

**Report of the 5<sup>th</sup> Meeting of the Gulf of Thailand Sub-Region  
28-29 September 2015  
Nonthaburi, Thailand**

**I. Background and Opening of the Meeting**

1. The Fifth Meeting of the Gulf of Thailand Sub-Region was convened in Nonthaburi, Thailand from 28 to 29 September 2015. The Meeting was attended by representatives from the Gulf of Thailand countries, namely Cambodia, Malaysia, Thailand, and Viet Nam. Other participating international organizations to the Meeting include United States Agency for International Development/The Oceans and Fisheries Partnership (USAID/Oceans), Food and Agriculture Organization of the United Nations/Regional Office for Asia and the Pacific (FAO/RAP), International Union for Conservation of Nature-Asia (IUCN), United Nations Environment Programme (UNEP), Embassy of the Republic of Indonesia and Swedish Agency for Marine and Water Management (SwAM). Senior officers from SEAFDEC Secretariat, SEAFDEC/TD, SEAFDEC/MFRDMD and members of the Regional Fisheries Policy Network (RFPN) were also in attendance. The list of participants is as per **Annex 1**.

2. The meeting was a forum to build upon regional and bilateral cooperation for carrying out activities pertaining to sub-regional and bilateral consultations as well as on-site events in Viet Nam, Cambodia, Thailand and Malaysia. Discussions were organized to provide a venue for reviewing the follow up recommendations from the Fourth Meeting of the Gulf of Thailand Sub-region and progress of bilateral cooperation, updating the progress of Regional Plan of Action on Sustainable Utilization of Neritic Tunas in the Southeast Asian Region (RPOA-Neritic Tunas) and Regional Plan of Action for Management of Fishing Capacity (RPOA-Capacity) as well as identifying and providing recommendations on the need to promote sub-regional or bilateral dialogue. The Meeting also provided opportunity for the countries to identify common priority areas and summarize the progress of the sub-regional cooperation as a basis for reporting to SEAFDEC, RPOA-IUU Coordination Committee, FAO/RAP and other mechanism.

3. *Dr. Chumnarn Pongsri*, Secretary-General of SEAFDEC welcomed the participants to the Meeting. He recalled the bilateral dialogues between the Gulf of Thailand countries as well as the developments of the RPOA-Neritic Tunas and the RPOA-Capacity. Furthermore, he made reference to the outputs from the Fourth Meeting of the Gulf of Thailand Sub-region in late 2013 and other relevant events organized in 2014 and 2015. In this connection, he highlighted that the Meeting was organized to review the progress of the outputs of the aforesaid events and SEAFDEC's effort in strengthening cooperation between and among the countries of the Gulf of Thailand sub-region. His opening speech appears as **Annex 2**.

4. The Meeting continued with introduction of the participants before moving to the next agenda.

**II. Introduction, Objectives and Adoption of the Agenda**

5. Policy and Program Officer of SEAFDEC, *Ms. Sawitree Chamsai* presented the background, objectives and expected outputs of the Meeting. She highlighted the previous meetings of the Gulf of Thailand Sub-region which were convened in 2008 to 2014, and the bilateral dialogues that were organized in follow up to the recommendations from the Fourth Meeting of the Gulf of Thailand Sub-region. The expected outputs of the Meeting include updates on activities such as development of RPOA-Neritic Tunas and RPOA-Capacity, conduct of bilateral dialogues between countries, and Work Plan of 2016 for the Gulf of Thailand Sub-region. Her presentation appears as **Annex 3**.

6. Regarding the objective pertaining to future expansion of bilateral dialogues e.g. Malaysia-Cambodia and Malaysia-Viet Nam on Illegal, Unreported, and Unregulated (IUU) fishing related matters and management of fishing capacity, the Meeting was clarified that the said objective was included in follow up to Malaysia's request on seeking opportunity to expand its cooperation with Cambodia and Viet Nam, which was raised during the bilateral meeting between Malaysia and Thailand in 2014.

7. After that, the proposed agenda was adopted by the Meeting.

### **III. Review of the Previous Meeting**

#### **3.1 The Fourth Meeting of the Gulf of Thailand Sub-region (18-19 December 2013, Bangkok)**

8. Program Manager of SEAFDEC-Sweden Project, *Ms. Pattaratjit Kaewnuratchadasorn* presented the Review of the Fourth Meeting of the Gulf of Thailand Sub-region to the Meeting. She briefly elaborated the background and series of Gulf of Thailand Meetings convened since 2008, for which the forum was initiated to combat IUU fishing activities in the region. In support to the initiative, SEAFDEC-Sweden Collaborative Program provided a platform for the Gulf of Thailand countries to discuss the key issues on fisheries management. The Meeting noted that results of the Gulf of Thailand Sub-region Meeting would be reported to the RPOA-IUU Coordination Committee. She further explained the key issues which were identified to be important to the sub-region and need to be addressed. Moreover, the current work in progress, including bilateral dialogues between the bordering countries, management of trans-boundary species, and review of law and legislation was also discussed. The detail of her presentation appears as **Annex 4**.

