



**Report of the Sub-regional Technical Meeting on Effective
Fisheries Management between Malaysia and Thailand**

Penang, Malaysia

14-15 May 2014

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Between Malaysia and Thailand
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I. BACKGROUND AND OPENING OF THE MEETING

1. The Sub-regional Technical Meeting on Effective Fisheries Management between Malaysia and Thailand was convened in Penang, Malaysia from 14 to 15 May 2014. The Meeting was attended by representatives from the Department of Fisheries Malaysia, Department of Fisheries Thailand, Fisheries Development Authority of Malaysia (FDAM) and Marine Department of Thailand. Senior officials from SEAFDEC and the SEAFDEC Departments. Members of the Regional Fisheries Policy Network (RFPN) also attended the Meeting. The list of participants is as per **Annex 1**.

2. This Meeting transpired from the decision of the 4th Meeting of the Gulf of Thailand Sub-region that was held in December 2013. The intention of the Meeting was to identify possible working areas that could be established between Malaysia and Thailand in order to promote effective management of fishing capacity, combating illegal (IUU) and destructive fishing and to cooperate on the management of trans-boundary fish stocks in the waters bordering Malaysia and Thailand in the Gulf of Thailand.

3. The Deputy Secretary-General of SEAFDEC, *Mr. Hajime Kawamura* welcomed the participants to the Sub-regional Technical Meeting on Effective Fisheries Management between Malaysia and Thailand. He highlighted that through a sub-regional approach, the SEAFDEC-Sweden project has been facilitating the Gulf of Thailand countries to discuss and look for effective ways to improve the management of fisheries in order to sustain the fisheries resources in the sub-region. He recalled that this Meeting was held to follow-up with the previous 4th Meeting of the Gulf of Thailand Sub-region, in order to provide the opportunity for Malaysia and Thailand to establish cooperative arrangements to improve the management of fisheries and habitats between the countries. He also wished that by end of the day, both countries will agree and be capable of addressing joint interests in order to reach consensus. His introductory speech is as per **Annex 2**.

4. *Mr. Ahmad Hazizi bin Aziz*, Director of International Division, Department of Fisheries (DOF) Malaysia as well as the co-chair of the Meeting delivered his opening remarks. He welcomed the participants and emphasized the importance of this “unprecedented” bilateral talk between Malaysia and Thailand to address the long standing fisheries related issues. He also supported the initiative by SEAFDEC-Sweden for organizing this Meeting as it provides avenue to advance cooperation in this particular area. Furthermore, he hoped that Malaysia and Thailand would have a friendly, open and harmonious discussion with a view to tackle the IUU fishing related issues that may be common to both countries and develop a work plan which consists of short and long term measures tailored to address the issues. Last but not least, he wished for a fruitful Meeting and declared the Meeting open.

5. *Dr. Smith Thummachua*, Chief of Oversea Fisheries Management and Economic, Department of Fisheries (DOF) Thailand and also the co-chair of the Meeting delivered his speech. He expressed his sincere gratitude to Malaysia and SEAFDEC for organizing

such a meaningful Meeting which will be a platform to enhance the existing cooperation between Malaysia and Thailand. He also emphasized that active cooperation is essential to combat IUU fishing in both countries and hoped that eventually a good action plan could be developed for both countries.

II. INTRODUCTION AND ARRANGEMENT OF MEETING

6. *Ms. Pattaratjit Kaewnuratchadasorn*, Program Manager of the SEAFDEC-Sweden project provided a short introduction regarding the current SEAFDEC-Sweden Project (**Annex 3**) that focuses on finding the significant solution and cope with issues and concerns such as habitat degradation, overcapacity including the issues of illegal and destructive fishing and threats from climate variability and unpredicted weather patterns that threatens the sustainability and livelihoods of the fisher-folk. The presentation also included a reference to the goals of the project as well as the objectives and activities to be carried out under the project. The project has been attempted to follow up with coordination in four sub-regions including the Andaman Sea, Gulf of Thailand, Mekong River Basin and Sulu Sulawesi Sea with an ambition to further develop cooperative dialogue and action. In addition to that, the Meeting was also updated with the events and outcomes that were conducted in 2013 as well as the focus activity in 2014 to reach the objectives and targets of the SEAFDEC-Sweden Project.

7. Meanwhile, she also briefed the Meeting regarding the objective, expected outputs and expected outcomes as well as an information on the arrangements of the Meeting (the details are found in **Annex 4**). The main objective was to follow-up the result of the 4th Meeting of the Gulf of Thailand sub-region that was held in December 2013 with SEAFDEC being the facilitator for the member countries to increase the cooperation between countries in fisheries management. Besides that, the Meeting was also held to share information on existing successful bilateral arrangements, to exchange information and to develop an action plan for fisheries and habitat management in the Gulf of Thailand.

8. Then, *Ms. Pattaratjit Kaewnuratchadasorn* introduced the proposed agenda (**Annex 5**) and the agenda was adopted unanimously.

III. LESSON LEARNED AND SHARED INFORMATION ON IMPLEMENTATION FOR MANAGING SHARED STOCKS

9. A representative from Malaysia, *Mr. Raja Bidin Raja Hassan*, Head of Biology and resource Assessment Section, presented a paper on “Managing Shared Stocks in the South China Sea Areas” (**Annex 6**). In his presentation, he provided brief introduction on few articles that were related to shared stocks included in the UNCLOS 1982. He also added that there was a mutual agreement between Malaysia and Thailand, specifically for tuna fishing, and that under the agreement, Malaysia imposed a requirement that all tuna fishing vessels shall land their catches in Malaysian ports. However, this program only lasted for 2 to 3 years. Besides that, he also informed the Meeting regarding the establishment of Joint Development Area (JDA) Program which consist of collaborative survey and stock assessment programs in areas of overlapping EEZ claims between the two countries.

10. Furthermore, the Meeting was enlightened on the progress of the initiatives by MFRDMD on assessment of pelagic species in the Southeast Asian Region. The projects included information collection for sustainable pelagic fisheries in the South China Sea and Tagging program for economically important small pelagic species in the South China Sea and Andaman Sea. *Mr. Raja Bidin Raja Hassan* also informed the Meeting on a genetic survey to assess the population structure for Indian Mackerel (*Rastrellia kanagurta*) and Japanese Scad (*Decapterus maruadsi*). At the end of his presentation, he proposed a few recommendations to improve cooperation between countries such as the sharing of information on fish landing, conduct collaborative survey on shared stocks, especially trans-boundary stocks in order to identify the spawning areas/season, migration pattern as a basis for common restrictions to establish jointly implemented management measures for shared stocks.

11. In the follow-on discussion the Meeting was informed that with regards to the Indian Mackerel stocks it was clarified that one (1) stock was shared among countries in the South China Sea and another stock was shared among countries in the Andaman Sea. The study, referred to above, had confirmed that both stocks from South China Sea and Andaman Sea were identified to be different. *Mr. Ahmad Hazizi bin Aziz* added that under the BOBLME project, Malaysia is also conducting genetic studies on shared stocks and hoped that the results could be combined for regional management of shared stock.

12. *Ms. Niracha Songkeaw* from Southern Marine Fisheries Research and Development Center, Songkhla gave a presentation studies on mackerels and the biology of tunas, including one in the southern Gulf of Thailand (1995-1996), one on reproductive biology of Indo-Pacific mackerel and Indian mackerel in the south Gulf of Thailand (2003-2005) and one on purse seine fisheries in the south Gulf of Thailand (2003-2005). Her presentation appears in **Annex 7**.

13. *Ms. Mahyam Mohd. Isa*, Chief of MFRDMD presented a paper on the Lesson Learned from Successful Bilateral Arrangements and Implementation for Managing Shared Stocks. She highlighted the results and importance of conservation and management programs that were carried out for shared stocks i.e. sea turtles, small pelagics, sharks and rays. As for the research on small pelagic fish species, she pointed out that the tagging method had low recovery rate, which was why alternative method such as molecular genetics was introduced to confirm the population structure in order to determine whether the stocks were shared only by the countries in this sub-region or also shared by countries of other sub-regions.

IV. LICENSING SYSTEM AND PROCEDURE

14. The representative from Malaysia, *Mr. Abdul Razak bin Hj. Buang*, Head of the Licensing Section, Department of Fisheries Malaysia informed the Meeting on the Malaysian licensing system and related procedures. Under the Malaysian Fisheries Act 1985, a number of registers are kept by DOF Malaysia containing details of fishers, identity, fishing vessels, fishing gears, crews and engine capacity. The registers are kept up-to-date and Malaysia also has developed an online database system. The fishing vessel registration also includes the type of fishing methods, nationality and the number of crews to be employed. Under the Act, there are four fishing zones which are: Zone A; from shore up to 5 nm, Zone B; 5-12 nm, Zone C; 12-30nm, and Zone C2; 30-EEZ limit or

200nm. The standard specifications for marking and identification of fishing vessels have been set and the standard include vessels registration code, code of zone, wheel house color, vessels identification code. The details of his presentation appear in **Annex 8**.

15. The representative from Training Department, *Mr. Bundit Chokesanguan* queried about the dual registration which are being practiced by several fishing boats at the border areas of the two countries. He mentioned that such boats had both signs of Malaysian fishing vessel registration as well as the Thai registered name. In response to that, *Mr. Ahmad Hazizi bin Aziz* clarified the vessels can have any characters on the boat as long as the minimum specification for the marking of vessels are complied.

16. The Meeting was informed that the purpose of prohibiting the gill net with mesh size of more than 10 inches was to protect the sea turtles from being caught. The Meeting was also informed that Malaysia has not set the minimum mesh size for gill net, but the minimum size of the cod-end for the trawl nets is 38mm.

17. With regard to the registration of fishing vessel crews, the Meeting was clarified that the crews are not allowed to change to another vessel once they are registered under one vessel. Furthermore, Malaysian Maritime Enforcement Agency (MMEA) has the authority to charge the vessel owners if foreign crews were employed without approval from the authority. As for the monitoring of vessel movements, the Meeting was informed that Vessel Monitoring System (VMS) was used to monitor the vessel fishing at designated zones.

18. The Meeting also noted that a group of local fishers called ‘friend of the fish/Rakanfish’ were formed to assist in the monitoring of encroachments of large vessels into zone A and this program helped to reduce the cases of encroachment into zone A.

19. Under the Malaysian Fisheries Act 1985, there are certain conditions for issuing fishing licenses and the installation of VMS for C2 zone vessels is one of the conditions. The implementation started with C2 zone vessels since these commercial vessels may go beyond EEZ and the cost of installation was also high and only affordable by bigger vessels. Currently, DOF Malaysia is expanding the installation of VMS to vessels in zone C and B as there is a cheaper version of VMS available in the market.

20. The Meeting was further clarified that in Malaysia, the fishing license actually refers to the fishing gear license. For the traditional vessels, more than one (1) license is allowed whereas only one (1) fishing license is allowed for commercial fishing vessels.

21. The representative from DOF Thailand, *Mr. Pattanapong Chusaeng* presented the Licensing System and related procedures in Thailand. He pointed that the registration of fishing vessels is under the Marine Department while the process to issue fishing license is regulated by the DOF Thailand. The validity of license is one year and some fishing gears i.e. trawl, pushes net and dredging are prohibited to operate in 3,000 or 5,400 from the shoreline. On the other hand, DOF Thailand also issues fishing gear license for operation in foreign waters. His presentation appears in **Annex 9**.

22. With regard to the query on licensing of foreign vessels to operate in Thai waters, the Meeting was informed that Thailand does not issue license to foreign fishing vessels

to operate in Thai waters. As for Malaysia, it was clarified that Malaysia also does not issue license to foreign fishing vessels to operate in Malaysian waters.

23. Following another question the Meeting was informed that the reason for expansion of zone prohibiting trawls from 3,000 m to 5,400 m was because of the high tendency of fishing in certain provinces and it was also based on the decision of the consultation with an established committee in each province. However, it is not stated in the Thai regulation.

24. *Mr. Smith Thummachua* explained that the “surrounding net” that was mentioned during the presentation is the same as purse seine and he informed that Thailand also have purse seines for anchovy fisheries. The Meeting also noted that pair trawling is not prohibited in Thailand.

25. As for the registration of the fishing vessels, only one registration is allowed in Thailand. Fishing vessels that were already registered in a foreign country is not allowed to be registered in Thailand.

V. SYSTEMS AND PROCEDURES FOR LANDING OF CATCHES BY FOREIGN FISHING VESSELS

26. *Mr. Abdullah bin Jaafar* from DOF Malaysia presented the Procedures for Landing of Catches by Foreign Fishing Vessels in Malaysia (**Annex 10**). He briefed regarding the relevant Malaysian laws that contained provisions on operation of foreign fishing vessels in Malaysian waters as well as the procedures to permit landing of foreign fishing vessels in Malaysian ports. He also provided examples of cases of foreign fishing vessels entering Malaysia without approval. In conclusion, any foreign fishing vessel that wish to land in Malaysia shall obtain approval from DOF Malaysia.

27. The Meeting was informed that Malaysia supports the principles of port state measures and is in a position of implementing port state measures. In order to strengthen the implementation, DOF Malaysia is working together with other agencies such as the Malaysian Maritime Enforcement Agency (MMEA), customs and well as the port authority to reduce the IUU activities. With more stringent enforcement, Malaysia believes that the number of IUU fishing vessels will eventually decrease.

28. The Meeting also noted that currently there is no punishment in Malaysia for ship agents. Nevertheless, the agents are being cautious as not to deal with the IUU fishing vessels in order to avoid problems with various enforcement agencies, as it will affect their business.

29. *Mr. Keaitipong Boonyong* from DOF Thailand presented the Procedures for the Import of Aquatic Animals into Thailand as per **Annex 11**. The procedures include the application of import permit to be provided to the authorities before the issuance of import permit.

30. *Mr. Smith Thummachua* further explained that the Fish Marketing Organization (FMO) is a service provider to facilitate the landing and selling of fishery products in Thailand. There are about 11 ports under the supervision of FMO (in addition there are

several other fishing ports and landing sites). As for the regulations pertaining to the landing of catches by foreign fishing vessels in Thailand, there are, under the present regulatory structure, no specific restrictions on the landing of fish by foreign fishing vessels (of fish caught outside of Thai waters) in Thai fishing ports.

31. Meanwhile, *Mr. Bundit Chokesanguan* shared his experience from his visits to Phu Quoc and Phuket. In the two places inspections of fish and fishery products were only carried out to track CITES listed species. The inspections were conducted in the landing sites, rather than on board. For landing of fishery products, Thailand does not have any fisheries regulation to allow DOF fishery officers to conduct inspections on board fishing vessels and therefore to conduct inspections on board fishing vessels DOF have to cooperate with other departments that have supportive regulations. Hence, existing regulations that belong to the Marine Department, Customs and Immigration Department are being enforced in order to control the crew members (migratory labour), imported and taxable goods on board fishing vessels.

