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**Report of the Second Regional Technical Consultation on Development of the  
Regional Plan of Action for Managing Fishing Capacity (RPOA-Capacity)**

**Phuket Province, Thailand**

**15-17 December 2015**

**SEC/./..  
2016**

**March**

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**Southeast Asian Fisheries Development Center**

**The Secretariat**

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**March 2016**

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## CONTENTS

I.	BACKGROUND AND OPENING OF THE CONSULTATION.....	1
II.	INTRODUCTION, ADOPTION OF THE AGENDA AND ARRANGEMENT OF THE CONSULTATION .....	1
III.	UPDATE ON THE PROGRESS OF THE ZERO DRAFT OF RPOA-CAPACITY FROM EXPERTS GROUP MEETING ON DEVELOPMENT OF REGIONAL PLAN OF ACTION FOR MANAGEING FISHING CAPACITY (RPOA-CAPACITY).....	1
IV.	DEVELOPMENT OF THE FINAL DRAFT OF RPOA-CAPACITY .....	2
V.	FINALIZATION OF THE DRAFT RPOA-CAPACITY .....	2
VI.	DISCUSSION ON THE GUIDELINES AND/OR TEMPLATE FOR DEVELOPMENT OF NPOA-CAPACITY AND OTHER ISSUES.....	2
VII.	CONCLUSION AND WAY FORWARD .....	2
VIII.	CLOSING OF THE CONSULTATION .....	3

### List of Annexes

Annex 1 .....	5
Annex 2 .....	11
Annex 3.....	13
Annex 4 .....	15
Annex 5 .....	17
Annex 6 .....	27
Annex 7 .....	43

**Second Regional Technical Consultation on  
Development of the Regional Plan of Action for Managing Fishing Capacity  
(RPOA-Capacity)**

**15-17 December 2015  
Phuket, Thailand**

**I. BACKGROUND AND OPENING OF THE CONSULTATION**

1. The Second Regional Technical Consultation on Development of the Regional Plan of Action for Managing Fishing Capacity (RPOA-Capacity) was convened in Phuket, Thailand from 15 to 17 December 2015. The RTC was attended by the representatives from the ASEAN-SEAFDEC Member Countries, namely: Cambodia, Japan, Lao PDR, Malaysia, Myanmar, Philippines, Singapore, Thailand, and Viet Nam, as well as senior officers from the SEAFDEC Secretariat, SEAFDEC/MFRDMD and SEAFDEC/TD. The list of participants is shown as **Annex 1**.

2. The Acting Secretary-General of SEAFDEC-cum-Chairperson of the RTC, *Mr. Hajime Kawamura* welcomed the participants to the RTC and highlighted the importance of fishing capacity management to match fishing efforts, and the development of management plans that give directions on *where, when, and by whom* to fish. He recalled that during the First RTC-Capacity in February 2015 in Malaysia, practical actions and measures to be considered in the developing RPOA-Capacity had been identified. Subsequently, the Experts Group Meeting on Development of Regional Plan of Action for Managing Fishing Capacity in August 2015 in Songkhla, Thailand came up with the Zero Draft of the RPOA-Capacity which was submitted for consideration by the ASEAN Member States. He then encouraged the participants to be actively involved in the discussions in order to finalize the Draft of RPOA-Capacity which could serve as basis for development of specific sub-regional or national plans of action, and declared the RTC open. His Opening Speech appears as **Annex 2**.

**II. INTRODUCTION, ADOPTION OF THE AGENDA AND ARRANGEMENT OF THE CONSULTATION**

3. The background of the RTC, as well as the objectives, expected outputs, agenda, and arrangements were presented by SEAFDEC Senior Policy and Program Officer, *Dr. Taweekiet Amornpiyakrit*. His presentation appears as **Annex 3**.

4. The agenda which appears as **Annex 4** was adopted.

**III. UPDATE ON THE PROGRESS OF THE ZERO DRAFT OF RPOA-CAPACITY FROM EXPERTS GROUP MEETING ON DEVELOPMENT OF REGIONAL PLAN OF ACTION FOR MANAGEING FISHING CAPACITY (RPOA-CAPACITY)**

5. SEAFDEC Policy and Program Coordinator, *Dr. Somboon Siriraksophon* recaptured the results of the Experts Group Meeting on Development of Regional Plan of Action for Managing Fishing Capacity in August 2015, particularly the Zero Draft of the RPOA-Capacity which the Meeting had developed. He added that the key issues identified during the 1<sup>st</sup> RTC-Capacity as well as feasible measures and technical assistance needed had been

taken into consideration by the Experts Group in the development of the said Zero Draft. He then described the Zero Draft of the RPOA-Capacity comprising four Parts: Part 1 Introduction; Part 2 Goals and Objectives; Part 3 Guiding Principle; and Part 4 Plan of Action for Managing Fishing Capacity. He invited the RTC to deliberate on and accordingly improve the Zero Draft taking into consideration its applicability in the Southeast Asian region. The Zero Draft of the RPOA-Capacity appears as **Annex 5**.

6. During the discussion, Dr. Somboon clarified that the contents of RPOA-Capacity are in line with the International Plan of Action on the Management of Fishing Capacity (1999). The role of SEAFDEC is to facilitate the development of the RPOA-Capacity in order to support regional and sub-regional cooperation on management of fishery resources as well as to assist the countries which have not yet developed their respective NPOA-Capacity. He also explained that it is for such reason that the template for developing NPOA-Capacity would also be discussed during the RTC. In addition, the difference between NPOA-Capacity and NPOA-IUU was clarified, although both NPOAs are meant to complement each other. While the NPOA-IUU provides good regulation to combat illegal, unregulated and unreported fishing, NPOA-Capacity provides appropriate management of the national fishery resources. Moreover, he also explained that the development of RPOA-Capacity initiated by SEAFDEC was proposed to and subsequently supported by the Council during its 47<sup>th</sup> Meeting.

#### **IV. DEVELOPMENT OF THE FINAL DRAFT OF RPOA-CAPACITY**

7. The RTC deliberated on the Zero Draft of the RPOA-Capacity. The RTC made comments and suggestions to improve the Zero Draft in order that it would be applicable to the countries in the region. The comments and suggestions to the Zero Draft were recorded in real-time during the RTC, and incorporated in the final Draft of RPOA-Capacity.

#### **V. FINALIZATION OF THE DRAFT RPOA-CAPACITY**

8. After thorough deliberation and making suggestions to include definitions of additional terminologies as well as acronyms, the RTC concluded the Final Draft of RPOA-Capacity as shown in **Annex 6**.

#### **VI. DISCUSSION ON THE GUIDELINES AND/OR TEMPLATE FOR DEVELOPMENT OF NPOA-CAPACITY AND OTHER ISSUES**

9. The RTC agreed on the template for development of NPOA-Capacity, which would serve as guide for countries that have not yet developed their respective NPOA-Capacity. The said template is incorporated in the RPOA-Capacity document.

#### **VII. CONCLUSION AND WAY FORWARD**

10. Considering that Brunei Darussalam and Indonesia were not represented during the RTC, the RTC agreed that the Final Draft would be circulated to these countries for consideration and comments, after which the RPOA-Capacity could then be considered as adopted by the ASEAN Member States.

11. In the ensuing discussion, the representative from Malaysia asked SEAFDEC to consider conducting an assessment of fishing capacity in the Southeast Asian region. In addition, Malaysia also suggested to establish the mechanism for AMSs' cooperation for

managing fishing capacity. In response, although such concern could be addressed by SEAFDEC, it is necessary that the countries should have their respective fisheries management plans first as this includes management of fishing capacity. Nevertheless, SEAFDEC could consider providing technical assistance to countries that have not yet developed their national fisheries management plans.

12. As for the development of strategies for the way forward, the RTC was informed on the High Level Consultation in Sustainable Fisheries Development Towards the ASEAN Economic Community 2015 which SEAFDEC would organize in August 2016. Such Consultation would focus on the efforts of the Southeast Asian countries in combating IUU fishing in order to attain sustainable fisheries.

13. While providing additional information about the High Level Consultation, Dr. Somboon explained that Stakeholders' Consultation would be organized by SEAFDEC and that a Drafting Committee would be formed to develop the preliminary draft of the Joint Declaration on Regional Fisheries Cooperation towards the ASEAN Economic Community in 2015. The Joint Declaration is meant to clarify the future direction and role of SEAFDEC and the ASEAN Member States in enhancing regional cooperation to address regional issues toward sustainable development of fisheries in the light of the ASEAN Community building.

14. Dr. Somboon informed the meeting that the Draft RPOA-Capacity and template for development of NPOA-Capacity would be tabled for endorsement in the 48<sup>th</sup> SEAFDEC Council Meeting which will be organized in April 2016, Viet Nam as well as for the endorsement at the 24<sup>th</sup> ASEAN Sectoral Working Group on Fisheries (ASWGFi) scheduled in June 2016.

## **VIII. CLOSING OF THE CONSULTATION**

15. The Acting Secretary-General of SEAFDEC, *Mr. Hajime Kawamura* expressed his sincere gratitude to all participants for their valuable inputs and active participation in the discussions that led to the final draft of the RPOA-Capacity. He cited that such cooperation is not only indicative of the region's interest in addressing the management of fishing capacity, but also meant to enhance the cooperation among the ASEAN Member States for the realization of the ASEAN Community. He then urged the ASEAN-SEAFDEC Member Countries and SEAFDEC to continue maintaining the momentum of partnership that had been established in order to attain the objectives of reducing pressure on available fishery stocks, mitigating conflicts over resources and promoting sustainability for people who are dependent on the fishery resources. Finally, he declared the RTC closed. His Closing Remarks appears as **Annex 7**.



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## OPENING REMARKS

*By Mr. Hajime Kawamura, SEAFDEC Acting Secretary-General*

Distinguished Delegates from the ASEAN-SEAFDEC Member Countries;  
My colleagues from SEAFDEC, Ladies and Gentlemen, Good morning!

It is indeed an honor for me and for SEAFDEC to welcome you all to this Second Regional Technical Consultation on the Development of the Regional Plan of Action for Managing Fishing Capacity or RPOA-Capacity in this beautiful island of Phuket, the biggest island of Thailand also known as the Pearl of the Andaman. SEAFDEC is really delighted that all of you could come to take part in this important Consultation, and is grateful to the Japanese Trust Fund and SEAFDEC-Sweden Project for co-funding this Consultation.

We are all aware of the importance of managing fishing capacity which requires the matching of fishing efforts with the available natural resources. Under such circumstance, fisheries management schemes are being developed to regulate active fishing efforts by developing management plans that give directions on *where, when, and by whom* to fish.

It is in response to the request by Member Countries that SEAFDEC has been organizing since 2006 expert consultations and regional technical consultations highlighting on the critical importance of addressing the management of fishing capacity in Southeast Asia. Such efforts of SEAFDEC are meant to promote reduction of pressure on available stocks, mitigate conflicts over the resources, and promote sustainability for people dependent on the fishery resources.

It should be recalled that Malaysia as a Lead Country for the cluster on “Promoting Sustainable Fisheries Practices – Fishing Capacity and Responsible Fisheries Practices” under the ASEAN Fisheries Consultative Forum or AFCF, developed through its Department of Fisheries, the Guidelines for Development of the NPOA-Capacity based on the Malaysian experience.