9. The representative from Malaysia, *Mr. Raja Bidin bin Raja Hassan* highlighted two (2) issues which were recommended during the Fourth Meeting of the Gulf of Thailand Sub-region. Firstly, he recalled that the last Meeting suggested establishing a Regional Scientific Working Group, but such working group has not yet been formed. In this regard, the Meeting pointed out that existing scientific working group in other forum with similar purpose could be engaged in materializing the objectives. Secondly, on the exchange of information on catch and landing by foreign fishing vessels, he emphasized that such information should be shared among the member countries as part of the management measures in combating IUU fishing, and thus, urged for close cooperation. Noting that information exchange has been identified and prioritized long ago, the Meeting agreed that in-depth discussion would be needed to come out with proper recommendations.

#### **3.2 Results from the Seventh RPOA-IUU Coordination Committee Meeting (2014) and Updates from RPOA-IUU Secretariat**

10. *Mr. Arif Suyoko*, representative from the Embassy of the Republic of Indonesia, presented the information from RPOA-IUU Secretariat. The presentation was made on behalf of RPOA-IUU Secretariat, in which he provided general information on the RPOA-IUU such as objectives and its ultimate goal, main actions, core elements and organizational structure. There were three (3) sub-regional groups defined in the RPOA-IUU, consisting of Arafura-Timor Sea, Gulf of Thailand, as well as Southern and Eastern of South China Sea and Sulu-Sulawesi Seas. The Meeting recalled RPOA-IUU Sub-regional Meeting activities, including current and future works under each sub-region. Information on MCS Network establishment including operating protocol, information sharing, IUU vessel watch, study cases, and operating procedure was also explained. The Meeting was informed that the Eighth RPOA-IUU Coordination Committee Meeting would be convened on 17-19 November 2015 at Bandar Seri Begawan, Brunei Darussalam. His presentation appears as **Annex 5**.

11. The Meeting noted that Gulf of Thailand Sub-region is the subset of RPOA-IUU areas. Based on the updates, many activities were similar to that of SEAFDECs', particularly on small pelagic fisheries and fishing capacity management. In this regard, the Meeting recognized the need for close collaboration and communication between SEAFDEC and RPOA-IUU Secretariat to avoid duplication of work.

12. Noting that SEAFDEC is advisory body to RPOA-IUU Secretariat, it should share overall information on activities carried out in the region, regardless of funding source. In this connection, SEAFDEC expressed its intention on sharing information regarding combating IUU fishing with RPOA-IUU Secretariat in the future.

#### **IV. Progress Review of Bilateral Dialogue Events**

##### **4.1 Cambodia - Viet Nam**

13. *Ms. Pattarajit Kaewnuratchadasorn* presented the progress of activities under bilateral cooperation between Cambodia and Viet Nam which was established since 2013 to present. She highlighted that the two countries established a Memorandum of Agreement (MOA) between Fisheries Administration (FiA) of Cambodia and the Directorate of Fisheries (D-FISH) of Viet Nam, which was formalized on 2 April 2014. The Meeting recalled that the Technical Workshop of the Joint Committee for Fisheries Management between Cambodia and Viet Nam was convened in October 2014, and during that workshop, Terms of Reference (TOR) for the Joint Committee and Working Groups for Fisheries Management between Cambodia and Viet Nam as well as Work Plan for 2015 were agreed. The Meeting also took note of the plan for 2016 on management of trans-boundary stocks (e.g. Indo-pacific mackerel, neritic tunas, etc), whereby a training course for improvement of research capacity on fish larvae and egg identification, as well as stock assessment would be carried out for technical staff from Cambodia and Viet Nam. Her presentation appears as **Annex 6**.

##### **4.2 Cambodia - Thailand**

14. Under this agenda, *Ms. Pattarajit Kaewnuratchadasorn* presented the Review on the Progress of Cambodia-Thailand Bilateral Cooperation (**Annex 7**) to the Meeting. Report of the Sub-regional Technical Meeting on Effective Fisheries Management between Cambodia and Thailand which was convened on 20-22 January 2015 was summarized and important recommendations from the said meeting were highlighted. The Meeting also noted the current work in progress pertaining to management of trans-boundary stocks, establishment of mechanism for joint fisheries management between Koh Kong (Cambodia) and Trat (Thailand), as well as management of fishing capacity and combating IUU fishing. In terms of strengthening cooperation between Cambodia and Thailand, the Meeting was requested to provide advice on establishment of agreement between the two (2) countries to support the implementation of activities under the joint work plan.

15. While noting the bilateral activities between Cambodia and Thailand, *Dr. Somboon Siriraksophon* suggested identifying priority issues that need to be addressed to expedite the formulation of joint management plan. He added that the group may not need to wait for the results of the review of laws and regulations in Cambodia and Thailand as it may delay the process. He was also of the view that fisheries management should cover overall country and not specific provinces. On this matter, *Dr. Chumnarn Pongsri* responded that consideration and understanding of the legislation is essential as no actions could be undertaken against the law. He further clarified that fisheries management is not only about broad aspect (e.g. trans-boundary species) but also other narrower aspect such as catch landing across border, which may be applicable to certain border provinces only.