32. It emphasized during the Meeting that inspections of fisheries products being landed in Thailand has to be done in accordance with existing Thai laws. In this respect the existing Thai fisheries law is very outdated as it is still the law from 1947 that is being implemented. The Meeting was informed that Thailand had already revised the law and the present draft law is incorporating the principles of port state measures. The draft fisheries law is currently waiting for approval from the Thai Parliament.

VI. PROCEDURES FOR DEREGISTRATION OF FISHING VESSELS

33. *Ms. Maznah Bt. Othman* from DOF Malaysia presented the Procedures for Deregistration of Fishing Vessels in Malaysia. The procedures covered two (2) aspects including the procedures to verify deregistration of foreign fishing vessels and procedures for registration of fishing vessels under the Malaysian Fisheries Act 1985. She also highlighted some of the issues pertaining to the licensing of purchased foreign fishing vessels and proposed few recommendations to overcome related problems. Her presentation appears in **Annex 12**.

34. The Meeting was clarified that Malaysia allows the registration of foreign fishing vessel that was originally built and licensed in a foreign country, provided the availability of sales and purchase document to confirm that the foreign vessel was bought legally by Malaysian owner and deregistered in the country of origin.

35. In addition, it was also noted that the landing of Malaysian fishing vessel in foreign countries' fishing ports are prohibited (unless provided with Malaysian permission and proper documents). However, in Thailand, landing by foreign fishing vessels are not illegal. In an international perspective landings across boundaries are considered illegal, or unregulated, if the vessels are not carrying proper documents (licenses, catch documents, etc.). The Meeting saw some confusion on the legal status of fisheries activities in border areas including landing across borders because the rules and regulations at both sides of the border recognize different practices as legal and/or consider certain fishing activities as illegal.

36. The Meeting agreed on a recommendation to enhance the communication and to strengthen the collaboration between DOF Malaysia, DOF Thailand and other relevant

agencies related to fisheries matters in order to improve the weaknesses in the control system. Weaknesses include the verification of the authenticity of the licenses, catch documents and landing documents. In addition, the importance of inter-agency collaboration, within and between the countries, is also significant in order to improve the traceability system of the vessels, including options to track the vessels with expired registration and licenses.

37. The representative from the Marine Department of Thailand, *Mr. Tawatchai Somnoy* presented the Registration and Deregistration of Thai Fishing Vessels (**Annex 13**). The presentation outlined the procedures and conditions for the registration of the fishing vessels in Thailand as well as an explanation on the procedure for deregistration of the fishing vessels.

38. In response to the question on re-registration of deregistered vessel, the Meeting was clarified that in Thailand, the deregistered vessel are allowed to be registered again, provided that the vessel was deregistered in the country where it had been registered. Meanwhile, in Malaysia there was no incidence of re-registration of deregistered vessel.

39. The Meeting also agreed to the suggestion that the countries should share the information on registration of fishing vessel in order to improve the vessel monitoring system in both countries.

VII. DISCUSSION ON IMPLEMENTATION OF MCS PRACTICES (TRANSBOUNDARY AREAS) AND STRENGTHENING MCS NETWORKS

40. *Mr. Abdullah bin Jaafar*, representative from DOF Malaysia presented the Implementation of Monitoring, Control and Surveillance (MCS) through Vessel Monitoring System (VMS) for Local Fishing Vessels in Malaysia (**Annex 14**). He explained regarding the provisions under the Fisheries Act 1985 which allows the Director General of DOF Malaysia to impose licensing conditions as he thinks fit. He also explained the license conditions that are being implemented in Malaysia for the issuance of fishing license. He elucidated how the VMS system works to monitor the whereabouts of the fishing vessels. Meanwhile, the Meeting was also updated with the number of cases whereby Thailand's fishing vessel was detained for fishing illegally in Malaysian waters.

41. Representative from Narathiwat Provincial Fisheries Office, *Mr. Thanya Khoerojtham* presented the issues related to fisheries matters at the border of Malaysia and Thailand, as per **Annex 15**.

42. *Mr. Halimi bin Abu Hanip* corrected the information provided in the Thai presentation that the Malaysian Fisheries Act has provisions that allow foreign fishing vessels to operate in Malaysian waters, subject to Malaysian policy and government to government (G-G) agreement.

43. *Mr. Smith Thummachua* informed the Meeting on Thai efforts in Improving Fisheries Management CCRF in Thailand. He highlighted some of the challenges in Thai fisheries and as well as to provide an update on VMS implementation in Thailand.

44. While noting the lack of cooperation on MCS control along the border, *Mr. Smith Thummachua* suggested that both countries need to establish mechanisms for information sharing on fishing vessel registration and on the landing of catches at ports and landing sites to reduce double flagging and IUU activities across the border. Besides that, it is also high time to review the respective laws pertaining to Monitoring, Control and Surveillance and to update regulations to fill in the critical gaps.

45. *Ms. Mahyam Mohd. Isa* agreed on the suggestion to establish mechanisms on information sharing between Malaysia and Thailand and recommended to harmonize the system pertaining to the recording of fish being landed in both countries.

46. With regard to the question on the management of closed seasons, the Meeting was enlightened that Thailand considers a range of aspects such as the economic, social, scientific and legal aspects before deciding on the implementation of closed season as one of the measure in support of resource enhancement. Besides that, closed season are only declared at specific areas and only certain fishing gears are prohibited at that area. Fishermen are still allowed to fish at other areas that are not declared under the closed season area and may use non prohibited fishing gears.

47. The Meeting was informed that at present, the operations of foreign vessels in Malaysian waters are conducted based on business to business understanding and that these vessels are legal after being registered and licensed by Malaysian authorities. Nevertheless, the information of whether these vessels were deregistered in their country of origin is not known due to lack of data. In order to improve the current system, DOF Malaysia is looking into new routines and conditions for registration of vessels.

VIII. DISCUSSION ON THE JOINT ACTION PLAN FOR COMBATING IUU FISHING AND MANAGING TRANSBOUNDARY STOCK

48. The participants were divided into two groups according to countries; Malaysia and Thailand to identify and prioritize issues related to fisheries management and to propose an action plan for combating IUU fishing and the management of trans-boundary fish stock. The action plans prepared by the Malaysian and Thailand groups appears as per **Annex 16** and **Annex 17** respectively.

49. The Malaysian group identified three (3) major issues with regards to IUU fishing namely dual flagging / registration / de-registration; landing of catches in the neighbouring countries' ports and encroachment by foreign fishing (and national) vessels in coastal waters. Meanwhile, there were two (2) major issues identified for trans-boundary/shared stocks, including the lack of data on fish landings in foreign ports; and the lack of information on stock status in trans-boundary areas. The group also proposed short term, medium term and long term activities for each of the major issues. In comparison the Thailand group proposed regional, bilateral and national actions for each of the identified major issues.

50. With regard to the Regional Fishing Vessel Record (RFVR), *Mr. Bundit Chokesanguan* informed that questionnaires pertaining to the information of vessels above 24 meters in length were collected from seven (7) countries and that the Council

had agreed to try out the development of a database for RFVR. In this connection, SEAFDEC/TD had requested member countries to submit data for at least 30 vessels each and once the data is entered into the system, a workshop will be held for all the ASEAN/SEAFDEC member countries to review the status of the RFVR.

51. *Mr. Hajime Kawamura* clarified that this is a bilateral Meeting between Malaysia and Thailand, conducted at sub-regional level and the discussions shall focus on bilateral and collaborative activities with reference as applicable also to the regional activities that are currently being conducted by SEAFDEC and others.

52. While supporting to the recommendation to establish working groups under this initiative, *Mr. Ahmad Hazizi bin Aziz* also justified the need to initiate the development of a bilateral Memorandum of Agreement (MoA) or Memorandum of Understanding (MoU) between Malaysia and Thailand as an official mechanism that may become the umbrella for future cooperation between both countries. He also shared that Malaysia and Vietnam had already established MoU for agriculture related cooperation that includes fisheries.

53. *Mr. Smith Thummachua* shared that Thailand were also in the process of establish MoU with Indonesia and they had completed the drafting stage and were currently waiting for the approval from the Governments.

54. As for the question on whether SEAFDEC is proposing any Standard Operating Procedure (SOP) in providing guidance to responses to combat IUU fishing, the Meeting was clarified that MFRDMD is in process of drafting a guideline on preventing the entry of IUU fish and fish product into the supply chain and will call the member countries to finalize the guideline. Once the guideline is finalized, it will be tabled in the Project Committee Meeting and finally proposed for endorsement at the SEAFDEC.

55. The Meeting also noted that ASEAN is aiming towards the evolvement of a “single market” by 2015 under the framework of the ASEAN Economic Community (AEC). ASEAN and ASEAN Sector Working Groups are preparing for this developments and will also come out with common guidelines for ASEAN Member Countries such as the Good Agriculture Practice. There are many proposals from the ASEAN member countries to prepare common standards and SOPs in order to provide guidance to trade partners and to understand international and regional requirements.

56. The Meeting agreed to include the development and establishment of MoU between Malaysia and Thailand as a priority long term activity in the common work plan. Procedures and regulations with regards to the activities such as the Meeting of Joint Working Group (JWG) should be defined in the MoU.

57. With regard to the landing of catches in the neighbouring countries’ port, the Meeting agreed that there should be a proper mechanism for data recording. In this connection, both countries agreed to establish some kind of mechanism to notify each other with a list of registered foreign vessels approaching its ports in order to monitor the whereabouts of the fishing vessels. There was a consensus among participants that fishing vessels listed under any IUU list should be denied entry into fishing ports. Both countries agreed to nominate focal points from each country to coordinate the data exchange and establish networking.

58. SEAFDEC/TD proposed a study regarding the fact finding survey on dual flagging of fishing vessels and landing of catches in Malaysia and Thailand. The suggested area of study will cover the border between Malaysia and Thailand in the Gulf of Thailand. In this regard, SEAFDEC/TD requested for support from both countries to conduct such a study to ensure that the survey builds upon active participation from the two countries.

59. *Dr. Magnus Torell* added that records of both catches and landings needs to be improved in order to avoid misreporting of the catch in terms of fishing area, catch composition, vessels, gear and landing place.

60. The Meeting was informed that the Fisheries Development Authority of Malaysia (FDAM) is the Malaysian authority that has the data of fish landed at the Malaysian port and that FDAM is willing to share the data with Thailand. FDAM is willing to discuss further on how to improve the monitoring and data collection.

61. After having in depth discussion on the Action Plan matrix, some amendments were made and finally an Action Plan Matrix, based on the inputs of the two country working groups, was adopted by the Meeting. The final Matrix appears in **Annex 18**.

IX. ESTABLISHMENT OF THE WORKING GROUP AND MECHANISM TO SHARE EXPERIENCES

62. The Meeting decided to establish a scientific working group as well as to nominate focal points under this initiative for coordination of data sharing and communication between Malaysia and Thailand. Both countries will submit the proposal for nomination of focal point and establishment of scientific working group to the higher management levels for approval. Once the proposal is approved, information on the names of the focal points including recommendations will be provided to SEAFDEC for further action.

X. SUMMARY AND WAY FORWARD

63. Both countries agreed to report the outcome of the Meeting to the higher management for their endorsement, including the recommendation to develop and establish a MoU between Malaysia and Thailand, the establishment of scientific working group and the nomination of focal points. Both countries will officially write to SEAFDEC regarding the follow up actions.

64. *Mr. Ahmad Hazizi bin Aziz* informed the Meeting that there was a request from Thailand for a MoU between Malaysia and Thailand and the Ministry of Agriculture and Agro-Based Industry Malaysia will be Meeting the representative from the Ministry of Agriculture in Thailand. *Mr. Smith Thummachua* took note of the information and agreed to check on this bilateral MoU request.

65. Since this Meeting was transpired from the decision of the 4th Meeting of the Gulf of Thailand Sub-region, the Meeting decided that the outcome of this bilateral Meeting shall be reported at the next Gulf of Thailand Sub-regional Meeting for their information. However, the follow up actions such as the nomination of focal point by Malaysia and

Thailand shall be initiated immediately, once the approval is obtained from the higher management officers of both countries.

66. The Meeting recommended that progress of activities and joint actions should also be reported to SEAFDEC to facilitate continued dialogue and implementation of actions under this initiative.

XI. CLOSING OF THE MEETING

67. The Chairman, *Mr. Hajime Kawamura* thanked everyone for active participation throughout the Meeting and was glad that it turned out to be a fruitful Meeting. Both co-chairs from Malaysia and Thailand also expressed their sincere gratitude to the Chairman and SEAFDEC for providing useful information and platform to discuss the long standing fisheries related issues which could help to strengthen the relationship between both countries. After wishing the participants safe journey for their respective home countries, the Chairman declared the Meeting closed.

Annex 1

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Annex 2

Opening Remarks

By Mr. Hajime Kawamura, SEAFDEC Deputy Secretary-General

Distinguished delegates from Malaysia and Thailand, SEAFDEC officials, Members of the Regional Fisheries Policy Network, Ladies and Gentlemen, a very good morning!

On behalf of SEAFDEC and the SEAFDEC-Sweden project, it is my great honour to welcome you all to the Sub-regional Technical Meeting on Effective Fisheries Management between Malaysia and Thailand. I would like to express our sincere gratitude to Malaysia for the hospitality in welcoming us for this historical beautiful island, Penang.

During the last couple of years, as you may be already aware that SEAFDEC has provided series of fora for dialogue among Member Countries of the region in aspects related to fisheries, which has been addressing the need to manage over-capacity, to combat illegal fishing, to integrate fisheries management with habitat management and to restore and maintain important habitats in sub-regions. One of the main focus area is the Gulf of Thailand.

Through sub-regional approach, the SEAFDEC-Sweden project has been facilitated the Member Countries facing to the Gulf of Thailand namely: Vietnam, Cambodia, Thailand and Malaysia to discuss and look for the effective ways to improve the management of fisheries in order to sustain the fisheries resources in this sub-region. We all know that the nature of fisheries, migration of fish and the mobility of people and vessels involved in the sector are important factors that cannot be disregarded. With this regard, it is implied that cooperative management is needed to address the trans-boundary issues.

To follow-up previous meetings, we are now having this bilateral meeting between Malaysia and Thailand to build up cooperation for better management of fisheries between the Countries. During the meeting, we will address the joint interests to discuss, and I wish that the Countries will reach a consensus by the end of the days.

Since I can see the characteristic dedication and commitment of all our participants, I am confident that your goals will be achieved and lead to an outcome that will be consistent with the hopes and expectations of both Countries.

On behalf of the organizers of this meeting, once again, I wish to express our gratitude to Malaysia for the warm glad-hand to this splendid city, Penang. Thank you to all the participants for sparing your valuable time to join the Meeting. Your active participation would surely enhance the cooperation that we have initiated for the promotion of sustainable fisheries in the Gulf of Thailand. Finally, I wish all the best with you and look forward for a fruitful discussion.

