no. of fishing boat, gears, fishers) 2.1 Incomplete gear specification documentation (e.g. length of fishing gear)	- Identify gaps - Develop common database	- Review - Organize trainings/workshops/consultations

Issues	Feasible measures	Technical assistance from regional org.
3) Inadequate data and information on fisheries resources 3.1 lack of policies/systems to deal with fisheries management in data poor situation 3.2 lack of expertise to assess fishing capacity	- Identify gaps - Develop common SOP (feasible and effective method) for data collection - Capacity building program	- Review - Organize trainings/workshops/consultations
4) Inadequate capacity and capability for monitoring, control and surveillance - Encroachment of local fishing vessel into prohibited area - Encroachment of foreign fishing vessels	Strengthening MCS - Inter-agencies and inter-countries coordination - Utilization of "Fishermen eyes" (co-management) - Improve law enforcement - Information sharing on MCS - Capacity building program	- Organize trainings/workshops/consultations

Issues	Feasible measures	Technical assistance from regional org.
5) Insufficient public awareness and participation 5.1 Fishers 5.2 General public (exclude fishers e.g. consumers)	- Fishers/stakeholders forum (at local, national and regional levels) - Media and awareness campaign - Information, education and communication program (IEC)	- Organize the regional fora - Conduct trainings/workshops/consultations
6) Lack of research and assessment of migratory shared stocks	- Capacity building - Conduct research and assessment of migratory shared stocks - Information dissemination	- Organize the regional fora - Conduct trainings/workshops/consultations
7) Market-driven pressure 7.1 Demand for fish promoting unsustainable fishing practices (e.g. high price fish, endanger fish, trash fish)	- Promote EAFM - Public awareness to consume fish from sustainable fisheries	- Support training courses

Outputs from the Group Discussion

Group 2

Objectives

- RPOA-capacity
  - Support the development of ASEAN guidelines to support the countries to develop NPOA-capacity
  - Address fishing efforts on trans-boundary stocks at regional and sub-regional level

General principles for RPOA

- Country driven
- Involvement and participation from projects, programs and other regional organizations
- Complexity and coordination
- Conserve stocks and maintain livelihood and economic and market performance
- Small and large scale, inland and marine fisheries
- Application of EAFM approach

Issues and challenges in managing fishing capacity, including marine and inland fisheries

- Lack of data, need for more precise data (scientific, no. of vessels, landing, processing and distribution of fishery products, registration of vessels, gears, and people)
- Political wills, capacity enhancing subsidies
- Need for laws, regulations and policies that support capacity management
- Need for more budget support
- Public awareness and education
- Engagement of stakeholders
- More economic and financial studies on the +ve and -ve impacts of capacity management
- Requirements for aqua feeds and raw materials for export causes pressure to the fishing capacity
- Non-application of the existing laws

Feasible Measures of Southeast Asian Countries/Region for Management of Fishing Capacity for marine and inland fisheries

- Promoting co-management, decentralization, EAFM, etc
- Input control (vessels, licenses, gears, days at sea)
- Output control (TAC, quota, MPA, zoning, spatial and temporal measures, minimize discards)
- Technical measures (gear specification, engine capacity, displacement)
- Monitoring, Control, and Surveillance
- Compliance and enforcement
- Increase license fees
- Cooperation with relevant authorities to ensure safety of fishing vessels (inspection and certification as part of fishing license requirements)
- Promote alternative livelihood (other than fishing)
- Reduce low cost labors on fishing fleets

Technical & financial assistance from regional organizations (SEAFDEC, FAO/RAP, RPOA-IUU, etc.)

- Appropriate gear specification and design for sustainability of resources
- Provision of technology systems including VMS, Automated Identification System (AIS) data bases, GRMS (mobile telephone system), etc
- Flag and Port State Measures trainings and inspections
- Safety inspections
- Legal and regulatory technical assistance
- Stock assessment, data collection trainings and methodologies for inland fisheries
- Information sharing on active fishing capacity
- Development of NPOA-capacity and determination of target fishing capacity

Process to RPOA-capacity

- Support to be provided to continue the process of developing RPOA-capacity, including guidelines and NPOAs

Annex 24

Summary of the group discussions

The results of discussion from two groups were merged and presented during the RTC, which are covered:

1. Proposed objective of the Regional Plan of Action-Management of Fishing Capacity (RPOA-Capacity)

- To have a good guidance for development of NPOA-Capacity (noted to support the countries)
- To enhance regional cooperation
- To increase trust in international market through management of fishing capacity of the region
- To sustain fisheries resources in managing shared stocks in the region
- To have mechanism to improve management of fishing capacity in the region

