

REPORT OF THE EXPERTS MEETING ON REGIONAL COOPERATION TO SUPPORT THE IMPLEMENTATION OF PORT STATE MEASURES IN SOUTHEAST ASIAN REGION

2-4 February 2016, Bangkok, Thailand



TRAINING DEPARTMENT
Southeast Asian Fisheries
Development Center

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I. Opening of the Meeting

1. The “Experts Meeting on Regional Cooperation to Support the Implementation of Port State Measures in Southeast Asian Region” was convened on 2 to 4 February 2016, in Bangkok, Thailand. The Meeting was attended by representatives from Cambodia, Indonesia, Malaysia, Myanmar, the Philippines, Singapore, Thailand and Viet Nam. In addition, representatives from the Marine Department, Fish Marketing Organization, Thailand Maritime Enforcement Coordinating Center (Thai-MECC), Thai Customs Department, FAO Regional Office for Asia and Pacific (FAO/RAP), USAID the Oceans and Fisheries Partnership (USAID-Oceans), Command Center for Combating Illegal Fishing, RPOA-IUU Secretariat, as well as SEAFDEC Secretariat, Training Department (TD), Marine Fishery Research Development and Management Department (MFRDMD) and Inland Fishery Research Development and Management Department (IFRDMD) and members of the Regional Fisheries Policy Network (RFPN) from Cambodia, Lao PDR, Myanmar, Philippines, Thailand and Viet Nam were also attended the Consultation. The list of participants appears in **Annex 1**.

2. The Secretary-General of SEAFDEC, *Dr. Kom Silapajarn* welcomed all participants to the Consultation and cited that dealing with illegal, unregulated and unreported or IUU fishing in our region could not be addressed by one country alone and should be approached through cooperation among the countries. As one of the management tools for combating IUU fishing, he pointed that the effective implementation of port State measures could pave the way for the countries to work together especially in sharing information such as those on fishing vessels or carrier vessels moving around, that is from one country to another within the region, to support the smooth inspection by a port State. As supported by the Seventeenth Meeting of the Fisheries Consultative Group for the ASEAN-SEAFDEC Strategic Partnership convened in November 2015 in the Philippines, he urged that this Meeting was expected to come up with a Concept Proposal on Regional Cooperation to Support the Implementation of Port State Measures to be raised to the SEAFDEC Council and high-level bodies under the ASEAN mechanism and declared the Meeting open. His Opening Remarks appears in **Annex 2**

II. Introduction and objective of the Meeting and Adoption of the Agenda

3. The Information and Training Division Head of SEAFDEC/TD, *Mr. Bundit Chokesanguan* briefed the background and rationale to develop the Regional Cooperation to support the Implementation of PSM in the region. He recalled that the Experts Group Meeting on Port State Measures (PSM) in Southeast Asia held in 2012 recommended various actions of Member Countries such as cooperation and coordination for implementation of PSM, awareness building of related national agencies for effective implementation of PSM, develop standard operating procedures on ports inspection and port procedures, capacity building for relevant staff (*e.g.* inspectors) form implementation of PSM.

4. In addition, he informed the Meeting on the objectives of the Meeting which were to update the issues and challenges on PSM implementation, to identify the issues needed for further harmonization to support the PSM implementation, to develop the Concept Proposal on Regional Cooperation to Support the Implementation of Port State Measures, to identify capacity building needs. He also introduced the meeting agenda and arrangement of the Meeting. His presentation appears as **Annex 3**.

5. The Agenda which appears as **Annex 4** was adopted.

III. Regional and International Initiative in Combating IUU Fishing Related to the ASEAN Region

- *SEAFDEC Initiatives in Combating IUU Fishing in the ASEAN Region*

6. The Policy and Program Coordinator of SEAFDEC, *Dr. Somboon Siriraksophon* presented the “SEAFDEC Initiatives in Combating IUU Fishing in ASEAN Region” (**Annex 5**). He informed the Meeting on Forms of IUU fishing, ASEAN-SEAFDEC Initiatives which included ASEAN Guidelines for Preventing IUU Fishing and Fishery into the Supply Chains, Establishing the Regional Fishing Vessels Record (RFVR), Promotion of ASEAN Catch Documentation Scheme (ACDS), Establishing the Regional Cooperation on PSM, and Others such as developing the RPOA-Capacity, Bilateral Dialogue *etc.* He then stressed the importance of the Meeting to support the development of Regional Cooperation to Support Implementation of Port State Measures which is one of the main components of SEAFDEC Initiatives.

7. The representative from Cambodia raised the concern on landing of catch across border which would be difficult to declare the amount of catch to the origin country. It was respond that through the implementation of Port State Measure, any foreign vessels once enter to a port must inform to port State on relevant information such as vessel type, fishing license number, name of master including amount of catch. However, the challenges would be on its application to small fishing vessels. In this connection, the Meeting noted the updated situation that now the Department of Fisheries, Thailand do not allow Thai fishing vessels (above 30GT) to fish in Cambodia water and land catch in Thailand, however, such catch are transferred to smaller boats and still landed in Thailand. The Meeting then noted that the 2009 Agreement on PSM to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (2009 PSMA) stated in Article 3 No. 1 (a) that ‘vessels of a neighboring State that are engaged in artisanal fishing for subsistence, provided that the port State and the flag State cooperate to ensure that such vessels do not engage in IUU fishing or fishing related activities in support of such fishing.’

8. The representative from Indonesia inquired about the plan to monitor or evaluate the implementation of PSM after ASEAN Member States endorsed the Regional Cooperation. In response, the Meeting noted that SEAFDEC is in the process to discuss all initiatives (*e.g.* ACDS, PSM, RFVR) during the upcoming Stakeholder Consultation to be convened on 3 to 4 March 2016. Once these have been agreed among stakeholders concerned, an e-system would be developed including a lot of databases in collaboration with the USAID-Oceans and these will be used by all AMSs. The operator of such system would be a third party, however, this has to be adopted and agreed among AMSs. In this regard, the Meeting was informed that one of a pilot testing program would be conducted by the USAID-Oceans. It was noted that all AMSs have to create a management party to administer the system. In addition, since

SEAFDEC-Sweden project supports bilateral dialogues between the countries, AMSs could raise a concern at such dialogue.

- *FAO Initiatives in combating IUU fishing in the ASEAN Region*

9. The representative from FAO/RAP, *Mr. David Brown* presented the 'Implementing the 2009 Agreement on Port State Measures'. He pointed the strengthening Port State Measures in support of fisheries management because the rise of IUU fishing and its impact on fisheries and their management, lack of effective flag State control by some States, and growth of ports of non-compliance. He also introduced the instruments and initiatives especially the 2009 FAO Agreement on Port States Measures which was developed with an aim to prevent, deter and eliminate IUU fishing through the effective Port State Measures. He cited that the scope of PSM covers at global level, apply to foreign vessels, related to fishing conducted in marine areas and apply to any vessel, intended to be used for fishing and fishing related activities; transporting of fish that have not been previously landed at port as well as the provisions of personnel, fuel, gear and other suppliers at sea. His presentation appears as **Annex 6**.

10. In response to the query on what is the minimum level that required for the Southeast Asia region to implement according to the 2009 FAO PSM Agreement, it was clarified that the Agreement is stipulated at a minimum level, however, AMSs could have more stringent measures. Referring to the Article 3, 1 (b) of the PSMA, the Meeting was clarified that container vessels should be denied the entry into port even miss-carried of only one cargo of the whole container.