Based on such scenario, and in order to address the request from the other Member Countries for assistance in the development of their respective NPOA-Capacity, it has become necessary to develop a Regional Plan of Action for managing fishing capacity to serve as guide for the management of fishing capacity in the ASEAN perspective. The said RPOA would also be useful for fisheries management at the sub-regional areas such as the Andaman Sea, Gulf of Thailand and Sulu-Sulawesi Seas.

Therefore, with the collaboration of DOF Malaysia, SEAFDEC organized the first Regional Technical Consultation on Development of Regional Plan of Action – Management of Fishing Capacity in February this year in Kuala Lumpur, Malaysia. The said RTC identified the key issues with regards to management of fishing capacity including practical actions and useful measures to consider in the process of developing the RPOA-Capacity. The RTC also suggested that an Expert Group should be formed and consulted during the drafting of the RPOA-Capacity before this is circulated to the Member Countries for comments and consideration.

The “Experts Group Meeting on Development of Regional Plan of Action for Managing Fishing Capacity” was then organized in August 2015 in Songkhla, Thailand. The Experts Group Meeting came up with the Zero Draft of the RPOA-Capacity which has been submitted for consideration by the ASEAN Member States. This Second RTC is therefore organized to serve as avenue for sharing the efforts and experiences, as well as to discuss, develop and finalize the draft RPOA-Capacity before this is submitted for endorsement by the Council and ASEAN higher authorities. During this three-day Consultation, we should be able to update the zero draft of RPOA-Capacity to serve as basis for discussing the options and relevance to develop specific sub-regional plans of action.

Considering that the task ahead of us is quite enormous, I would urge the participants to be actively involved in the discussions and to provide inputs in order that this Consultation could come up with fruitful results. With that Ladies and Gentlemen, let me declare this Regional Technical Consultation officially open. Thank you very much and good day!

## THE BACKGROUND OF THE RTC, AS WELL AS THE OBJECTIVES, EXPECTED OUTPUTS, AGENDA AND ARRANGEMENTS

*Dr. Taweekiet Amornpiyakri*

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**The Second Regional Technical Consultation  
on Development of the Regional Plan of  
Action for Managing Fishing Capacity  
(RPOA-Capacity)**

**15-17 December 2015**

**Novotel Kamala Beach, Phuket, Thailand**



### Background

- In 1999, FAO Member States adopted the Code of Conduct of an International Plan of Action on the Management of Fishing Capacity (IPOA-Capacity)
- In 2006, SEAFDEC have been able to organize expert consultations and regional technical consultations highlighting the critical importance to address the management of fishing capacity in the Southeast Asia
- Addressed as one of the central themes during the ASEAN-SEAFDEC Conference on Sustainable Fisheries for Food Security Towards 2020, Bangkok, Thailand, June 2011
- DOF/Malaysia, as a lead country for the cluster “Promoting Sustainable Fisheries Practices-Fishing Capacity and Responsible Fisheries Practices” under to the ASEAN Fisheries Consultative Forum (AFCF) developed the Guidelines for Development of the National Plan of Action for Management of Fishing Capacity (NPOA-Capacity)

### Background (2)

- It is suggested that there are needs for a Regional Plan of Action for managing fishing capacity (RPOA-Capacity) to support Member Countries in managing fishing capacity and in the development of the NPOA
- RPOA-Capacity would serve as a guidance for the management of fishing capacity in the ASEAN respective NPOA-Capacity
- 24-26 Feb 2015, the First RTC on Development of Regional Plan of Action-Management of Fishing Capacity (RTC-Capacity) was organized in KL, Malaysia
- 19-21 Aug 2015, the Experts Group Meeting to prepare the zero draft RPOA-Capacity was organized in Songkhla, Thailand and subsequently reported in the 38<sup>th</sup> SEAFDEC PCM, Manila, Philippines

### Objectives

- To allow for an update on the progress of the zero drafting of RPOA-Capacity as a basis for discussions on options and relevance to develop specific sub-regional action plans
- To provide a platform to discuss the zero draft as a result from the previous Experts Group Meeting and develop the final draft of RPOA-Capacity
- To plan steps to ensure visibility of the RTC-Capacity development with budget requirements

### Expected outputs

- Finalized Draft of RPOA-Capacity for ASEAN Member States

### ANNOTATED AGENDA AND TIMETABLE

Time	Agenda	Remarks
<b>15 December 2015 (Tue)</b>		
08:30-09:00h	Registration	
09:00-09:15h	Opening	Acting SEAFDEC Secretary-General delivers an opening speech to welcome participants of the Meeting ( <i>Mr. Hajime KAWAMURA</i> )
09:15-09:30h	Introduction and adoption of Agenda	Secretariat of the Meeting introduces rationale, objectives, expected outputs, and agenda arrangement of the Meeting ( <i>Dr. Taweekiet Amornpiyakrit</i> )
09:30-10:30h	Update on the progress of the zero draft of RPOA-Capacity from the “Experts Group Meeting on Development of Regional Plan of Action for Managing Fishing Capacity” (RPOA-Capacity)	Zero draft of the RPOA-Capacity as a result from the “Experts Group Meeting on Development of Regional Plan of Action for Managing Fishing Capacity” organized in August 2015, Songkhla, Thailand will be presented. Updated information will be given. The Meeting will be requested to provide comments and discuss

ANNOTATED AGENDA AND TIMETABLE (Cont'd)		
Time	Agenda	Remarks
10:30-11:00h	Group photograph and refreshment break	
11:00-12:00h	Development of the final draft of RPOA-Capacity	The Meeting is requested to provide comments and discuss
12:00-13:30h	Lunch break	
13:30-15:00h	Development of the final draft of RPOA-Capacity	(Continued)
15:00-15:30h	Refreshment break	
15:30-16:30h	Development of the final draft of RPOA-Capacity	(Continued)
1800-	Welcome dinner hosted by SEAFDEC	

ANNOTATED AGENDA AND TIMETABLE (Cont'd)		
Time	Agenda	Remarks
<b>16 December 2015 (Wed)</b>		
09:00-10:30h	Finalization of the draft RPOA-Capacity	Final draft of RPOA-Capacity will be presented. The meeting is requested to provide recommendations, comments to the draft RPOA-Capacity prior to its report in the 48th SEAFDEC's Council Meeting in April 2016, Viet Nam
10:30-11:00h	Refreshment break	(Continued)
11:00-12:00h	Finalization of the draft RPOA-Capacity	(Continued)
12:00-13:30h	Lunch break	
13:30-15:00h	Discussion on Guidelines and/or Template for Development of the NPOA-Capacity and other issues	The Secretariat introduce s the Guidelines and/or Template for Development of the NPOA-Capacity
15:00-15:30h	Refreshment break	
15:30-16:30h	Discussion on Guidelines and/or Template for Development of the NPOA-Capacity and other issues	(Continued)

ANNOTATED AGENDA AND TIMETABLE (Cont'd)		
Time	Agenda	Remarks
<b>17 December 2015 (Thu)</b>		
08:00-12:00h	Observation trip to Fishing Port and Others	
12:00-13:30h	Lunch break	
13:30-14:30h	Adoption of the final draft RPOA-Capacity	The meeting is requested to adopt the final draft RPOA-Capacity
14:30-15:00h	Conclusion and way forward	The Secretariat of the Meeting concludes and summarizes issues and tasks for further follow-up with the participants of the Meeting
15:00-15:30h	Refreshment break	
15:30-16:20h	Conclusion and way forward	(Continued)
16:20-16:30h	Closing	Acting Secretary-General of SEAFDEC closes the Meeting

Thank you very much

**AGENDA**

- Agenda 1 Opening
- Agenda 2 Introduction and adoption of Agenda
- Agenda 3 Update on the progress of the zero draft of RPOA-Capacity from the “Experts Group Meeting on Development of Regional Plan of Action for Managing Fishing Capacity” (RPOA-Capacity)
- Agenda 4 Development of the final draft of RPOA-Capacity
- Agenda 5 Finalization of the draft RPOA-Capacity
- Agenda 6 Discussion on Guidelines and/or Template for Development of the NPOA-Capacity and Other issues
- Agenda 7 Observation trip to Fishing Port and Others
- Agenda 8 Adoption of the final draft RPOA-Capacity
- Agenda 9 Conclusion and way forward
- Agenda 10 Closing





**Zero Draft<sup>1</sup>**  
**ASEAN Regional Plan of Action**  
**for the Management of Fishing Capacity (RPOA-Capacity)**  
 (As of 8 September 2015)

**PART 1**  
**INTRODUCTION**

Many Southeast Asian countries including Indonesia, Thailand, the Philippines, Myanmar, Vietnam, and Malaysia have during the last three-four decades ranked among the top ten countries having the largest fisheries industries in the world. While the fisheries sector makes a relatively small contribution to gross domestic product (GDP), it makes an important contribution to export earnings and employment. In 2012, the total fishery production by two sub-sectors: inland and marine capture fisheries, was about 18.4 million MT whereas the value was about 2.3 billion US\$. Introduction of new fishing gear technologies and post-harvest and processing equipment have since 1960s led to the rapid and intensive development of fisheries industry in the region and particularly in Thailand, Indonesia, Philippines and Vietnam.

The growing fishing fleets throughout the region, with rapid increases in harvesting capacity, has not been matched by development of national capacities and regional/sub-regional cooperation to manage the fishing effort with consideration given to the sustainability of fisheries resources. The limited management, or regulation and control, of the active fishing capacity has allowed fisheries to operate in an “open-access regime” leading to “capital stuffing” and a “race for fish” by those involved. An issue to address is the need to improve and implement licensing schemes that effectively limits entry into the fisheries to replace present inadequately designed systems.

The estimated total number of fishing vessels in 2012 was 1.3 million vessels in which almost 99.5% are fishing boats less than 24 meters in length. The three countries Indonesia, the Philippines and Vietnam have large number of fishing boats with about 570,000, 473,000, and 123,000 vessels, respectively (numbers that are believed to be underestimations). Since 1980s, most fish stocks in the region has been overexploited by an overcapitalized fishing fleet. In many coastal areas, the catch per unit efforts and other biological parameters and/or reference target points are clearly indicating the declining status of fish stocks. Even though management instruments has been introduced to protect vulnerable fish stocks (closed areas and seasons, gear restrictions, etc.) together with efforts to contain the growth of the fishing fleets the impact has not been seen in terms of securing sustainability of available resources.

To meet the demand from growing populations and to maintain, and increase, the supply of raw fish to fisheries processing industries countries of the region are facing heavier exploitation and fishing grounds are extended from the coastal areas to further offshore and even outside of the national EEZs. The expansion takes place both with and without proper authorization and licenses - causing widespread illegal as well as unregulated and unrecorded (IUU) fisheries, including encroachment into neighboring waters. The depletion of fisheries resources in the region by excessive fleet capacity and harvesting effort needs to be considered in the perspective of related trans-boundary management issues together with expected losses in the generation of national economic revenues. Illegal and unsustainable fisheries will, through trade restrictions, also have direct implications on the trade of fish and fishery products to world markets as well as on trade within the ASEAN region.

<sup>1</sup> This Zero Draft is developed by the AMSs Experts at the Expert group meeting held in August 2015 based on the results from the 1<sup>st</sup> RTC in February 2015.

It is well recognized that there is an urgent need for countries to cooperate in order to improve fisheries management, especially, with regards to the management of fishing capacity at national, sub-regional and regional levels. To be able to match fishing effort with available resources the management of fishing capacity is the most basic tool available in support of sustainable fisheries. The fishing effort needs to be controlled to protect important habitats as well as to enforce regulations to safeguard the interest of specifically vulnerable groups of people.

