

**Report of the Regional Technical Consultation on Development of Regional Plan of Action-
Management of Fishing Capacity
24-26 Feb 2015
Kuala Lumpur, Malaysia**

I. BACKGROUND AND OPENING OF THE MEETING

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

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

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

4. On behalf of the Director General of Fisheries Malaysia, *Mr. Johari bin Ramli*, Deputy Director General of Fisheries Malaysia (Management) extended his warm welcome to all distinguished delegates and guests. He recalled the task as the lead country for the cluster “Promoting sustainable fisheries practices-Fishing capacity and responsible fisheries practices” as set forth in the AFCF Work Plan 2010-2012, and the effort in developing the draft Guideline for managing fishing capacity for the ASEAN region. While making reference to the International Plan of Action for the Management of Fishing Capacity (IPOA-Capacity), he urged the ASEAN-SEAFDEC Member States to pursue regional obligation in addressing the issue of overcapacity. He also hoped that the Meeting would witness an active exchange of constructive views with productive deliberations that would help to further deepen and strengthen the cooperation in promoting responsible fishing practices and managing fishing capacity. Last but not least, he declared the Regional Technical Consultation on Development of Regional Plan of Action-Management of Fishing Capacity open, and launched the NPOA for the Management of Fishing Capacity (Plan 2). His opening speech appears as **Annex 3**.

**II. ADOPTION OF THE AGENDA AND OVERVIEW OF THE MEETING (Chairperson:
Mr. Ahmad Hazizi bin Aziz)**

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

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

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

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

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

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

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

III. COUNTRY REVIEW ON MANAGEMENT OF FISHING CAPACITY

- *Cambodia.*

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

13. The Meeting was clarified that the data representing number of fishing vessel reaching above 100,000 included both inland and marine fishing vessels. Meanwhile, the annual statistical data showed that the number of fishing vessels and the production of capture fisheries, regardless of inland or marine subsector was reported to increase by year. Noting the limitations in data collection system in Cambodia, *Mr. Chhuon Kimchhea* suggested that studies should be conducted in order to improve the fisheries statistical data so that the current fisheries status could be clearly reflected.

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

- *Indonesia*

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

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

17. Regarding the prohibition of trawls and seine nets in Indonesia, the Meeting was informed that existing fishing licenses for trawls and seine nets are still valid until its expiration. However, issuance of new license for trawls and seine nets would not be allowed according to the new

Ministerial Decree. In this connection, the government has been encouraging the small-scale fishers to change their fishing gear to comply with the new law.

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

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

- *Japan*

20. *Mr. Tsuyoshi Iwata*, Technical Coordinator of SEAFDEC presented Fisheries Capacity Management in Japan, within his personal capacity. He provided quick review on the current situation of marine fisheries resource assessment whereby resource assessment for target species is conducted by the FRA with budget derived from the Fisheries Agency of Japan (FAJ). According to FAJ, fisheries resources in waters surrounding Japan are generally stable. He also highlighted the strengths of Japanese Fisheries resources Assessment i.e. easy data collection at landing sites, reliable national statistics, and well established networks among research institutes. As an example, he provided a case study on the Pacific Bluefin Tuna that was reported to be affected due to excessive fishing activity in the Pacific Ocean and measures taken by FAJ to reduce the catch of juvenile Pacific Bluefin tuna. The Meeting also noted Japan's various legislative and institutional systems for fishing capacity management, including fishery right system in coastal and inland water fishing grounds, fishery license system, fisheries notification system, Total Allowable Catch (TAC) and Total Allowable Effort (TAE) systems, as well as fishing vessel control system. He informed the Meeting that Japan is of the view that it has already been implementing necessary measures pertaining to fishing capacity management and there was no need for its own NPOA-capacity, whereas for implementation of the IPOA-IUU, Japan compiled "National Actions" which substitutes NPOA".

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

- *Malaysia*

22. Representative from Malaysia, *Mr. Mohd Noor bin Nordin* presented the country review on managing fishing capacity. He provided general information on the length of Malaysian coastlines and status of fishery production in 2013. The Meeting was highlighted with Malaysia's achievements, including the development of several NPOAs for management of sharks, illegal, unreported, and unregulated (IUU) fishing, and management of fishing capacity. While referring to the launched NPOA-capacity (Plan 2), he outlined the contents of the NPOA and informed that it is a revision of the NPOA-Capacity (Plan 1), that was developed in 2008. The Meeting also noted the capacity building program, in particular Ecosystem Approach to Fisheries Management (EAFM) workshops that was conducted to promote sustainable fisheries management. His presentation appears as **Annex 9**.

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

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

- *Myanmar*

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

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

- *The Philippines*

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

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

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

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

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

- *Singapore*

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

33. With regards to fishing in the high seas, the Meeting was informed that there was no fishing license issued to any Singaporean. However there is currently one (1) carrier vessel operating in the high seas.

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

- ***Thailand***

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

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

- ***Viet Nam***

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

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

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

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

IV. EXPERIENCE AND LESSONS LEARNED FROM INTERNATIONAL, REGIONAL, NATIONAL, AND OTHER INITIATIVES IN MANAGING FISHING CAPACITY IN SOUTHEAST ASIAN REGION (Chairperson: *Ms. Mahyam Bt Mohd Isa*)

- ***FAO/APFIC***

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

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

- ***Japanese Trust Fund (JTF)***

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

- ***SEAFDEC-Sweden Collaborative Project***

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

- ***REBYC-II CTI***

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

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

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

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

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

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

- ***Fisheries Research Agency (FRA)***

51. The resource person from FRA Japan, *Mr. Takaomi Kaneko* provided a presentation on Japanese Fisheries Management: Autonomous activities supported by legislative framework. He described on the co-management system in Japan, case of autonomous Marine Protected Areas (MPA), autonomous input and technical rules in Fishery Cooperative Associations, and autonomous quota allocation rules. MPA in Japan is classified into two (2) namely the Legal Marine Protected Area (LMPA) and Autonomous Marine Protected Area (AMPA). It was noted that there are more than 1000 AMPAs in Japan. Meanwhile, Fisheries Cooperative Association (FCA) is well established and plays an important role in regulating marine resources conservation and utilization. In conclusion, autonomous activities of fishers are the core of Japanese fisheries management as the combination of government control and autonomous activities could complement each other. The detail of his presentation appears as **Annex 20**.

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

- **RPOA-IUU**

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

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

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

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

V. DISCUSSION ON DEVELOPMENT OF RPOA-CAPACITY, EMERGING ISSUES, AND CHALLENGES (Chairperson: *Dr. Chumnarn Pongsri*)

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

- **Presentation of Group A**

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

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

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

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

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

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

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

- **Presentation of Group B**

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

66. Group B presented its decision to develop the RPOA-capacity and elaborated the objectives, general principles that should be incorporated in the RPOA-capacity, issues and challenges, feasible measures, as well as technical and financial assistance required from the regional organizations. The output of Group B appears as **Annex 23**.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

84. In the process of RPOA-capacity development, the Meeting agreed that SEAFDEC Secretariat would engage to assist in the drafting of RPOA-capacity within three (3) months. The draft RPOA-capacity would be deliberated during the 2nd RTC-Management of Fishing Capacity, which was planned to be held in December 2015. After that, the finalized RPOA-Capacity would be tabled at the ASEAN-SEAFDEC Fisheries Consultative Group Meeting in November 2015.

VII. CLOSING OF THE MEETING

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