- *RPOA-IUU Initiatives in combating IUU fishing in the ASEAN Region*

The First Secretary, the Economic Affairs and UN- ESCAP of the Embassy of the Republic of Indonesia, *Mr. Agustaviano Sofjan* presented the 'Regional Plan of Action to Promote Responsible Fishing Practices including Combating IUU Fishing in the Southeast Asia Region' on behalf of the RPOA-IUU Secretariat. He briefly explained the objectives, framework, and specification measures of the RPOA-IUU Secretariat through pointed out work plan, and activities of three RPOA-IUU sub-regions which are Timor and Arafura Seas, Southern and Eastern Areas of the South China Sea and the Sulu-Sulawesi Seas, and Gulf of Thailand. According to the RPOA MCS Network, he cited that the RPOA-IUU Countries have denied access port by IUU Vessel lists and adopted RPOA Vessel Watch list. He then informed the Meeting on the upcoming events of RPOA-IUU in 2016. His presentation appears as **Annex 7**.

- *Fish Marketing Organization*

11. The Advisor of Fish Marketing Organization (FMO) Director, *Mr. Pramual Rukjai* introduced the 'FMO Initiatives in combating IUU fishing in Thailand: Phuket Fishing Port'. He informed the Meeting that

12. The Meeting was clarified that the fishing vessels that landed at Phuket Fishing Port have an private agent/company to coordinate for port clearance under supervision of Custom, Marine Department and related authorities and mostly are the Taiwanese flagged vessels. The Meeting queried on which country issue catch certificate for catch of foreign vessels fish in international waters and landed in Phuket port. In this regard, FMO informed the Meeting that they will follow up with DOF and may have to discuss on what FMO should do in this

case. However, FMO has a policy that FMO should not involve in marketing of products from IUU fishing.

IV. Issues and challenges on PSM implementation

13. Representatives from the SEAFDEC Member Countries, in-charge of the implementation of Port State Measures in their respective countries, presented the 'Issues and Current Status in Implementation of Port State Measures'.

- ***Cambodia***

14. The representative from Cambodia, *Mr. Chhuon Kimchhea* informed the Meeting that there is no designated port in Cambodia due to no foreign fishing vessel unloading fish in Cambodian fishing ports. Though there were 102 coastal fisheries officers and 5 officers have been trained on PSM, he also informed that there currently has no implementation of port inspection yet as well as data collection on foreign fishing vessels, catch and fishing gears. This was due to lack of budget, facilities, infrastructure, human resources, standard operating procedure for PSM, PSM awareness, regional network for MCS, fishing landing data system and management etc. He then cited some recommendations for regional cooperation to implement PSM among the AMSs such as bilateral/multilateral cooperation, sharing information about catch, fishing vessels, gears, port inspection results/reports. His presentation appears as **Annex 8**.

15. The Meeting noted the difference among the terminology of coastal State, flag State and port State. While a flag State has authority and responsibility to oblige regulations over vessels registered under its flag, a coastal State has rights, jurisdiction and duties in its exclusive economic zone. In addition, a port State has duty to control vessels landed in their ports.

- ***Indonesia***

16. The representative from Indonesia, *Mr. Mahrus* informed the Meeting that the country has signed the PSMA in 2009 and is currently conducting an internal process to ratify the PSMA. In addition, as one of the Indian Ocean Tuna Commission (IOTC), the country is seeking to implement the IOTC Resolution 10/11 on port State measures to prevent, deter and eliminate IUU fishing and has designated 5 (five) fishing ports for PSM activities. Though, the current policy do no allow for foreign or joint venture fishing vessels operating in Indonesia waters, foreign fishing vessels are required to submit notification to the harbor master regarding the arrival plan of vessel within 48 hours before the vessel enters port (one time). He then pointed some challenges in implementation of PSM that there are some foreign fishing vessel landed to public port, which is under authority of the Ministry of Transportation, and that coordination to implement the PSM with such Ministry is in progress. He also informed the Meeting that the country adopted the NPOA-IUU in 2012 and suggested that regional cooperation should be conducted to help AMS to develop national capacity and promote regional coordination so that countries will be better placed to strengthen and harmonize port state measures. His presentation appears as **Annex 9**.

17. The Meeting noted that before 2007, the country have bilateral agreement for foreign vessel to do fishing in its waters. However, at present the new cabinet does not allow such agreement. The Meeting also noted that the MMAF's Fishing Port Information's Center

(PIPP) Network is meant to improve data collection and statistic at central and provincial levels. Regarding the factor that would make successful implementation of PSM within the country, he responded that PSM implementation by fisheries authority is quite new while it has been implementing by the Ministry of Transportation for a long time. Therefore, coordination to synergize such implementation among authorities is necessary.

- *Malaysia*

18. The representative from Malaysia, *Mr. Abdul Rahman bin Abdul Wahab* informed the Meeting that the country has only one designated port in Penang under IOTC requirement. He also informed the Meeting on the country's legal basis to regulate landing of fish, manage and control of fishing ports including foreign fishing vessel entry into its waters. He pointed some challenges in implementation of PSM that control of ports fall under different port authorities, inconsistent law interpretation, difficulty to get contact with flag State, outdate of IUU vessel list etc. He then suggested some actions to support regional cooperation such as demo port for implementation PSM in the region, develop/adapt/adopt module for implementation of PSM for the region, sharing of national laws and establish focal point to promote communication. His presentation appears as **Annex 10**.

19. The Meeting was informed about the fine of FV Perlon that the barge and tug board would be charged 400,000 RM while the master fishermen would be charged 1.59 RM. The Meeting was clarified that the country does not specify port for AMSs flagged vessel while the 'SOP to handle foreign fishing vessel that have engaged in IUU fishing when entering Malaysian ports' is an annex of the NPOA-IUU.

- *Myanmar*

20. The representative from Myanmar, *Ms.Nilar Kywe* informed the Meeting on the legislation of the Fishing Rights of the Foreign Fishing Vessel (1989) for foreign fishing vessel and Myanmar Marine Fisheries Law (1989) for local vessel and Joint venture vessel. She also informed that there are 5 landing sites for foreign fishing vessels and the country signed the FAO Agreement on PSM for accession in November 2010. The main issue on PSM implementation at national level is lack of information of illegal fishing vessel, land of MCS including PSM for illegal vessels, inefficient information sharing among the related agency especially on rules and procedures. At regional level, she recommended that information on RFVR and black list of IUU vessel should be shared among the countries and implementation of PSM on denial of illegal landing in country should be done. Her presentation appears as **Annex 11**.

21. The Meeting noted that under the joint venture arrangement some Thai operators using Taiwan flagged fishing vessels or Thai flagged fishing vessels operated in Myanmar waters. This arrangement is under authority of coastal State jurisdiction while there are few foreign fishing vessels landed in Myanmar ports.

- *Philippines*

22. The representative from the Philippines, *Mr. Peter Erick Cadapan* informed the Meeting that the country has eight (8) government-controlled fish ports where two of them have confirmed landings from foreign-flagged fishing vessels and one of them which is Davao Fish Port Complex is the only fish port officially-designated for foreign-flagged

fishing vessels. From 2011-2015, he informed that there were totally 1,750 port calls of foreign fishing vessels in Davao and General Santos Fish Port Complex. He cited some regulations governing the implementation of port State measures of the country as well as catch documentation in support to such measures. He also informed that the country has adopted NPOA-IUU in December 2013 and signed the accession to the 2009 FAO Agreement on PSM in January 2016 and in the process of ratification of PSMA. He pointed some constraints in implementation of PSM especially on lack of linkages for multilateral cooperation on information sharing and lack of harmonized standard operating procedures on port inspection. He then suggested that regional network on systematic multilateral cooperation in sharing information and web-based application for IUU vessel list, port inspection results, list of designated ports, contact details of AMS port managers should be developed. He also requested FAO to provide training on PSMA and assist AMS in the development of SOPs. His presentation appears as **Annex 12**.