16. *Ms. Nguyen Thi Trang Nhung* supported the initiative on creating bilateral cooperation between countries and pointed out the role of SEAFDEC and Member Countries in supporting the bilateral mechanism. She further commented that such mechanism should establish proper reporting system to higher level for ensuring its effectiveness and sustainability. On the review of laws and regulations, she was of the view that such exercise is important to identify gaps among the countries and the result could be useful in adjusting fisheries management plan according to national framework as well as promoting co-management.

17. A common issue frequently observed in the region is weak connection/link between locality and central government and therefore, the Meeting suggested identifying proper pathway to strengthen the connection between locality and central government, aiming at facilitating information transfer.

18. Meanwhile, *Dr. Simon Funge-Smith* mentioned that FAO had been unable to explore the bilateral agreements related to fisheries in Southeast Asian countries. The reasons include resistance of the countries in revealing their agreements and also it could be established through political loop hole, which may not be in line with national policy. In this regard, he supported the initiative of SEAFDEC to review existing bilateral mechanisms and suggested laying out recommended framework/standard requirement for responsible bilateral agreement by incorporating elements such as responsibilities of flag state, fishing effort control, and review process.

#### **4.3 Thailand - Malaysia**

19. *Ms. Hemalatha Raja Sekaran*, Regional Fisheries Policy Network Member for Malaysia presented the Review on the Progress of Bilateral Cooperation between Malaysia and Thailand to the Meeting. She summarized the report of the Sub-regional Technical Meeting on Effective Fisheries Management between Malaysia and Thailand, convened from 14 to 15 May 2014 in Malaysia. She also highlighted the important recommendations made during the said Meeting. The Meeting noted that both countries had nominated their respective focal points to facilitate information exchange, and that the nomination from Thailand is yet to be confirmed. On the other hand, the Meeting was informed that a study/fact finding survey entitled Strengthening Malaysia and Thai partnership in support of Joint Fisheries Planning and Management in the Western Gulf of Thailand was suggested during the bilateral meeting. The study was proposed to gather preliminary information on fishing efforts and fish landings in the southwestern Gulf of Thailand. The Meeting was further enlightened on the details of the fact finding survey including its timeframe, objectives, expected outputs, work plan, and next steps. The study was expected to be completed in December 2015. The detail of the presentation appears as **Annex 8**.

20. The representative from Malaysia, *Ms. Nur Fadhlina Chan Bt. Mahadie Chan* updated that both countries had agreed in establishing a Memorandum of Understanding (MOU) to expand its cooperation in fisheries and that DOF is awaiting the policy call from the Ministry of Foreign Affairs, Malaysia regarding the said matter.

21. With regards to the focal point nomination, The Meeting requested Thailand to confirm their nomination for the Department of Fisheries Thailand (DOF Thailand) and suggested nominating another focal point for the Marine Department, considering that fishing vessel registration falls under the purview of Marine Department while fishing license issuance is under the jurisdiction of DOF Thailand. In this connection, Thailand confirmed that *Dr. Kamonpan Awaiwanont* from DOF Thailand would be the focal point for the bilateral dialogue between Malaysia and Thailand, who is also the focal point for the Gulf of Thailand Sub-region. The Meeting agreed that official letter of confirmation would be sent to SEAFDEC as soon as possible. However, the Meeting noted that it would not be necessary for nomination of another focal point from the Marine Department because DOF Thailand and Marine Department had established MOU for exchanging information on fishing vessel registration and fishing gear license on monthly basis.

22. Meanwhile, *Dr. Somboon Siriraksophon* raised the issue on landing of catches across border, which was also highlighted in the bilateral dialogue. He stated that flag states should have the records on landings of foreign fishing vessels at its ports/harbors while reiterating the request of Malaysia on sharing that information. He further added that such information would be useful in combating IUU fishing.

23. Recognizing that bilateral dialogue is one of the efficient ways in fisheries management, Malaysia expressed its intention to establish similar dialogue with Cambodia and Viet Nam under the platform of Gulf of Thailand Sub-region.

## **V. Progress of Implementation of the Programs related to Trans-Boundary Stock, Habitat Management, and Sub-Regional Cooperation**

### **5.1 Indo-Pacific Mackerel and Important Economic Species**

24. *Dr. Worawit Wanchana*, Assistant Policy and Program Coordinator of SEAFDEC provided brief introduction on the Management of Indo-pacific Mackerel and Other Economically Important Species (**Annex 9**). He elaborated the background and series of events which led to the current project on trans-boundary stock management. He further explained the objectives and outputs, highlighting especially on data collection for stock assessment. The Meeting noted that the species identified for data collection on catch and landing were short-head anchovy (*Encrasicholina heteroloba*), short mackerel (*Rastrelliger brachysoma*) and blue swimming crab (*Portunas pelagicus*), as agreed by the three (3) participating countries *i.e.* Cambodia, Thailand, and Viet Nam. Moreover, he also explained the major fishing gears involved in the said data collection activity, seven (7) output parameters, and selected sampling sites. The Meeting was informed that work plan and budget for the joint research activity was pending for approval. Lastly, he proposed to include Malaysia in the joint research activity in order to obtain overall picture of Indo-pacific mackerel in the Gulf of Thailand.

