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- Summary Report -

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**The 7<sup>th</sup> COORDINATION COMMITTEE MEETING**

of the

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

**Cairns-Australia, 4-6 November 2014**

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**OPENING SESSION**

Representatives of 7 (seven) participating countries to the Regional Plan of Action (RPOA) to Promote Responsible Fishing Practices including Combating IUU fishing in the Southeast Asia Region (Australia, Brunei Darussalam, Indonesia, Malaysia, Singapore, Thailand and Vietnam) attended The 7<sup>th</sup> RPOA Coordination Committee Meeting. Cambodia, Papua New Guinea, Philippines, and Timor Leste were unable to attend. Among the four inter-governmental organisations which act as Advisory Bodies, the Southeast Asian Fisheries Development Centre (SEAFDEC) attended the meeting. Members of the RPOA Coordination Committee are shown at Annex 1 and delegates participating in the meeting are listed at Annex 2.

The meeting was co-chaired by Mr. Simon Veitch, Australian Government Department of Agriculture, and Mrs. Ida Kusuma Wardhaningsih, Executive Secretary of the Directorate General of Surveillance for Marine and Fisheries Resources, Ministry of Marine Affairs and Fisheries, Republic of Indonesia.

The Honourable Senator Richard Colbeck, Parliamentary Secretary to the Australian Government Minister for Agriculture, conveyed a very warm welcome to all distinguished delegates. He indicated Australia was deeply honoured to host the 7<sup>th</sup> RPOA Coordination Committee meeting.

Senator Colbeck stated that the RPOA is an important regional forum and that the work of the RPOA is key to ensuring participating countries have a strong set of parameters in place to combat IUU fishing. The Hon. Senator Colbeck recognised the difficulties in dealing with IUU fishing and the challenges that the RPOA

participating countries face, however he reiterated that by taking a strong stance and working together, the RPOA participating countries will continue to make significant progress in the fight against IUU fishing.

Senator Colbeck recognised the many actions already taken by RPOA participating countries and how these have started to make a real difference, citing progressive implementation of port State measures as an example. He acknowledged that by removing the market for those involved in IUU fishing fundamentally destroys the profit and operations of those businesses involved. He indicated that the RPOA participating countries need to continue to provide information to each other regarding IUU fishing to ensure that we have strong fisheries measures in each country which, in turn, will ensure that there is a sustainable supply of protein from seafood, protein which is vital to our communities and also globally.

Senator Colbeck stated that he would like to see the RPOA continue taking strong steps and continue to cooperate with neighbouring countries to ensure that the region has productive and sustainable fisheries into the future.

Mr. Veitch welcomed all participants to the meeting and emphasised the importance of this annual opportunity to discuss what actions have been undertaken in the past year and to plan for the year ahead.

Mrs. Ida Kusuma Wardhaningsih delivered welcome remarks on behalf of Mr Asep Burhanudin, Director General of Surveillance for Marine and Fisheries Resources, Ministry of Marine Affairs and Fisheries, Republic of Indonesia and conveyed his apology for being unable to attend the meeting. Mrs. Ida Kusuma Wardhaningsih welcomed all delegates to the 7<sup>th</sup> RPOA Coordination Committee meeting. She reminded delegates of the numerous impacts of IUU fishing on fish stocks, the environment, fishers' livelihoods and marine-coastal communities. These impacts hinder development of marine and fisheries sectors, and she emphasised the importance of combating IUU fishing both collaboratively and effectively.

Mrs Ida Kusuma Wardhaningsih highlighted the recently growing global concern in combating IUU fishing effectively, and therefore encouraged the meeting to discuss increasing efforts and capacity to deal with illegal trade of seafood. She concluded by reiterating the importance of effective communication, sharing lessons learned,

stronger collective action and accelerating implementation of the RPOA. Opening remarks appear in the Annex 3.

## **1. INTRODUCTION AND ADOPTION OF THE AGENDA**

The draft agenda was adopted.