2. Issues and Challenges, Feasible measures

Four (4) key issues were identified as follows:

I. Policy and Legal Framework in Managing Fishing Capacity
II. Information for Fishing Capacity Management (Vessels, gears, and fishers)
III. Capacity and Capability to Manage Fishing Capacity
IV. Public Awareness

I. Policy and Legal Framework in Managing Fishing Capacity		
Issues	**Feasible measures**	**Technical assistance from regional org.**
1) Ineffective policies, legal framework in managing fishing capacity 1.1 Decisions inconsistent with current policies 1.2 Lack of political will and awareness towards conservation and fisheries management 1.3 Subsidies vs incentives	- Strengthen good governance - Voice out in ASEAN platform - Identify gaps and issues in legal framework - Consistency in policy and implementation (both national and regional levels)	- Consultations to improve understanding by politicians/policy makers using recommendations based on scientific evidence - Capacity building
II. Information for Fishing Capacity Management (Vessels, gears, and fishers)		
2) Insufficient information for fishing capacity management 2.1 data on concerned fishing capacity (e.g. no. of fishing boat, gears, fishers) 2.2 Incomplete gear specification documentation (e.g. length of fishing gear)	- Identify gaps - Develop common database - Economic and financial studies on the impacts of capacity management	- Review - Organize trainings/workshops /consultations - Appropriate gear specification and design for sustainability of resources - Provide guidance technology systems

		including VMS, Automated Identification System (AIS) data bases, GRMS (mobile telephone system), etc - Information sharing on active fishing capacity
3) Inadequate data and information on fisheries resources 3.1 lack of policies/systems to deal with fisheries management in data poor situation 3.2 lack of expertise to assess fishing capacity	- Identify gaps - Develop common SOP (feasible and effective method) for data collection - Capacity building program	- Review - Organize trainings/workshops /consultations - Stock assessment, data collection trainings and methodologies for inland fisheries
4) Lack of research and assessment of migratory shared stocks	- Capacity building - Conduct research and assessment of migratory shared stocks - Information dissemination	- Organize the regional fora - Conduct trainings/workshops /consultations
III. Capacity and Capability to Manage Fishing Capacity		
5) Inadequate capacity and capability for monitoring, control and surveillance 5.1Encroachment of local fishing vessel into prohibited area 5.2 Encroachment of foreign fishing vessels	Strengthening MCS - Inter-agencies and inter-countries coordination - Utilization of "Fishermen eyes" (co-management) - Improve law enforcement - Information sharing on MCS - Capacity building program - Promoting co-management, decentralization, EAFM, etc. - Input control (vessels, licenses, gears, days at sea) - Output control (TAC, quota, MPA, zoning, spatial and temporal measures, minimize	- Organize trainings/workshops /consultations - Flag and Port State Measures trainings and inspections - Safety inspections - Legal and regulatory technical assistance - Development of NPOA-capacity and determination of target fishing capacity

	discards) - Increase license fees (for commercial scale fisheries) - Cooperation with relevant authorities to ensure safety of fishing vessels (inspection and certification as part of fishing license requirements) - Promote alternative livelihood (other than fishing)	
IV. Public Awareness		
6) Insufficient public awareness and participation 6.1 Fishers 6.2 General public (exclude fishers e.g. consumers)	- Fishers/stakeholders forum (at local, national and regional levels) - Media and awareness campaign - Information, education and communication program (IEC)	- Organize the regional fora - Conduct trainings/workshops/consultations
7) Market-driven pressure 7.1 Demand for fish promoting unsustainable fishing practices (e.g. high price fish, endanger fish, trash fish)	- Promote EAFM - Public awareness to consume fish from sustainable fisheries - Requirements for aqua feeds and raw materials for export causes pressure to the fishing capacity	- Support training courses

Step to be taken

Activities	Expected outputs	Timelines	Remarks
1st RTC on Development of Regional Plan of Action-Management of Fishing Capacity	- Report of the Meeting - Recommendation and Way forward	24-26 February 2015 (Kuala Lumpur, Malaysia)	Done
Experts Meeting for drafting RPOA-Capacity	- Draft RPOA-Capacity	August 2015	
2nd RTC on RPOA-Capacity	- Adopted draft RPOA-Capacity	December 2015	
ASEAN-SEAFDEC FCG Meeting	- Approved RPOA-Capacity	December 2015	