Thank you and have a good day!

Introduction SEAFDEC-Sweden Project 2013-2017



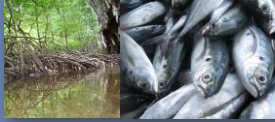


**SEAFDEC-Sweden Project
2013-2017**



Introduction

Issues

- Overcapacity of fishing
- Habitats destruction
- Climate variability, unpredictability weather patterns

<http://www.bbc.com/1/news/world-asia-24095670>

Fisheries and Habitat Management, Climate Change, Social Well-being in Southeast Asia

Goal

Sustainable Use of Aquatic Resources and Reduced Vulnerability to Climate Change, by Fishing Communities in the ASEAN region

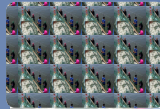
Bridging Objective 1

- Implementation of regional and sub-regional aquatic resources management by national institutions and organizations


Bridging Objective 2

- Establishment of regional and sub-regional fisheries and habitat management, agreements and action plans

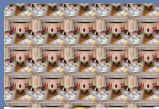
Outputs objectives



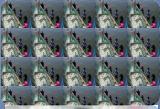
Capacity built for integration of habitat & fisheries management and adaptation to climate change



Capacity built and systems improved for the management of fishing capacity (monitoring; record and control)


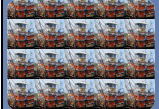


Capacity built and policy development processes improved for the drafting and implementation of regional & sub-regional agreements



Capacity built for integration of habitat & fisheries management and adaptation to climate change

- Support the management of economic fish species (e.g. Mackerel, neritic tunas);
- Explore the possibility of joint management arrangements;
- Build up the capacity in the integration of fisheries and habitat management;
- Build up the capacity for development of alternative livelihood options and improved management options to locally based initiatives.

Capacity built and systems improved for the management of fishing capacity (monitoring; record and control)

- Strengthen the cooperation to manage fishing capacity, amongst nations in the sub-regions;
- Support sharing information on key issues, such as the number and types of boats, people involved in fishing and landings;
- Address the need for safe working conditions on fishing vessels and in the fisheries industry and the role of women in fisheries sector;
- Build up systems and capacity at provincial and district levels to monitor and record active fishing capacity.

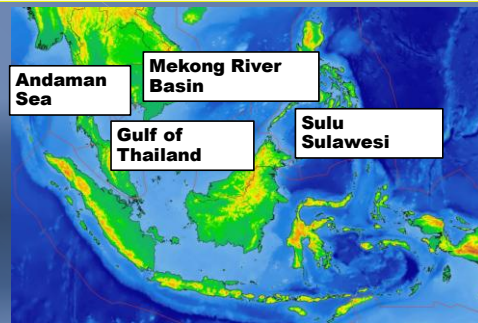


Capacity built and policy development processes improved for the drafting and implementation of regional & sub-regional agreements

- Increase the capacity of key stakeholders to develop national policies and processes that are suitable for framing regional and sub-regional agreements and plan implementation;
- Enhance the collaboration, between ASEAN, the ASEAN Member Countries and significant international and community organisations including NGOs.;

7

Expanding sub-regional cooperation areas from (Andaman Sea) to four sub-regions including strengthened regional and sub-regional programs and organizations



8

Events organized in 2013

- Introduction of the new SEAFDEC-Sweden Cooperation
- Study trip and preparation for on-site events
- On-the-job training workshop on project designing, monitoring and evaluation
- Consultative meeting on regional cooperation on Neritic Tuna Fisheries
- Round table discussion between Cambodia and Vietnam
- The 4th meeting of the Gulf of Thailand sub-region

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3 sub contracts signed

- **CORIN-Asia Cambodia (4 months)**
Title: Preliminary Study on Promoting Change-Resilient Communities through Comprehensive and Sustainable Management of Wetlands Resources in Coastal Cambodia
- **Learning Institute (LI), Cambodia (4 ys)**
Title: Strengthening of Community Fisheries Management and Livelihoods Diversification in Cambodia
- **Prince of Songkla University, Thailand (1 y)**
Title: Local ecological knowledge and benefit sharing approaches for small-island fishery/tourism management in Lipe Island, Andaman Sea, Thailand

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Meeting on Regional Cooperation on Neritic Tuna Fisheries

AIM

Provide an update on available information on neritic tunas in the region and sub-regions.

OUTPUT

- Agreement to develop a Regional Plan of Action
- Agreement to set up working groups in each area

OUTCOME

Increased collaboration between ASEAN member countries



11

The 4th Meeting of the Gulf of Thailand sub-region

AIM

Recapture results from earlier initiatives in the GoT region.

OUTPUT

- > Action plan developed
- > Working plans developed

OUTCOME

- > Strengthened bilateral and multilateral cooperation.
- > Promotion of more effective management of fishing capacity



12

Informal Round Table Discussion between Cambodia and Vietnam

AIM

Provide a platform for collaboration between the countries.

OUTPUT

- Zero draft of MoA
- Established working groups

OUTCOME

Strengthened bilateral cooperation between the countries



13

Events participated in

Includes:

- FAO/RPOA Expert Workshop on the Development of Tools to Combat IUU Fishing the Comprehensive Global Record of Fishing Vessels.
- 4th Sub-regional Meeting on Regional Plan of Action and Illegal Unreported and Unregulated (IUU) Fishing in the Southern and Eastern Areas of the South China Sea.
- 5th ASEAN Fisheries Consultative Forum (AFCF), Lao PDR.
- Sub-regional Dialogue on Labour, Migration and Fisheries Management, Bangkok.

14

Strengthening the Regional Fisheries Policy Network

- Eight RFPN members have been appointed to SEAFDEC Secretariat (five funded with Swedish funds and three with Japanese funds). They have been supportive in facilitating program implementation and communication with member countries



15

Results - Cooperation with other organizations and national partners

- *International organizations.* ASEAN Secretariat, FAO Bangkok, BOBLME, Mangroves for the future, RPOA-IUU
- *Sulu-Sulawesi Seas and the Mekong River Consultations with MRC and CTI-CFF during 2013. MoUs could be established during 2014.*
- *National organizations* National focal points in each MC.

16

Results - Field work

ORGANIZATIONS

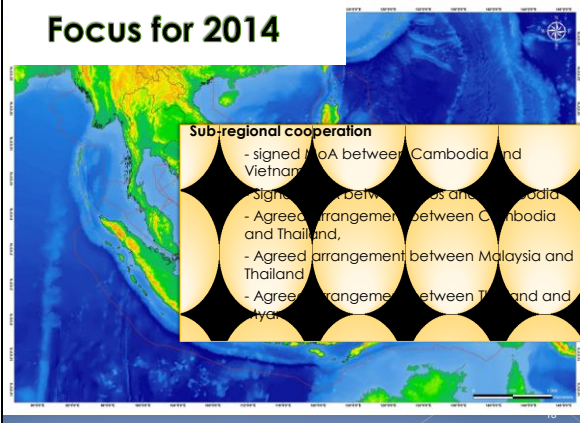
- Learning Institute (LI)
- Prince of Sonkla university
- Coastal Resources Institute Asia - Cambodia (CORIN-Asia Cambodia)

OUTCOME

- Enhanced capacity of local fisher folks
- Improved recognition of the role of women in rural communities

17

Focus for 2014



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Focus for 2014

- ◎ Signed MoU between SEAFDEC and CTI-CFF
- ◎ Neritic tuna management plan
- ◎ Drafting sub-contracts focus in Ranong, Trat of Thailand and Myeik, Myanmar
- ◎ Follow upon international conventions:
 - Law of the sea
 - Port state measures, IUU, Labor



PROVISIONAL PROSPECTUS

I. BACKGROUND

The fisheries resources around the globe are jeopardized due to insufficient control of fisheries activities and overcapacity. Therefore, it is necessary to seriously consider effective ways to improve the management of fisheries in order to sustain the fisheries resources for the future. Under the fisheries context, the nature of fisheries, migration of fish and the mobility of people and vessels involved in the sector are important factors that cannot be disregarded and implies that cooperative management is needed to address the trans-boundary issues. In this regard, the issues such as illegal, unreported and unregulated (IUU) fishing, double flagging of fishing vessels, landing of catches across boundaries and trans-boundary stock management could be better addressed by having inter-agency cooperation and/or bilateral cooperation between countries. This is also emphasized by the Regional Plan of Action (RPOA-IUU) to promote responsible fishing practices including combating IUU fishing in the region (May 2007).

On the other hand, countries in the Southeast Asia region are putting efforts to comply with the international guidelines, standards and agreement such as the FAO Code of Conduct for Responsible Fisheries (CCRF) and Agreement of the Port State Measures (PSM). Attempts are also being made by fisheries and environmental agencies to improve fisheries and habitat management. An important step in this direction is to try to better control the active fishing effort, both large-scale and small-scale, and to reduce IUU fishing. However, the abovementioned problems could not be solved by just working alone within limited spectrum as these are global issues and shall be viewed from a broader perspective. Thus, it is essential to build up strong cooperation among related parties and to work out possible mechanisms in order for effective management of fisheries within the region.

ASEAN and SEAFDEC while providing forums for dialogues among countries in aspects related to fisheries, economic cooperation and social development, also facilitating and coordinating the member countries in building up cooperation for better management of fisheries in the region. As the SEAFDEC member countries are aware, there is a consensus around the Gulf of Thailand on the need and importance to re-establish the momentum created on the cooperation among countries of the Gulf of Thailand sub-region in terms of the integration of fisheries and habitat management and in efforts to manage fishing-capacity reducing over-capacity and to combat illegal (IUU) and destructive fishing. In this regard, four (4) series of meetings had been convened and the 4th Meeting of the Gulf of Thailand Sub-region was convened in Bangkok, Thailand from 18 to 19 December 2013, and was attended by representatives from the Gulf of Thailand countries, namely: Cambodia, Malaysia, Thailand, and Vietnam, as well as from regional organizations.

The meeting served as a process to move from initiation to commitment on a more concrete action as recommended during the 3rd Meeting of the Gulf of Thailand Sub-region in 2011. Discussions were organized to allow for parallel meetings among neighboring countries on specific subject matters, such as the status of *Rastrelliger* spp., port monitoring, and national initiatives to

eliminate illegal and destructive fishing. Establishment of working groups/task forces on priority areas common to the sub-region's fisheries such as capacity/monitoring of fishing efforts; monitoring and capacity-building at ports and landing sites; and options for joint approaches to conserve the Indo-Pacific mackerel (*pla too*) and related species, was also one of the main objectives of the Meeting.

In the meeting, there was consensus and recommendations to establish a Regional Scientific Working Group to discuss the detailed activities regarding the regional cooperation for enhancing small pelagic fisheries (mackerels and neritic tunas) in the Gulf of Thailand. Besides that, there was also suggestion to conduct roundtable discussions between sets of two neighboring countries (i.e., Cambodia-Vietnam, Thailand-Malaysia, and Thailand-Cambodia) to discuss the issues revolving effective management of fishing capacity and to reduce illegal and destructive (combat IUU) fishing in the Gulf of Thailand.

II. RATIONALE OF THE MEETING

The 4th Meeting of the Gulf of Thailand Sub-region decided that two task forces with specific duties shall be established, namely: (1) regional cooperation for enhancing the small pelagic (mackerels and neritic tunas) fisheries in the Gulf of Thailand through the integration of fisheries and ecosystem management approaches; and (2) strengthening of capacity and sub-regional cooperation on monitoring, surveys and control of fishing efforts and landings of catches in the Gulf of Thailand. The responsibilities of the task force(s) could be carried out through the establishment of regional working group(s) to work on identified specific areas and to develop the regional strategic programs. Subsequently, experts groups could also be developed corresponding to the issues identified. In addition, there was also consensus to conduct roundtable discussions between sets of two neighboring countries (i.e., Cambodia-Vietnam, Thailand-Malaysia, and Thailand-Cambodia) to discuss the issues revolving effective management of fishing capacity and to reduce illegal and destructive (combat IUU) fishing in the Gulf of Thailand.

In this connection, this meeting is organized in direct follow-up to the aforementioned decision of the 4th Meeting of the Gulf of Thailand Sub-region. The intention of this meeting is to identify possible working areas that could be established between Malaysia and Thailand in order to promote effective management of fishing capacity, combating IUU Fishing and management of trans-boundary stock in the waters that covers both Malaysia and Thailand such as the Gulf of Thailand and Andaman Sea.

III. OBJECTIVES OF THE MEETING

The objective of this meeting is to follow-up with the decisions that were made during the 4th Meeting of the Gulf of Thailand Sub-region focusing on the technical discussion between Malaysia and Thailand on fisheries management and to develop an action plan for fisheries management in the Gulf of Thailand and Andaman Sea. The areas that would be discussed in this meeting includes: (1) exchange of information of licensing system and procedure; (2) exchange of information on the system and procedures for landing of catches by foreign fishing vessels in respective countries' ports; and (3) discussion of procedures for deregistration of fishing vessels.

IV. EXPECTED OUTPUTS

It is expected that at the end of the Meeting, the following items are presented and exchanged between two countries:

1. exchange of information of licensing system & procedure;
2. exchange of information on the system & procedures for landing of catches by foreign fishing vessels respective countries' ports;
3. Procedures for deregistration for fishing vessels;
4. MCS Practices (transboundary areas) and Strengthening MCS networks;
5. The agreed joint action plan/transboundary practices for the effective management of fishing capacity, reduce illegal and destructive (combat IUU) fishing between two countries;
6. Name list or list of agencies concerned will be identified as a Workgroup on above issues and mechanism will be identified.

V. EXPECTED OUTCOMES

The outcome of the meeting is an increased understanding of the issues/areas in which joint approaches are necessary for an effective management. In addition, the meeting is expected to facilitate for further and increased collaborations between the countries.