### **1.1. Background of the meeting**

Mr Simon Veitch delivered the introduction and purpose of the meeting. He highlighted some on going activities and achievements such as legislation reform, coastal State responsibility including progress on IUU vessel investigation, and capacity building. He emphasized the importance of each RPOA participating country taking responsibility for actions to promote responsible fishing practices and combat IUU fishing.

Mr Veitch also highlighted the development of the RPOA Secretariat and the important service it provides through the provision of timely and accurate information to support RPOA participating countries.

### **1.2. Regional outlook and priorities**

Co-chairs led the discussion on the regional outlook and priorities and highlighted that RPOA participating countries now recognise IUU is a shared problem and that each country has a responsibility to take action. Mr Veitch reminded participants that through the RPOA we have looked at the legislation of participating countries to test alignment with international agreements. Countries shared these reports through the RPOA website which helped provide information about where we need to collectively strive to improve standards.

The co-chairs emphasised that stronger legislation and the capacity to enforce that legislation are key challenges in the region and encouraged participating countries to continue these discussions as part of the action plan for the future.

The regional outlook and priorities discussion highlighted the need to:

- anticipate the necessary steps on development of the FAO Global Record on Fishing Vessels, effective market measures, and the involvement of different agencies in enforcing flag State controls through registration of fishing vessels and effective enforcement – that is the ‘genuine link’ factor;

- continue to work not only on applicable fisheries laws to combat IUU fishing but also to develop complementary approaches, for example partnerships with the private sector and a focus on reducing barriers to global trade on products exported to other countries;
- consider the priorities and weaknesses identified in the 2013 RPOA Evaluation and Assessment Paper when looking at priorities for future action;
- progress ratification of the FAO Agreement on Port State Measures (PSMA) or at least implementation of its key measures;
- strengthen regional and international cooperation including through RFMOs and SEAFDEC, particularly on capacity building.

## **2. PRESENTATION OF REPORTS**

### **2.1 Reports of key messages and outcomes**

#### **a. RPOA Secretariat**

The Secretariat presented and highlighted progress against the RPOA workplan 2013-2014 including (i) the Vessel Watch List (ii) the Terms of reference for 3<sup>rd</sup> parties attending RPOA meetings (iii) flag State responsibilities and the concept of ‘Genuine Link’ (iv) the tool for evaluating and reporting on Public Information Campaign (PIC) activities (v) IUU vessel lists (vi) national impediments and 5 year RPOA strategic plan (vii) the FAO Global Vessel record and (viii) the RPOA evaluation and assessment paper.

In particular the RPOA Secretariat informed participating countries of the launch of the new website and email address for the RPOA. The Secretariat also raised the need to consider an IUU Abatement Specialist / Liaison Officer to strengthen capacity in the RPOA Secretariat.

#### **b. RPOA Participating Countries**

Each country presented its report based on the country report template at Annex 4. This included reporting on (i) progress and implementation of the RPOA workplan 2013-2014 (ii) other implementation matters in promoting responsible fishing

practices and combating IUU fishing, and (iii) follow-up actions and recommendations.

The RPOA Secretariat will make the country reports and advisory body reports available through the RPOA website.

Of particular note:

- Senator Colbeck presented to the Coordination Committee ‘*Australia’s Second National Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing* (NPOA-IUU). Australia’s Second NPOA-IUU can be viewed at:

[\*International and National Plans of Action to Prevent, Deter and Eliminate, Illegal, Unreported and Unregulated Fishing\*](#)

- Each country presented its report. Overall, key activities included:
  - NPOA IUU fishing – significant progress has been made by RPOA countries in developing and implementing their NPOA-IUU Fishing;
  - On going capacity building of RPOA countries in the field of fisheries management and MCS training including vessel inspection;
  - Strengthening legal, administrative and policy frameworks consistent with international instruments including conservation measures such as marine reserve/protected areas and responsible supply chain/market chain interventions;
  - Strengthening regional/international cooperation, including with SEAFDEC, such as developing guidelines for preventing the entry of fish and fishery products from IUU activity into the supply chain, the regional plan of action on Neritic Tuna, the catch documentation system and global and regional databases on fishing vessels;
  - Implementation of PSMA measures resulting from progress towards ratifying the PSMA, information exchange and investigation on IUU listed vessels accessing RPOA countries’ ports, inter agency cooperation at the national level including with the private sector and monitoring/investigating IUU listed vessels.