23. FAO representative informed that FAO would work closely with regional partner in response to the needs of member countries and it would be reasonable to response on the common approach of the region.

- ***Singapore***

24. The representative from Singapore, *Dr. Cheryl Goh* informed the Meeting that the country has three ports for import, export and transshipment of fish where Jurong Fishery Port is the main port for foreign fishing vessels. She also informed that the country comply with CCAMLR's Catch Documentation and issue re-export certificates for Big-eye Tuna and Swordfish in collaboration with ICCAT. She cited that the challenges and issues in the implementation of PSM were inspection and enforcement as well traceability of import. She stressed that the country would like to learn the experience from other countries in PSM implementation. Considering the issues on inspection and enforcement, she suggested that capacity building and information sharing (*e.g.* risk base assessments, practical, and hands-on workshop *etc.*) should be strengthened while the regional catch document system should be developed to improve traceability. Her presentation appears as **Annex 13**.

25. Though the country has imported fish and fishery products a lot from other AMS, the Meeting was informed that the country has more resilient on re-export products than local consumption products.

- ***Thailand***

26. The representative from Thailand, *Mr. Poorit Watcharasin* informed that the country has official launch designated ports for foreign vessels in September 2015. There are 46 designated ports along the coastal, but now can reduce to 29 ports. He also informed that Memorandum of Agreement between Department of Fisheries and Department of Customs concerning the Control and Examination of Imported, Exported and Transited Aquatic Animals to Tackle Illegal, Unreported and Unregulated Fishing (IUU Fishing) has been developed. He pointed some constraints in implementation of PSM especially there is no inspection guidelines or standard and there are too few numbers of PSM inspector as well as lack of regional harmonization on the list of required documents/evidence for inspection including delay of submitting requested documents. He then suggested that expert group with multilateral collaboration should be set up to harmonize SOP for each vessel type.

27. He further informed that the country adopted Fisheries Management Plan (FMP) and NPOA-IUU in November 2015 and set up a working group to consider becoming a party of the 2009 FAO Agreement on PSM. He cited some concerns for regional cooperation which are exchange of information on traceability system and development of system for regional documentation. His presentation appears as **Annex 14**.

28. Considering a big number of designated ports in the country, the Meeting was informed that each wharf is considered one designated port which included public and private wharf. However, the country is planning to reduce the numbers of designed ports to one designated port for one province. Though the country does not has guidelines for port inspection of small foreign fishing vessels, the Meeting was informed that the country is going to develop the criteria for port inspection based on the FAO Agreement focusing a large vessel. This would be developed under bilateral arrangements between Thailand and its neighboring countries while small vessel would be considered in the near future.

- **Viet Nam**

29. The representative from Viet Nam, *Mr. Pham Hung* informed the Meeting that the country has no designated port for foreign fishing vessel, however, as stipulated in NPOA-IUU adopted in May 2014, PSM is regulated especially IUU fishing vessels do not permit to land or transport within Vietnamese water and fishing vessels that want to land in Viet Nam fishing ports have to provide information of such vessels. He pointed the issues in human resource that is inadequate to carry out port inspections due to shortage of port inspection skills. His presentation appears as **Annex 15**.

V. Identification of harmonized issues to support the implementation of PSM

30. The Meeting agreed on summary of constrains/ problems on implementation of the PSM, key challenges and recommendations as well as conclusion for future implementation the PSM

<i>Constraints/Problems</i>	CM	ID	MY	MM	PH	SG	TH	VN	<i>Challenges</i>
<u>Operational</u>									1. Renew and reorganize fishing port operational procedure to support PSM 2. Development of harmonized SOP on vessel inspection at port for guidance of all AMS 3. Identify needs and capacity building for staff concern on relevant PSM implementation
<ul style="list-style-type: none"> • Lack of standard operating procedure (SOP) in implementing PSM with any scale of vessel 	X	X			X		X	X	
<ul style="list-style-type: none"> • For port managed under different agency; insufficient inter-agency cooperation for port PSM implementation 	X	X		X				X	

<i>Constraints/Problems</i>	CM	ID	MY	MM	PH	SG	TH	VN	<i>Challenges</i>
									4. Difficulties in verification of vessel documentation and inspection
<u>Legal</u>									1. Inconsistent law interpretation
<ul style="list-style-type: none"> Challenge with regards to implementation of laws and regulations 	X	X	X				X	X	
<ul style="list-style-type: none"> Challenge in interpretation of PSMA 	X	X			X	X	X	X	
<u>Human resource</u>									<none>
<ul style="list-style-type: none"> Limit of capacity of implementing facilities and officer concern 	X	X		X		X	X	X	
<u>Infrastructure</u>									<none>
<ul style="list-style-type: none"> Insufficient infrastructure and lack of budget for infrastructure to support PSM 	X	X		X			X		
<u>Information</u>									1. Encourage “traders“ to cooperate with AMS through information and education campaigns
<ul style="list-style-type: none"> Lack of fish landing data system and management, such as the IUU vessel list from RFMOs is not updated 	X		X*						
<ul style="list-style-type: none"> Lack of regional network, MCS and information sharing in concern agencies among country 	X	X	X**	X	X		X	X	2. Sharing of information such as catch, fishing vessel, fishing gear through sharing of experience in PSM implement among AMS
<ul style="list-style-type: none"> Lack of awareness about PSM among the stakeholder 	X	X							
<ul style="list-style-type: none"> Limited traceability of some imports 						X			3. Information sharing on rules and regulations for inter-agency collaboration and implementation
<ul style="list-style-type: none"> Control of ports fall under different port authorities 			X						

<i>Constraints/Problems</i>	CM	ID	MY	MM	PH	SG	TH	VN	<i>Challenges</i>
									<ul style="list-style-type: none"> • Create “rapid alert system” for ASEAN (through Mobile Application if available) • Establishment of the ACDS
<u>Measures related to PSM implementation</u>									<none>
<ul style="list-style-type: none"> • Lack of vessels registration and fishing license system management 	X								

Note : * Malaysia’s experience shows that RFMO’s IUU vessel list may not be up-to-date
 ** Malaysia sees information sharing with regards to PSM implementation e.g. inspection report as a challenge rather than an issue for the region

The Meeting also agreed on recommendations of regional cooperation to support implementation of PSM. Three general challenges to be addressed for future consideration are as follows:

- ❖ Regional cooperation on PSM and related issues among AMS
- ❖ Strengthening bilateral/ multilateral arrangement on all IUU activities through PSM implementation and MCS network
- ❖ Identification of a model port for demonstration of PSM best practices within the ASEAN region

Summarized of the recommendations for Regional Cooperation to support the implementation of the Port State Measures

Refers to the PSMA		Recommendations of Regional Cooperation on PSM implementation
PART	Article No.	
Entry Into Port	Article 7: Designated port	<ul style="list-style-type: none"> ❖ Encourage AMS to identify designated ports for foreign fishing vessel and encourage not to allow foreign fishing vessel to unload fish and fishery products in non-designated ports. ❖ The list of designed ports should include information of the name of the port, address of location, contact person and his/her designation as well as official website in English version.