SEAFDEC, on the request by Member Countries, have since 2006 been able to organize expert consultations and regional technical consultations highlighting the critical importance to address the management of fishing capacity in Southeast Asia to reduce pressure on available stocks, to mitigate conflicts over resources and to promote sustainability for people dependent on fisheries resources. Unregulated (and/or un-enforced) fisheries and over-capacity, relative to available resources, also tend to increase incidences of illegal fishing within countries, as well as across boundaries with increased hardship facing smaller communities as a result. To improve levels of sustainability and equal sharing of benefits from fisheries, it is required that immediate efforts are called for to reduce over-capacity, to improve (implementation of) regulatory measures and to combat illegal fishing throughout the ASEAN region. In addition, the importance of the management of fishing capacity to the sustainability of fisheries and food security was one of the central themes raised during the ASEAN-SEAFDEC Conference on Sustainable Fisheries for Food Security Towards 2020, held in Bangkok, Thailand, 13-17 June 2011 with the Sub-theme 1.2: being fully focused on the “Management of Fishing Capacity” and subsequently reflected in the 2011 Resolution and Plan of Action.

The FAO Code of Conduct for Responsible Fisheries (1995) included several recommendations on the need to improve fisheries management. Furthermore, FAO Member States adopted, subsequent to the Code of Conduct an International Plan of Action on the Management of Fishing Capacity, 1999 (IPOA-Capacity). The IPOA-Capacity specified a number of steps to be taken, including: a) assessment and monitoring of fishing capacity; b) preparation and implementation of national plans of action (NPOA-Capacity); and c) international (regional) considerations and recommendations for immediate steps to address the management of fishing capacity.

In general the fisheries management schemes that are being developed should aim to regulate the active fishing effort by developing schemes and management plans to give directions on where, how, when and by whom to fish. The management directions can include information on total number of vessels that can be allowed at a given time and area; the type of gear to be used (and not to be used); special restrictions on protected areas, protected species and defined seasonal restrictions; traditional rights to fish, exclusive rights and other specified rights, as well as other additional aspects that should be considered and respected when regulating the actual fishing effort. There are already a number of countries in the region that have developed or are in the process to develop NPOA-Capacity. Some countries that has yet to develop NPOA-Capacity have indicated that they have laws and regulations in place that are supportive to the management of fishing capacity.

Recognizing the importance of management of fishing capacity ASEAN, in collaboration with SEAFDEC, proposed to develop the Regional Plan of Action for Management of Fishing Capacity (RPOA-Capacity). The proposal was supported from all ASEAN-SEAFDEC Member Countries.

The overall objective of the RPOA-Capacity would be to serve as a guidance for the management of fishing capacity in an ASEAN perspective and also to **support the ASEAN Member States in the development and implementation** of their respective NPOA-Capacity. Besides, the RPOA-Capacity would support the enhancement of regional cooperation on fisheries management and/or fisheries capacity management in sub-regional areas such as Andaman Sea, Gulf of Thailand and Sulu-Sulawesi Seas. Strengthened regional and sub-regional cooperation on the management and control of fishing capacity would provide an effective platform for ASEAN Member States in support of efforts to combat illegal (IUU) fishing.

The **RPOA-Capacity** has been developed in dialogue with ASEAN Member States through a series of regional technical consultations and expert meetings (1st RTC on 24-26 Feb. 2015, 2nd Expert meeting on 19-21 August 2015, and 3rd RTC on 15-17 December 2015-tentative) organized by SEAFDEC with the funding support from the Government of Japan through SEAFDEC-Japanese Trust Fund and the Government of Sweden through the SEAFDEC-Sweden Project. The RPOA-Capacity contain four (4) parts: Part 1 as an introduction part includes rationale, problems on the sustainable fisheries management, and the needs for RPOA-Capacity; Part 2 include the goals and objectives of the RPOA-Capacity; Part 3 refers to the guiding principle in developing the RPOA-Capacity. Part 4 is the main part of the Plan of Action for Managing Fishing Capacity and this part comprises of 5 Sessions as follows: 1) Assessment of Fishing Capacity; 2) Preparation and Implementation of National Plans; 3) International Consideration; 4) Required Urgent Measures for Regional Fisheries Management; and 5) Mechanisms to Promote of the Implementation.

Thus, it is expected that the RPOA-Capacity could serve as basis for the ASEAN Member States in formulating relevant policies and provide an enabling environment for clear direction and understanding of the need to effectively manage the fishing capacity at national level. In addition, the RPOA-Capacity will respond to the need for ASEAN Member States to strengthen sub-regional and regional cooperation in managing fishing capacity in the trans-boundary areas such as in the Gulf of Thailand, Andaman Sea, Sulu-Sulawesi Seas, and other sub-regional areas where the fisheries are needed to manage together.

## **PART 2 GOALS AND OBJECTIVES**

- 1) The RPOA-Capacity is intended to provide guidance to ASEAN Member States in developing their respective National Plan of Action for Managing Fishing Capacity (NPOA-Capacity) as well as to enhance regional cooperation in support of sustainable management of fisheries based on coordinated management of fishing capacity and regulation of fishing effort at sub-regional/regional level. Thus, the goal of the RPOA-Capacity is to eliminate excess fishing capacity and ensure that levels of fishing effort are commensurate with sustainable use of available fishery resources;
- 2) The specific objectives of the RPOA-Capacity are:
  - a) To increase the efficient, equitable and transparent management of fishing capacity for long-term sustainability;
  - b) To ensure that fishery managers should endeavor initially to limit fishing capacity at present level and progressively reduce the fishing effort applied to affected fisheries;
  - c) To avoid growth in fishing capacity undermining long-term sustainability objectives;
  - d) To enhance the sub-regional cooperation in managing fishing capacity, specifically with regards to trans-boundary species or shared species.

## **PART 3 GUIDING PRINCIPLE**

- 1) In the context of sustainable fisheries, the excessive fishing capacity is a problem that contributes substantially to overfishing, the degradation of marine fisheries resources, the decline of food production potential, and to significant economic waste. The effective management of fishing capacity is therefore urgently required not only at national, but also at sub-regional/regional levels. Accordingly, the RPOA-Capacity is developed based on the principles found in international and regional instruments, such as the FAO Code of Conduct for Responsible Fisheries (CCRF), the International Plan of Action for Managing Fishing Capacity (IPOA-Capacity), the relevant rules of international law, as reflected in the United Nations Convention on the Law of the Sea of 10 December 1982 (UNCLOS), as well as with the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 Relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, 1995, and the ASEAN-SEAFDEC

Resolution and Plan of Action on Sustainable Fisheries for Food Security for the ASEAN Region (2001, 2011).

- 2) The RPOA-Capacity is developed through consultation process with experts and officials from ASEAN-SEAFDEC Member Countries in February, August and December of 2015.

#### **PART 4 PLAN OF ACTION FOR MANAGING FISHING CAPACITY**

##### **Section I: Assessment of Fishing Capacity**

###### *1.1. Diagnosis and identification of fisheries and fishing capacity*

- 1) States should assess and update regularly the availability of active fishing capacity at local, national, trans-boundary, sub-regional and regional levels as a basis for cooperation on the management of fishing capacity;
- 2) States should improve the catch and effort data collection system to include all types of fisheries such as large-scale or commercial fisheries and small-scale or artisanal fisheries in the ASEAN region and sub-regions;
- 3) States should regularly conduct national assessments of fishery resources to estimate appropriate reference points to compare with the actual fishing efforts at given times as well as with the aggregated fishing effort in defined sub-regions;
- 4) States should adopt national measurements and definitions of fishing capacity including vessels, gears, people engaged in fisheries

###### *1.2. Measures to be undertaken to address overcapacity*

- 1) States should implement schemes to limit the number of fishing vessels and fishing licenses;
- 2) States should put into place management systems which would prevent fishing capacity from expanding beyond the optimum level which the available resources can support in the long run or related target levels, even though the current status are not indicating any overcapacity;
- 3) States should develop measures and encourage the use of supporting tools to prevent or eliminate excess fishing capacity and states should ensure that levels of fishing effort are commensurate with the sustainable use of fishery resources to secure the effectiveness of conservation and management measures;
- 4) States should consider the application of fishing zones as a robust approach to manage and restrict fishing capacity in certain fisheries, especially for coastal and relatively stationary fisheries, in areas reserved for traditional and smaller-scale fisheries supported by co-management arrangements;
- 5) States may consider the possible use of Maximum Sustainable Yield (MSY) as a reference point in the absence of other appropriate reference points - for the management of fishing capacity at national and/or regional/sub-regional levels;
- 6) States should encourage industry-based capacity adjustments that tend to be more efficient and easier and to implement input-output control and alternative approaches, such as closed season, zoning system, community-based management, etc.

###### *1.3. Establishing of records of fishing vessels registration and licensing system*

- 1) States should improve the national procedures for registration of fishing vessels and systems to issues fishing licensing;
- 2) States should share information on registered vessels and issued fishing licenses within sub-regions and/or the region as a whole (if needed);
- 3) States should establish national database for fishing vessels registration and fishing licenses.

##### **Section II: Preparation and Implementation of National Plans**

###### *2.1. Development of national plans and policies*

- 1) States should not allow insufficient information on fisheries resources to be the reason to delay the implementation of policies to control fishing capacity and reduce its level where appropriate and in accordance with the precautionary principle using currently available information;

- 2) States should conduct a systematic assessment of the consequences of overcapacity from a production and economic perspective together with the impact on major stakeholders at local, national and sub-regional level.
- 3) States should develop and adopt a policy framework that would allow relevant authorities and other stakeholders to seek more appropriate and suitable levels of input-output control in managing fishing capacity;
- 4) States should develop mechanism to enhance stakeholder engagement, at every level, in development and implementation of the NPOA-Capacity.
- 5) States should strengthen, consistent with national fishery laws/regulations and other related domestic laws, domestic mechanisms to deter nationals and beneficial owners from engaging in illegal, unreported and unregulated fishing activities and states should facilitate the implementation of those mechanisms to ensure that enforcement actions can be carried out;
- 6) States should consider, in the perspective of continued high pressure on available fisheries resources (due to overfishing, habitat and environmental degradation and/or climate variability/change), to, at national and sub-regional level, develop and implement fisheries resources enhancement programs and/or recovery plans. The plans should have the multiple objectives to increase the fish stocks, provide breeding grounds of some target species, protect and restore important habitats, increase fish shelter area including artificial habitats to replace the deteriorated natural habitats, etc. The following actions to be considered are among key approaches to ensure that the status of fisheries resources are maintained and/or enhanced:
  - a. Coordinate with relevant agencies to regularly have information on the status and availability of important fish stocks, including information on areas of importance for different stages of the life cycle;
  - b. Enhance understanding of the importance of stock enhancement including habitat conservation in order to conserve early life cycle of fishes such as spawning, nursery grounds and protection of the migratory paths (that might be trans-boundary);
  - c. Develop fishery management tools, including fisheries *refugia*, closed areas, protected areas and aquatic reserves for both inland and marine areas for implementation at national level and in trans-boundary areas to effectively conserve and manage fish stocks, trans-boundary fish stock and to protect habitats, on a case-by-case basis in accordance with the best available scientific information and precautionary approach;
- 7) States should strengthen the fisheries related institutions to provide adequate support to research on issues related to the management of fishing capacity. Coordinated international research is also recommended, especially with regard to the development of tools and policy instruments which may be more appropriate at country/sub-regional/regional levels;
- 8) State should harmonize and coordinate the implementation of the NPOA-Capacity with other related NPOAs/Policies and Programs to achieve effective control of fishing capacity;
- 9) States should consider the socio-economic requirements, including alternative sources of employment and livelihood to fishing communities which bear the burden of reductions in fishing capacity;
- 10) Develop and promote awareness-raising campaigns and programs to all relevant stakeholders in order to increase the effective implementation of NPOA-Capacity;
- 11) States should develop system(s)/mechanism(s) to monitor, evaluate, review and revise (if necessary) the effectiveness of NPOA-Capacity.