25. Regarding data collection for anchovy, the Meeting was informed that anchovy purse seine was selected because it was identified as the main gear in anchovy fisheries. However, representative from Thailand mentioned that there were also other gears used for catching anchovies, such as light luring purse seine. In this regard, the Meeting was of the opinion that data collection activity should consider every effort to determine the total catch, and therefore suggested including various types of fishing gears in order to estimate accurate production of the target species.

26. The Meeting recalled that SEAFDEC has been providing huge support to its Member Countries in terms of improving data collection and capacity building. In this connection, the Meeting encouraged the countries to formulate policies by considering data collection activity in their national policy framework, in support for long term fisheries management.

27. *Mr. Raja Bidin Raja Hassan* suggested conducting a study on migration pattern of mackerel using electronic tagging method. However, noting the problems in tagging method such as low recovery of the tagged fish, *Dr. Chumnarn Pongsri* suggested considering DNA study as an option. Furthermore, it would be more convenient to collect DNA samples concurrently during the conduct of data collection of the said species, in order to save cost and time.

### **5.2 Neritic Tuna Management - RPOA - Neritic Tunas**

28. Policy and Program Coordinator of SEAFDEC, *Dr. Somboon Siriraksophon* presented the topic on Conservation of Neritic Tunas: Regional Cooperation and Way Forward (**Annex 10**). He elucidated the growing catches of Longtail tuna (*Tunnus tonggol*) and trends of neritic tuna productions. The Meeting noted that the RPOA-Neritic Tunas was successfully developed by recognizing the need for an

action plan on regional cooperation to promote sustainable utilization of neritic tunas, and currently in the process of endorsement by Senior Officials Meeting- ASEAN Ministerial Meeting on Agriculture and Forestry (SOM-AMAF). Furthermore, he explained the Work Plan for RPOA-Neritic Tunas as well as objectives and strategic actions stipulated in the said document. Under this RPOA, the Scientific Working Group for Stock Assessment of Neritic Tunas (SWG-Neritic Tunas) was established and currently in the process of conducting stock assessment and genetic study for Longtail Tuna and Kawakawa.

29. While noting the importance of neritic tuna management, the Meeting encouraged the countries to emphasize on data collection down to species level. It is because neritic tuna data in some countries was reported to be grouped together with oceanic tuna, which makes it difficult for conducting stock assessment of the said species.

30. Regarding the mechanism of conveying scientific recommendations to high level management, *Ms. Nguyen Thi Trang Nhung* raised that Council Directors may need technical advice in interpreting the recommendations provided by SWG-Neritic Tunas prior to decision making. Thus, she suggested adding another process within the mechanism, in allowing the recommendations to be vetted within national level before submitting to the Council Director. However, the Meeting was clarified that the said mechanism was already endorsed by the Council and agreed revising it if any complication arises during implementation. In addition, the Meeting was also informed that recommendations from the SWG-neritic Tunas would be first communicated to all National Coordinators for comments and consideration before submission to the Council.

### **5.3 Directions and Recommendations on Common Approaches**

31. Under this agenda, *Dr. Somboon Siriraksophon* presented the Directions and Recommendations on Common Approaches (**Annex 11**) for the Gulf of Thailand Sub-region. He explained the international concerns in fisheries sector such as globalization process, IUU fishing activity, market driven fisheries, and labor issues. Then, he provided recommendations to address the concerns through available tools that had been established to support fisheries management in the region.

32. It was highlighted that SEAFDEC had developed various tools for sustainable fisheries and fishing capacity management such as regional guidelines and plans of action, as well as established platforms for strengthening cooperation among the Member Countries. In this regard, the Meeting was urged to utilize available tools and opportunities for better fisheries management within the region.

## **VI. Promotion for Effective Management of Fishing Capacity and Reduce Illegal and Destructive (Combat IUU) Fishing in the Gulf Of Thailand**

### **6.1 Updates on International Agreement, Arrangement and Regional Initiatives**

- **Combating IUU Case Studies and PSM**

33. Representative from FOA/RAP, *Dr. Simon Funge-Smith* presented the Case Examples of IUU Fishing in the Asian Region–Links to Port State Measures (**Annex 12**), in which he briefed on IUU fishing cases in the region. He provided some facts on IUU fishing cases including IUU hotspots, types of IUU activities, and categorization of the 33 identified hotspots. Moreover, some of the main drivers which led to IUU activities and lessons learned based on the case study was also discussed. While highlighting the importance of national actions, he suggested key strategies to resolve IUU fishing which would be applicable in almost every cases *i.e.* active development and/or implementation of National Plan of Actions (NPOAs) for combating IUU and managing fishing capacity. In addition, suggested management measures that should be considered in NPOA-IUU include cooperation among agencies of concern,

improving flag state controls, in particular vessel registers, and responsibilities, strengthening MCS and port controls, as well as improving cooperation between countries.