## 2.2 RPOA MCS Sub - Regional groups

The three subregional MCS groups all reported on their activities and identified their main issues.

a. Arafura–Timor Seas (Australia, Indonesia, Papua New Guinea and Timor Leste)

Australia reported that cooperative activity to combat IUU fishing has focussed on 3 components: information sharing, cooperative operations and cooperative intelligence gathering.

The progress made on flag state responsibility consists of (i) representations to be made to flag states on identified IUU activity (where the coastal state is unable to take action), (ii) continue sharing information (sightings/license status) and (iii) collate evidence packs where IUU fishing is identified.

The subregional group provided supporting evidentiary materials gained during aerial surveillance (photos, statements/affidavits) regarding IUU fishing activity and the subregional participating countries to take flag state action in relation to their own flagged vessels operating illegally within each others' waters.

The next meeting will be held in Australia in the first quarter of 2015.

b. Gulf of Thailand (Thailand, Vietnam, Cambodia and Malaysia)

Thailand presented the outcomes of 4<sup>th</sup> Gulf of Thailand (GOT) Sub-regional meeting and noted two main issues (i) integration of fisheries and habitat management and the importance of trans-boundary stocks and habitats, and (ii) promotion of more effective management of fishing capacity to reduce illegal and destructive fishing in the Gulf of Thailand.

Two taskforces have been established:

- Taskforce 1: Regional Cooperation on Enhancing the Small pelagic fisheries in the GOT through integration with the Eco-system Approach to Fisheries Management (EAFM);
- Taskforce 2: Strengthening of capacity and sub-regional cooperation on monitoring, surveillance and control of fishing efforts and landings of catches in the Gulf of Thailand.

The Gulf of Thailand action plan covered (i) inadequate data on occurrence of IUU fishing in GOT (ii) establishment of bilateral discussions between Cambodia and Vietnam (iii) discussions on combating IUU fishing among agencies concerned with fisheries in Thailand and Malaysia and (iv) bilateral discussion on fisheries related issues between Thailand and Cambodia.

The next meeting will be held in Thailand in 2015.

c. Southern and Eastern Area of the South China Sea and Sulu-Sulawesi Seas  
(Indonesia, Brunei Darussalam, Malaysia, and the Philippines)

Malaysia reported the outcomes of the 5<sup>th</sup> subregional meeting on the Southern and Eastern Area of the South China Sea and Sulu-Sulawesi Seas which was held in Bandar Seri Begawan, Brunei Darussalam, 18 June 2014. The outcome was a revised agreement on the simplified subregional workplan matrix which was developed by the technical working group (TWG) on MCS and Fishery Resource Management.

The meeting discussed future programs that may be relevant to participating countries such as the development of a Public Information Campaign, community involvement in surveillance, capacity building programs on fisheries management and MCS, an ecosystems approach to fisheries management and a fisheries officer exchange program.

The next meeting will be held in Pontianak, Indonesia in the third quarter of 2015.

In response to the subregional group presentations, the meeting noted the following matters:

- The need to standardize the reporting format of MCS subregional groups;
- Subgroups could facilitate the assessment and mapping of all subregional activities to avoid possible duplication between the subgroups to ensure more effective implementation.

## **2.3 RPOA Advisory Bodies**

### **a. SEAFDEC**

Representatives from SEAFDEC, Dr. Chumnarn Pongsri and Dr. Magnus Torell indicated SEAFDEC has developed a Regional Plan of Action on Neritic Tuna and guidelines on preventing IUU product from entering the supply chain.

SEAFDEC highlighted its role in facilitating dialog and cooperation between the Sulu Sulawesi Marine Ecoregion and the Coral Triangle Initiative on Coral Reefs, Fisheries and Food Security.