## 2.2 *Subsidies and economic incentives*

- 1) States should assess the effect that some economic incentives, including subsidies may have on the development and implementation of efforts to control fishing capacity;
- 2) States should undertake a national/sub-regional review of the various subsidies and other economic incentives being provided to their fishing industry, together with qualitative assessments of their likely impact on fishing capacity, expected investment decisions and sustainability. Noting that all subsidies and economic incentives are necessarily not bad such as incentives related, for example, to safety, fish quality, infrastructures, buy-back program, etc.

- 3) States should reduce and progressively eliminate fisheries subsidies and/or incentives that contribute to overfishing, overcapacity and over-investment.
- 4) Operating inputs such as fuel, gear, labor and so on should be accounted for by commercial fisheries at its full cost. Taxation/financial measures may also be effectively used together with other measures to manage/regulating fishing capacity such as fees to be collected for fishing vessel registration and the fishing licenses in particular.

### 2.3 *Regional Considerations and Cooperation*

- 1) States should provide mutually agreed data on vessels, gears and people engaged in fisheries as well as other fisheries-related information with regards to catches, landing and available stocks to provide a complete, accurate and timely way to support efforts to manage fishing capacity at sub-regional areas;
- 2) Recognizing that long-term sustainable use of fisheries resources is the overriding objective of conservation and management at national and sub-regional areas, States and sub-regions should, inter alia, adopt appropriate measures, based on the best scientific evidence available, which are designed to maintain or restore stocks at sustainable levels, as qualified by relevant environmental and economic factors, including the special requirements of some developing countries in the region;
- 3) States should consider the establishment of sub-regional/regional fisheries management arrangements/bodies for the purpose of managing the resources as well as fishing capacity on a cooperative basis. Such cooperation is essential for the sub-regional/regional managements of trans-boundary fish stocks;
- 4) States should support co-operation and exchange of information with regional and sub-regional fisheries organizations.

### **Section III: International Considerations**

- 1) States should collaborate with RFMOs by sharing information, participating in and developing harmonized systems of data collection, and supporting the actions of the respective RFMOs to limit fishing capacity in the international waters;
- 2) States should consider participating in international agreement which related to the management of fishing capacity, and in particular, the Compliance Agreement and the Agreement of the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks;
- 3) States should ensure that no transfer of capacity to the jurisdiction of another State without the expressed consent and formal authorization of that State;
- 4) States should, in compliance with their duties as Flag States, avoid approving the transfer of vessels flying their flag to high seas areas where such transfers are inconsistent with responsible fishing under the Code of Conduct.

### **Section IV: Required Urgent Measures for Regional Fisheries Management**

- 1) States should develop policy frameworks for the sub-regional/regional management of fishing capacity. To be effective it is required that policies are developed simultaneously by relevant authorities (in accordance with national laws and regulations) in each of the countries and with national and sub-regional coordination of implementation and enforcement to ensure that fishing capacity is limited to agreed target levels;
- 2) States should assess the extent of overcapacity in defined fishing areas (trans-boundary, sub-regional and/or regional). Select either an input or output basis as a reference point together with a range of indicators for the purpose of measuring active over-capacity;
- 3) States should develop sub-regional/regional conservation and management measures for fish stocks that are currently unmanaged regionally, in accordance with the best available scientific information on the status of such stocks;
- 4) States should conduct fishers/stakeholders fora at sub-regional/regional levels to build awareness on the need for conservation and management of fisheries resources and that in the

management context the effective management of fishing capacity is a requirement for effective conservation and management;

- 5) States should enhance the political will and awareness towards sub-regional/regional fisheries management and conservation;
- 6) States should strengthen sub-regional/regional Monitoring, Control and Surveillance (MCS) Networks.

**Section V: Mechanisms to Promote Implementation**

- 1) States should develop information programs to increase awareness about the need for the management of fishing capacity, and the cost and benefits resulting from adjustments in fishing capacity;
- 2) States should support the sharing/exchange of scientific and technical information on issues related to the management of fishing capacity and promote its regional availability using existing national and sub-regional fora;
- 3) States should support capacity building as well as institutional strengthening and consider providing financial, technical and other assistance to some developing countries in the region to address issues related to the management of fishing capacity;
- 4) States should report to ASEAN and SEAFDEC on the progress of assessment, development and implementation of their plans for the management of fishing capacity as part of their implementation of the 2011 ASEAN-SEAFDEC Resolution and Plan of Action on Sustainable Fisheries for Food Security for the ASEAN Region towards 2020;
- 5) SEAFDEC will, as directed by the Council Directors, support development and implementation of National Plans of Action (NPOAs) for the management of fishing capacity through specific, in-country technical assistance projects.

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### Definition of Terminologies

1. **Community-based Management:** The core feature of locally developed, decentralized resource management is that user communities are ceded the rights and have the responsibilities for managing their own resources, typically using a mix of traditional or more formalized mechanisms of contract and enforcement to define access, exploitation methods and intensity. This is increasingly being applied in fisheries, though in many cases, the management structure is widened to include public sector agencies and other partners, in co-management. (<http://www.fao.org/fishery/topic/16626/en>).
2. **Co-management:** This is typically defined as a partnership arrangement between government and the local community of resource users, sometimes also connected with agents such as NGOs and research institutions, and other resource stakeholders, to share the responsibility and authority for management of a resource. There are no standardized approaches, but rather a range of arrangements, levels of sharing of responsibility and power, and ways of integration of local management mechanisms and more formalized government systems. In addition, the term is referred to the approach that is gaining particular importance in small-scale fisheries, for which local management capacity and responsibility, combined with the support of formal legal frameworks and information/decision making systems may offer particular advantages. However, their potential depends on the existing policy and legal environment, local and national support for community-based initiatives, and the capacities of various partners. (<http://www.fao.org/fishery/topic/16625/en>).
3. **Excess Capacity:** The existence of underutilized capacity is an indication that excess capacity exists in a fishery, and that fewer boats, if fully utilized, could potentially have caught the same total catch. Excess capacity is a short run phenomenon and depends on the state of the resource and the environment (natural, social and economic) in which the fishers operate. A fishery with a fluctuating stock may exhibit excess capacity in some years and full capacity in others. Similarly, if market conditions are unfavorable, a fleet may exhibit excess capacity that disappears once prices return to their normal level (FAO Technical Guidelines For Responsible Fisheries).
4. **Fish refugia:** Spatially and geographically defined marine or coastal areas in which specific management measures are applied to sustain important species (fisheries resources) during critical stages of their life cycle, for their sustainable use. (<http://www.fao.org/docrep/017/i3147e/i3147e.pdf>).
5. **Fishing Capacity:** Fishing capacity is, for a given resource condition, the amount of fish (or fishing effort) that can be produced over a period of time (e.g. a year) by a vessel or a fleet if fully utilized, that is if effort and catch were not constrained by restrictive management measures (FAO Technical Guidelines For Responsible Fisheries).
6. **Fishing Effort:** The amount of fishing gear of a specific type used on the fishing grounds over a given unit of time for example hours trawled per day, number of hooks set per day or number of hauls of a beach seine per day. When two or more kinds of gear are used, the respective efforts must be adjusted to some standard type before being added (FAO, 1997).
7. **Incentives:** An incentive is anything that motivates or stimulates people to act (Giger 1996; cited in FAO 1999). Sargent (1994; cited in Tomforde 1995) defines incentives as signals that motivate action. Other definitions refer to the “incitement and inducement of action” (Enters 2001). Within the context of development projects, incentives have also been described as “bribes” and “sweeteners” (Smith 1998). To be of interest and to have an impact, incentives need to affect the cost-benefit structure of economic activities such as plantation management. Hence, in the context of the regional study, incentives can be defined as policy instruments that increase the comparative advantage of forest plantations and thus stimulate investments in plantation establishment and management. (<http://www.fao.org/3/a-ad524e/ad524e05.htm>)
8. **Information Program:** A program to disseminate information pertaining to a particular subject or issue related to fisheries management with the objective of improving the understanding of target audience on that subject.
9. **Input/output controls:**
  - ❖ **Input controls** are restrictions put on the intensity of use of gear that fishers use to catch fish. Most commonly these refer to restrictions on the number and size of fishing vessels (fishing

capacity controls), the amount of time fishing vessels are allowed to fish (vessel usage controls) or the product of capacity and usage (fishing effort controls). Often fishing effort is a useful measure of the ability of a fleet to catch a given proportion of the fish stock each year. When fishing effort increases, all else being equal, we would expect the proportion of fish caught to increase. (<http://www.fao.org/docrep/005/y3427e/y3427e06.htm>)

- ❖ **Output controls** are direct limits on the amount of fish coming out of a fishery (fish is used here to include shellfish and other harvested living aquatic animals). Obvious forms of output control are limits placed upon the tonnage of fish or the number of fish that may be caught from a fishery in a period of time (e.g. total allowable catches; in reality, usually total allowable landings). (<http://www.fao.org/docrep/005/y3427e/y3427e06.htm>)
10. **Monitoring, Control and Surveillance (MCS):**
    - ❖ **Monitoring:** the collection, measurement and analysis of fishing activity including, but not limited to: catch, species composition, fishing effort, bycatch, discards, area of operations, etc. This information is primary data that fisheries managers use to arrive at management decisions. If this information is unavailable, inaccurate or incomplete, managers will be handicapped in developing and implementing management measures.
    - ❖ **Control:** involves the specification of the terms and conditions under which resources can be harvested. These specifications are normally contained in national fisheries legislation and other arrangements that might be nationally, sub-regionally, or regionally agreed. The legislation provides the basis for which fisheries management arrangements, via MCS, are implemented.
    - ❖ **Surveillance:** involves the regulation and supervision of fishing activity to ensure that national legislation and terms, conditions of access, and management measures are observed. This activity is critical to ensure that resources are not over exploited, poaching is minimized and management arrangements are implemented. (<http://www.fao.org/fishery/topic/3021/en>)
  11. **Maximum Sustainable Yield (MSY):** The highest theoretical equilibrium yield that can be continuously taken (on average) from a stock under existing (average) environmental conditions without affecting significantly the reproduction process. Also referred to sometimes as Potential yield. (<http://www.fao.org/faoterm/en/?defaultCollId=21>)
  12. **Overfishing:** Overfishing is a generic term used to refer to the state of a stock subject to a level of fishing effort or fishing mortality such that a reduction of effort would, in the medium term, lead to an increase in the total catch. Often referred to as overexploitation and equated to biological overfishing, it results from a combination of growth overfishing and recruitment overfishing and occurs often together with ecosystem overfishing and economic overfishing. (<http://www.fao.org/faoterm/en/?defaultCollId=21>)
  13. **Overcapacity:** is a longer-term problem and reflects a divergence between the resources used to harvest the resource (and the resultant current level of output) and the resources needed (and corresponding output) to harvest the resource at an “optimal” level. Optimal, in this sense, will largely be driven by the objectives of fisheries management, be they economic, social or conservation based (or some combination of all three). If the fishery is severely overexploited, this optimal yield may be higher than the current catch level, but associated with a large biomass. The existence of underutilized capacity may be indicative of overcapacity, but it does not necessarily convey information about the extent of overcapacity. Conversely, with an overexploited stock, little excess capacity may exist even though considerable overcapacity exists (FAO Technical Guidelines For Responsible Fisheries).
  14. **Precautionary Principle:** A set of agreed cost-effective measures and actions, including future courses of action, which ensures prudent foresight, reduces or avoids risk to the resources, the environment, and the people, to the extent possible, taking explicitly into account existing uncertainties and the potential consequences of being wrong. (<http://www.fao.org/docrep/003/w1238e/W1238E01.htm>).
  15. **Reference Point:** An estimated value derived from an agreed scientific procedure and/or model, which corresponds to a specific state of the resource and of the fishery, and that can be used as a guide for fisheries management. Reference points may be general (applicable to many stocks) or stock-specific. (<http://www.fao.org/faoterm/en/?defaultCollId=21>).
  16. **Regional Fisheries Management Organizations (RFMO):** an intergovernmental organization, established by international agreement, with the competence to adopt

conservation and management measures. (<http://www.fao.org/in-action/vulnerable-marine-ecosystems/key-concepts/en/>).