34. With regards to standardization of fishing vessel and gears marking, the Meeting was clarified that FAO had published guidelines for marking of fishing vessel and gears, and that the guidelines for fishing gear marking targets large scale gears such as trawls and seine nets. As a start, *Dr. Simon Funge-Smith* suggested focusing on critical issues such as improving fishing vessel marking first before moving to gear marking. In addition, he cited that Malaysia implemented comprehensive marking system which not only complies with the FAO guidelines, but also improvised with other color markings.

- **Experiences from Baltic Sea and North Sea**

35. Representative from SwAM, *Mr. Peter Funegård* shared the experiences from the Baltic and North Sea on European Union (EU) Fisheries Management and Actions to Reduce Illegal and Unreported Fish Catches (IUU-Fishing). In the said presentation, regulations of EU were briefly explained while the Common Fishery Policy (CFP) was also discussed. Among other information on fisheries management in Baltic Sea that was shared were examples of long term management plans and actions, reduction of capacity and transferable quotas, role of Baltic Regional Advisory Council (BAC), as well as monitoring and control measures. His presentation appears as **Annex 13**.

36. In response to an inquiry on logbook reporting for fishing vessels less than 10m, the Meeting was clarified that the said vessels were obliged to report using electronic logbook, similar to the vessels over 10m. However, the smaller vessels could take longer period for reporting but it should not be more than 48 hours.

37. It was also noted that the incredible reduction of fishing capacity in Baltic Sea from 40% to 5% within 15 years was able to be achieved through implementation of various management measures such as catch documentation system and cross checking between electronic logbook and landing declaration.

38. In contrast, fisheries in Southeast Asian Region are totally different in terms species composition and amount of people involved in fisheries sector. Considering the vast differences, the Meeting was of the view that experiences from Baltic Sea could be useful but should be considered carefully for its application in the region.

## **6.2 Regional Plan of Action-Management of Fishing Capacity (RPOA- Fishing Capacity)**

39. Under this agenda, *Dr. Somboon Siriraksophon* presented the Regional Plan of Action for Management of Fishing Capacity (RPOA-Capacity) to the Meeting (**Annex 14**). First of all, he highlighted the issues and problems in managing fishing capacity in the Southeast Asian Region. Then, he elaborated the background and recalled the events which led to development of the RPOA-Capacity. The details of the RPOA-Capacity, including objectives, guiding principles, five (5) main sections, and strategic actions were also presented. Finally, he provided brief explanation on the progress and way forward. The Meeting noted that Second Regional Technical Consultation (RTC) would be convened in December 2015 to finalize the draft RPOA-Capacity for consideration of the Forty-eighth Meeting of the SEAFDEC Council and the Eighteenth Meeting of the ASWGFi.

40. *Ms. Nguyen Thi Trang Nhung* thanked the presenter for updating the Meeting on the RPOA-Capacity, which was a regional effort in addressing the issues in fishing capacity management. While commenting that management of fishing capacity is challenging as it is closely related to economic objective of the country, she mentioned that in the case of Viet Nam, the RPOA could be integrated in small scale fisheries management before expanding to offshore fisheries. The meeting was informed that

small scale fisheries in Viet Nam are managed by the Provincial Government and management plans are independent from that of the Federal Government. In this regard, it would be easier to adopt the elements of the RPOA-Capacity in the Provincial legal framework without affecting the Federal legislation.

41. Regarding the inquiry on elimination of subsidies to address overcapacity, the Meeting was clarified it helps in the reduction of overfishing, and that it is also closely connected to the status of resources or Maximum Sustainable Yield (MSY). The status of resources should be assessed before fishing capacity could be determined. On this aspect, the Meeting was reminded that resource assessment should be based only on the resources within a country's EEZ because if resources from other territorial waters are included, such as catches from high seas, it might cause misinterpretation of result.

42. Realizing that not all Member Countries have information on MSY, *Ms. Nguyen Thi Trang Nhung* suggested that the RPOA-Capacity should indicate appropriate method for determination of fishing capacity. In response to that, *Mr. Raja Bidin bin Raja Hassan* suggested conducting a special exercise on determination of fishing capacity for different types of fishing vessel, for standardization of the methodology and better understanding of Member Countries.

43. The Meeting was informed that SEAFDEC had conducted many exercises on resource assessment, of which the indicators showed that resources are declining, such as catch per Unit Effort (CPUE) and biological parameters (e.g. size of fish, maturity stage, etc). Based on that, the Meeting urged the countries to take necessary actions and management measures to address overcapacity.

### **6.3 Country updates on Management of Fishing Capacity and combating IUU fishing (NPOA Capacity; NPOA-IUU) and Law and Legislation**

- **Cambodia**

44. Representative from Cambodia, *Mr. Voen Seila* presented the Country Updates on Management of Fishing Capacity and Combating IUU fishing in Cambodia to the Meeting, which appears as **Annex 15**. The progress of NPOA-Capacity and NPOA-IUU development in Cambodia including involvement of national key organizations was updated. The presenter also highlighted critical trans-boundary and Sub-regional aspects in management of fishing capacity and combating IUU-Fishing as well as relevant laws and legislation. Lastly he provided some suggestions and recommendations to be considered for sub-regional or bilateral management of fishing capacity.