Refers to the PSMA		Recommendations of Regional Cooperation on PSM implementation
PART	Article No.	
		❖ SEAFDEC shall publicize the information of AMS's designated ports.
	Article 8: Advance request for port entry	<ul style="list-style-type: none"> ❖ AMS shall require, as a minimum standard, the information requested in Annex A¹ or relevant document to be adopted by AMS² to be provided before granting entry to a vessel to its port. ❖ To support the implementation by port State, database module of the list of vessels shall be expansion developed based on the existing Regional Fishing Vessels Record (RFVR).
	Article 9: Port entry, authorization or denial	<ul style="list-style-type: none"> ❖ Information exchange on the country laws and regulations shall be shared among the AMS taking into accounts that some AMSs (e.g. Malaysia and Indonesia) do not allow its fishing vessel excluding carriers to unload catch at other country ports. ❖ To encourage AMS to require foreign fishing vessels and carriers to submit pre-arrival information (such as approval to land catch, origin of catch or certificate of catch) so that port State can decide whether to authorize or deny the entry of this vessel into their port. Decision to deny shall be communicated to the flag State ❖ To provide the awareness building to relevant stakeholders (e.g. fishing boat owner, importer, port authority, etc.) at national level to enhance the better understanding the country laws and regulations, and other procedure on Inspections.
Inspections and Follow-Up Action	Article 12: Levels and priorities for inspection	<ul style="list-style-type: none"> ❖ Adopt the Standard Operating Procedures (SOP) on the risk assessment and inspection of vessels through the harmonization/consultation workshop. ❖ AMS may consider minimum levels for inspection of vessels through, as appropriate, agreement among all AMSs. ❖ To support inspection of the vessels, the historical data/information of vessel are required in the database module of vessels.
	Article 15: Transmittal of inspection results	❖ AMS shall transmit the results of each inspection to the flag State of the inspected vessel

¹ Refers to ANNEX 1 of the 2009 Agreement of the port State measures

² SEAFDEC to provide a simplified document for small fishing vessel for adoption by AMS

Refers to the PSMA		Recommendations of Regional Cooperation on PSM implementation
PART	Article No.	
		<ul style="list-style-type: none"> ❖ AMS shall submit SEAFDEC the total number of inspection annually. ❖ When AMS flagged vessel has been denied entry, denied the use of port or denied the landing of fish, the port State needs to share the summary report of inspection to SEAFDEC.
	Article 16: Electronic exchange of information	<ul style="list-style-type: none"> ❖ To facilitate implementation of this Regional Cooperation, each AMS, where possible, establish a communication mechanism that allows for direct electronic exchange of information, with due regard to appropriate confidentiality requirements. In addition, AMS should cooperate to establish an information-sharing mechanism by SEAFDEC to facilitate the exchange of information with existing database for this cooperation.
	Article 17: Training of inspectors	<ul style="list-style-type: none"> ❖ Request FAO, RFMOs, ASEAN, SEAFDEC and relevant agencies on training of trainer for port inspections including legal and operational aspects with an emphasis on practical hands-on component ❖ Develop a network/team among AMSs on training of trainer for port inspections ❖ Consider an existing training module developed by RPOA-IUU in collaboration with the Australian Maritime on port inspections to support the TOT programs.
	Article 18: Port State actions following inspection	<ul style="list-style-type: none"> ❖ publicize and awareness building on standard inspection procedure

VI. Outline of Concept Proposal

31. The Policy and Program Coordinator of SEAFDEC, *Dr. Somboon Siriraksophon* introduced the outline of concept proposal with the title ‘Regional Cooperation to Support the Implementation of PSM in ASEAN Region’ would comprise of:

- 1) Introduction and Rational;
- 2) Objectives;
- 3) Current Status for PSM in AMS;
- 4) Summary of Constrains on PSM;
- 5) Challenges and Suggestions;
- 6) Recommendations on Regional Cooperation; and
- 7) Annexes (data sharing, etc.)

VII. Identification of Capacity Building Requirements by AMSs

32. After the discussions, the Meeting agreed that target groups of training were categorized as general audience³, inspector, fishery manager, and policy maker. Identification of capacity building on PSM should consider from Annex E of PSMA depend on target groups. Identification of training module for PSM capacity building as **Annex16**.

VIII. Finalize the 1st Draft Concept Proposal

33. After the discussions, the Meeting agreed on the First Draft of the Regional Cooperation to Support the Implementation of PSM in ASEAN Region as **Annex17**.

IX. Conclusion and way forward

34. The Meeting noted that though some countries have not ratified the PSMA, the countries could implement PSM. Regarding the first draft of the Regional Cooperation, this will be submitted to the Stakeholders Consultation Meeting to be convened on 1-2 March 2016, subsequently to the Meeting of the Drafting Committee on ASEAN-SEAFDEC Joint Declaration toward Combating IUU Fishing on 3-4 March 2016 for comments. And it will be submitted for endorsement during the 48th Meeting of the SEAFDEC Council in April 2016 as well as meetings under the ASEAN mechanism. In this regard, the Technical Workshop for the SOP on vessel inspection at port and information sharing for database system would be carried tentatively in February 2017 while the database system will be developed in Jan-Oct, 2017. The system will be tested at pilot site in Aug 2017-Feb 2018 while the adoption of the system will be proposed during the 50th Meeting of the SEAFDEC Council in April 2018.

X. Closing of the workshop

35. The Deputy Secretary-General of SEAFDEC, *Mr. Hajime Kawamura* thanked the participants for their active participation during the Meeting as well as extended the gratitude to Japanese Trust Fund and SEAFDEC-Sweden Project. He urged all the Member Countries and the Technical Departments to maintain this collaborative environment to foster the regional cooperation to support the implementation of port State measures and declared the Experts Meeting on Regional Cooperation to Support the Implementation of Port State Measures in Southeast Asian Region closed. His Closing Statement appears as **Annex 18**.

³ General audience is cover to 1) Fishing vessel owner and vessel agency, 2) Captain and master fisherman, 3) Buyer (middle man or "Taokae") and Buyer Company, 4) Processing factory, 5) Fishing port owner, 6) Fishery association, related group, 7) Public sector, and 8) Relevant organizations



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OPENING REMARKS

Dr. Kom Silapajarn
SEAFDEC Secretary-General

“Experts Meeting on Regional Cooperation to Support the Implementation of
Port State Measures in Southeast Asian Region”

2 February 2016, Bangkok, Thailand

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 Experts Meeting on Regional Cooperation to Support the Implementation of Port State Measures in Southeast Asian Region. We are very grateful to the Japanese Trust Fund and the SEAFDEC-Sweden Project for supporting us to make this Meeting a reality.

All of us are aware that dealing with illegal, unregulated and unreported or IUU fishing in our region could not be addressed by one country alone and should be approached through cooperation among the countries. We have learned some instances where fish catch are illegally landed across borders and poaching continues to be rampant in the waters of neighboring countries, which are clear examples of IUU fishing. I believe that such concerns could be addressed if our efforts to combat IUU fishing are properly linked with the effective implementation of port State measures. Typically, the principles behind the port State measures include requirements related to prior notification of port entry, use of designated ports, restrictions on port entry and landing or transshipment of fish, restrictions on supplies and services, documentation requirements and port inspections. Many of these measures have already been included in the development of international instruments.

In 2005, the Twenty-sixth Session of COFI endorsed the FAO Model Scheme on Port State Measures to Combat IUU Fishing. This was followed by the endorsement of the legally binding Port State Measures Agreement in 2009. Recently, the ASEAN Guidelines for Preventing the Entry of Fish and Fishery Products from IUU Fishing Activities into the Supply Chain was also adopted by the ASEAN in 2015. Such ASEAN Guidelines include a provision that “States should strengthen their respective port State measures including control

of port entry, use of port services, requirements for pre-port entry notification, and designation of ports for fishing vessels”.