17. **Sub-regions:** This refers to any region or areas whereas more than one country are concerned or the areas that are related to the trans-boundary issues and/or fish stock that needed to be managed together through the collaboration and cooperation. In Southeast Asian region, the sub-regions are referred to the specific sea areas such as Gulf of Thailand, Andaman Sea, Sulu-Sulawesi Seas, etc.
18. **Stock Enhancement:**
  - ❖ The release of cultured juveniles into wild population(s) to augment the natural supply of juveniles and optimize harvests by overcoming recruitment limitation (<http://www.stockenhancement.org/about/history.html>)
  - ❖ Stock enhancement of wild fisheries - The enhancement of stocks of an existing wild, open-access fishery with species that may or may not be self-recruiting. This category includes the stocking of relatively large inland water-bodies where there are no property rights to the stock. Generally the recapture rate of stocked fish is low and repeated enhancement is not always necessary to maintain the fishery.
  - ❖ Culture-based fisheries - The stocking of small water-bodies is a form of enhancement that is typically undertaken on a regular basis and the stocking activity is the only means of sustaining the fishery. Typically, a person or a group of persons and/or an organization will have property rights to the stock. The source of stock for the enhancement may be derived from capture, but more typically is obtained from a hatchery operation. These features collectively amount to a form of aquaculture that according to the FAO definition (FAO 1997), is referred to as culture-based fishery. (<http://www.fao.org/docrep/008/ae932e/ae932e05.htm>)
19. **Fisheries Subsidies:** Fisheries subsidies are government actions or inactions that are specific to the fisheries industry and that modifies - by increasing or decreasing - the potential profits by the industry in the short-, medium- or long-term. (<http://www.fao.org/docrep/005/y4446e/y4446e0k.htm>)
20. **Total Allowable Catch (TAC):** The TAC is the total catch allowed to be taken from a resource in a specified period (usually a year), as defined in the management plan. The TAC may be allocated to the stakeholders in the form of quotas as specific quantities or proportions. (<http://www.fao.org/faoterm/en/?defaultCollId=21>)
21. **Trans-boundary Stock:** a group of commercially exploitable organisms/fish, distributed over, or migrating across, the maritime boundary between two or more national jurisdictions, or the maritime boundary of a national jurisdiction and the adjacent high seas, whose exploitation can only be managed effectively by cooperation between the States concerned. (<http://www.fao.org/docrep/006/y4652e/y4652e03.htm>):

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Adopted

**Final Draft<sup>1</sup>**  
**ASEAN Regional Plan of Action for the Management of Fishing Capacity**  
**(RPOA-Capacity)**  
 (As of 17 December 2015)

**PART 1**  
**INTRODUCTION**

During the last three to four decades, many Southeast Asian countries including Indonesia, Thailand, Philippines, Myanmar, Viet Nam, and Malaysia ranked among the top ten countries with the largest fisheries industries in the world. The ASEAN fisheries sector has played very important role in providing fish for food security, generating livelihood and employment, alleviating poverty, and increasing national revenues. In 2013, the total fishery production by two sub-sectors: inland and marine capture fisheries, was about 19.1 million metric tons (MT) valued at about 23.5 billion US\$ (SEAFDEC, 2015<sup>2</sup>). The introduction of new fishing gear technologies as well as post-harvest and processing equipment had since 1960s led to the rapid and intensive development of fisheries industry in the region, particularly in Thailand, Indonesia, Philippines and Viet Nam.

The growing fishing fleets throughout the region coupled with rapid increases in harvesting capacity, has not been matched with the development of national capacities and regional/sub-regional cooperation to manage the fishing effort with due consideration given to the sustainability of fishery resources. Limited management, or regulation and control, of the active fishing capacity has allowed fisheries to operate in an “open-access regime” leading to continued increase in number of vessels and people engaged in fisheries. Therefore, there is a need to improve and implement licensing schemes and other capacity management measures that effectively limit entry into the fisheries, replacing the present inadequately designed systems.

As reported, the estimated total number of fishing vessels in the ASEAN Member States (AMSS) in 2014 was 1.86 million vessels of which almost 99% are fishing vessels less than 24 meters in length. Indonesia, Philippines and Viet Nam have the largest numbers of fishing vessels with about 1,183,000, 478,500, and 124,600 vessels, respectively, although such numbers are believed to be only underestimations (Countries’ reports during RTC-RFVR, June 2015). Since 1980s, most of the near shore fishing areas in Southeast Asia are overfished (Silvestre, G.T., 2003<sup>3</sup>). In many coastal areas however, the catch per unit efforts and other biological parameters and/or reference target points indicate declining status of fish stocks. Even though management instruments had been introduced to protect vulnerable fish stocks (e.g. closed areas and seasons, gear restrictions) together with efforts to contain the growth of the numbers of fishing fleets, the impact of such efforts still could not be seen in terms of securing sustainability of available resources.

In order to meet the demand for fish by the growing populations, and to maintain or increase the supply of raw materials for the processing industries considering that the region’s fishery resources are facing heavy exploitation, fishing activities have been expanded from the coastal areas to offshore waters and even outside of the national Exclusive Economic Zones (EEZs). Such expansion takes place both with and without proper authorization and licensing - causing widespread illegal, unreported and unregulated (IUU) fishing, including encroachment into other countries’ EEZs. The depletion of fishery resources in the region by excessive fleet capacity and harvesting effort needs

<sup>1</sup> This Final Draft was adopted during the Second RTC on Regional Plan of Action for Management of Fishing Capacity in December 2015, based on Zero Draft developed by the AMSS Experts at the Experts Group Meeting in August 2015 taking into consideration the results from the 1<sup>st</sup> RTC on Regional Plan of Action for Management of Fishing Capacity in February 2015

<sup>2</sup> SEAFDEC, 2015. Fishery Statistical Bulletin of Southeast Asia 2013. Southeast Asian Fisheries Development Center, Bangkok, Thailand.

<sup>3</sup> Silvestre, G.T. et al., 2003. South and Southeast Asian Coastal Fisheries: Their Status and Directions for Improved Management – Conference Synopsis and Recommendation. WorldFish Center Conference Proceedings 67 (2003)

Adopted

to be considered in the perspective of related trans-boundary management issues together with expected losses in the generation of national economic revenues. Illegal and unsustainable fisheries that end up with trade restrictions would have direct implications on the trade of fish and fishery products not only to world markets but also within the ASEAN region.

It is well recognized that there is an urgent need for countries to cooperate in order to improve fisheries management, especially, with regards to the management of fishing capacity at national, sub-regional and regional levels. In order to match fishing effort with available resources, management of fishing capacity is one of the most basic tools available in support of sustainable fisheries. Moreover, fishing effort should be controlled to protect important habitats while regulations should be enforced to safeguard the interest of, specifically the vulnerable groups of people.

It is in responding to requests of the AMSs that SEAFDEC had organized since 2006 experts consultation and regional technical consultations highlighting on the critical importance of addressing the management of fishing capacity in Southeast Asia. This is meant to reduce pressure on available stocks, mitigate conflicts over resources and promote sustainability for people dependent on fishery resources. Unregulated (and/or un-enforced) fisheries and over-capacity, relative to available resources, also tend to increase incidences of illegal fishing within countries, as well as across boundaries resulting in increased difficulties faced by smaller communities. To improve the levels of sustainability and promote equal sharing of the benefits from fisheries, it is necessary that immediate efforts are called for to reduce over-capacity, improve (implementation of) regulatory measures and combat illegal fishing throughout the ASEAN region. It should be noted that the importance of management of fishing capacity to the sustainability of fisheries and food security was one of the central themes raised during the ASEAN-SEAFDEC Conference on Sustainable Fisheries for Food Security Towards 2020, held in Bangkok, Thailand, 13-17 June 2011 under Sub-theme 1.2 that fully focused on the “Management of Fishing Capacity” and subsequently reflected in the adopted 2011 Resolution and Plan of Action.

Referring to the FAO Code of Conduct for Responsible Fisheries (1995), several recommendations on the need to improve fisheries management have been included. Furthermore, the FAO Member States subsequently adopted the International Plan of Action on the Management of Fishing Capacity 1999 (IPOA-Capacity). The IPOA-Capacity specified a number of steps to be taken including: a) assessment and monitoring of fishing capacity; b) preparation and implementation of national plans of action (NPOA-Capacity); and c) international (regional) considerations and recommendations for immediate steps to address the management of fishing capacity.

In general, the fisheries management schemes that are being developed should aim to regulate the active fishing effort by developing schemes and management plans to give directions on where, how, when and by whom to fish. The management directions can include information on total number of vessels allowed at a given time and area; the type of gear to be used (and not to be used); special restrictions on protected areas, protected species and defined seasonal restrictions; traditional rights to fish, exclusive rights and other specified rights<sup>4</sup>, as well as other additional aspects that should be considered and respected when regulating the actual fishing effort. A number of countries in the region had developed or are in the process of developing their respective NPOA-Capacity. Some countries that had not yet developed the NPOA-Capacity have indicated that the necessary laws and regulations are in place and are supportive to the management of fishing capacity.

Recognizing the importance of management of fishing capacity, the ASEAN sought the collaboration of SEAFDEC to develop the Regional Plan of Action for Management of Fishing Capacity (RPOA-Capacity) during the Fourth Meeting of the ASEAN Fisheries Consultative Forum (AFCF) in 2012 in Indonesia. The development of such activity was considered and supported by the SEAFDEC Member Countries during the 47<sup>th</sup> Meeting of the SEAFDEC Council in 2014.