45. The Meeting was clarified that Cambodia planned to conduct assessment on IUU fishing in 2016, in support to the development of its NPOAs.

46. In the effort to define specific management mechanism for overlapping conservation zones and networking system for MCS, it was suggested that establishment of MOU between countries might be helpful for sharing information, creating reporting mechanism, as well as strengthening MCS network.

47. Noting the divergent issues in fisheries management, it would be difficult to tackle all the issues at the same time. In this regard, the Meeting was advised to focus on the most important issue and practical way of approaching to ensure fruitful results.

- **Malaysia**

48. Representative from Malaysia, *Ms. Nur Fadhlina Chan bt Mahadie Chan* presented the updates on Management of Fishing Capacity and Efforts in Combating IUU Fishing (**Annex 16**) to the Meeting. The Meeting noted that Malaysia had launched its NPOA-IUU and NPOA-Capacity (Plan 2) in 2013 and

2015, respectively. Objectives of the NPOAs as well as key actions were briefly explained. She also shared Malaysia's experience on implementation of Port State Measures such as handling of foreign flagged IUU fishing vessels and capacity building for national officer. Important provisions in Malaysia's Fisheries Act 1985, relevant to foreign fishing vessels, was also elaborated. In conclusion, it was highlighted that Malaysia would continue to take action in combating IUU fishing at domestic, regional and international level as part of sustainable fisheries management and good governance towards securing supply of fish.

49. With regards to moratorium of fishing license, the Meeting was explained that the said measure was applicable for issuance of new fishing license for coastal zone, except licenses issued under Poverty Eradication Program. Meanwhile, the existing fishing licenses which had been issues before the moratorium took place could be renewed annually as usual.

50. The Meeting further noted that stakeholders in Malaysia were fully made aware of the NPOA-IUU, through capacity building and public awareness programs. In addition, the NPOA-IUU was drafted in line with Fisheries Act 1985, thus no amendment was made to the main law.

51. On an inquiry regarding fishing vessel marking, the Meeting was clarified that the said system has advantages to fishers whereby they could clearly identify and immediately report to the authority if any vessel encroaches towards coastal areas. Vessel marking system in Malaysia also requires clear marking on the roof of wheelhouse to assist surveillance activity by air. Meanwhile, for trawler identification, additional marking *i.e.* white stripe on the wheelhouse is required. However, specific marking for other fishing gears are not yet to be enforced.

52. The Meeting was informed that specifications on fishing vessel marking was made available for Malaysian fishers as reference, and that marking requirements were also clearly stipulated in the fishing license condition. On the other hand, ID system for fishers (e.g. fisher's ID card) was also implemented.

- **Thailand**

53. Representative from Thailand, *Dr. Kamonpan Awaiwanont* presented Thailand's NPOA-IUU to the Meeting, which was based on the FAO's IPOA-IUU. According to the timeline, the NPOA-IUU would be submitted to Cabinet in October 2015 and expected to be promulgated in November 2015. Next, he elaborated the draft of new fisheries law in Thailand, including its objectives, scope of enforcement, and provisions in the draft. In terms of plans of action, the Meeting noted that Thailand implemented Marine Fisheries Management Plan (FMP), which was crafted based on Ecosystem Approach to Fisheries Management (EAFM). The FMP focuses on addressing overcapacity and IUU fishing, and outlines specific management measures to achieve the objectives. His presentation appears as **Annex 17**.

54. The Meeting was clarified that under the current Thai Military Government, approval of new law was accelerated. Besides that, in support to combating IUU fishing activities, the government had formed Command Center for Combating Illegal Fishing (CCCIF). As for NPOA, it has implementation period of five (5) years, after which it would be revised and updated according to the fisheries law and current situation.

- **Viet Nam**

55. Representative from Viet Nam, *Mr. Tran Van Luan* presented the Management of Fishing Capacity and Combating IUU-Fishing to the Meeting, in which he explained the legal and policy frameworks comprising of Fisheries Laws (2003), Strategy and Master Plan for Sustainable Fisheries Development by 2020, NPOA-Fishing Capacity Management, and NPOA IUU-Fishing. Other important

information such as objectives of the NPOAs, main activities, and responsibilities of agencies of concern was also shared. In conclusion, Viet Nam looks forward to effectively implement its NPOAs, strengthen cooperation with other countries and international agencies, and conduct capacity building for stakeholders on national and international laws related to IUU fishing. His presentation appears as **Annex 18**.

56. Regarding fishing vessel registration and licensing in Viet Nam, the Meeting noted that according to fisheries law, fishing vessel shall be registered prior to obtaining fishing license. In some cases, registered fishing vessel may change its fishing gears but fail to obtain gear license, which caused the variation in the amount of registered and licensed fishing vessels.

57. The Meeting further noted that preparation of NPOA-IUU in Viet Nam was a long process, and that numerous programs conducted to support its implementation. Nevertheless, recognizing the importance of NPOA-IUU, it was endorsed by the high level in ensuring that IUU fishing would be effectively addressed.