Annex 5

Agenda

- Agenda 1:** Opening of the Meeting
- Agenda 2:** Introduction and arrangement of the Meeting
- Agenda 3:** Lesson learned from the successful bilateral arrangements and implementations for managing shared stocks
- Agenda 4:** Country Presentation on Licensing system and procedures
- Agenda 5:** Country Presentation on System and procedures for landing of catches by foreign fishing vessels
- Agenda 6:** Country Presentation on procedures for deregistration of fishing vessels
- Agenda 7:** Discussion on Implementation of MCS Practices (transboundary areas) and strengthening MCS networks
- Agenda 8:** Breakout group Discussion on the Joint Action Plan for combating IUU fishing
- Agenda 9:** Establishment of the Working group and mechanism to share experiences
- Agenda 10:** Summary and ways forward
- Agenda 11:** Closing of the Meeting

Managing Shared Stocks in the South China Sea Areas

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Managing Shared Stocks in the South China Sea Areas

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14 May 2014

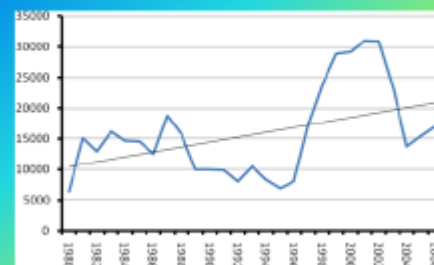
UNCLOS - 1982

- Article 61 - Conservation of the living resources
- Article 62 - Utilization of the living resources
- Article 63 - Stocks occurring within the exclusive economic zones of two or more coastal States or both within the exclusive economic zone and in an area beyond and adjacent to it

Tuna Fishing

- Mutual Agreement between Malaysia – Thailand
- Tuna Purse Seine – JV
- Landings in Malaysia Fishing Ports
- Supplies provided by the local
- Levy paid to government

Tuna Landings in the East Coast of Peninsular Malaysia



- Establishment of JDA Program
 - Collaborative survey
 - Stock assessment

Initiatives by MFRDMD on Assessment of Pelagic Species in the Southeast Asian Region

- SEAFDEC/MFRDMD has conducted two major research projects – JTF2 on *Rastrelliger* spp. and *Deoapterus* spp. in this region.
 - i) Information Collection for Sustainable Pelagic Fisheries in the South China Sea
 - ii) Tagging program for economically important small pelagic species in the SCS and AS. (collaboration with SEAFDEC/TD)

- Four small pelagic species were chosen in this study; two species of mackerels (*R. brachysoma* & *R. kanagurta*) and two species of scads, (*D. maruadi* & *D. macrostoma*)

i) Information Collection for Sustainable Pelagic Fisheries in the South China Sea

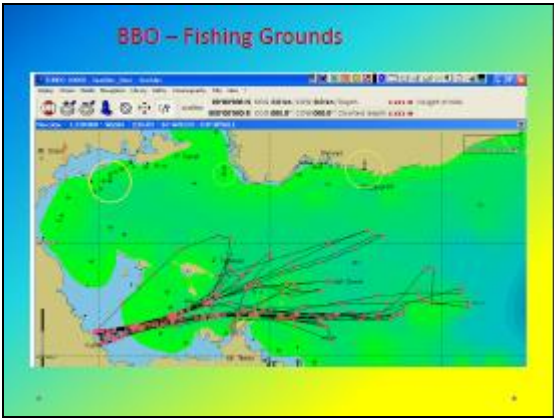
Responsible Department: SEAFDEC/MFRDMD in collaboration with SEAFDEC/TD

Project Duration: 5 years (2002-2006)

Main objective of Project: To compile information on landing, effort and biological data for commercially important pelagic species in the South China Sea Areas

Outputs/Outcomes

- Confirmation of the fishing ground and examination on status of pelagic fisheries in the region.
- Regional overview of biological information of mackerels and roundscads
- Catch and biological databases for regional data sharing
- Mapping of the SST, ocean color and other environmental condition in relation to the distribution of pelagic fish in the region.
- Produce reports for Technical Consultation Meetings
- Pilot projects on maximizing utilization of small pelagic and drafting of manual on processing of products
- Regional training course on fish processing and packaging for value-added products.



ii) Tagging Program for Economically Important Small Pelagic Species in the SCS and AS.

Responsible Department: SEAFDEC/MFRDMD in collaboration with SEAFDEC/TD

Project Duration: 6 years (2007-2012)

Main objective of Project: To ascertain the migration route and existence of sub populations of small pelagic fish in the study areas.



Outcomes

Rastrelliger brachysoma (Short mackerel)

	SCS	AS
No. of tagged fish	5220	5975
No. of recaptured	12	33
Recovery rate (%)	0.23 %	0.55 %

Rastrelliger kanagurta (Indian mackerel)

	SCS	AS
No. of tagged fish	7642	6636
No. of recaptured	16	8
Recovery rate (%)	0.21 %	0.15 %

Conclusions

- This study provided the genetic structure of *Rastrelliger kanagurta* and *Decapterus maruadsi*.
- It shows that Indian mackerel in the South China Sea and Andaman Sea and Japanese scad in the South China Sea are **shared or derived from the same stock** with high genetic variation among the sampling sites.
- The use of mtDNA as molecular marker was able to give detailed results on variation among haplotype of the selected samples.

Recommendations

- Information sharing - landing
- Collaborative survey on shared stock - transboundary stock
- Management of shared stock

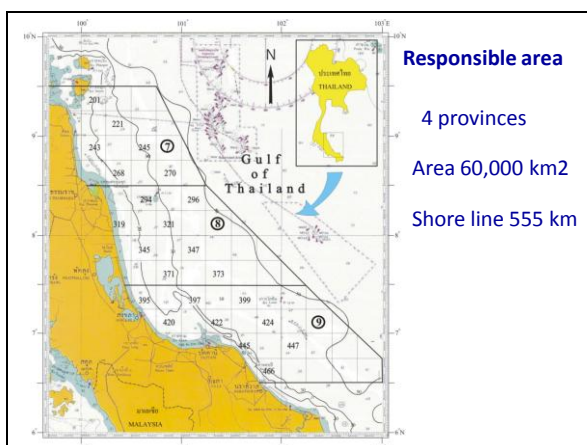
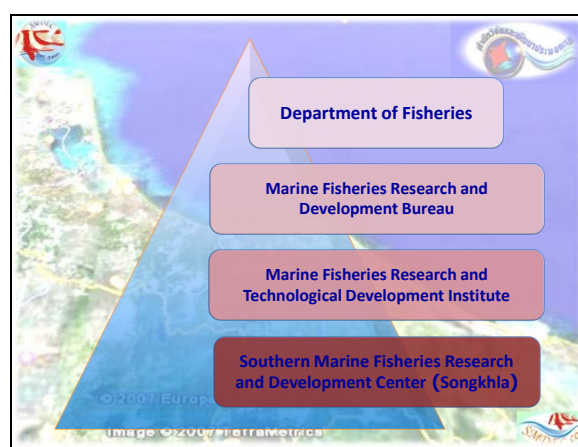
Studies On Mackerels And The Biology Of Tunas, Including One In The Southern Gulf Of Thailand (1995-1996), One On Reproductive Biology Of Indo-Pacific Mackerel And Indian Mackerel In The South Gulf Of Thailand (2003-2005) And One On Purse Seine Fisheries In The South Gulf Of Thailand (2003-2005).

Ms. Niracha Songkeaw

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- Responsible works**
- Fishery research
 - Fishing ground rehabilitation
 - Fishing ground quality monitoring
 - Services other sectors that relate to fishery

Researchs

1. The biology of tunas in the south GOT (1995-1996)

- spanish mackerel gill net and purse seine

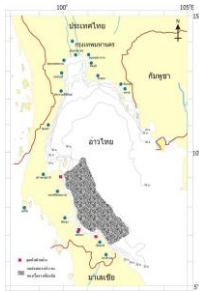
type	Spawning season	Size at first mature (Male)	Size at first mature (Female)
<i>Kawawa</i>	Jun-Dec	36.6	37.9
<i>Frigate tuna</i>	Jan-Apr, Oct-Dec	28.6	29.1

2. Reproductive biology of Indo-Pacific mackerel and Indian mackerel in the south GOT (2003-2005)

- mackerel gill net, purse seine and pair trawl

type	Spawning season	Size at first mature (Male)	Size at first mature (Female)
Indo-Pacific mackerel	Dec-Feb, May-Aug	16.02	16.84
Indian mackerel	Jan-Apr, Jul-Nov	19.57	20.84

3. Purse seine Fisheries in the South GOT (2003-2005)



- Purse seine with aggregating devices (FADs)
- Light luring purse seine (LPS)
- Thai purse seine (TPS)

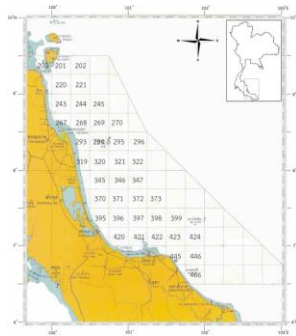
Fishing ground of purse seine in south GOT in 2003-2005

Species composition by weight (%) / avg.length (cm)

type	FADs	LPS	TPS
Indo-Pacific mackerel	1.15/ (15.02)	5.83/ (14.54)	4.19/ (15.93)
Indian-mackerel	25.94 / (16.07)	18.55 / (15.39)	13.55/ (14.87)
Frigate tuna	4.17/ (17.08)	1.19 / (17.57)	0.37 / (20.59)
kawakawa	6.43/ (18.54)	2.40/ (18.19)	1.78/ (17.96)
Longtail tuna	1.09/ (19.63)	1.90 / (0.39)	0.39/ (16.35)

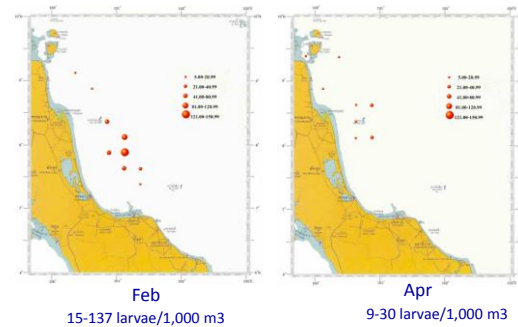
Their average size were smaller than their size at first maturation

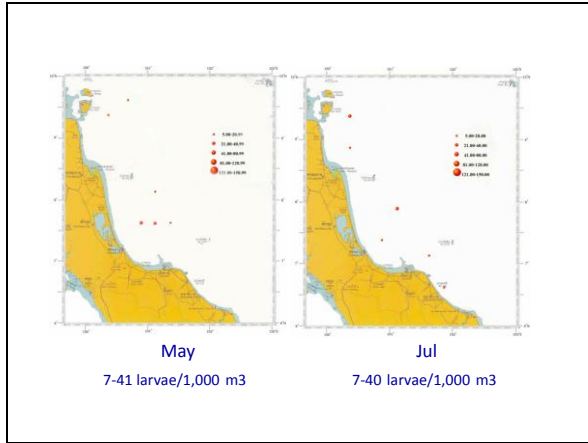
3. Abundance and distribution of *Rastrelliger* spp. larvae in south GOT (2011)



Sampling in 40 stations
4 cruises
330 Micron plankton net

Results





Fisheries Licensing System And Related Procedures

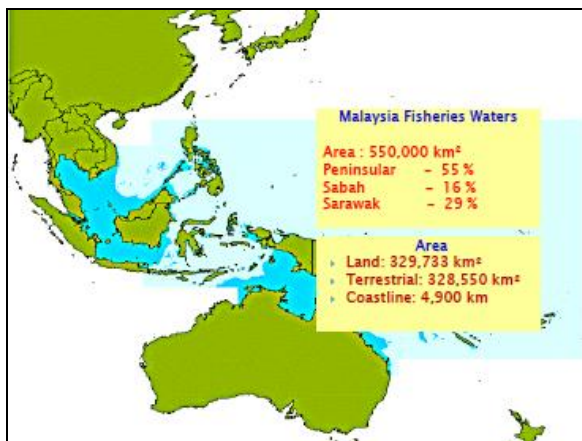
Mr. Abdul Razak bin Hj. Buang,

Head of the Licensing Section, Department of Fisheries Malaysia
 Department of Fisheries
 Malaysia 2nd Floor, Tower Block 4G2 Wisma Tani, Precint 4 62628, Putrajaya, Malaysia
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FISHERIES LICENSING SYSTEM & PROCEDURES
 BY
 RESOURCE MANAGEMENT DIVISION
 Department of Fisheries Malaysia
 Ministry of Agriculture & Agro Based Industry

Department of Fisheries Malaysia
INTRODUCTION

- **General Features**
 - ❖ Long coastline 4,900 km
 - ❖ 14 states
 - ❖ 47,000 sq nautical miles of maritime area
 - ❖ EEZ declaration expanded to 162,000 sq nautical miles
 - ❖ Rich marine resources



Department of Fisheries Malaysia
INTRODUCTION

- **Fisheries Sector 2013**
 - ❖ Captured fisheries production:
 - 1.483 million tones
 - Coastal : 1.153 million tones
 - Deep Sea : 0.329 million tones
 - ❖ valued at RM 8.3 billion

Department of Fisheries Malaysia
INTRODUCTION

- **NO. OF LICENSED VESSELS (2013): 57,093**

Department of Fisheries Malaysia
INTRODUCTION

- **NO. OF FISHERMEN (2013): 144,019**
 - COMMERCIAL : 54,375
 - TRADITIONAL : 89,644

Department of Fisheries Malaysia

FISHERIES MANAGEMENT

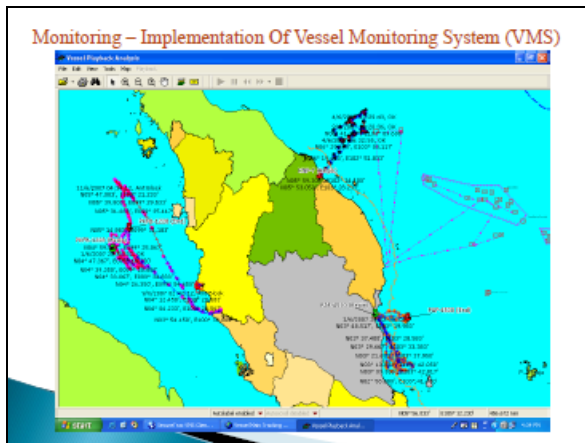
- Zones designated for specific fishing gears, class of vessels and ownership
- Marine Protected Areas
- Rehabilitation
- Recreational Fisheries
- MCS

Department of Fisheries Malaysia

FISHERIES MANAGEMENT

> **MONITORING, CONTROL & SURVEILLANCE**

- **Monitoring** : collection of information on the fishing industry (e.g Implementation of VMS)
- **Control** : the issuance of fishing license is regulated to avoid excessive fishing effort but ensuring sustainable fishing
- **Surveillance** – to enforce Fisheries Act 1985 and its Regulations through collaboration with the Navy, Marine Police and Malaysian Maritime Enforcement Agency (MMEA)



Department of Fisheries Malaysia

MANAGEMENT STRATEGIES

Control of Fishing Effort :

- limited entry
- licensing of fishing vessels and fishing gears
- moratorium on licences
- control of tonnage of fishing vessels
- control of horsepower of engines
- fishermen registration programme
- relocation/resettlement of fishermen to other sectors

Department of Fisheries Malaysia

MANAGEMENT OF FISHERIES RESOURCES

Legal Framework

1. Fisheries Act 1963, ammended in 1985
2. Regulations made under the Act

Department of Fisheries Malaysia

COMMERCIAL APPLIANCES

- ❖ TRAWL NETS
- ❖ PURSE-SEINE NETS
- ❖ TRADITIONAL APPLIANCES OPERATED USING VESSELS 40 GRT AND ABOVE

TRADITIONAL APPLIANCES

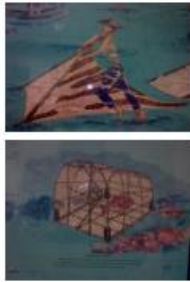
THE FISHERIES ACT 1985 INTERPRETES:

TRADITIONAL APPLIANCES:

ANY FISHING APPLIANCES ENUMERATED HEREUNDER OPERATED WITH THE USE OF A NON-MOTORISED FISHING VESSEL OR MOTORISED FISHING VESSEL OF NOT MORE THAN 40 GRT

TRADITIONAL APPLIANCES

- 1) Trap
- 2) Hook-and-line
- 3) Drift net or gill net
- 4) Seine net
- 5) Hand lift net
- 6) Bag net or stow net
- 7) Barrier net



BANNED APPLIANCES

- PUSH NET (USING MOTORISED VESSEL)
- PAIR TRAWL
- EXPLOSIVES
- APPARATUS USING ELECTRIC CURRENT
- GILL NET WITH MESH SIZE > 10 INCHES

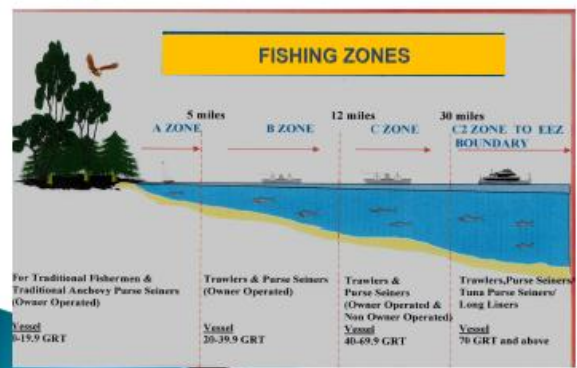


FISHING ZONES

➤ The four fishing zones are :

Zones	Area	Classification
A	From shore up to 5 nm	Reserved solely for small-scale fishermen using traditional fishing gear and owner-operated vessels
B	5 – 12 nm	Reserved for owner-operated commercial fishing vessels of less than 40 GT using trawl nets and purse seine nets. There is no restriction for zone B operators to operate in C Zone and C2 Zones as well as B Zone.
C	12 – 30 nm	Commercial fishing vessels of more than 40 GRT using trawl nets and purse seine nets are allowed to operate. C Zone operators are allowed to operate in C Zone & C2Zone, but not otherwise. Eg. C2 vessels can only operate in C2 Zone (not allowed to enter C Zone and B Zone).
C2	30 – EEZ limit of 200 nm	Beyond 30 nm where deep sea fishing vessels of 70 GRT and above are allowed to operate.

FISHING ZONES



VESSEL REGISTRATION

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

VESSEL REGISTRATION

Under the Fisheries Act 1985, a number of registers are kept by the Department of Fisheries Malaysia containing details of fishermen identity, fishing vessels, fishing gears, crew and engine capacity. The registers are kept up-to-date and Malaysia also has done an online database system – eLesen System Application. This online system also has improve our delivery system to the target group.



VESSEL REGISTRATION

The Fishing Vessel Register that is maintained by DOF Malaysia includes the following information:

1. Registration number;
2. Name, address and identification card number of owner or owners;
3. Where and when built;
4. Type of vessel;
5. Length, breadth, depth;

6. Name and address of operator (manager) or operators (managers) (if any);
7. Type of fishing method or methods;
8. Gross registered tonnage;
9. Power of main engine or engines;
10. Nationality and the number of crews to be employed;
11. Fishing vessel base.

Department of Fisheries Malaysia

VESSEL REGISTRATION

Malaysia also has standard specifications for the marking and identification of fishing vessels:

1. Vessels Registration Code
2. Registration Specifications:
 - Code of Zone
 - Registration Number
3. Wheelhouse Colour
4. Vessels Identification Code
5. Tin plate
6. Gross Registered Tonnage Measurement (GRT)

Department of Fisheries Malaysia

Codes of Zoning Fishing Gear Codes Wheelhouse Color Tin Plate Registration No.

License Book

TIN PLATE

Special screws

Department of Fisheries Malaysia

Department of Fisheries Malaysia

IDENTIFICATION OF FISHING VESSELS

Starboard Wheel House

PAF395 A

Registration No. Zone Code White Line Port Side

Department of Fisheries Malaysia

REGISTRATION OF VESSEL

Code of Zones:

- > Code of Zones must be painted on both sides of the wheelhouse in white with a black background
- > Size of the code of zone to be painted is according to the vessel size

Vessel Size	Code Zone
< 25 GRT	9" x 6" x 1.75"
25 - < 40 GRT	12" x 8" x 2.5"
40 & > 40 GRT	18" x 12" x 4"

6" 9"

Department of Fisheries Malaysia

MAP OF MALAYSIA

South China Sea

Department of Fisheries Malaysia

WHEELHOUSE COLOUR

> Wheelhouse of the fishing vessel must be painted with color specified for the state :

State	Color	State	Color
Perlis	Dark Blue	Melaka	Purple
Kedah	Dark Red	Johor	Blue
Pulau Pinang	Light Blue	Pahang	Light Yellow
Perak	Dark Yellow	Terengganu	Light Green
Selangor	Orange	Kelantan	Dark Red
Negeri Sembilan	Dark Green	Labuan	Red

Department of Fisheries Malaysia

TRANSFER OF LICENSE

- › OWNERSHIP PATTERNS
- › OFFENCES
- › VALIDITY OF LICENCES
- › RELEASE FROM BANK
- › SEAWORTHY VESSELS



Department of Fisheries Malaysia

TRANSFER OF BASES

- › INTRA STATES
- › INTER STATES
- › WEST COAST TO EAST COAST
- › PENINSULAR MALAYSIA TO SARAWAK, W.P. LABUAN & SABAH



Department of Fisheries Malaysia

REPLACEMENT OF VESSELS

- ▣ B ZONE TO C ZONE ENCOURAGED
- ▣ ORIGINAL VESSELS DEMOLISHED
- ▣ CONSIDERATIONS FOR VESSELS FOR OTHER PURPOSES
- ▣ FISHING VESSELS TRANSFORMED TO CARGO VESSELS NOT ALLOWED REENTRY



Department of Fisheries Malaysia

REPLACEMENT OF VESSELS

SIZES OF REPLACEMENT VESSELS DETERMINED

Department of Fisheries Malaysia



ENGINE REPLACEMENT

TYPES OF VESSELS	SIZES (GRT)	MAXIMUM HORSE POWER
COMMERCIAL	<19.9	200
	20 – 39.9	300
	40 – 69.9	500
	70 & ABOVE	NO LIMIT
TRADITIONAL	10 – 19.9	200
	20 – 39.9	300

Department of Fisheries Malaysia

WORK FORCE

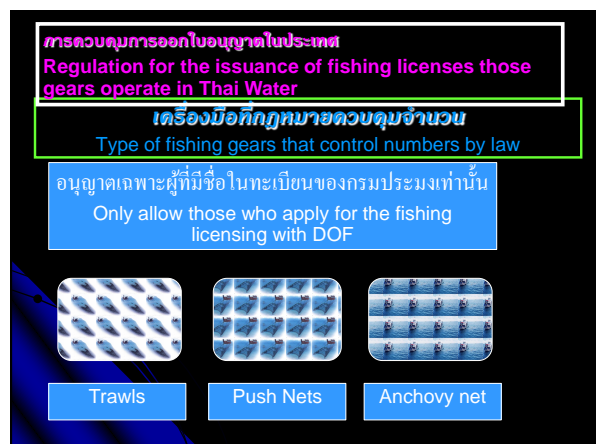
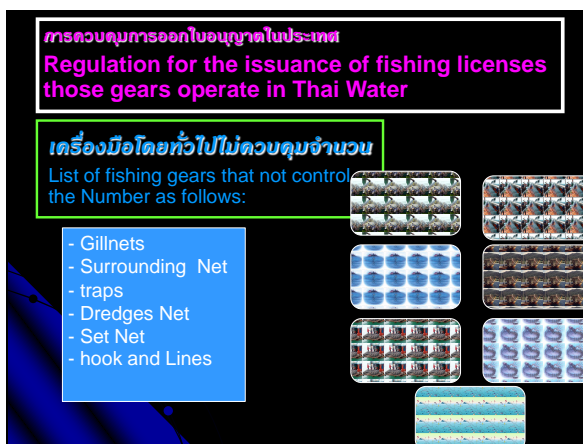
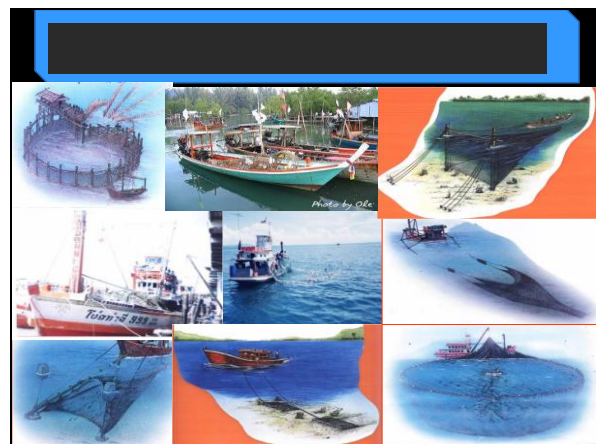
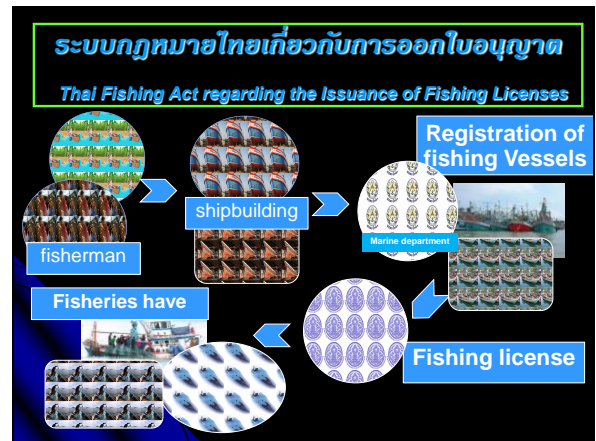
- › 100% LOCALS EXCEPT WITH APPROVAL OF DIRECTOR GENERAL OF FISHERIES
- › FOREIGN CREW ALLOWED FOR C AND C2 ZONES ONLY WITH APPROVAL

Fisheries Licensing System and Related Procedures in Thailand

Mr. Pattanapong Chusaeng.

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 E-mail: regis_dof@hotmail.co.th



ข้อกำหนดของใบอนุญาต Regulation for the fishing licenses

1. ใบอนุญาตมีอายุไม่เกิน 1 ปี (สิ้นสุดทุกวันที่ 31 มีนาคม)
The license is valid for 1 year (expire at 31 Mar)
2. เครื่องทำการประมงอวนลาก อวนรุน คราดหอย ห้ามทำการประมงในเขต 3,000 เมตร หรือ 5400 เมตร นับจากชายฝั่ง
Trawl, push net, dredging, are prohibited to operate within 3,000 m. or 5,400 m from the shoreline
3. ห้ามทำการประมงในเขตพื้นที่ปิดอ่าว
Prohibit to operate in the closure zone
4. ห้ามทำการประมงในเขตพื้นที่ตามประกาศกระทรวงเกษตรและสหกรณ์ หรือ จังหวัดท้องที่
Prohibit to do fishing activities in the areas announce on the notification issued by the Ministry of Agriculture and Cooperatives or by provinces

ใบอนุญาตทำการประมงนอกระน้ำ License to fish in foreign waters

1. ใบอนุญาตเพื่อใช้เครื่องมือทำการประมงนอกระน้ำไทย บริเวณน่านน้ำ ตามข้อตกลง ระหว่างรัฐกับรัฐ หรือเอกชนไทยกับรัฐหรือเอกชนของ ต่างประเทศ
Issue the License to use the fishing gears in foreign waters, in the areas according to the agreement G2G or Thai public private and Gov or Thai public private and Foreign Public private
2. ออกให้กับเรือที่ได้รับสิทธิในการเข้าไปทำการประมงกับประเทศนั้น ๆ
Issue the license to the vessels that has the right to fish in certain countries

ใบอนุญาตทำการประมงนอกระน้ำ License to fish in foreign waters

3. ใบอนุญาตทำการประมงนอกระน้ำ ปี 2556 ประกอบด้วย
In 2013, the DOF issued the fishing license to operate in
 - Myanmar: Trawl 659 vessels, Purse seine 245 vessels
 - PNG: Trawl 170 vessels
 - Yemen: Trawl 1 vessel

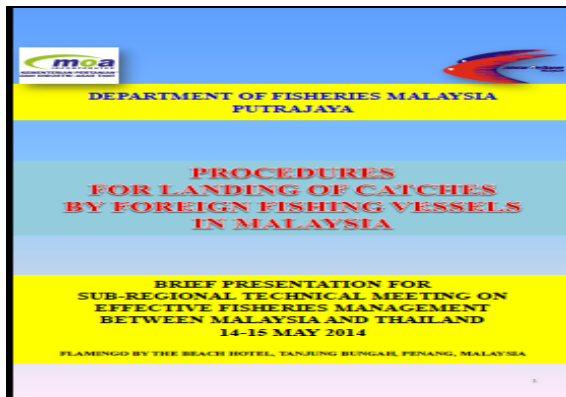
สถิติการออกใบอนุญาตนอกระน้ำ Statistic for the License issued to operate in foreign waters

Country ประเทศ	Gears เครื่องมือ	2009 2552 (ลำ)	2010 2553 (ลำ)	2011 2554 (ลำ)	2012 2555 (ลำ)	2013 2556 (ลำ)	Total รวม (ลำ)
อินเดีย India	อวนลาก Trawl	2	-	-	-	-	2
อิหร่าน Iran	Trawl	3	1	1	1	-	6
โอมาน Oman	Trawl	2	-	-	-	-	2
เยเมน Yemen	Trawl	1	6	5	1	1	14
ปาปัวนิวกินี PNG	Trawl	-	27	44	48	51	170
พม่า Myanmar	Trawl	209	174	132	89	55	659
	อวนล้อมจับ PS	45	48	52	53	47	245
รวม Total		262	256	234	192	154	1,098

Procedures for Landing of Catches by Foreign Fishing Vessels in Malaysia

Mr. Abdullah bin Jaafar

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CONTENTS

- 1.0 REFERENCE LAWS
- 2.0 PROCEDURES
- 3.0 REFERENCE CASES
- 4.0 CONCLUSION

1.0 REFERENCE LAWS

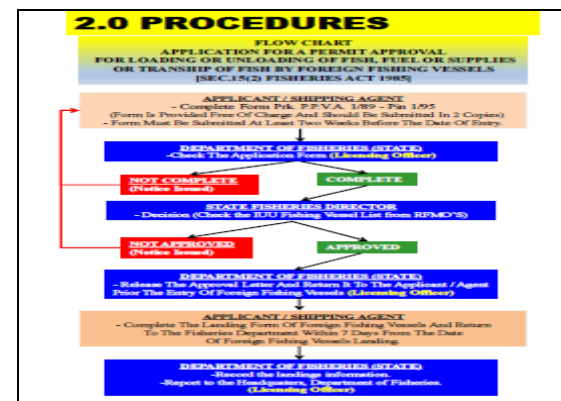
FISHERIES ACT 1985

Section 15. Fishing, etc., by foreign fishing vessel in Malaysian fisheries waters.