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<sup>4</sup> As stipulated in respective countries' national laws and regulations

Adopted

The overall objective of the RPOA-Capacity would be to serve as guide for the management of fishing capacity in an ASEAN perspective and also to **support the ASEAN Member States in the development and implementation** of their respective NPOA-Capacity (SEAFDEC, 2006<sup>5</sup>). The RPOA-Capacity is also meant to support the need to enhance regional cooperation on fisheries management and/or management of fishing capacity in sub-regional areas such as the Andaman Sea, Gulf of Thailand, South China Sea<sup>6</sup> and Sulu-Sulawesi Seas. Strengthened regional and sub-regional cooperation on the management and control of fishing capacity would provide an effective platform for the AMSs to support efforts to combat IUU fishing.

The RPOA-Capacity has been developed through dialogue with ASEAN-SEAFDEC Member Countries such as the regional technical consultations and expert meeting (1<sup>st</sup> RTC in February 2015 in Malaysia, Experts meeting in August 2015 in Thailand and 2<sup>nd</sup> RTC in December 2015 in Thailand) organized by SEAFDEC with the funding support from the Government of Japan through SEAFDEC-Japanese Trust Fund and the Government of Sweden through the SEAFDEC-Sweden Project. The RPOA-Capacity contain four (4) parts: Part 1 as an introduction part includes rationale, problems on the sustainable fisheries management, and the needs for RPOA-Capacity; Part 2 include the goals and objectives of the RPOA-Capacity; Part 3 refers to the guiding principle in developing the RPOA-Capacity. Part 4 is the main part of the Plan of Action for Managing Fishing Capacity and this part comprises of 5 Sessions as follows: 1) Assessment of Fishing Capacity; 2) Preparation and Implementation of National Plans; 3) International Consideration; 4) Required Urgent Measures for Regional Fisheries Management; and 5) Mechanisms to Promote of the Implementation.

Thus, it is expected that the RPOA-Capacity could also serve as basis for the AMSs in formulating relevant policies and provide an enabling environment for clear direction and understanding of the need to effectively manage the fishing capacity at national level. In addition, the RPOA-Capacity is intended to respond to the need for AMSs to strengthen regional cooperation in managing fishing capacity in sub-regional areas such as the Gulf of Thailand, South China Sea<sup>5</sup>, Andaman Sea, Sulu-Sulawesi Seas, and other sub-regional areas where the fisheries need to be managed by concerned AMSs.

## PART 2 GOALS AND OBJECTIVES

The RPOA-Capacity is intended to serve as guide for the AMSs in developing their respective National Plans of Action for Managing Fishing Capacity (NPOA-Capacity) as well as in enhancing regional cooperation on sustainable fisheries management and improving regulations on fishing effort at sub-regional/regional level. Thus, the ultimate goal of the RPOA-Capacity is to facilitate development of appropriate fishing capacity management to ensure that levels of fishing effort are commensurate with sustainable use of available fishery resources.

The specific objectives of the RPOA-Capacity are to:

- a) enhance the effective, efficient, equitable and transparent management of fishing capacity for long-term sustainability;
- b) ensure that fishery managers should endeavor to initially limit fishing capacity at the present level and progressively reduce the fishing effort applied to affected fisheries;
- c) avoid growth in fishing capacity that undermines the long-term sustainability objectives; and
- d) enhance sub-regional cooperation in managing fishing capacity, specifically with regards to trans-boundary species or shared species.

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<sup>5</sup> SEAFDEC. 2006. Report of the Experts Meeting on Management of Fishing Capacity in Southeast Asia, 27-29 July 2006, Sihanouk Ville, Cambodia. Southeast Asian Fisheries Development Center. 141 p.

<sup>6</sup> The term "South China Sea" is used in its geographical sense and does not imply recognition of any territorial claims within the area (UNEP/GEF/SCS Project Document on "Reversing Environmental Degradation Trends in the South China Sea and Gulf of Thailand")

### PART 3 GUIDING PRINCIPLE

The RPOA-Capacity is developed based on the principles stipulated in international and regional instruments, such as the FAO Code of Conduct for Responsible Fisheries (CCRF), International Plan of Action for Managing Fishing Capacity (IPOA-Capacity), the relevant rules of international laws that are reflected in the United Nations Convention on the Law of the Sea of 10 December 1982 (UNCLOS), and the ASEAN-SEAFDEC Resolution and Plan of Action on Sustainable Fisheries for Food Security for the ASEAN Region (2001, 2011).

The RPOA-Capacity is developed through consultation processes with experts and officials from the ASEAN-SEAFDEC Member Countries in February, August and December of 2015.

### PART 4 PLAN OF ACTION FOR MANAGING FISHING CAPACITY

#### Section I: Assessment of Fishing Capacity

##### *Diagnosis and identification of fisheries and fishing capacity*

- 1) States should assess and regularly update the availability of active fishing capacity at local, national, trans-boundary, sub-regional and regional levels as basis for cooperation on the management of fishing capacity.
- 2) States should improve collection system for catch and effort data to include all types of fisheries such as large-scale or commercial fisheries and small-scale or artisanal fisheries.
- 3) States should regularly conduct national assessments of fishery resources to estimate appropriate reference points and compare with the actual fishing efforts at given times as well as with the aggregated fishing effort in defined sub-region.
- 4) States should adopt national measurements and definitions of fishing capacity including vessels, gears, people engaged in fisheries.

#### Section II: Preparation and Implementation of National Plan of Action for the Management of Fishing Capacity

##### *2.1 Development of national plans and policies*

- 1) States should establish system(s)/mechanism(s) to develop NPOA-Capacity and to monitor, evaluate, review its effectiveness and revise (if necessary).
- 2) States should not make insufficient information on fisheries resources as the reason to delay the implementation of policies to control fishing capacity and reduce its level where appropriate, and in accordance with the precautionary principle using currently available information.
- 3) States should develop measures to be undertaken to address overcapacity:
  - a. Implement schemes to limit the number of fishing vessels and fishing licenses
  - b. Put into place management systems that would prevent fishing capacity from expanding beyond the optimum level which the available resources can support in the long run or related target levels, even though the current status does not indicate any overcapacity
  - c. Develop measures and encourage the use of supporting tools to prevent or eliminate excess fishing capacity to ensure that the levels of fishing effort are commensurate with the sustainable use of fishery resources to secure the effectiveness of conservation and management measures
  - d. Consider the application of fishing zones as a robust approach to manage and restrict fishing capacity in certain fisheries, especially for coastal and relatively stationary fisheries, in areas reserved for traditional and smaller-scale fisheries supported by co-management arrangements

Adopted

- e. Consider the use of appropriate reference points *e.g.* Maximum Sustainable Yield (MSY), Catch Per Unit Effort (CPUE) as indicators of resource status for the management of fishing capacity at national and/or regional/sub-regional levels
  - f. Encourage industry-based capacity adjustments and implement input and output control, and other management measures
  - g. Consider the development of fishing vessel construction and importation control measures as a proactive approach for controlling fishing capacity
  - h. Consider the introduction or development of fishing fees scheme such as economic rent of the fishery resources referred to as 'resource rent', as basis for fishing vessel registration and fishing licenses
- 4) States should establish records of fishing vessels registration/licensing, fishing gear licensing system, and
    - a. improve the national procedures for fishing vessel registration and fishing licensing systems (vessels, gears, fishers)
    - b. share information on registered vessels and issued fishing licenses within sub-regions and/or the region as a whole (if needed)
    - c. establish national database for fishing vessels registration and fishing licenses
  - 5) States should conduct a systematic assessment of the consequences of overcapacity from production and economic perspective together with its impact on major stakeholders at local, national and sub-regional levels.
  - 6) States should strengthen, consistent with national fishery laws/regulations and other related domestic laws, domestic mechanisms to deter nationals and beneficial owners from engaging in illegal, unreported and unregulated fishing activities, and States should facilitate the implementation of such mechanisms and ensure that enforcement actions are carried out.
  - 7) States should consider, in the perspective of continued high pressure on available fisheries resources (due to overfishing, habitat and environmental degradation and/or climate variability/change), to, at national and sub-regional level, develop and implement fishery resources enhancement programs and/or recovery plans. The plans should have the multiple objectives of increasing the fish stocks, providing breeding grounds of some target species, protecting and restore important habitats, increasing fish shelter areas including artificial habitats to replace the deteriorated natural habitats. The following actions are among the key approaches to ensure that the status of fishery resources are maintained and/or enhanced:
    - a. Coordinate with relevant agencies to regularly compile information on the status and availability of important fish stocks, including information on areas of importance for different stages of their life cycle;
    - b. Enhance understanding of the importance of stock enhancement including habitat conservation in order to conserve the early life cycle stage of fishes such as spawning, nursery grounds, and protect the migratory paths (that might be trans-boundary);
    - c. Develop fishery management tools, including fisheries *refugia*, closed areas, protected areas and aquatic reserves for both inland and marine areas for implementation at national level and in trans-boundary areas to effectively conserve and manage fish stocks, trans-boundary fish stock and to protect habitats, on a case-by-case basis in accordance with the best available scientific information and precautionary approach;
  - 8) States should strengthen their respective fisheries related institutions and provide adequate support to research on issues related to the management of fishing capacity. Coordinated international research is also recommended, especially with regard to the development of tools and policy instruments which could be more appropriate at country/sub-regional/regional levels.
  - 9) States should harmonize and coordinate the implementation of the NPOA-Capacity with other related NPOAs/Policies and Programs to achieve effective control of fishing capacity.
  - 10) States should consider the socio-economic requirements, including alternative sources of employment and livelihood to fishing communities which bear the burden of reductions in fishing capacity.
  - 11) States should develop and promote awareness-raising campaigns and programs to all relevant stakeholders in order to increase the effective implementation of NPOA-Capacity.

Adopted

- 12) States should work closely with stakeholders in developing and adopting policy framework that would improve the suitability of input-output technical control levels that will be used in the formulation and implementation of the NPOA-Capacity.

#### 2.2 *Subsidies and economic incentives*

- 1) States should assess the effect that some economic incentives, including subsidies, may have on the development and implementation of efforts to control fishing capacity.
- 2) States should undertake a national/sub-regional review of the various subsidies and other economic incentives being provided to their respective fishing industries, together with qualitative assessments of their likely impact on fishing capacity, expected investment decisions, and sustainability. It should be noted that not all subsidies and economic incentives are necessarily faulty such as incentives related, for example, to safety, fish quality, infrastructures, buy-back program.
- 3) States should reduce and progressively eliminate fisheries subsidies and/or incentives that contribute to overfishing, overcapacity and over-investment.

#### 2.3 *Regional Considerations and Cooperation*

- 1) States should provide mutually agreed data on vessels, gears and people engaged in fisheries as well as other fisheries-related information with regards to catches, landing and available stocks to provide a complete, accurate and timely way to support efforts to manage fishing capacity at sub-regional areas.
- 2) States and sub-regions should, inter alia, adopt appropriate measures, based on the best scientific evidence available, which are designed to maintain or restore stocks at sustainable levels, as qualified by relevant environmental and economic factors, including the special requirements of some developing countries in the region.
- 3) States should consider the establishment of sub-regional/regional fisheries management arrangements/bodies for the purpose of managing the resources as well as fishing capacity on a cooperative basis. Such cooperation is essential for the sub-regional/regional managements of trans-boundary fish stocks.
- 4) States should support co-operation and exchange of information with regional and sub-regional fisheries organizations.

