# Report of the 2<sup>nd</sup> Subregional Meeting on Regional Plan of Action (RPOA) And Illegal, Unreported And Unregulated (IUU) Fishing In The Southern and Eastern Areas of the South China Sea and The Sulu-Sulawesi Seas

Ambon, Indonesia 2-3 December 2009

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#### AMBON, INDONESIA 2-3 December 2009

#### I. INTRODUCTION

- 1. The Sub-Regional Meeting on the Southern and Eastern Area of the South China Sea and the Sulu-Sulawesi Seas was organised by the Directorate General of Surveillance and Control of Marine and Fisheries Resources, Ministry of Marine Affairs and Fisheries, Indonesia, from 2-3 December 2009 at Ambon, Indonesia.
- 2. The Meeting was attended by delegates from Brunei Darussalam, Indonesia, and Malaysia. The Philippines and Vietnam were unable to attend. The meeting was also attended by representative from WorldFish Centre. The list of delegates and representative from regional organization appears as **Annex 1**
- 3. Ir. Hartanta Tarigan, PhD, Secretary to Directorate General of Surveillance and Control of Marine and Fisheries Resources, welcomed the delegates to the meeting. After underlining the objectives and expected output of the Meeting, he expressed his wish for successful deliberations and declared the Meeting open.

#### II. ADOPTION OF THE AGENDA

- 4. The agenda of the Meeting which appears as Annex 2 were adopted.
- 5. Co-Chair Mr. Suhaili, Deputy Director-General (Operations) Department of Fisheries Malaysia addressed the importance of Vietnam to be involved in the sub regional meeting. It is also proposed in the 1st sub-regional meeting on the Southern and Eastern Areas of the South China Sea and Sulu-Sulawesi Seas in Kuching, Malaysia, 26-28 August 2008, that the sub regional area of implementation to include the exclusive economic zones of Brunei Darussalam, Malaysia, Philippines, Vietnam, and Indonesia.

#### III. INTRODUCTION AND BACKGROUND

- 6. Chairman Ir. Hartanta Tarigan, PhD highlighted the main objectives of the meeting are (i) to discuss the progress of the implementation of this sub regional programs, as resulted from 1st meeting in Kuching, Sarawak, Malaysia 26-28 August 2008, and (ii) to identify the next priorities action/workplan;
- 7. As a background, the delegates were given a brief review on the Sub Regional on the Southern and Eastern Area of the South China Sea and Sulu Sulawesi Seas held in Kuching, Sarawak, Malaysia on the 26-28 August 2008. The detail review of the 1st meeting was presented at the meeting.

# IV. REVIEW ON THE OUTCOME OF 1st SUB-REGIONAL MEETING SOUTHERN AND EASTERN OF SOUTH CHINA SEA AND SULU-SULAWESI SEAS IN KUCHING, MALAYSIA, 26-28 AUGUST 2008

- 8. Co-Chair Mr. Suhaili presented the review of the 1st sub regional meeting outcomes held in Kuching, Malaysia, 26-28 August 2009. The review mainly discussed following subjects:
  - A need for exchange of information through the nominated focal point in charge of enforcement with the telephone and contacts among the RPOA member countries:
  - Establishment of two Ad-Hoc Technical Working Groups (TWG), TWG for MCS Network and TWG for Fishery Resource and Management;
  - Development of the matrix on sub regional issues, needs and gaps;
  - Area of implementation of sub regional programs to include the exclusive economic zones of Brunei Darussalam, Malaysia, Philippines, Vietnam, and Indonesia:
  - Decision on the term of reference (ToR) Ad-Hoc Technical Working Group (TWG) for MCS Network and Fishery Resource and Management as shown in the **Annex 3** and **Annex 4**;

### V. PRESENTATION AND DISCUSSION ON PROGRESS REPORT BY MEMBER COUNTRIES

- 9. MCs reported their progress of the implementation through highlighting the issues at the national level and that written in the matrix that were developed during the 1st sub regional meeting in Kuching, Sarawak, Malaysia, 26-28 August 2008. MCs also reported their ongoing and future programs;
- 10. MCs suggested that the term of 'boundary/areas' of sub regional be replaced by sub regional area of implementation;
- 11. The brief of MCs reports as appears in Annex 5.