As one of the management tools for combating IUU fishing, the Guidelines urge foreign fishing vessels to comply with or be subjected to such Guidelines as condition for using the ports of a port State. Nevertheless, during the Experts Group Meeting on Port State Measures in Southeast Asia convened by SEAFDEC in 2012, many Southeast Asian countries had indicated some difficulties in implementing the port State measures. Some countries have attempted to implement the measures by focusing only on large foreign fishing vessels from outside the region but realized later on that the principles should also be applied to other vessels such as fish carriers or fishing vessels coming from other countries within the ASEAN region.



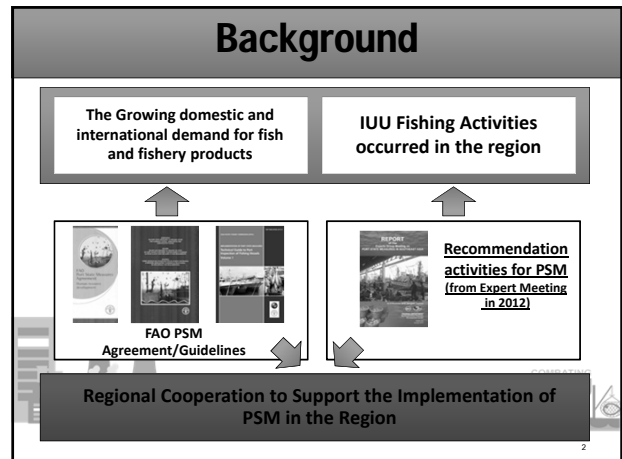
Posing a major concern for our region, SEAFDEC therefore reflected on the idea of developing a mechanism for cooperation among the Southeast Asian countries to support the implementation on port State measures in our region. This would pave the way for the countries to work together especially in sharing information such as those on fishing vessels or carrier vessels moving around, that is from one country to another within the region, to support the smooth inspection by a port State. We should recall that the development of a regional cooperation to support the implementation of port State measures was supported by the Seventeenth Meeting of the Fisheries Consultative Group for the ASEAN-SEAFDEC Strategic Partnership convened in November 2015 in the Philippines.

Anchoring on such support, SEAFDEC in collaboration with the Department of Fisheries of Thailand decided to convene this Meeting for the Southeast Asian countries to share experiences in addressing the challenges related to the implementation of port State measures. This could also provide an avenue for the countries to harmonize all efforts in support of the implementation of the measures. We therefore expect that this Meeting could come up with a Concept Proposal on Regional Cooperation to Support the Implementation of Port State Measures to be raised to the SEAFDEC Council and high-level bodies under the ASEAN mechanism. In the process, we also anticipate that capacity building needs of the countries could be identified. Therefore, at the end of this three-day Meeting, we should be able to chart the regional priorities and future direction for the implementation of the port State measures in our region.

Before I end my remarks, I would urge the participants to be actively involved in the discussions and provide inputs to allow this Meeting to come up with fruitful results. With that note, I now declare this Experts Meeting officially open. Thank you very much and good day!

Introduction of the Experts Meeting on Regional Cooperation to Support the Implementation of Port State Measures in Southeast Asian Region

Experts Meeting on Regional Cooperation to Support the Implementation of Port State Measures in Southeast Asian Region
2-4 February 2016, Bangkok, Thailand



Recommended activities of Member Countries From Expert Meeting in 2012

Cooperation and coordination for implementation of PSM

- Coordination among government agencies for implementation of PSM
- Regional cooperation for implementation of PSM
- Dialogue with neighboring (trans-boundary) countries for effective implementation of PSM

Recommended activities of Member Countries From Expert Meeting in 2012

Awareness building

- Awareness building of related national agencies for effective implementation of PSM
- Awareness building of all stake holders about the necessity of PSM through prints, media and website

Recommended activities of Member Countries From Expert Meeting in 2012

Review of country's legislation and legal framework

- Review of existing legislations and legal framework for implementation of PSM

Catch documentation scheme

- Introduction and implementation of catch documentation scheme (or catch certification scheme) on domestic and foreign fishing vessel

Recommended activities of Member Countries From Expert Meeting in 2012

Standard Operating Procedures on Port Inspection

- Develop standard operating procedures on ports inspection and port procedures for implementation of PSM

Capacity Building

- Develop a model port for implementation of PSM
- Organize training course or workshop for relevant staff (e.g. inspectors and enforcers) for implementation of PSM

Recommended activities of Member Countries From Expert Meeting in 2012

Countermeasures to Double Flagging

- Enhance internal discussions among the relevant government agencies about the countermeasures including procedures of registration, de-registration and dual flagging.
- Ensuring that vessels flying national flag will not be involved in double flagging

Objective of the Meeting

- Update the issues and challenges on PSM implementation in the region
- Identify the issues needed for further harmonization to support the implementation of PSM
- Develop the Concept Proposal on Regional Cooperation to Support the Implementation of Port State Measures to be addressed at the Council and high-level under the ASEAN mechanism
- Identify capacity building needs

Expected Outputs

- Concept Proposal on Regional Cooperation to Support the Implementation of Port State Measures to be addressed at the Council and high-level under the ASEAN mechanism
- Updated regional issues and challenges on PSM implementation
- Identified issues for harmonization to support the implementation of PSM
- Required capacity building

Provisional Agenda

- Opening of the meeting
- Introduction and objectives of the meeting/ Adoption of the agenda
- Regional and international initiative in combating IUU Fishing related to the ASEAN Region
- Issues and challenges on PSM implementation
- Identification of harmonized issues to support the implementation of PSM
- Outline of the Concept Proposal
- Identification of capacity building requirements by AMSS
- Finalize the 1st draft concept proposal
- Conclusion and way forward
- Closing of the meeting

Timetable

Tuesday 2 February 2016 (Chairperson by Mr. Bundit Chokesanguan)

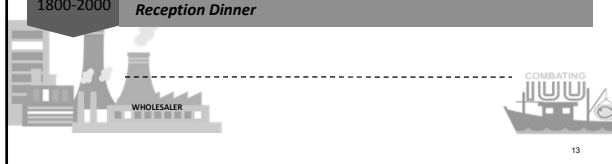
- 0830-0900** Registration
- 0900-0920** Agenda 1. Opening of the Meeting
➤ Opening Address by the Secretary-General of SEAFDEC
- 0920-0940** Agenda 2: Introduction and Objective of the Meeting /Adoption of the Agenda (By Mr. Bundit Chokesanguan)
- 0940-1040** Agenda 3: Regional and International Initiative in Combating IUU Fishing Related to the ASEAN Region
➤ SEAFDEC Initiatives in Combating IUU Fishing in the ASEAN Region (by Dr. Somboon Siriraksophon)

Timetable

- 1040-1110** Coffee/Tea Break and Group Photo
- 1110-1200** Agenda 3: Regional and International Initiative in Combating IUU Fishing Related to the ASEAN Region
➤ FAO
➤ RPOA-IUU
➤ FMO
- 1200-1330** Lunch Break
- 1330-1500** Agenda 4: Issues and Challenges on PSM Implementation (15 minutes/country)
➤ Cambodia
➤ Indonesia
➤ Malaysia
➤ Myanmar

Timetable

1500-1530	Coffee/Tea Break
1530-1700	Agenda 4: Issues and Challenges on PSM Implementation (15 minutes/country) ➤ Philippines ➤ Thailand ➤ Singapore ➤ Viet Nam
1800-2000	Reception Dinner

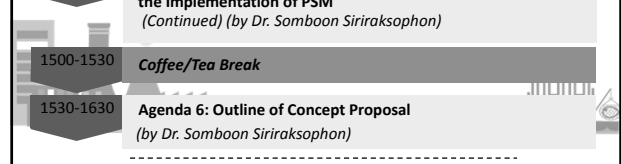


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Timetable

Wednesday 3 February 2016 (Chairperson by Mr. Bundit Chokesanguan)