58. On the usage of pair trawl gear, the Meeting was informed that Viet Nam does not encourage the usage of the said gear, but it was also not prohibited in the country.

#### **6.4 Directions and Recommendations on Common Approaches**

59. *Dr. Kao Sochivi* requested the Member Countries which already had NPOA-Capacity and NPOA-IUU in place to provide advice and suggestions on formulation of the said NPOAs. In this regard, the Meeting was of the view that the said documents could be shared among the member countries for in detail study and reference.

60. On implementation of Port State Measures (PSM), the Meeting was informed that even though port inspection falls under the purview of Port Authority, the Department of Fisheries Malaysia (DOFM) plays an important role in implementing the said measures. DOFM receives notification on the request of foreign fishing vessel for landing at Malaysia's port. Besides that DOFM also provides capacity building on PSM to fishery officers as well as port inspectors. In this regard, the Meeting noted that Malaysia has been taking actions voluntarily to comply with the PSM Agreement even if it is not yet a signatory of the said Agreement.

61. As for Viet Nam, the Meeting was informed that PSM Measures has not been implemented yet because of the involvement of various agencies of concern in port management and its challenges in coming to common consensus.

62. With regards to the request of Thailand for bilateral dialogue with Viet Nam, *Ms. Nguyen Thi Trang Nhung* proposed to create an official mechanism between both governments for effective joint fisheries management. However, the Meeting noted that there were several mechanism already existed which need to be traced back to avoid duplication, and that work should be undertaken within the existing mechanism.

63. The Meeting also noted that SEAFDEC-Sweden Collaborative Program supported the study on fact finding of available mechanism between Koh Kong Province (Cambodia) and Trat Province (Thailand), conducted by a Consultant from Kasetsart University, and that the study was almost completed. The report would be circulated to Cambodia and Thailand upon its completion.

64. Meanwhile, *Dr. Kao Sochivi* suggested establishing Memorandum of Understanding (MOU) between DOF Thailand and Fisheries Administration of Cambodia (FiA) to strengthen cooperation on

fisheries aspects. In addition, she also expressed Cambodia's interest in expanding cooperation with Malaysia. Similarly, the Meeting recommended tracing back any available mechanism before agreeing on MOU or establishment of any kind of agreement.

65. In this connection, the Meeting was informed that Malaysia had formalized its MOU with Viet Nam on agriculture cooperation in 2014 and expecting the conduct of its first Meeting of Technical Working Group on Fisheries Cooperation, in October, at Langkawi, Malaysia. Meanwhile, in response to the request of Cambodia, the representative from Malaysia suggested conducting a bilateral dialogue for discussing further on the interest of expanding cooperation.

## **VII. Discussion on Directions and Recommendations on Common Approaches towards Strengthened and Expanded Cooperation in the Gulf Of Thailand – Action/Activity Plan for Year 2016**

66. *Ms. Pattaratjit Kaewnuratchadasorn* summarized the suggestions and recommendations that were raised during the Meeting as per **Annex 19**.

67. With regards to the recommendation made by FAO on defining available mechanism/framework for cooperation among the Member Countries, *Dr. Simon Funge-Smith* clarified that the regional group should develop specific standard for cooperation agreement which specifies minimum criteria such as number of fishing vessels, monitoring procedure, and reporting mechanism, in order to ensure that the said agreement considers both port state and flag state responsibilities. Such template would facilitate the countries in developing cooperation agreement.

68. There was a suggestion to reconsider the recommendation pertaining to defining specific management mechanism for overlapping zones, as it may be beyond the mandate of fisheries agencies in some countries. In this regard, the Meeting was clarified that the said recommendation was not related to national policy issues but it was actually a suggestion on having standard layout/format for agreement/MOU with minimum criteria in terms of fishing access and fishing operations. *Dr. Simon Funge-Smith* further added that joint management area may be negotiated by other agencies like maritime agency and during such negotiation, certain agreements were actually established. Therefore, there should be specific format with minimum criteria as it may assist countries in having open discussion on the cooperation.

69. While noting the complexity and various stakeholder involvements in the Gulf of Thailand, the Meeting suggested focusing on doable and workable activities within its mandate.

70. *Ms. Nguyen Thi Trang Nhung* reiterated that Viet Nam was ready to have bilateral dialogue with Thailand and Malaysia and suggested establishing mechanism (hotline) for information exchange on IUU matters, as a start in combating IUU fishing. She also informed the Meeting that Viet Nam has established hotline with the Philippines and that it was effective. On this matter, Malaysia responded that further discussion may be needed for establishment of hotline, including the type of data/information to be shared.

71. Referring to the proposed activities on data collection of three commercially important species i.e. mackerel, anchovy and blue swimming crab, the Meeting noted that substantial work on small pelagic such as mackerel had been done in 2002-2007. In addition, SEAFDEC/MFRDMD was currently undertaking study on population structure of these species through DNA analysis under another SEAFDEC program. However, information on migration/movement of the said species was still insufficient due to low recovery of the samples.