### VI. SUSTAINABLE FISHERIES PROGRAM OF SULU-SULAWESI MARINE ECOREGION (SSME)

- 12. Dr. Wudianto, Indonesia SSME Team member, presented the ongoing progress of the workplan on sustainable fisheries (including aqua culture and livelihood system) which cover:
  - •Regeneration, rehabilitation and restoration of degraded coastal wetlands
  - •Illegal, Unregulated and Unreported (IUU) fishing
  - Awareness programs
  - •Sustainable aquaculture
  - •Fisheries research
  - •Trade in live reef fish and marine organisms
  - •Marine turtle and seaweed farm interactions
  - •Fisheries by catch
  - •Collaborative fisheries management for shared stock in SSME
  - •Capacity building for stakeholders, and
  - •funding

- 13. The representative of SSME highlighted their SSME initiative which is potential to link their programs with the Sub Regional RPOA on Southern and Eastern of South China Sea and Sulu-Sulawesi Seas;
- 14. The meeting agreed to involve other existing initiative in the sub regional level in the next Ad-hoc TWG meeting.

# VII. DISCUSSION ON PROGRESS OF THE IMPLEMENTATION OF SOUTHERN AND EASTERN AREA OF SOUTH CHINA SEA AND SULU SULAWESI SEAS WORKPLAN MATRIX

15. The participants provided inputs to the matrix during discussion. The result of the discussion appears in Annex 6.

#### VIII. DISCUSSION ON PRIORITIES ISSUES AND WORK PLAN

- 16. The discussion of priorities issues was incorporated in the review of SCS & SSS workplan matrix as appears in Annex 6.
- 17. Malaysia was generous to host the 1st meeting of two Ad-hoc TWG in March 2010. The two Ad-hoc TWG are MCS Network and Fishery Resource and Management.
- 18. RPOA Secretariat will cooperate with the host country in organizing the 1st Ad-hoc TWG meetings.

#### IX. DATE AND VENUE OF THE NEXT MEETING

19. The Meeting agreed that the next meeting of this sub-regional group would be held tentatively in November 2010, Vietnam, back-to-back with The 3rd RPOA CC meeting. Confirmation on date and venue would be informed in due course.

#### X. ACKNOWLEDGEMENT

20. The delegates from Brunei Darussalam, Indonesia, Malaysia, and WorldFish Centre expressed their appreciation to the Government of Indonesia, in particular the Directorate General of Surveillance and Control of Marine and Fisheries Resources, Ministry of Marine Affairs and Fisheries, Indonesia, for the warm hospitality and excellent arrangements made for the meeting.

#### XI. CLOSING OF THE MEETING

21. Ir. Hartanta Tarigan, PhD, Secretary to Directorate General of Surveillance and Control of Marine Affairs and Fisheries, Ministry of Marine Affairs and Fisheries, Indonesia, expressed his appreciation to all delegates for their active participation and valuable contribution, which enable the meeting to come up with fruitful outcomes and recommendations, and declared the meeting closed.

#### ANNEX 1

#### LIST OF DELEGATES

No.	Name	Address	
	BRUNEI DARUSSALAM		
1.	Mr. Haji Ajamain Haji Sawal	Head of Management and Surveillance Division,	
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## FOCAL POINTS FOR TECHNICAL WORKING GROUP MONITORING CONTROL AND SURVEILLANCE (MCS) NETWORK

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**Draft Agenda** 

Wednesday, 2 De	Remarks	
08.00 - 09.00	Registration	
09.00 - 09.30	1. Opening Speech	DG of Surveillance and Control, MMAF
09.30 - 09.45	2. Adoption of Draft Agenda	Co-Chairs
09.45 - 10.00	Morning Tea	
10.00 - 10.30	3. Introduction and Background of the meeting	Co-Chairs
10.30 - 12.30	4. Review on the outcome of 1st Sub-regional meeting Southern and Eastern of South China Sea and Sulu-Sulawesi Seas in Kuching, Malaysia, 26-28 August 2008.	Malaysia
12.30 - 13.30	Lunch	
13.30 - 15.30	<ul> <li>5. Presentation and Discussion on Progress Report by Country (case of subregional)</li> <li>5.1 Implementation by Country</li> <li>5.2. Implementation at/for Subregional level <ul> <li>MCS Network</li> <li>Fishery Resources and management</li> <li>Boundary of the sub-regional (Area of application, area of implementation, working area)</li> </ul> </li> </ul>	Sub-Regional Countries: 1. Malaysia 2. Indonesia 3. Philippines 4. Brunei Darussalam 5. Vietnam
15.30 - 15.45	Afternoon Tea	
15.45 - 16.15	6. Sustainable fisheries program of Sulu- Sulawesi Marine Ecoregion (SSME)	Indonesia SSME Team (Dr Wudianto)