0900-1200	Agenda 5: Identification of Harmonized Issues to Support the Implementation of PSM (by Dr. Somboon Siriraksophon)
1200-1330	Lunch Break
1330-1500	Agenda 5: Identification of Harmonized Issues to Support the Implementation of PSM (Continued) (by Dr. Somboon Siriraksophon)
1500-1530	Coffee/Tea Break
1530-1630	Agenda 6: Outline of Concept Proposal (by Dr. Somboon Siriraksophon)



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Timetable

Thursday 4 February 2016 (Chairperson by Mr. Bundit Chokesanguan)


0900-1200	Agenda 7: Identification of Capacity Building Requirements by AMSs (Facilitate by Dr. Somboon Siriraksophon)
1200-1330	Lunch Break
1330-1500	Agenda 8: Finalize the 1st Draft Concept Proposal (by Dr. Somboon Siriraksophon)
1500-1530	Coffee/Tea Break
1530-1600	Agenda 9: Conclusion and way forward (by Dr. Somboon Siriraksophon)



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Timetable

1600-1610	Agenda 10: Closing of the meeting ➤ Closing Address by the Deputy Secretary-General of SEAFDEC
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Thank you



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PROVISIONAL AGENDA

1. Opening of the meeting
 - Opening Address by the Secretary-General of SEAFDEC
2. Introduction and objectives of the meeting/Adoption of the agenda
 - Introduction and objective of the meeting/Adoption of the agenda *by Mr. Bundit Chokesanguan*
3. Regional and international initiative in combating IUU Fishing related to the ASEAN Region
 - SEAFDEC Initiatives in combating IUU fishing in the ASEAN Region *by Dr. Somboon Siriraksophon*)
 - FAO Initiatives in combating IUU fishing in the ASEAN Region
 - RPOA-IUU Initiatives in combating IUU fishing in the ASEAN Region
 - FMO Initiatives in combating IUU fishing in Thailand
4. Issues and challenges on PSM implementation
 - Issues and challenges on PSM implementation in Cambodia
 - Issues and challenges on PSM implementation in Indonesia
 - Issues and challenges on PSM implementation in Malaysia
 - Issues and challenges on PSM implementation in Myanmar
 - Issues and challenges on PSM implementation in Philippines
 - Issues and challenges on PSM implementation in Singapore
 - Issues and challenges on PSM implementation in Thailand
 - Issues and challenges on PSM implementation in Viet Nam
5. Identification of harmonized issues to support the implementation of PSM
 - Identification of harmonized issues to support the implementation of PSM *by Dr. Somboon Siriraksophon*
6. Outline of the Concept Proposal
 - Outline of Concept Proposal *by Dr. Somboon Siriraksophon*
7. Identification of capacity building requirements by AMSs
 - Identification of capacity building requirements by AMSs *by Dr. Somboon Siriraksophon*
8. Finalize the 1st draft concept proposal
 - Finalize the 1st draft concept proposal *by Dr. Somboon Siriraksophon*
9. Conclusion and way forward
 - Conclusion and way forward *by Dr. Somboon Siriraksophon*
10. Closing of the meeting
 - Closing Address by the Deputy Secretary-General of SEAFDEC



TIMETABLE

Tuesday 2 February 2016 (*Chairperson by Mr. Bundit Chokesanguan*)

- 0830-0900 Registration
- 0900-0920 **Agenda 1.** Opening of the Meeting
- Opening Address by the Secretary-General of SEAFDEC
- 0920-0940 **Agenda 2:** Introduction and Objective of the Meeting /Adoption of the Agenda
(*By Mr. Bundit Chokesanguan*)
- 0940-1040 **Agenda 3:** Regional and International Initiative in Combating IUU Fishing Related to the ASEAN Region
- SEAFDEC Initiatives in Combating IUU Fishing in the ASEAN Region
(*by Dr. Somboon Siriraksophon*)
- 1040-1110 *Coffee/Tea Break and Group Photo*
- 1110-1200 **Agenda 3:** Regional and International Initiative in Combating IUU Fishing Related to the ASEAN Region
- FAO
 - RPOA-IUU
 - FMO
- 1200-1330 *Lunch Break*
- 1330-1500 **Agenda 4:** Issues and Challenges on PSM Implementation (15 minutes/country)
- Cambodia
 - Indonesia
 - Malaysia
 - Myanmar
- 1500-1530 *Coffee/Tea break*
- 1530-1700 **Agenda 4:** Issues and Challenges on PSM Implementation (15 minutes/country)
- Philippines
 - Singapore
 - Thailand
 - Viet Nam



1800-2000 *Reception Dinner*

Wednesday 3 February 2016 (*Chairperson by Mr. Bundit Chokesanguan*)

0900-1200 **Agenda 5:** Identification of Harmonized Issues to Support the Implementation of PSM
(*by Dr. Somboon Siriraksophon*)

1200-1330 *Lunch Break*

1330-1500 **Agenda 5:** Identification of Harmonized Issues to Support the Implementation of PSM
(*Continued*) (*by Dr. Somboon Siriraksophon*)

1500-1530 *Coffee/Tea Break*

1530-1630 **Agenda 6:** Outline of Concept Proposal
(*by Dr. Somboon Siriraksophon*)

Thursday 4 February 2016 (*Chairperson by Mr. Bundit Chokesanguan*)

0900-1200 **Agenda 7:** Identification of Capacity Building Requirements by AMSs
(*Facilitate by Dr. Somboon Siriraksophon*)

1200-1330 *Lunch break*

1330-1500 **Agenda 8:** Finalize the 1st Draft Concept Proposal
(*by Dr. Somboon Siriraksophon*)

1500-1530 *Coffee/tea break*

1530-1600 **Agenda 9:** Conclusion and way forward
(*by Dr. Somboon Siriraksophon*)

1600-1610 **Agenda 10:** Closing of the meeting

- Closing Address by the Deputy Secretary-General of SEAFDEC





SEAFDEC INITIATIVES IN COMBATING IUU FISHING IN ASEAN REGION

SOMBOON SIRIRAKSOPHON
POLICY AND PROGRAM COORDINATOR, SEAFDEC SECRETARIAT

EXPERT CONSULTATION ON CAMBODIA MARINE FISHING CAPACITY AND ILLEGAL, UNREPORTED AND UNREGULATED (IUU) FISHING
29-30 January 2016, Kampongso, Sihanouk Province, Cambodia

Contents

- 1) INTRODUCTION
- 2) FORMS OF IUU FISHING
- 3) ASEAN-SEAFDEC INITIATIVES
 - A. ASEAN Guideline for preventing IUU fish and fishery into the supply chains
 - B. Establishing the Regional Fishing Vessels Record
 - C. Promotion of ASEAN Catch Documentation Scheme
 - D. Establishing the Regional Cooperation on PSM
 - E. Others: Developing the RPOA-Capacity, Bilateral Dialogue, etc.
- 4) WAY FORWARD: LINKAGE TO THIS MEETING



1 Introduction (1/4)

Illegal, Unreported and Unregulated (IUU) Fishing

Fishing is illegal if:

- no authorisation
- against conservation and management measures by RFMOs
- against national laws or international obligations.

Fishing is unreported if:


- not reported, or the reporting contravenes international, RFMO or national laws and regulations.

Fishing is unregulated if:

- the fishing vessel has no nationality
- fishing activities jeopardise fish stocks.

SOURCES: WWF

RFMOs : Regional Fisheries Management Organizations such as IOTC, WCPFC, etc.