72. It was noted that among the three species *i.e.* anchovy, Indo-pacific mackerel, and blue swimming crab, information on anchovy was least available compared to the other two species. Considering that, the Meeting suggested prioritizing data collection by emphasizing on anchovy since information on the said species was inadequate, while data collection for mackerel and blue swimming crab could be conducted in parallel.

### **VIII. Conclusion, Recommendations and Follow-up Actions**

73. On trans-boundary stock, the countries were recommended strengthening fisheries policy and management framework on improving data collection and stock assessment at the national level. Countries should include data collection and stock assessment within its national statistic framework for improvement of national statistics. The Meeting also agreed prioritizing the three (3) important species according to the following: 1) anchovy; 2) Indo-pacific mackerel; and 3) blue swimming crab. Emphasis would be provided to anchovy due to its limited information while data collection for the other two (2) species would be conducted as well, to obtain whatever information that was not available. Concerning that Standard Operation Procedure (SOP) for the three species had been developed, the Meeting agreed revisiting the SOP to suit the priority choice of the countries and identify best way of conducting the study. In the mean time, capacity building for countries which require assistance would continue to be provided and the project would be expanded to cover the whole Gulf of Thailand Sub-region.

74. With regards to the issue on landing of catches across border, representative from Malaysia informed that it was one of the priority issues in tackling IUU fishing. In this regard, Malaysia had established focal point who would be communicating with relevant agencies in Member Countries to obtain information on landings of fishing vessels. Hence, the Meeting was encouraged to provide necessary information to Malaysia in the effort to combat IUU fishing in the region.

75. Meanwhile, the Meeting noted that landing across border has been practiced for long time and information on the origin of catch might not be revealed, although it might be available. In addition, dual flagging is also another problem in the region. Therefore, there is a need for understanding the current situation before appropriate solution could be developed. Similarly, it is important to identify the acceptable harmonized management options and agreement among countries within the sub-region, particularly on catch documentation, reporting, exchange of information, and that it should be suited to the peculiarities of commercial and small-scale fishing vessels. As such, the Meeting was of the opinion that bilateral dialogues and cooperation should be increased to address the said issues. It was also noted that SEAFDEC had developed the ASEAN Guidelines for Preventing the Entry of Fish and Fishery Products from IUU Fishing Activities into the Supply Chain which could be used as reference. In addition, the Regional Fishing Vessel Record (RFVR) database for vessels 24m in length and over could also be used to verify fishing vessel information.

76. Based on the recommendations that were made during the two (2) days deliberation, the Meeting agreed continuing the process of reviewing laws and regulations, starting with bilateral comparative analyses and gradually expanding to the whole sub-region. Information from such exercise could be useful in developing transparent agreement between countries on fisheries matters.

77. The Meeting recommended developing standardized requirement/framework for responsible bilateral agreement/MOU by incorporating elements such as fishing access, fishing effort control, flag state and port state responsibilities, as well as monitoring and reporting process.

78. Considering the weak linkage between central government and locality, the Meeting suggested identifying proper pathway to strengthen the connection between locality and central government aiming at facilitating information transfer.

79. It was also recommended to strengthen implementation within existing cooperation by defining work plan(s) for each of the bilateral areas for 2016, in terms of capacity building, training, as well as effort to manage fishing capacity while reducing illegal and destructive fishing. Recognizing the need for strengthened cooperation, the Meeting agreed expanding bilateral dialogues *i.e.* Cambodia-Malaysia, Malaysia-Viet Nam, and Thailand-Viet Nam.

80. As for mackerel resource management, the recommendations include establishment of Working Group for Stock Assessment of Indo-pacific Mackerel by involving Cambodia, Thailand, Malaysia, and Viet Nam, conduct of DNA study to determine its stock structure, as well as compilation and review of available information of the said species to understand its status.

81. On the other hand, the Meeting agreed considering various types of gear used in anchovy fisheries, as data collection should be conducted in holistic manner, in order to estimate its accurate production.

82. With regards to neritic tuna management, Member countries were encouraged to improve data collection down to species level, instead of grouping it into neritic tuna category. It was also suggested that countries should deliberate on the scientific advice/recommendations from the SWG-Neritic Tunas internally before submission to higher ranking for endorsement.

83. Pertaining to management of fishing capacity and reduction of IUU fishing, it was highlighted that fisheries resource assessment (e.g. MSY, CPUE) should be based only on resources within a country's EEZ, to avoid misinterpretation and ensure accuracy in fishing capacity determination. Nevertheless, countries should also improve fisheries registration/licensing system as well as strengthen MCS.

## **IX. Closing of the Meeting**

84. During the closing of the Meeting, *Dr. Chumnarn Pongsri* expressed his sincere gratitude to all participants including Gulf of Thailand countries, collaborative partners, RFPN Members, and also SEAFDEC team for their active participation throughout the deliberation. He also expressed his sincere gratitude to the Government of Sweden, in particular SEAFDEC-Sweden Collaborative Program for its support in materializing the Meeting. The Meeting noted that suggestions, recommendations, and report of the Meeting would be finalized and circulated to all participants for comments and consideration prior to finalization. Lastly, he wished everyone safe journey home and closed the Meeting.

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