2) No foreign fishing vessel shall load or unload any fish, fuel or supplies or tranship any fish in Malaysian fisheries waters without the written approval of the Director General.

LEMBAGA KEMAJUAN IKAN MALAYSIA (Fisheries Complexes, Fisheries Harbours And Fisheries Landing Jetties) RULES 2010

LEMBAGA KEMAJUAN IKAN MALAYSIA (Fisheries Complexes, Fisheries Harbours And Fisheries Landing Jetties) RULES 2010



**3.0 REFERENCE CASES
(FOREIGN FISHING
VESSELS ENTERING
OR TRY TO ENTER
MALAYSIANS
FISHERIES WATERS
WITHOUT APPROVAL)**

- Was detained, inspected & released.
- Application to land the fish was rejected by Dept. of Fisheries Malaysia.
- 2012**
1. FV Pion (formerly The Bird) – Feb 2012;
 2. ** FV Thunder – Mac 2012;
 3. ***MV Baiyangdian – Apr 2012;
 4. (FV Lana and FV Shaanxi Henan 33 – Oct 2012).
- 2013**
1. **** MV Tiantai/MV Keshan (formerly MV Baiyangdian) – Feb & Mar 2013; Apr & Jul 2013;
 2. FV Hongshui (formerly FV Huang He 22) – Mac 2013;
 3. FV Lana (formerly FV Zeus/FV Triton 1) – Apr 2013; Sep 2013;
 4. FV Thunder (formerly FV Kuko/FV Typhoon 1) – Apr & Sep 2013;
 5. **** FV Wuhan No.4 (formerly FV Thunder/FV Kuko/FV Typhoon 1) – Mei 2013;
 6. FV Nihewan (formerly FV Huiquan) – Apr 2013;
 7. FV Snake (formerly FV Octopus 1) & FV Chengdu (formerly FV Shaanxi Henan 33) – Jul 2013;
 8. FV Chang Bai (formerly FV Hongshui) – Sep 2013
 9. FV Berber – Oct 2013
 10. FV Octopus 1 (formerly FV Berber & FV Snake) – Dec 2013
- Was detained on 21/06/13 under S.O. 46322 Malaysia Shipping Ordinance 1962, "major deficiencies" founded by Marine Dept. of Malaysia. Was released on 11/07/14.

**FV Chang Bai
(Formerly FV Hongshui) – Apr 2014**

Paragraph 1





Official Portal of National News Agency of Malaysia

MMEA Detains Two Foreign Ships For Illegal Fishing

MMEA officials said the fishermen... from Vietnam whose vessels were detained last month... for operating in Malaysian waters without approval from the Department of Fisheries Malaysia (DFM). The two ships were the FV Chang Bai (formerly FV Hongshui) and FV... (formerly FV...).

4.0 CONCLUSION

- Any foreign fishing vessels wish to land fish in Malaysia must get prior approval from the Department of Fisheries Malaysia.
- Department of Fisheries Malaysia may consider any application for entry of foreign fishing vessels in accordance with Section 15 (2) of the Fisheries Act 1985.
- Admission without approval is an offence and considered to be an act of IUU fishing and may be detained in accordance with the Malaysian laws.

Procedures for the Import of Aquatic Animals into Thailand

Mr. Keaitipong Boonyong

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E-mail: keaiti_truck98@hotmail.com

Importation of Aquatic Animals into Thailand

Importation of live, remains or product of aquatic animals into Thailand must follow these regulations

1. Fisheries Act, B.E. 2490 (1947)
2. Animal Epidemic Act, B.E. 2499 (1956)
3. Food Act, B.E. 2522 (1979)
4. Wildlife Preservation and Protection Act, B.E. 2535 (1992)
5. Other related Acts

Procedures

Pre-Import

1. Importer should receive the Import Permit (prior to an importation) from Fish Inspection Office (FIO) or provincial fishery office (authorized as FIO) at the port of entry with the following documents
 - Form No.1/1
 - Request document for importing some aquatic species
 - In case of wild aquatic animals, import permit as stated in Wildlife Preservation and Protection Act B.E. 2535 is needed. (this can be obtained in advance from Fisheries permission and Management Section, Fisheries Administration and Management Bureau)
 - Copy of regular or official identification card
 - Copy of residential registration book (ordinary person)
 - Approved document of company registration (juristic person)
 - Document of authorization, copy of identification card, official ID card of the assignor and assignee (in case of importer's representative)
 - Copy of permit for aquatic animal trading (a.6) in case of the importer is doing the trading business of aquatic animals
 - Copy of health quarantine or and health certificate issued by authorized agency from the original country (this can be shown in advance)
 - For shrimp, health certificate must be available issued by approved agency in the original country. This document must indicate the residue-free of these substances
 - i. Chloramphenicol (detection limit of analysis method must not be higher than 0.3 ppb)
 - ii. Nitrofurans (analyzed by LC MS MS with detection limit not higher than 0.3 ppb)
 - iii. Malachite Green (detection limit of analysis method must not be higher than 2.0 ppb)

- In case of importing for exporting purpose, site of culture or stocking purpose must be stated
 - Other documents as required
2. The request form must be presented at least 7 days in advance unless the animals are brought along with the importer in which the permit can be requested at site (wild aquatic animals are prohibited)
 3. If the importer want to withhold the imported live or dead aquatic animals for health quarantine in other places rather than the Department of Fishery facilities. Those places must be approved according to the Department's regulations.
 4. As the request form is presented, the FIO officer will register and inspect all the required documents. Aquatic animals will be carefully inspected to ensure that they are not infected with any kind of diseases. Live aquatic animals must not be alien species.
 5. Any missing document, the request form will be returned to the applicant to resubmit all the required documents.
 6. Officer who accepts the documents will present the superior officer for the final consideration and will issue the following official documents within 3 working days:
 - Import Permit of some aquatic animals into Thailand (Fisheries Act B.E. 2490)
 - Import Permit of animals into the kingdom or Form No 6 (Animal Epidemic Act B.E. 2499)
 - Requirements of import by the authorized agency
 7. If the request has been denied as considered by authorized officers, the applicant will be informed as soon as possible.
 8. After the request has been approved (as document in 6.), the importer must confirm the importing information i.e. date, time, airline flight, vessel number or other transportation mode by one day before the arrival of the aquatic animals.

Date of import

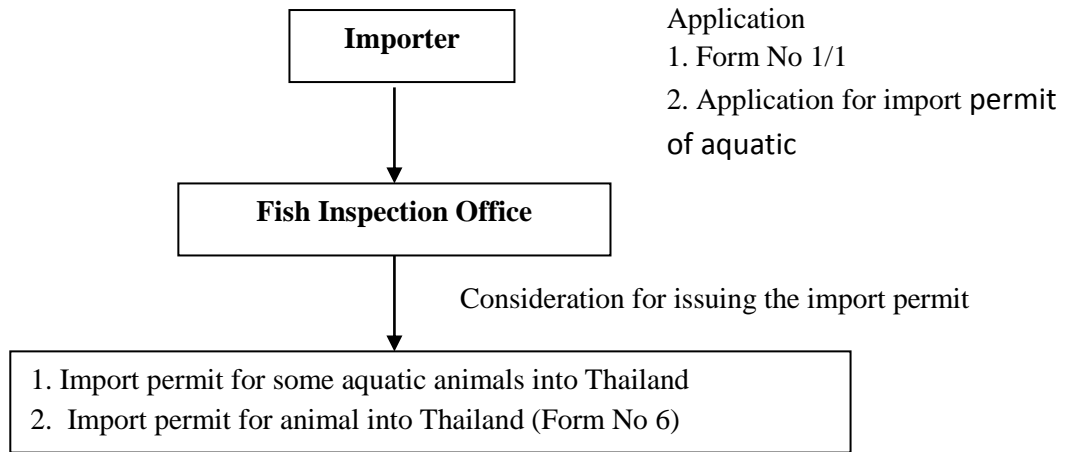
1. Importer must show all the required documents to the FIO Officer or fishery officer from the provincial office at the site of import. The documents are as follows:
 - Import permit of aquatic animals into the kingdom
 - Approving document for importing live or dead animals into the kingdom (Form No 6)
 - Request form for food import (in case of food products)
 - Import permit of wild aquatic animals as required by Wildlife Preservation and Protection Act B.E. 2535 (1992) (for wild aquatic animals and issued by Fisheries permission and Management Section, Fisheries Administration and Management Bureau)
 - Export Permit for wild aquatic animals as regulated by CITES (original copy is required) from the exporting country (for wild animals under lists of CITES)
 - Import Certificate for yellow-fin tuna from Department of Fisheries (in case of yellow-fin tuna). The purpose is to protect the harmful to dolphins catch by using purse seine net in the eastern tropical Pacific Ocean.
 - Health certificate or approved health document for aquatic animal carcass stating the disease-free as stated in the list (original copy) issued from the authorized agency of the original country

- For shrimp import. There is a requirement for the original copy of health certificate from the approved agency in the original country stating the residue-free of the following substances:
 - i. Chloramphenicol (Analysis method with detection limit not higher than 0.3 ppb)
 - ii. Nitrofurans (Analyzed by LC MS MS with detection limit not higher than 0.3 ppb)
 - iii. Malachite Green (detection limit of analysis method must not be higher than 2.0 ppb)
 - In case of food manufacturer, copy of Food Production Permit from the Ministry of Public Health is required (only for the first application)
 - In case of food manufacturer, copy of import permit or order permit of food into the kingdom from the Ministry of Public Health is required (only for the first application)
 - Copy of factory permit from the Ministry of Industry (if available, only for the first application)
 - Transportation permit for imports (if available)
 - Invoice (if available)
 - Air Waybill or Bill of Lading (if available)
 - Packing list (if available)
 - Other documents as required
2. Officials inspect the completeness of the documents and aquatic animals and proceed as follows:
- a. Live aquatic animals
 - i. After the required documents have been completed and other requirements have been fulfilled by the importer, officials will sample the aquatic animals for disease inspections before the import permit is issued
 - ii. If the documents are not completed and other requirements have not been fulfilled by the importer and there are some suspicions, officials will sample the aquatic animals for quarantine. Some certain laboratorial analyses will be performed to ensure that the quality of the imports reach standard level before the import permit is issued. If the quality does not meet the standard level, legal action will be implied and the aquatic animals will be deported back to the exporting country or destroyed.
 - b. Dead aquatic animals or raw products
 - i. After the required documents have been completed and other requirements have been fulfilled by the importer, officials will sample the imported aquatic animals or products for residual surveillance before issuing the import permit
 - ii. If the documents are not completed and other requirements have not been fulfilled by the importer and there are some suspicions, officials will sample and withhold the aquatic animals or aquatic animal product for further inspection. Some certain laboratorial analyses will be performed to ensure that the quality of the imports reach standard level before the import permit is issued. If the quality does not meet the standard level, legal action will be implied and the aquatic animals will be deported back to the exporting country or destroyed.
 - iii. Species, size and amount of imported animals must be the same as specified in the import permit or not over or more than as permitted.
 - iv. Import permit or permit document for each application can be used only once

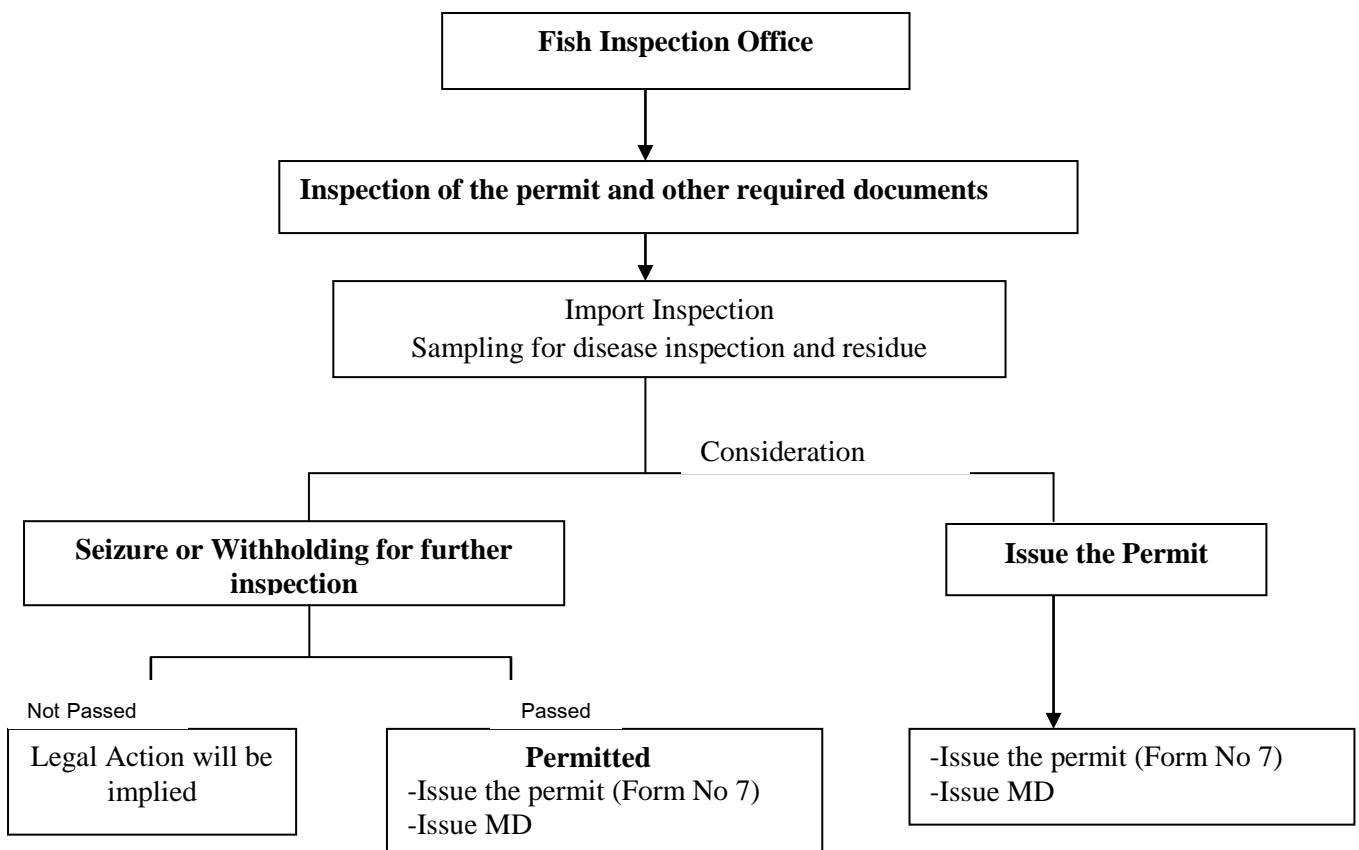
- v. Process and cost of withholding for quarantine or other required inspections of imported aquatic animals or products will be the responsibility of the importer