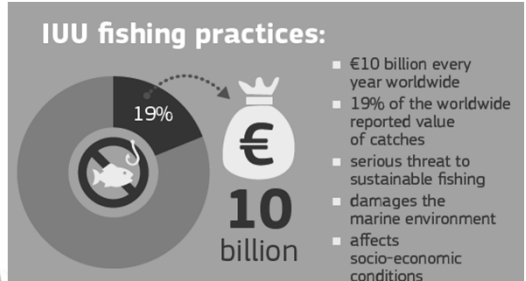



1 Introduction (2/4)

Impacts from IUU Fishing

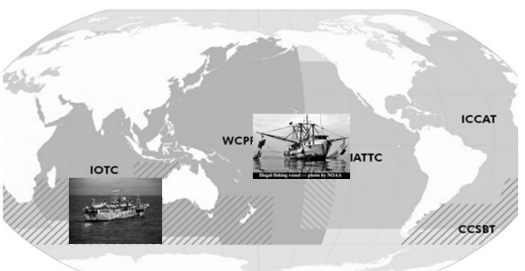
IUU fishing practices:

- €10 billion every year worldwide
- 19% of the worldwide reported value of catches
- serious threat to sustainable fishing
- damages the marine environment
- affects socio-economic conditions





1 Introduction (3/4)

Global Issues on IUU Fishing



International Commission for the Conservation of Atlantic Tunas (ICCAT)
Western and Central Pacific Fisheries Commission (WCPFC)
Inter-American Tropical Tuna Commission (IATTC)
Commission for the Conservation of Southern Bluefin Tuna (CCSBT)




1 Introduction (4/4)

IUU and Development of the PSM

The PSMA is a result of long and ongoing regional and international cooperation:

- ✓ 1982 UN Convention on Law of the Sea
- ✓ 1993 FAO Compliance Agreement
- ✓ 1995 UN Fish Stocks Agreement
- ✓ 1995 FAO Code of Conduct for Responsible Fisheries
- ✓ 2001 IPOA IUU
- ✓ 2005 FAO Model Scheme on Port State Measures
- ✓ 2007 Commitment to developing a binding instrument
- ✓ 2009 Agreement on Port State Measures


International Plan of Action to Prevent, Deter, and Eliminate Illegal, Unreported and Unregulated Fishing



② FORMS OF IUU FISHING 1/5

① Illegal Fishing Activities within Country

- ✓ Fishing with fake /without license, registration
- ✓ vessel with fishing license but with vessel specifications different from those indicated in the license
- ✓ vessels carrying more than one flag, fishing in waters outside the permitted or designated fishing areas
- ✓ Use prohibited fishing gears and methods
- ✓ Landing of fish in unauthorized ports,
- ✓ transfer of catch at sea,



② FORMS OF IUU FISHING 2/5

② Landing of Catch Across Borders



CAMBODIA → THAILAND
THAILAND ↔ MALAYSIA
MYANMAR → THAILAND
INDONESIA → SINGAPORE
INDONESIA → MALAYSIA

Concerned stakeholders:

- ✓ small scale fisheries
- ✓ Commercial fisheries

Another Issues:

- ✓ Double Flags

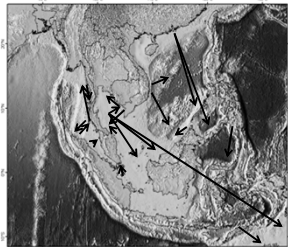




② FORMS OF IUU FISHING 3/5

③ Poaching in Other Country's EEZ

From County Report:

- ✓ 2012: 144 boats from Vietnam, Philippines and Thailand were nabbed in Natuna, Indonesia (higher than 2011)
- ✓ 1991-2002: 1,214 boats from 5 ASEAN countries and Outside were detained in Malaysia
- ✓ 2012: 12 Vietnam fishing boats were arrested in Thai waters

② FORMS OF IUU FISHING 4/5

④ Illegal Fishing and Trading Practices of Live Reef Food Fish, Ornamentals, and EAS

- ✓ Direct shipments of LRFF from producer to importers that bypass in-country exporters;
- ✓ Illegal/bad practices by stakeholders along the value chain

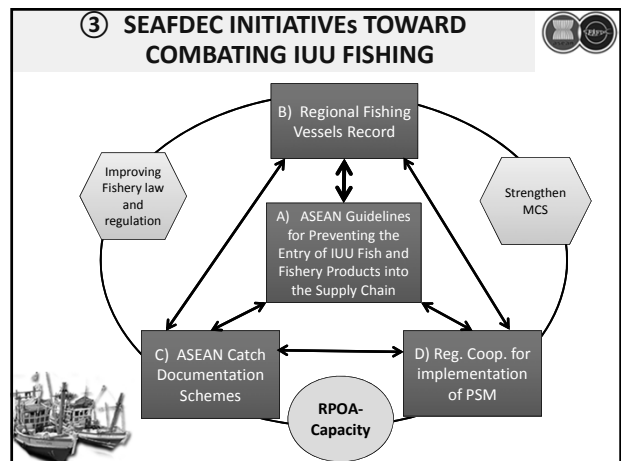



② FORMS OF IUU FISHING 5/5

⑤ IUU Fishing in High Seas & RFMO Areas

- ✓ fishing without permission or during out-of-season;
- ✓ disregarding catch quotas;
- ✓ non-reporting and underreporting catch volumes & species.
- ✓ IUU Fishing from Flag of Convenience, etc...








ASEAN GUIDELINES FOR PREVENTING THE ENTRY OF FISH AND FISHERY PRODUCTS FROM IUU FISHING ACTIVITIES INTO THE SUPPLY CHAIN

(A) MFRDMD in Collaboration with Secretariat

ASEAN GUIDELINES – Goals & Objective

- **GOALS:** the supply chain do not come from IUU fishing activities
- **Specific OBJECTIVES:**
 - To introduce strategies and measures to prevent the entry of fish and fishery products from IUU activities into the supply chain by 2015;
 - To promote regional cooperation among the AMS in strengthening MCS systems.



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ASEAN GUIDELINES – Guiding Principle

The Guidelines is developed in accordance with Int’ and Regional instruments: e.g.

- ◆ FAO Code of Conduct for Responsible Fisheries (CCRF), including IPOA-IUU, PSM agreement;
- ◆ Regional Code of Conduct for Responsible Fisheries for Southeast Asia (RCCRF);
- ◆ ASEAN-SEAFDEC RES and PoA on Sustainable Fisheries for Food Security for the ASEAN Region (2001, 2011);
- ◆ RPOA to Promote Responsible Fishing Practices including Combating IUU Fishing in Southeast Asia (RPOA-IUU),.
- ◆ Trade measures introduced by the European Union (EU) such as the EC- 1005/2008




15

ASEAN GUIDELINES – Strategies

STRATEGIES AND MEASURES IN THE ASEAN GUIDELINES are:

- ◆ Managing Fishing Activities within a ASEAN Member States
- ◆ Regulating Transshipment and Landing of Fish / Catch across Borders
- ◆ Preventing Poaching in the EEZs of ASEAN Member States
- ◆ Controlling Illegal Fishing and Trading Practices of Live Reef Food Fish, Reef-based Ornamentals and Endangered Aquatic Species
- ◆ Strengthening the Management of Fishing in the High Seas and RFMO Areas



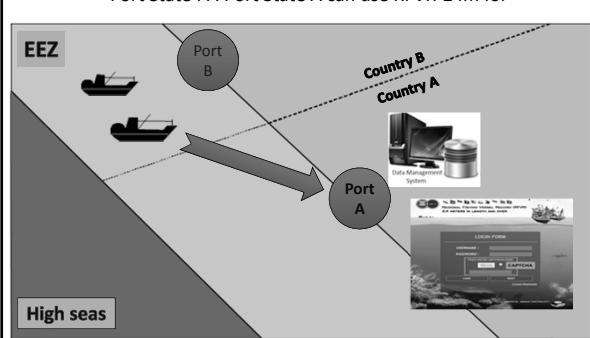
16



Establishment of the Regional Fishing Vessels Record for Vessel of 24m in Length and Over: as Tool to combat/reduce IUU Fishing Vessel

(B) Training Department


Catch from flag State-B vessels operated in their EEZ, are landed in Port State-A : Port State A can use RFVR-24m for



(B)

RFVR as a Management Tool: Background

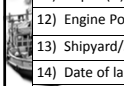
- ✓ SEAFDEC organized a series of experts meetings since 2011;
- ✓ AMS agreed in principle on sharing of data starting with Vessels of 24m in length & over;
- ✓ The concept proposal was approved by 45CM, in 2013, later the proposal was supported by Special SOM of 34th AMAF to develop a RFVR-24m as a tool to combat IUU fishing in the Southeast Asian Region.