16.15 - 17.30	7. Discussion on Progress of the implementation of Subregional Matrix	Sub-Regional Countries:  1. Malaysia  2. Indonesia  3. Philippines  4. Brunei Darussalam
19.00 - 21.00	Dinner	
Thursday, 3 Dece	ember 2009	
08.30 - 10.00	8. Discussion on Priorities Issues and Work plan	Co-chairs
10.00 - 10.15	Morning Tea	
10.15 - 11.15	9. Wrap Up and Recommendation	Co-chairs
11.15 - 11.30	10. Other Matters	
11.30 – 11.45	11. Next Meeting	
11.45 - 12.00	12. Closing Speech	
12.00 - 13.30	Lunch	
19.00 – 21.00	Dinner	

#### ANNEX 3

# TERMS OF REFERENCE OF THE AD-HOC TECHNICAL WORKING GROUP (TWG) FOR MONITORING CONTROL AND SURVEILLANCE (MCS) NETWORK

- 1. To draft appropriate Sub-Regional MCS network.
- 2. To identify data information required to be shared.
- 3. To draft port monitoring activity and information sharing mechanism.
- 4. Analyze and evaluate available information (refers to point 2).
- 5. Evaluate the effectiveness of existing mechanism in MCS cooperation.
- 6. Propose future programs and activities in MCS.

\*With regards to the membership of the Ad-hoc TWG, each Member Country is to nominate their focal point. It is proposed to have the 1<sup>st</sup> meeting of Ad-hoc TWG in March 2010, Johor Baru, Malaysia.

#### ANNEX 4

### TERMS OF REFERENCE OF THE AD-HOC TECHNICAL WORKING GROUP (TWG) ON FISHERY RESOURCES AND MANAGEMENT

- 1. Gathering of existing data available from member country
- 2. Review, analyze and evaluate the available data
- 3. Propose future programs and activities to be implemented
- To propose guidelines, tools and collaboration in enhancing management practices of fishery resources

\*With regards to the membership of the Ad-Hoc TWG, each Member Country is to nominate their focal point. SEAFDEC is proposed to lead the Ad-Hoc TWG on Fishery Resources and Management. It is proposed to have the 1<sup>st</sup> meeting of Ad-hoc TWG in March 2010, Johor Baru, Malaysia.

### PRESENTATION AND DISCUSSION ON PROGRESS REPORT BY MEMBER COUNTRIES

#### I. <u>BRUNEI DARUSSALAM</u>

- 1. The delegates for Brunei Darussalam brief the meeting on the implementation of the national program in relation to IUU fishing in Brunei Darussalam:
  - The fishing Vessel license is issue by Department of Marine, Ministry of Communication.
  - Department of fisheries only issued fishing gear license.
  - Department of fisheries used licensing system as one of the tools to control the fishing efforts in Brunei Darussalam.
  - The number of fishing gears license issued depend on the number of quota available. The number of quotas are calculated using the MSY of the fishery.
- 2. Monitoring and Surveillance of Brunei Darussalam Water:
  - Department of Fisheries, Brunei Darussalam conduct regular patrol activities in Brunei Darussalam water.
  - Department of Fisheries also working closely with relevant enforcement agencies in Brunei Darussalam to monitor the fishing activities within its maritime boundaries.
  - In terms of collecting catch data from the local fishing vessels, Department of Fisheries issues Log Books to every license Department of Fisheries fishing vessels.
- 3. In Regional and Sub-Regional cooperation, Brunei Darussalam is active involved in attending and participating In trainings, workshops and meetings organized under the Regional Plan Of Action in combating IUU Fishing.

#### II. MALAYSIA

The Various programs that has implemented by Malaysia with respect to Monitoring, Surveillance, Control as well Fisheries Management as follows:

- o Fishing licensed are being translated into English
- o Improvement of the present a database system in fishing licenses
- Coordination with relevant maritime enforcement agencies has been initiated since 2008
- A training has been conducted for participates from relevant maritime agencies on catch documentation and its application
- o Improvement of/ongoing bilateral cooperation with include a parallel patrolling with 2 neighboring countries namely Indonesia and the Philippines.

- o VMS has been implemented in all states for trawl fishing vessel >70 GT. Initiates has been taken to include trawlers >40 GT in the Program
- Regular enforcement joint operations has been increased between maritime enforcement agencies to ensure of local fishing vessels with respect to fisheries law & regulations
- Action has been initiated to improve the system in engagement of foreign crew for fishing vessels.
- o Improvement of stakeholders engagement in the fishing industry has been initiated.
- o Research survey has been conducted on a yearly basic to cover specific areas in the Malaysian waters.