Procedures for the Import of Aquatic Animals into Thailand

Pre- Import



Date of Import

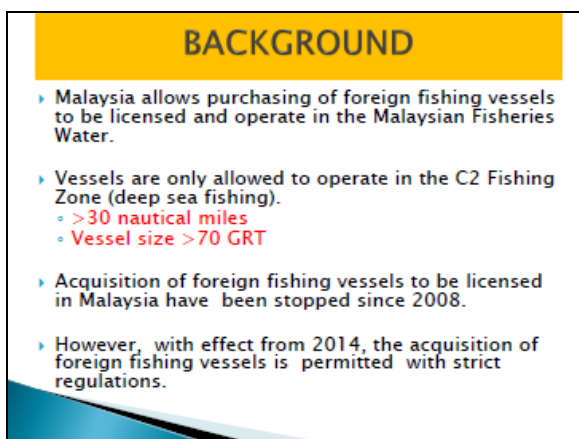
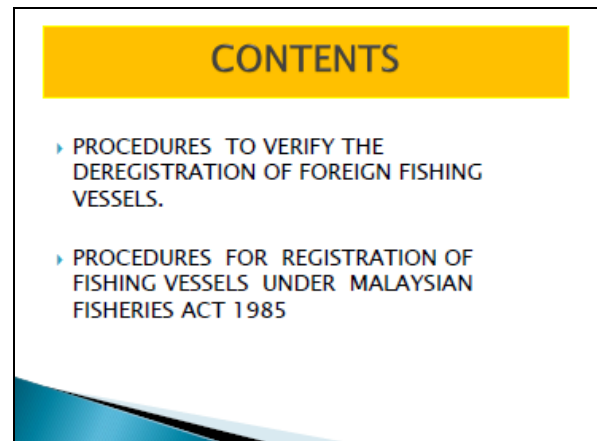


Note: Importer of wild aquatic animals must apply for the permit at License and Fisheries Management Section, Fisheries Administration and Management Bureau, Department of Fisheries before these procedures

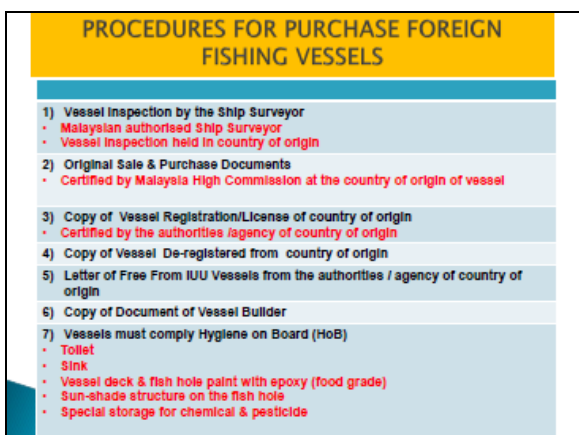
Procedures for Deregistration of Fishing Vessels in Malaysia

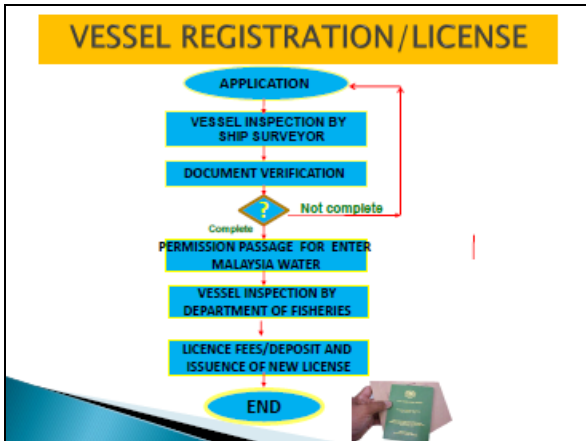
Ms. Maznah Bt. Othman

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STATE	LOCAL VESSEL	VESSEL FROM THAILAND	VESSEL FROM OTHER COUNTRIES	TOTAL
KELANTAN	108	76	164	348
TERENGGANU	26	6	45	87
PAHANG	130	1	22	153
JOHOR	72	9	19	100
PERAK	181	0	0	181
SELANGOR	4	0	0	4
KEDAH	27	0	0	27
PERLIS	61	3	0	64
LABUAN	6	4	17	27
SARAWAK	126	139	24	289
TOTAL	751 (60%)	238 (19%)	291 (21%)	1,280





- ### RULES & REGULATIONS
- ▶ Vessel must install MTU (Mobile Transceiver Unit)
 - ▶ Vessel must land the catches at the designated landing base (landing base is as stated in the fishing license)
 - ▶ Vessel is not allowed to land catches outside Malaysia
 - ▶ Vessel is not allowed to operate outside Malaysian EEZ
 - ▶ No at-sea transshipment is allowed

- ### ISSUE OF LICENSING PURCHASED FOREIGN VESSEL
- ▶ Breach of Regulations and Fisheries Act 1985
 - Encroachment into coastal zone
 - Using of banned gears eg: Pair trawl
 - ▶ Land catches at the country of origin
 - ▶ At-sea transshipment
 - ▶ Low volumes of catch landed in Malaysian port (Landing of catches is below target)



- ### SUGGESTION TO OVERCOME THE ISSUE
- ▶ Establish focal point at the country of origin for document verification.
 - ▶ Seek a win-win solution between competent authority/agencies of country where foreign vessels are purchased to overcome the issue of landing of fish by those vessels back to the country of origin
 - ▶ Training course on provisions of Fisheries Act 1985 and the importance of resource management for all foreign crews

Registration and Deregistration of Thai Fishing Vessels

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<p style="text-align: center;">Registration/deregistration of Thai Fishing Vessels</p> <p style="text-align: center;">Tawatchai Somnoy Marine Department Thailand</p>	<p style="text-align: center;">การจดทะเบียนเรือประมงไทย (Vessel Registration for Thai Fishing Vessels)</p> <p>เรือประมงที่ต้องจดทะเบียนตามกฎหมายไทย ได้แก่</p> <ul style="list-style-type: none"> • เรือกลประมงทุกขนาด • เรือประมงที่ไม่มีเครื่องยนต์ขนาดตั้งแต่ 6 ตันกรอสขึ้นไป <p>Type of Thai Fishing Vessels must be registered according to Thai Vessel Law (B.E.2481).</p> <ul style="list-style-type: none"> • All size of motorized fishing vessels • Non-motorized fishing vessels ranging in size from 6 GT or more
<p style="text-align: center;">คุณสมบัติของผู้ที่จะถือกรรมสิทธิ์เรือประมงไทยได้ Qualification of those who will hold title Fishing vessel registered of Thailand shall qualify for one of following:</p> <ol style="list-style-type: none"> 1. เป็นบุคคลธรรมดาสัญชาติไทย a person whose Nationality is Thai 2. เป็นห้างหุ้นส่วนสามัญไม่จดทะเบียนที่ผู้เป็นหุ้นส่วนทั้งหมดเป็นบุคคลธรรมดาซึ่งมีสัญชาติไทย Non-Registered Ordinary Partnership , all the partners as individuals. Conventional whose nationality Thailand 3. เป็นรัฐวิสาหกิจตามกฎหมายว่าด้วยวิธีการงบประมาณ is a state enterprise under the law on budgetary procedure 	<p style="text-align: center;">คุณสมบัติของผู้ที่จะถือกรรมสิทธิ์เรือประมงไทยได้ Qualification of those who will hold title Fishing vessel registered of Thailand shall qualify for one of following:</p> <ol style="list-style-type: none"> 4. เป็นนิติบุคคลที่จัดตั้งขึ้นตามกฎหมายไทย ดังต่อไปนี้ is incorporated under the laws Thailand following. <ol style="list-style-type: none"> (A) เป็นห้างหุ้นส่วนสามัญจดทะเบียนที่ผู้เป็นหุ้นส่วนทั้งหมดเป็นบุคคลธรรมดาสัญชาติไทย (A) registered ordinary partnership, all the partners are individuals. Whose nationality Thailand
<p style="text-align: center;">คุณสมบัติของผู้ที่จะถือกรรมสิทธิ์เรือประมงไทยได้ Qualification of those who will hold title Fishing vessel registered of Thailand shall qualify for one of following:</p> <ul style="list-style-type: none"> • เป็นนิติบุคคลที่จัดตั้งขึ้นตามกฎหมายไทย ดังต่อไปนี้ is incorporated under the laws Thailand following. <ol style="list-style-type: none"> (D) เป็นบริษัทมหาชนจำกัดที่กรรมการไม่น้อยกว่ากึ่งหนึ่งมีสัญชาติไทย และหุ้นอื่นเป็นทุนชำระแล้ว ไม่น้อยกว่าร้อยละ 70 เป็นของบุคคลซึ่งมิใช่คนต่างด้าว (D) a company in which not less than one-half of the nationality Thailand and shares. As a paid-up capital of not less than seventy percent owned by persons who are not foreigners. For the purpose of this section "Alien" means an alien legally. With the business of foreigners [Section 7 amended by Act Boats Thailand (No. 6) Act 2540]. 	<p style="text-align: center;">เอกสารหลักฐานที่ใช้ในการจดทะเบียนเรือประมง Documents for registration of fishing boats</p> <ul style="list-style-type: none"> • ใบสำคั้ญรับรองการตรวจเรือจากกรมเจ้าท่า The certificate of ship issued by the Marine Dept. to show that this boat has been inspected aboard by the MD. • เอกสารผู้ถือกรรมสิทธิ์ The evidence of the possession of the boat • เอกสารหลักฐานการได้มาของตัวเรือและเครื่องจักร The evidence show how this boat and engine come from date and place where the vessel has completed • รูปถ่ายเรือ Photo of the boat • ประกาศนียบัตรผู้ควบคุมเรือ The certificate of the cruise controller

เมื่อจดทะเบียนแล้วจะได้เอกสารดังต่อไปนี้

Vessels to be registered as Thailand boat must have these following documents

- ใบอนุญาตใช้เรือ (SHIP'S LICENSE)
- ใบทะเบียนเรือไทย (CERTIFICATE OF REGISTRATION)

การถอนทะเบียนเรือประมงไทย

Withdraw the registration of Thai fishing vessels

กรณีโอนกรรมสิทธิ์ให้กับบุคคลต่างด้าว

In case of transferring the ownership of the vessel to the alien

เอกสารหลักฐานที่ใช้ Documents to be submitted

- ใบทะเบียนเรือไทย (Certificate of registration)
- ใบอนุญาตใช้เรือ (Ship's license)
- ใบเสร็จรับเงินซื้อขายเรือ (Receipt of the buying-selling the boat)
- เอกสารหลักฐานผู้ขาย (Documents of the seller)
- เอกสารหลักฐานผู้ซื้อ (Documents of the buyer)

"Alien" means an alien legally.

- เมื่อจดทะเบียนซื้อขายแล้ว เรือจะถูกถอนทะเบียนเรือไทย ทางกรมไทยจะยึดใบทะเบียนเรือไทย และใบอนุญาตใช้เรือไว้ แล้วออกสัญญาโอนกรรมสิทธิ์ และใบถอนสัญชาติให้แก่ผู้ซื้อ

In case of the trading of vessel, the vessel shall be withdraw from the Thai registration record. The Kingdom of Thailand (by the Marine Dept.) as responsible authority shall keep the Certificate of registration, the Ship's License. The registrar shall issue the Contract transfer of the ownership of the vessel and the Certificate of Withdraw Thai nationality of the Vessel to the buyer.

Implementation of Monitoring, Control and Surveillance (MCS) through Vessel Monitoring System (VMS) for Local Fishing Vessels in Malaysia

Mr. Abdullah bin Jaafar

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 - LICENCE CONDITION IN LICENCE BOOK
 - FISHERIES REGULATIONS
- 2.0 VESSEL MONITORING SYSTEM (VMS)**
 - HOW VMS WORKS
 - VESSEL TRACKING RECORD
 - ACTION TAKEN
- 3.0 FOREIGN FISHING VESSELS DETAINED FISHING IN MALAYSIAN FISHERIES WATERS**
 - ACTION TAKEN
- 4.0 CONCLUSION**

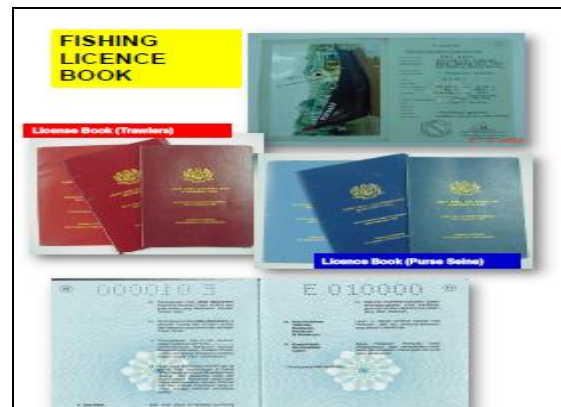
1.0 REFERENCE LAWS

FISHERIES ACT 1985

Section 10. Conditions in licence and directions.

(1) The Director General shall in issuing a licence under this Part impose such conditions as he thinks fit.....

(4) (a) The Director General may from time to time by notice in the Gazette issue directions in relation to the proper management of fisheries to be complied with by every person to whom they are applicable.



- OTHER LICENCE CONDITIONS such as:**
- Minimum mesh size of any trawl net shall be not less than 38MM internal stretched measure at the code end;
 - Unless prior written permission by the Director General, fishing vessels are not allowed to be used for other purposes than that prescribed in the licence condition;
 - Not allowed to leave the Malaysian fisheries waters without the written permission of the Director General.
 - Mobile Tracking Unit (MTU) must be installed and functioning properly.

FISHERIES REGULATIONS UNDER FISHERIES ACT 1985

Fisheries (Maritime) (Licensing of Local Fishing Vessel) (Amendment) Regulations 2010

Enacted by the Yang Di-Pertuan Agong on the 12th day of August 2010.

FISHERIES ACT 1985

Part 10 (Licence) (Amendment) Regulations 2010

In exercise of the powers conferred by paragraph 4(1) of the Fisheries Act 1985 (Act 317), the Minister makes the following regulations:

1. Citation and commencement.

(1) These Regulations come into force on the date of the Fisheries (Maritime) (Licensing of Local Fishing Vessel) (Amendment) Regulations 2010.

(2) These Regulations come into operation on 12 May 2010.