### **Section III: International Considerations and Fishing in High Seas or RFMO Competent Areas**

- 1) States should collaborate with RFMOs by sharing information, participating in and developing harmonized systems of data collection, and supporting the actions of the respective RFMOs to limit fishing capacity in the international waters.
- 2) States are encouraged to comply with international agreements which are related to the management of fishing capacity, and in particular, the 1993 FAO Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas known as the Compliance Agreement and the Agreement of the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks known as the 1995 UN Fish Stocks Agreement.
- 3) States should ensure that no transfer of capacity to the jurisdiction of another State should be carried out without the expressed consent and formal authorization of that State.
- 4) States should, in compliance with their duties as Flag States, avoid approving the transfer of vessels flying their flag to high sea areas where such transfers are inconsistent with responsible fishing under the Code of Conduct.

### **Section IV: Required Urgent Measures for Regional Fisheries Management**

- 1) States should develop policy frameworks for the sub-regional/regional management of fishing capacity. To be effective it is required that policies are developed simultaneously by relevant authorities (in accordance with national laws and regulations) in each of the countries and

Adopted

with national and sub-regional coordination of implementation and enforcement to ensure that fishing capacity is limited to agreed target levels.

- 2) States, in collaboration with other States, should assess the extent of overcapacity in defined fishing areas (trans-boundary, sub-regional and/or regional). Choose either an input or output basis as a reference point together with a range of indicators for the purpose of measuring active over-capacity.
- 3) States should develop sub-regional/regional conservation and management measures for fish stocks that are currently unmanaged regionally, in accordance with the best available scientific information on the status of such stocks.
- 4) States should conduct fishers/stakeholders fora at sub-regional/regional levels to build awareness on the need for conservation and management of fisheries resources and that in the management context, the effective management of fishing capacity is a requirement for effective conservation and management.
- 5) States should enhance the political will and awareness towards sub-regional/regional fisheries management and conservation.
- 6) States should strengthen sub-regional/regional Monitoring, Control and Surveillance (MCS) networks.

#### **Section V: Mechanisms to Promote Implementation**

- 1) States should develop information programs to increase awareness on the need for the management of fishing capacity, and the cost and benefits resulting from adjustments in fishing capacity.
- 2) States should support the sharing/exchange of scientific and technical information on issues related to the management of fishing capacity and promote its regional availability using existing national and sub-regional fora.
- 3) States should support capacity building as well as institutional strengthening and consider providing financial, technical and other assistance to some developing countries in the region to address issues related to the management of fishing capacity.
- 4) States should report to the ASEAN and SEAFDEC on the progress of assessment, development and implementation of their respective plans for the management of fishing capacity as part of their efforts in implementing the 2011 ASEAN-SEAFDEC Resolution and Plan of Action on Sustainable Fisheries for Food Security for the ASEAN Region towards 2020.
- 5) SEAFDEC will, as directed by the Council Directors, support the development and implementation of National Plans of Action (NPOAs)<sup>7</sup> for the management of fishing capacity through specific, in-country technical assistance projects.

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<sup>7</sup> Based on the Recommended Template agreed upon during the Second Regional Technical Consultation on Regional Plan of Action for Management of Fishing Capacity in December 2015 in Thailand

## ABBREVIATIONS

AFCF	ASEAN Fisheries Consultative Forum
AMSS	ASEAN Member States
ASEAN	Association of Southeast Asian Nations
CCRF	Code of Conduct for Responsible Fisheries
CPUE	Catch Per Unit Effort
EEZ	Exclusive Economic Zone
FAO	Food and Agriculture Organization of the United Nations
IPOA	International Plan of Action
IUCN	International Union for Conservation of Nature
IUU fishing	Illegal, Unregulated, and Unreported fishing
NPOA	National Plan of Action
MCS	Monitoring, Control and Surveillance
MSY	Maximum Sustainable Yield
RFMO	Regional Fisheries Management Organization
RFVR	Regional Fishing Vessel Record
RTC	Regional Technical Consultation
SEAFDEC	Southeast Asian Fisheries Development Center
UNCLOS	United Nations Convention on the Law of the Sea
WTO	World Trade Organization

## DEFINITION OF TERMINOLOGIES

1. **Beneficial owner:** This is a legal term where specific property rights (“use and title”) in equity belong to a person even though legal title of the property belongs to another person (Black's Law Dictionary (2nd Pocket ed. 2001 pg. 508)). This often relates where the legal title owner has implied trustee duties to the beneficial owner.
2. **Buy-back program:** This is a program usually government sponsored, for buying vessels or licenses from fishers and removing the vessels from the fishery (<https://stats.oecd.org/glossary/detail.asp?ID=248>; <http://www.fao.org/3/a-a1338e/a1338e14.pdf>)
3. **Catch Per Unit Effort (CPUE):** also called catch rate - is frequently the single most useful index for long-term monitoring of a fishery. Declines in CPUE may mean that the fish population cannot support the level of harvesting. Increases in CPUE may mean that a fish stock is recovering and more fishing effort can be applied. CPUE can therefore be used as an index of stock abundance, where some relationship is assumed between that index and the stock size. Catch rates by boat and gear categories, often combined with data on fish size at capture, permit a large number of analyses relating to gear selectivity, indices of exploitation and monitoring of economic efficiency. (<http://www.fao.org/docrep/004/Y2790E/y2790e02.htm#TopOfPage>)
4. **Commercial Fisheries:** Fisheries undertaken for profit and with the objective to sell the harvest on the market, through auction halls, direct contracts, or other forms of trade. (FAO definition)
5. **Community-based Management:** The core feature of locally developed, decentralized resource management is that user communities are ceded the rights and have the responsibilities for managing their own resources, typically using a mix of traditional or more formalized mechanisms of contract and enforcement to define access, exploitation methods and intensity. This is increasingly being applied in fisheries, though in many cases, the management structure is widened to include public sector agencies and other partners, in co-management. (<http://www.fao.org/fishery/topic/16626/en>).
6. **Co-management:** This is typically defined as a partnership arrangement between government and the local community of resource users, sometimes also connected with agents such as NGOs and research institutions, and other resource stakeholders, to share the responsibility and authority for management of a resource. There are no standardized approaches, but rather a range of arrangements, levels of sharing of responsibility and power, and ways of integration of local management mechanisms and more formalized government systems. In addition, the term is referred to the approach that is gaining particular importance in small-scale fisheries, for which local management capacity and responsibility, combined with the support of formal legal frameworks and information/decision making systems may offer particular advantages. However, their potential depends on the existing policy and legal environment, local and national support for community-based initiatives, and the capacities of various partners. (<http://www.fao.org/fishery/topic/16625/en>).
7. **Economic rent:** Economic rent can be defined as the surplus value created during the production of a good or service, due to the ownership of a factor of production that is in fixed or limited supply (<http://www.fao.org/docrep/003/x6827e/X6827E02.htm>)
8. **Excess Capacity:** The existence of underutilized capacity is an indication that excess capacity exists in a fishery, and that fewer boats, if fully utilized, could potentially have caught the same total catch. Excess capacity is a short run phenomenon and depends on the state of the resource and the environment (natural, social and economic) in which the fishers operate. A fishery with a fluctuating stock may exhibit excess capacity in some years and full capacity in others. Similarly, if market conditions are unfavorable, a fleet may exhibit excess capacity that disappears once prices return to their normal level (FAO Technical Guidelines For Responsible Fisheries).
9. **Exclusive Rights:** This is the right or privilege that can only be used by the person who it is granted to (<http://thelawdictionary.org/exclusive-right/>)

10. **Fisheries *refugia*:** Spatially and geographically defined marine or coastal areas in which specific management measures are applied to sustain important species (fisheries resources) during critical stages of their life cycle, for their sustainable use. (<http://www.fao.org/docrep/017/i3147e/i3147e.pdf>).
11. **Fishing Capacity:** Fishing capacity is, for a given resource condition, the amount of fish (or fishing effort) that can be produced over a period of time (*e.g.* a year) by a vessel or a fleet if fully utilized, that is if effort and catch were not constrained by restrictive management measures (FAO Technical Guidelines For Responsible Fisheries).
12. **Fishing Effort:** The amount of fishing gear of a specific type used on the fishing grounds over a given unit of time for example hours trawled per day, number of hooks set per day or number of hauls of a beach seine per day. When two or more kinds of gear are used, the respective efforts must be adjusted to some standard type before being added (FAO, 1997).
13. **Incentives:** An incentive is anything that motivates or stimulates people to act (Giger 1996; cited in FAO 1999). Sargent (1994; cited in Tomforde 1995) defines incentives as signals that motivate action. Other definitions refer to the “incitement and inducement of action” (Enters 2001). Within the context of development projects, incentives have also been described as “bribes” and “sweeteners” (Smith 1998). To be of interest and to have an impact, incentives need to affect the cost-benefit structure of economic activities such as plantation management. Hence, in the context of the regional study, incentives can be defined as policy instruments that increase the comparative advantage of forest plantations and thus stimulate investments in plantation establishment and management (<http://www.fao.org/3/a-ad524e/ad524e05.htm>).
14. **Information Program:** A program to disseminate information pertaining to a particular subject or issue related to fisheries management with the objective of improving the understanding of target audience on that subject.
15. **Input/output controls:**
  - ❖ **Input controls** are restrictions put on the intensity of use of gear that fishers use to catch fish. Most commonly these refer to restrictions on the number and size of fishing vessels (fishing capacity controls), the amount of time fishing vessels are allowed to fish (vessel usage controls) or the product of capacity and usage (fishing effort controls). Often fishing effort is a useful measure of the ability of a fleet to catch a given proportion of the fish stock each year. When fishing effort increases, all else being equal, we would expect the proportion of fish caught to increase (<http://www.fao.org/docrep/005/y3427e/y3427e06.htm>).
  - ❖ **Output controls** are direct limits on the amount of fish coming out of a fishery (fish is used here to include shellfish and other harvested living aquatic animals). Obvious forms of output control are limits placed upon the tonnage of fish or the number of fish that may be caught from a fishery in a period of time (*e.g.* total allowable catches; in reality, usually total allowable landings) (<http://www.fao.org/docrep/005/y3427e/y3427e06.htm>).
16. **Protected Areas:** This is a clearly defined geographical space, recognised, dedicated and managed, through legal or other effective means, to achieve the long term conservation of nature with associated ecosystem services and cultural values (IUCN Definition 2008) ([https://www.iucn.org/about/work/programmes/gpap\\_home/pas\\_gpap/](https://www.iucn.org/about/work/programmes/gpap_home/pas_gpap/)).
17. **Protected Species:** a species of animal or plant which it is forbidden by law to harm or destroy (<http://www.collinsdictionary.com/dictionary/english/protected-species>).
18. **Monitoring, Control and Surveillance (MCS):**
  - ❖ **Monitoring:** the collection, measurement and analysis of fishing activity including, but not limited to: catch, species composition, fishing effort, bycatch, discards, area of operations, etc. This information is primary data that fisheries managers use to arrive at management decisions. If this information is unavailable, inaccurate or incomplete, managers will be handicapped in developing and implementing management measures.
  - ❖ **Control:** involves the specification of the terms and conditions under which resources can be harvested. These specifications are normally contained in national fisheries legislation and other arrangements that might be nationally, sub-regionally, or regionally agreed. The legislation provides the basis for which fisheries management arrangements, via MCS, are implemented.
  - ❖ **Surveillance:** involves the regulation and supervision of fishing activity to ensure that national legislation and terms, conditions of access, and management measures are observed.