#### III. INDONESIA

Indonesia is currently undertaking the following activities:

- Developing the capacity on port monitoring as the preparation for FAO Port State Measures
- Tuna monitoring
- o License improvement
- Catch documentation scheme in the southern part of Indonesia, and also to progress the preparation for EC Regulations 1005/2008) through the establishment of competent authority, Ministerial Decree, and trial in the three areas
- o Bilateral MCS cooperation with Philipina, surveillance cooperation with Malaysia through Malaysia-Indonesia Patrol
- o Research on attitude and tactic of fishers in dealing with IUU Fishing
- Regulating transshipment at sea
- Simplifying fisheries logbook
- o Strengthened licensing system to be more efficient
- Establishment of forum to utilize the fish resources
- Implementing and developing MCS system including implementation of Vessel Monitoring System (VMS), vessel patrols, fisheries tribunal, community group for surveillance, fisheries inspectors, operation permit, and capacity building
- o Coordination with relevant national institutions in conducting fisheries surveillance such as navy, police, and customs;

### **SCS and SSS Workplan Matrix**

(Southern and Eastern Area of South China Sea and Sulu Sulawesi Seas)

Sub-regional	Needs/Gaps			When
issues	National	Sub-Regional	<b>Priorities/Action</b>	
Large number of variously flagged fishing vessels operating in Southern and Eastern Area of South China	Developing of a mechanism to share information in English	Developing of a mechanism to share information in English	Developing of a mechanism to share information in English	• End of 2010
Sea and Sulu Sulawesi Sea, including: - Authorised national		All licenses (above 70     GT) should be available in English	All licenses should be available in English	• End of 2010
small scale fishing vessels operating in Southern and Eastern Area of South China Sea and Sulu Sulawesi Sea;		Exchange copies of laws and regulations through Bilateral arrangement and other	Submission copies of laws and regulations to the RPOA Secretariat	• March 2010
- Authorised national large scale fishing vessels operating in Southern and Eastern Area of South China Sea	Develop and maintain database on fishing licenses	<ul> <li>relevant instrument</li> <li>Each member country         to provide required         information which will</li> </ul>	To submit to the Secretariat all the required data	• June 2010
and Sulu Sulawesi Sea; - Un-authorised national fishing vessels operating in SE South China Sea	• Flag states take effort to ensure the vessel	be shared within the sub-region (will be identified by TWG).  • Port states measures should be exercised	Port states measures should be exercised	Immediate

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and Sulu Sulawesi Sea; - Un-authorised foreign fishing vessels operating	comply to management measures (regulation)	over non-flag vessel <u>and</u> <u>illegally flag vessels</u>	over non-flag vessels, including submission of catch documentation	
in Southern and Eastern Area of South China Sea and Sulu Sulawesi Sea.	Undertake activities related to port monitoring	Harmonize and sharing of information resulting from port monitoring (type of information will be advised by Ad-	Harmonize and sharing of information resulting from port monitoring	• End of June 2010
	Each member country should initiate the use of catch documentation	hoc TWG)  • Harmonize and sharing of technique for catch documentation, (will be developed by Ad-hoc TWG, considering relevant international standard)	Harmonize and sharing of information derives from catch documentation.	• March 2010
	Encourage MCs to arrange bilateral meeting on MCS	Could be implemented through subregional arrangement between MC etc. to establish networking between MCs, and strengthen current relevant mechanism in sharing information		• Immediate
	Port state should conduct investigation	<ul> <li>MCs should share information of foreign vessel fishing illegally in the subregion</li> </ul>		Ongoing
		• promote consultation on fishing through Bilateral	•	Ongoing

		and Multilateral mechanism, by mean of Regional Fisheries Organization (RFMO,APFIC) eg. IOTC	
Unreported transshipping activities	<ul> <li>Law enforcement</li> <li>Implementation of observers program</li> <li>Implementation of certificate of origin</li> <li>Application VMS</li> </ul>	Sharing of information related to unreported transshipment resulted from:  • Law enforcement • Implementation of observers program • Implementation of certificate of origin Application VMS	• Immediate
Unauthorised use/transfer of one license between multiple fishing vessels	<ul> <li>Improvement of the regular checking of fishing vessel</li> <li>vessel marking system, including development of a chip to install on a vessel</li> </ul>	<ul> <li>Sharing of information between MCs, by developing a good communication network/system</li> <li>Transfer of technology between MCs</li> </ul>	• End of June 2010
Unregulated bunkering.	<ul> <li>Tighten monitoring of fishing vessel carrying excess fuel and transshipment of fuel and supply at sea</li> <li>limit the number/quantity of</li> </ul>	<ul> <li>monitor the movement and activities of vessels esp. at the border</li> <li>Sharing of information between MCs, by developing a good communication</li> </ul>	<ul><li>Immediate</li><li>End of June 2010</li></ul>