RPOA participating countries discussed opportunities for reporting RPOA priorities to ASEAN. It was considered that countries with dual membership could report to the ASEAN Sectoral Working Group on Fisheries about priorities such as flag State control and FAO PSMA implementation.

### **3.1 RULES OF PROCEDURE FOR 3<sup>RD</sup> PARTIES**

The meeting reviewed the draft Rules of Procedure for 3<sup>rd</sup> Parties attending RPOA Coordination Committee meetings. The meeting endorsed the Rules of Procedure, as amended (Annex 5).

### **3.2 RPOA IUU VESSEL WATCH LIST**

The meeting reviewed and adopted the RPOA IUU Vessels Watch List as amended (Annex 6).

### **3.3. THE ‘GENUINE LINK’ – THE VESSEL AND FLAG STATE**

Australia introduced the paper ‘Flag State Responsibilities and the Concept of Genuine Link’ and reported the following:

- The key conclusion from the paper is that a flag State should be able to exercise jurisdiction and control over all vessels flying its flag and ensure that vessels do not undermine management and conservation measures and/or engage in IUU fishing in either its own national waters, waters of other coastal States, or on the high seas.
- Measures to ensure flag State responsibilities are met will enhance transparency in vessel registration processes and support the development of the FAO Global



Record. Implementing comprehensive and robust flag State measures will also enhance the availability of information on vessel registration to help implement effective MCS arrangements, including information exchange on IUU listed vessels and investigation purposes;

- The findings in the paper are consistent with the findings in the 2013 RPOA ‘Five Year Evaluation and Assessment’ report which concluded that RPOA countries urgently need to implement stronger and more effective flag State measures to control their vessels.
- The FAO Voluntary Guidelines on Flag State Performance provide consolidated guidance for countries to implement more effective jurisdiction and control over their fishing vessels.

With regard to priorities for future action, the paper identified the need for countries to:

- Fix conditions to enable effective jurisdiction and control over their fishing vessels before granting nationality and the right to fly their flag
- Ratify existing international fisheries instruments or, at least, apply their key measures
- Closely examine their ship registers to ensure that no ‘flag of convenience’ vessel is registered and that no RFMO IUU listed vessel is registered.
- Report back annually to the Coordination Committee on progress to implement arrangements and measures to better meet their flag State roles and responsibilities.

The meeting noted the findings and conclusions of the paper by Australia on ‘Flag State Responsibilities and the Concept of Genuine Link’.

#### **4. 2013-2014 RPOA WORK PLAN PROGRESS AND FURTHER PRIORITIES**

The meeting reviewed progress against implementation of the 2013-14 work plan. The outcome of this discussion is as per Annex 7. The meeting also highlighted some priorities for future action based on the discussion of the previous work plan and issues identified during the course of the Coordination Committee meeting.

## **5. RPOA WORKPLAN 2014-2015**

The Work Plan 2014 - 2015 was endorsed by the Coordination Committee, as appears in Annex 8.

## **6. OTHER BUSINESS**

The representative from the Australian Government Great Barrier Reef Marine Park Authority, Mr Randall Owens, delivered a very informative presentation on the planning and management of the Great Barrier Reef including protected area conservation, re-zoning, consultations and multiple use. Mr Owens accepted the meeting's offer for him to accompany delegates the following day on the field trip to Michaelmas Cay.

## **8. NEXT MEETING**

As agreed at the 6<sup>th</sup> Coordination Committee meeting in Malaysia, the Coordination Committee again accepted, with gratitude, Brunei Darussalam's offer to host the 8<sup>th</sup> Coordination Committee meeting in 2015.

## **9. CLOSING REMARKS**

The Co Chairs noted the strong spirit of cooperation among representatives at the meeting, including the importance of the RPOA as a non-legally binding forum for enhancing collaboration. Furthermore, Co Chairs noted that with changes to Coordination Committee representation in future, it will be important to inform successor representatives about the objectives of the RPOA and the Coordination Committee's collaborative mode of operation and good will in making progress against IUU fishing.

Australia thanked all participants for their attendance and continued spirit of cooperation. Australia also thanked Indonesia for its contribution as co-chair and the Secretariat's unfailing support.