2. Amendment of regulation 6.

(a) For the purposes of regulation 6 of the Fisheries (Maritime) (Licensing of Local Fishing Vessel) Regulations 2010, the word "condition" shall mean a condition prescribed in the licence book.

(b) The word "condition" shall mean a condition prescribed in the licence book.

(c) The word "condition" shall mean a condition prescribed in the licence book.

(d) The word "condition" shall mean a condition prescribed in the licence book.

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(h) The word "condition" shall mean a condition prescribed in the licence book.

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(o) The word "condition" shall mean a condition prescribed in the licence book.

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(v) The word "condition" shall mean a condition prescribed in the licence book.

(w) The word "condition" shall mean a condition prescribed in the licence book.

(x) The word "condition" shall mean a condition prescribed in the licence book.

(y) The word "condition" shall mean a condition prescribed in the licence book.

(z) The word "condition" shall mean a condition prescribed in the licence book.

Made at Kuala Lumpur, this 12th day of August 2010.

Yusuf Kalla, Yang Di-Pertuan Agong

Abdullah bin Jaafar, Minister of Fisheries and Aquaculture

FISHERIES ACT 1985

Section 15. Fishing, etc., by foreign fishing vessel in Malaysian fisheries waters.

(2) No foreign fishing vessel shall load or unload any fish, fuel or supplies or tranship any fish in Malaysian fisheries waters without the written approval of the Director General.



2.0 VESSEL MONITORING SYSTEM (VMS)

HOW VESSEL MONITORING SYSTEM / VMS WORKS

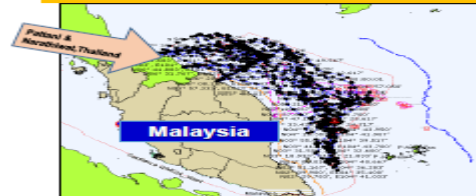


INSTALLATION OF MOBILE TRACKING UNIT ONBOARD DEEP-SEA LOCAL FISHING VESSEL IN VESSEL MONITORING SYSTEM / VMS PROGRAMME



VESSEL TRACKING RECORD At CONTROL CENTRE

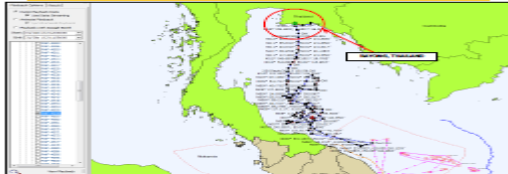
THAILAND



VESSEL TRACKING (JHF 7171T)
FROM 1 JAN TO 12 JUNE 2013

VESSEL TRACKING RECORD At CONTROL CENTRE

THAILAND



VESSEL TRACKING (PAF 4556)
FROM 1 JAN TO 31 DEC 2013

VESSEL TRACKING RECORD At CONTROL CENTRE

THAILAND



VESSEL TRACKING (PAF 4561)
FROM 1 JAN TO 30 APRIL 2014

LOCALS FISHING VESSELS SUSPECTED LANDING FISH IN THAILAND IN 2013 (MONITORING BY VMS)

STATES	NO OF VESSELS SUSPECTED LANDING FISH IN THAILAND
PERLIS	35 *
KEDAH	5
PERAK	0
SELANGOR	0
JOHOR	1
PAHANG	4
TERENGGANU	6
KELANTAN	63 *
SARAWAK	0
W.P.LABUAN	0
TOTAL	114

ACTIONS TAKEN



REFERENCE:

MANUAL BOOK FOR SURVEILLANCE OF FISHING VESSEL

- If the monitoring system detects violations of licence conditions relating to VMS / MTU, the Department of Fisheries will issue a show-cause letter to the owner asking for an explanation.
- Owners need to answer to a show-cause letter within 14 days.
- If a show-cause letter was not answered or the answers are not satisfactory, the licence of the vessel and fishing equipment will be **suspended** accordingly.

3.0 FOREIGN FISHING VESSELS DETAINED FISHING IN MALAYSIAN FISHERIES WATERS

THAILAND'S FISHING VESSELS DETAINED FISHING IN MALAYSIAN FISHERIES WATERS

YEAR	2006	2007	2008	2009	2010	2011	2012	2013
TOTAL	3	18	13	25	8	10	4	3

ACTIONS TAKEN

PROSECUTION IN COURT

4.0 CONCLUSION

- Violation of fishing licences condition and encroachment is part of IUU fishing^{*} activities. It will be dealt in accordance with the Fisheries Act 1985.
- Malaysia will continue to take action against local fishing vessels in violation of licences conditions, including landing of fish in neighbouring country.
- Detention of Thailand's fishing vessels encroaching Malaysian Fisheries Waters is declining from year to year.

^{*} REFERENCE:
International Plan of Action to prevent, deter and eliminate illegal, unreported and unregulated fishing, FAO, Rome, 2001: 24p.

Joint Venture Fisheries between Thailand and Malaysia (Gulf of Thailand)

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Joint Venture Fisheries between Thailand and Malaysia (Gulf of Thailand)

การทำการประมงในน่านน้ำมาเลเซียของเรือประมงไทย
(บริเวณฝั่งอ่าวไทย)

Mr. Thanya Zhoerjtham
Narathiwat Provincial Fisheries Office

Fisheries between Thailand and Malaysia

- Thai Fishing Vessel operates in Malaysian waters in form of the Company is permitted and operates under the control of the Government of Malaysia
- Malaysia has no regulations on foreigner vessels operate fishing operation in waters, but will allow Malaysian, holds a license to fish in Malaysian waters can hire/buy foreign fishing vessels to do so.
- Type of fishing gears are trawl, purse seine from Songkla, Pattani.

- Double flagging operates in Thai-Malay waters, however, list of the company and number of vessels is unclear. There is no clear rule and regulation to control those vessels operates in foreign waters
- Thai fishing vessels will land the catch at the Malay fishing ports or in Thai fishing ports (Songkla or Pattani) because facilities i.e. cold storage, fish processing industries, logistic and transportation are provided.

Annex 16

SUB-REGIONAL TECHNICAL MEETING ON EFFECTIVE FISHERIES MANAGEMENT BETWEEN MALAYSIA & THAILAND

14-15 MAY 2014, PENANG, MALAYSIA

(Malaysia)

Major issues		Activities		
		Short Term	Medium Term	Long Term
a) IUU Fishing	Dual Flagging / Registration / De-Registration	<ol style="list-style-type: none"> 1. Establish networking 2. Both countries nominate their focal point to coordinate data exchange 3. Verification of registration status of registered / new application from origin country 4. Exchange data on notification of de-registration vessel 	<ol style="list-style-type: none"> 1. Establishment of data base and sharing 2. Awareness Programme 3. Capacity Building Programme 4. Develop SOP on handling the IUU Fishing Vessel 	<ol style="list-style-type: none"> 1. Establishment JWG to oversee the implementation of the activities 2. Biannual JWG Meeting
	Landing of catches in the neighbouring countries' ports	<ol style="list-style-type: none"> 1. Establish agreed mechanism of date recording 2. Both countries nominate their focal point to coordinate data exchange 3. Recognize both countries domestic fisheries legislation 4. Deny entry into port by any Malaysian fishing vessel 		

	Encroachment by foreign fishing vessels	<ol style="list-style-type: none"> 1. Strengthen enforcement 2. Collaboration between government agencies 		
b) Trans boundary / Shared Stock	Lack of landing data record in foreign port (fish caught in Malaysian waters)	<ol style="list-style-type: none"> 1. Exchange data 	<ol style="list-style-type: none"> 1. Develop SOP for both countries 	
	Lack of Stock status in trans boundary areas	<ol style="list-style-type: none"> 1. Compilation of existing data 	<ol style="list-style-type: none"> 1. Collaborating survey 	

Thailand Shared Fish Stock

Regional Action

- SEAFDEC through MFRDMD is tasked to review all past researches and studies through various funding sources and come up with a technical analysis of present situation of shared fish stock in the region. This creates a valuable information for identifying future joint scientific works.
- SEAFDEC through MFRDMD, TD and academia are working together to come up with a technical paper identifying present situation of fisheries of shared fish stock.
- SEAFDEC applies all available scientific information with regard to shared fish stock in the region and presents practical management measures to the Member concerned.
- SEAFDEC starts to engage on research and study of tonggol and its fisheries with a view to providing practical management measures, if possible or starting with a Fisheries Improvement Program (FIP). Thailand, Malaysia and Indonesia are the main producers with regard to tonggol fisheries in the region.

Bilateral Action

- Conduct technical consultation between Thailand and Malaysia to review scientific works done in each country and identify fish species of mutual interest as well as create joint research programs.

National Action

- Review existing knowledge and researches in association with shared fish stock.

MCS and IUU Fishing

Regional Action

- Complete the regional vessel record.
- Create guidance to combat IUU fishing in the region.

Bilateral Action

- Regular exchange of information with regard to licensing of vessels from the others, information regarding deregistration of fishing vessel and actions taken to the landing of vessels on the RFMOs lists.
- Investigate deregistration of fishing vessel and possible landing of catch, upon the request on a case-by-case basis.
- Identify focal point for communication and networking.
- Apply economic incentives to attract those committing IUU fishing to alter their behavior.

- Encourage private sector to refrain from buying IUU caught products and doing business transaction with individual associating with IUU fishing.
- Regular exchange of available information on IUU fishing.

National Action

- Capacity building for officials of relevant Departments/Agencies.
- Encourage inter-agency consultation and if possible setting up a national committee to combat IUU fishing as no single agency can really handle the IUU fishing
- Strengthen port control, if available or promote port control over landing of foreign fishing vessel.
- Make public awareness campaign to all stakeholders concerned on the IUU fishing and its impact to the country.
- Amend or revise present law and regulation to cope with the IUU fishing and possible emerging issue such as trade and sustainable fisheries.
- Joint actions among agencies concerned to combat IUU fishing including joint inspection of foreign vessels coming to land at ports.

SUB-REGIONAL TECHNICAL MEETING ON EFFECTIVE FISHERIES MANAGEMENT BETWEEN MALAYSIA & THAILAND

14-15 MAY 2014, PENANG, MALAYSIA

JOINT WORKPLAN

Major issues		Bilateral Activities			Reference: On-going Regional actions
		Short Term	Medium Term	Long Term	
a) IUU Fishing	Dual Flagging / Registration / Deregistration	<ol style="list-style-type: none"> 1. Nomination of National focal points for coordination of data exchange and to improve communication and networking 2. Regular exchange of information with regard to licensing of vessels, including verification of registration status of registered / new application from origin country and information regarding deregistration of fishing vessel and actions taken to avoid the landing of vessels on the RFMOs-IUU lists. 3. Investigate deregistration of fishing vessel and possible landing of catch, upon the request on a case-by-case basis. 4. Regular exchange of available information on IUU fishing (between 	<ol style="list-style-type: none"> 1. Establishment of data base and sharing 2. Awareness Programme 3. Capacity Building Programme 	<ol style="list-style-type: none"> 1. Establishment of MoU between Malaysia and Thailand 	<ul style="list-style-type: none"> - Complete the Regional Fishing Vessel Record (RFVR) . - Create guidance to combat IUU fishing in the region. - Develop SOP on the listing of fishing vessel involved in IUU Fishing and including information on vessels

		RFMO, RPOA-IUU)			
	Landing of catches in the neighbouring countries' ports	<ol style="list-style-type: none"> 1. Nomination of National Focal points to coordinate data exchange and networking. 2. Notification of the registered foreign vessels permitted to land its catch 3. Establish agreed mechanism of proper data recording 4. Recognize both countries domestic fisheries legislation 5. Both countries shall deny entry into port those listed IUU vessels 6. Apply economic incentives to attract those committing IUU fishing to alter their behaviour 7. Encourage private sector/public campaign to refrain from buying IUU caught products and doing business transaction with individual associating with IUU fishing. 	<ol style="list-style-type: none"> 1. Establishment of data base and sharing 2. Awareness Programme 3. Capacity Building Programme 	<ol style="list-style-type: none"> 1. Establishment of MoU between Malaysia and Thailand 	Develop SOP on handling of catches landed to avoid the landing of illegally caught fish including fisheries products.
	Encroachment by foreign fishing vessels	<ol style="list-style-type: none"> 1. Both countries shall strengthen the enforcement and collaboration between government agencies 2. Regular exchange of available information on IUU fishing. 3. Recognize both countries domestic fisheries legislation 	<ol style="list-style-type: none"> 1. Establishment of data base and sharing 2. Awareness Programme 3. Capacity Building Programme 	<ol style="list-style-type: none"> 1. Establishment of MoU between Malaysia and Thailand 	

<p>b) Trans boundary / Shared Stock (i.e. mackerel, neritic tuna)</p>	<ul style="list-style-type: none"> - Improve record of catch and landing at ports - Information on Stock status and their fisheries 	<ol style="list-style-type: none"> 1. Establishment of Scientific Working group, task for the work on stock status 2. Each country should review and compile existing data and information on the fisheries resources 3. Exchange of data between the countries (refer also to issue Landing of catch) 4. Conduct technical consultation between Thailand and Malaysia to review scientific works done in each country and identify fish species of mutual interest as well as to create joint research programs. 5. Specific efforts should be given to explore the sustainability of <i>Thunnus tonggol</i> 	<ol style="list-style-type: none"> 1. Develop SOP (improve the record of catch and landing) for both countries 2. Collaborating survey in trans-boundary areas 	<ol style="list-style-type: none"> 1. Establishment of MoU between Malaysia and Thailand 	<ul style="list-style-type: none"> - SEAFDEC through MFRDMD is tasked to review all past researches and studies through various funding sources and come up with a technical analysis of present situation of shared fish stock in the region. This creates a valuable information for identifying future joint scientific works. - SEAFDEC through MFRDMD, TD and academia are working together to come up with a technical paper identifying present situation of fisheries of
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					<p>shared fish stock.</p> <ul style="list-style-type: none"> - SEAFDEC applies all available scientific information with regard to shared fish stock in the region and presents practical management measures to the Member concerned. - SEAFDEC starts to engage on research and study of tonggol and its fisheries with a view to providing practical management measures, if possible or starting with a Fisheries Improvement Program (FIP). Thailand, Malaysia and Indonesia are the main producers with regard to tonggol fisheries in the region.
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National Action to combat IUU fishing to be considered by each country

1. Capacity building for officials of relevant Departments/Agencies.
2. Encourage inter-agency consultation and if possible setting up a national committee to combat IUU fishing as no single agency can really handle the IUU fishing
3. Strengthen port control, if available or promote port control over landing of foreign fishing vessel.
4. Make public awareness campaign to all stakeholders concerned on the IUU fishing and its impact to the country.
5. Amend or revise present law and regulation to cope with the IUU fishing and possible emerging issue such as trade and sustainable fisheries.
6. Joint actions among agencies concerned to combat IUU fishing including joint inspection of foreign vessels coming to land at ports.