	supplies etc. fuel on each vessels  • Port state measures		
Unknown activities relating to transfers of crews.	<ul> <li>control the mother ship</li> <li>control at the port         regarding immigration         matters each time going         out and return to the         port crews usually do         not bring identification         card</li> <li>Regulating the use of         crew onboard by CAs</li> <li>CA of MCs to ensure         crews that will be         employed should have         proper documentation</li> </ul>	Exchange of information between MCs on foreign crew employment	Immediate
Unreported and misreported catches from licensed fishing vessels	To implement properly:     logbook     port monitoring system     catch documentation	to harmonize the catch documentation report in MCs which will be finalized in the TWG forum	• March 2010
Unreported catches from illegal fishing activities	<ul> <li>To implement port state measures</li> <li>Investigate the vessels and their activities</li> </ul>	To share information on illegal fishing which occurs at cross-border waters of MCs which will be finalized in the TWG forum	• March 2010
Fraudulent licensing and registration activities.	To improve:     database for vessel registration	to establish exchange of information on fishing license which will be	• June 2010

	<ul> <li>licensing system to minimize fraud</li> <li>regular checking of fishing vessel</li> </ul>	finalized in the TWG forum		
Limited human and institutional capacity within relevant government agencies to effectively implement MCS.	Cooperating with other national enforcement agencies (i.e. Navy, Customs, Air Force, Police, Coast Guard), including national maritime operation	<ul> <li>Encourage MCs to arrange bilateral cooperation on MCS</li> <li>Seek for additional financial resources for the MCS activities among MCs</li> </ul>	Propose RPOA     Secretariat to undertake     this program	<ul><li>Immediate</li><li>Before end of 2010</li></ul>
		<ul> <li>Capacity building in MCS, fisheries management, Port State Measures to be coordinated by the Secretariat RPOA</li> </ul>	Propose RPOA     Secretariat to undertake     this program	• Before end of 2010
Lack of stakeholders engagement in MCS and general fisheries management.	<ul> <li>promote collaborative fisheries management program</li> <li>to strengthen the cooperation between stakeholders and the CAs</li> <li>awareness program for stakeholders, especially Fishermen's Association, industries and relevant NGOs</li> <li>to promote Corporate</li> </ul>	sharing of experience between MCs		• Ongoing

	Social Responsibility			
Impacts on shared and migratory fish stocks (including other associated and dependent species such as sea turtles, sharks, dolphin, dugong, whales) within subregion.	<ul> <li>to analyze the data from logbook</li> <li>to conduct stock assessment</li> <li>to establish NPOA</li> </ul>	<ul> <li>to encourage MCs to establish NPOA</li> <li>to request assistance from SEAFDEC and other possible agencies to conduct stock assessment and sharing of information among RPOA Member Countries</li> </ul>	•	<ul><li>Immediate</li><li>Immediate</li></ul>
		TWG will discuss the following matters:  • support RPOA programme on sea turtle by ASWGFi (ASEAN Sectoral Working Group On Fisheries), RCCRF (Regional Code Of Conduct For Responsible Fisheries) promoted by SEAFDEC  • assess impacts of FADs on tuna fishery in collaboration with SEAFDEC  • assessment of associated and dependant species		• March 2010

		abundance in collaboration with SEAFDEC and other regional bodies		
Status of Fishery Resources and fishery Management	<ul> <li>to continue with the national stock assessment program</li> <li>enhancing resource assessment review based on existing landing data available at the national level</li> <li>review and enhance the present fisheries management practices</li> </ul>	<ul> <li>seek assistance from SEAFDEC or any other agencies for gap analysis on fisheries management in the subregion</li> <li>sharing of experiences in fisheries management practices among MCs through subregional workshop/seminar</li> </ul>	subregional meeting propose WorldFish in collaboration with Indonesia to prepare the proposal to organize the workshop	<ul> <li>Ongoing</li> <li>Proposal March 2010, workshop September 2010</li> </ul>