Adopted

This activity is critical to ensure that resources are not over exploited, poaching is minimized and management arrangements are implemented. (<http://www.fao.org/fishery/topic/3021/en>)

19. **Maximum Sustainable Yield (MSY):** The highest theoretical equilibrium yield that can be continuously taken (on average) from a stock under existing (average) environmental conditions without affecting significantly the reproduction process. Also referred to sometimes as Potential yield. (<http://www.fao.org/faoterm/en/?defaultCollId=21>)
20. **Open access:** is the condition where access to the fishery (for the purpose of harvesting fish) is unrestricted; *i.e.*, the right to catch fish is free and open to all (<https://stats.oecd.org/glossary/detail.asp?ID=3084>)
21. **Overfishing:** Overfishing is a generic term used to refer to the state of a stock subject to a level of fishing effort or fishing mortality such that a reduction of effort would, in the medium term, lead to an increase in the total catch. Often referred to as overexploitation and equated to biological overfishing, it results from a combination of growth overfishing and recruitment overfishing and occurs often together with ecosystem overfishing and economic overfishing. (<http://www.fao.org/faoterm/en/?defaultCollId=21>)
22. **Overcapacity:** is a longer-term problem and reflects a divergence between the resources used to harvest the resource (and the resultant current level of output) and the resources needed (and corresponding output) to harvest the resource at an “optimal” level. Optimal, in this sense, will largely be driven by the objectives of fisheries management, be they economic, social or conservation based (or some combination of all three). If the fishery is severely overexploited, this optimal yield may be higher than the current catch level, but associated with a large biomass. The existence of underutilized capacity may be indicative of overcapacity, but it does not necessarily convey information about the extent of overcapacity. Conversely, with an overexploited stock, little excess capacity may be exist even though considerable overcapacity exists (FAO Technical Guidelines For Responsible Fisheries).
23. **Precautionary Principle:** A set of agreed cost-effective measures and actions, including future courses of action, which ensures prudent foresight, reduces or avoids risk to the resources, the environment, and the people, to the extent possible, taking explicitly into account existing uncertainties and the potential consequences of being wrong. (<http://www.fao.org/docrep/003/w1238e/W1238E01.htm>).
24. **Reference Point:** An estimated value derived from an agreed scientific procedure and/or model, which corresponds to a specific state of the resource and of the fishery, and that can be used as a guide for fisheries management. Reference points may be general (applicable to many stocks) or stock-specific. (<http://www.fao.org/faoterm/en/?defaultCollId=21>).
25. **Regional Fisheries Management Organizations (RFMO):** an intergovernmental organization, established by international agreement, with the competence to adopt conservation and management measures. (<http://www.fao.org/in-action/vulnerable-marine-ecosystems/key-concepts/en/>).
26. **Resource Rent:** This is a key concept in fisheries exploitation and management which is the total revenue that can be generated from the extraction of natural resources less the cost of extracting such resources (WTO definition)
27. **Sub-regions:** This refers to any region or areas whereas more than one country are concerned or the areas that are related to the trans-boundary issues and/or fish stock that needed to be managed together through the collaboration and cooperation. In Southeast Asian region, the sub-regions are referred to the specific sea areas such as Gulf of Thailand, Andaman Sea, Sulu-Sulawesi Seas, etc.
28. **Stock Enhancement:**
  - ❖ The release of cultured juveniles into wild population(s) to augment the natural supply of juveniles and optimize harvests by overcoming recruitment limitation (<http://www.stockenhancement.org/about/history.html>)
  - ❖ Stock enhancement of wild fisheries - The enhancement of stocks of an existing wild, open-access fishery with species that may or may not be self-recruiting. This category includes the stocking of relatively large inland water-bodies where there are no property rights to the stock. Generally the recapture rate of stocked fish is low and repeated enhancement is not always necessary to maintain the fishery.

- ❖ **Culture-based fisheries** - The stocking of small water-bodies is a form of enhancement that is typically undertaken on a regular basis and the stocking activity is the only means of sustaining the fishery. Typically, a person or a group of persons and/or an organization will have property rights to the stock. The source of stock for the enhancement may be derived from capture, but more typically is obtained from a hatchery operation. These features collectively amount to a form of aquaculture that according to the FAO definition (FAO 1997), is referred to as culture-based fishery. (<http://www.fao.org/docrep/008/ae932e/ae932e05.htm>)
- 29. **Fisheries Subsidies:** Fisheries subsidies are government actions or inactions that are specific to the fisheries industry and that modifies - by increasing or decreasing - the potential profits by the industry in the short-, medium- or long-term. (<http://www.fao.org/docrep/005/y4446e/y4446e0k.htm>)
- 30. **Total Allowable Catch (TAC):** The TAC is the total catch allowed to be taken from a resource in a specified period (usually a year), as defined in the management plan. The TAC may be allocated to the stakeholders in the form of quotas as specific quantities or proportions. (<http://www.fao.org/faoterm/en/?defaultCollId=21>)
- 31. **Traditional fisheries:** This involves fishing households (as opposed to commercial companies), using relatively small amount of capital and energy, relatively small fishing vessels (if any), making short fishing trips, close to shore, mainly for local consumption. In practice, definition varies between countries, *e.g.* from gleaning or a one-man canoe in poor developing countries, to more than 20-m. trawlers, seiners, or long-liners in developed ones. Artisanal fisheries can be subsistence or commercial fisheries, providing for local consumption or export. They are sometimes referred to as small-scale fisheries". (<http://www.fao.org/fishery/topic/14753/en>)
- 32. **Trans-boundary Stock:** a group of commercially exploitable organisms/fish, distributed over, or migrating across, the maritime boundary between two or more national jurisdictions, or the maritime boundary of a national jurisdiction and the adjacent high seas, whose exploitation can only be managed effectively by cooperation between the States concerned. (<http://www.fao.org/docrep/006/y4652e/y4652e03.htm>)

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**RECOMMENDED TEMPLATE  
FOR THE DEVELOPMENT OF  
NATIONAL PLAN OF ACTION FOR MANAGING FISHING CAPACITY  
(NPOA-CAPACITY)**

**I. INTRODUCTION**

- ❖ General problems and challenges on managing fishing capacity
- ❖ Importance of NPOA-Capacity

**II. NATIONAL PROFILE ON FISHERIES****2.1. Fishing Capacity Assessment**

- ❖ By types of fishing vessels
- ❖ By types of fishing gear
- ❖ By number of people engaged in capture fisheries
- ❖ By management area
- ❖ Fishing efforts

**2.2. Resources Assessment**

- ❖ Status and Trends of Fisheries
- ❖ Total production: including by Species, gears
- ❖ Fisheries management indicators e.g. MSYs or other indicators
- ❖ Biomass estimation from past surveys
- ❖ Others

**2.3. Identification Main Issues and Challenges**

- ❖ Overfishing
- ❖ Habitat degradation
- ❖ Encroachment into coastal waters
- ❖ Illegal fishing vessel including use of destructive fishing practices
- ❖ Inadequate enforcement capacity and capability
- ❖ Lack of public awareness and participation
- ❖ Conflicts in policies objectives

**2.4. Basic legal aspects, including institutional frameworks and responsibilities****III. GOAL, OVERALL OBJECTIVES AND SPECIFIC OBJECTIVES****IV. PLAN OF ACTION FOR MANAGING FISHING CAPACITY****4.1. Improve Management Policy**

- ❖ Update and endorse policy level decision

**4.2. Conduct Research and Assessment**

- ❖ Promote research and effective utilization of regular data collection
- ❖ Research on impact assessment on the change of fish population
- ❖ Periodic, stratified biomass estimation (by scientific surveys)
  - ✓ By resources type: demersal, pelagic, prawn, etc.
  - ✓ By area/zone/depth of water (depending on the management regime)
- ❖ Conduct assessment to identify overcapacity by fleet segment and gear used in order to better adjust the strategies

**4.3. Improve Fishing Capacity Management/Measures**

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

#### 4.4. Improve Legal and Institutional Frameworks, with responsibilities and coordination defined

#### 4.5. Improve Enforcement and MCS

- ❖ Establish database and analysis tools
- ❖ Continue development of VMS for fishing vessels
- ❖ Strengthen and build capacity for relevant fisheries officers: inspection and surveillance
- ❖ Establish coordination mechanism among monitoring and surveillance forces at the seas involving relevant institutions as defined in national laws
- ❖ Establish functioning national MCS-network(s)

#### 4.6. Promote Participation of Relevant Stakeholders

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

#### 4.7. Responsibilities/Implementation

- ❖ Fisheries Administration
- ❖ Other Departments as applicable to each country (responsible for vessel registration, inspection and enforcement)
- ❖ Legal and Organization Departments (need to be better defined)
- ❖ Accounting and Planning Departments (need to be better defined)
- ❖ Research Institute for Marine Fisheries
- ❖ Local Governance, (province and district administration as applicable)
- ❖ Social and professional associations and/or fishing community, including private sector and community fisheries organizations)

## V. STRATEGIES

### Strategy 1: Improve Management Policy

No.	Issues and Challenges	Key Actions	Time Frame

### Strategy 2: Conduct Research and Assessment

No.	Issues and	Key Actions	Time Frame

Adopted

	Challenges		

**Strategy 3: Improve Fishing Capacity Management/Measures**

No.	Issues and Challenges	Key Actions	Time Frame

**Strategy 4: Improve Legal and Institutional Frameworks, with Responsibilities and Coordination Defined**

No.	Issues and Challenges	Key Actions	Time Frame

**Strategy 5: Improve Enforcement and MCS**

No.	Issues and Challenges	Key Actions	Time Frame

**Strategy 6: Promote Participation of Relevant Stakeholders**

No.	Issues and Challenges	Key Actions	Time Frame

**VI. MONITORING AND EVALUTAION**

**VII. GLOSSARY**

**VIII. REFERENCE**

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## CLOSING REMARKS

*By Mr. Hajime Kawamura, SEAFDEC Acting Secretary-General*

Distinguished Delegates from the ASEAN-SEAFDEC Member Countries;  
My colleagues in SEAFDEC;  
Ladies and Gentlemen, Good afternoon!

After about three days of deliberations, the Second Regional Technical Consultation on the Development of the Regional Plan of Action for Managing Fishing Capacity has just been successfully concluded. Please allow me on behalf of SEAFDEC, to express our sincere thanks to all participants for your valuable inputs and active participation during the discussions. I also wish to thank the Secretariat staff for your hard work that ensures the success of this Consultation. I am happy that together we have done an excellent job and were able to obtain valuable recommendations in finalizing the Draft of RPOA-Capacity. Together, we have just made this Consultation a great success.

Ladies and Gentlemen, we are indeed very thankful for your recommendations on the important issues that contribute to the valuable outputs of this Consultation. Those were not only indicative of the region's interest in addressing the management of fishing capacity, but also meant to enhance the cooperation among the ASEAN Member States for the realization of the ASEAN Community.

Ladies and gentlemen, I strongly urge the ASEAN-SEAFDEC Member Countries and SEAFDEC to continue maintaining the momentum of partnership among ourselves to enable us to attain the objectives of reducing the pressure on available stocks, mitigating conflicts over resources and promoting sustainability for people dependent on the fishery resources. Let us altogether make sure that sustainable development of fisheries in this region is attained.

Lastly, we hope that all of us would continue to have a good stay in this beautiful island of Phuket, and have a safe journey back to our homes.

With that, Ladies and Gentlemen, I now declare this Second Regional Technical Consultation on the Development of the Regional Plan of Action for Managing Fishing Capacity closed. Thank you.