(B)

RFVR as a Management Tool: Sharing of Vessel information

Information on fishing vessels	Information on fishing vessels
1) Name of vessel	15) International Radio Call sign
2) Vessel Registration Number	16) Engine Brand
3) Owner Name	17) Serial number of engine
4) Type of fishing method/gear	18) Hull material
5) Fishing License number	19) Date of registration
6) Expiration date of fishing licenses	20) Area (country) of fishing operation
7) Port of registry	21) Nationality of vessel (flag)
8) Gross tonnage (GRT/GT)	22) Previous name (if any)
9) Length (L)	23) Previous flag (if any)
10) Breadth (B)	24) Name of captain/master
11) Depth (D)	25) Nationality of captain/master
12) Engine Power	26) Number of crew (maximum/minimum)
13) Shipyard/Ship Builder	27) Nationality of crew
14) Date of launching/Year of built	28) IMO Number (if available)




(B)

Numbers of Vessel* & AMSs Concerned to the RFVR-24m

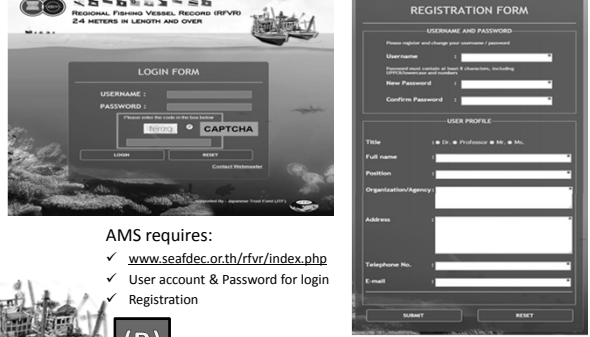
AMS	24m & Over	Less than 24m
Brunei Darussalam	3	2,421
Cambodia	<Nil>	7,034
Indonesia	1,935	569,105
Malaysia	140	56,926
Myanmar	664	29,685
Philippines	1,001	472,804
Singapore	<Nil>	36
Thailand	219	43,204
Viet Nam	445	118,416

* Estimated Numbers of fishing vessel as of October 2014




(B)

Access To Database System



AMS requires:

- ✓ www.seafdec.or.th/rfvr/index.php
- ✓ User account & Password for login
- ✓ Registration



(B)

ASEAN CATCH DOCUMENTATION SCHEME (ACDS)

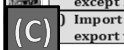
SEAFDEC SECRETARIAT IN COLLABORATION WITH MFRDMD




(C)

Requirements of ACDS


Certifications for fish trade from ASEAN MEMBER STATES	Implementation requirements for the countries		
	EC-Catch Certification	RFMOs-CDS	ASEAN CDS
1) Fish/fishery products for the EU	Y		
<input type="checkbox"/> Raw fish from commercial fisheries in EEZ	Y		
<input type="checkbox"/> Raw fish from small-scale fisheries in EEZ	Y		
2) Re-exporting fish products to EU	Y		
<input type="checkbox"/> Raw fish from other ASEAN countries	Y		
<input type="checkbox"/> Raw fish from foreign vessels	Y		
3) Importing raw tuna from RFMOs area		Y	
<input type="checkbox"/> by foreign fishing vessels		Y	
<input type="checkbox"/> by other ASEAN countries		Y	
4) Exporting of tuna products	Y	Y	
<input type="checkbox"/> To EU and other Regions	Y	Y	
5) Import-export fish among AMS			Y
6) Import fish from other AMS and Re-export to other region			Y
7) Export fish from AMS to other region except EU			Y
8) Import from outside region and re-export within the AMS region			Y



(C)

Objectives of ACDS


- To provide a unified framework that will enhance traceability of fish and fishery products for effective marine fisheries management in AMS;
- To enhance the credibility of fish and fishery products for intra-regional and international trade; and
- To prevent entry of fish and fishery products from IUU fishing activities into the supply chain of AMS.



25 (C)

Nature & Scope of ACDS

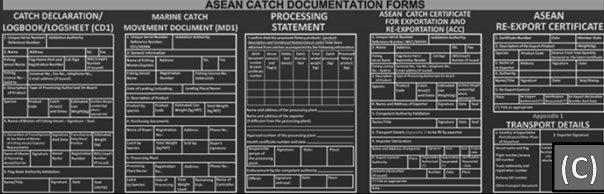
1. [The ACDS shall be voluntary for all AMS [before move onward later to Mandatory]
2. The ACDS is established to improve traceability for marine capture fisheries in AMS and enhance intra-regional and international trade of all AMS.
3. The ACDS applies to the catch of fish and fishery products with the exception of those listed in Annex I.
4. The ACDS applies to trade of marine fish and fishery products, processed or not.
5. The ACDS covers only export/import of whole fish and fish meat and excludes fish parts such as head, eyes, roe, gut, fin, skin, tail, with the exception of shark fin.



26 (C)

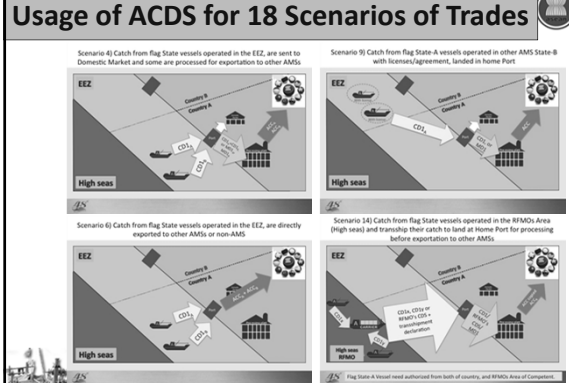
Types of ASEAN Catch Documents

Annex II-A. Catch Declaration/Logbook/Logsheet (CD1)
Annex III-A. Movement Document (MD1) (option)
Annex V-A. ASEAN Catch Certificate for Exportation (ACC)
Appendix 1. Transport Details
Annex IV. Processing Statement (PS) for Re-export processed fish
Annex VI. ASEAN Re-export Certificate (AREC) for Imported Fish and Fishery Product from Non-AMS



(C)

Usage of ACDS for 18 Scenarios of Trades



Establishment of the ASEAN Catch Certification scheme could facilitate not only intra-regional trade in fish and fisheries products but also enhance the cooperation among the ASEAN member countries for the realization of the ASEAN Economic Community (AEC) by 2015.

(C)



Regional Cooperation to Support the Implementation of the Port State Measures Agreement in ASEAN Region


Secretariat in Collaboration with TD

(D)

OBJECTIVES OF PSM

- ✓ To “prevent illegally caught fish from entering international markets through ports”.

Port State needs to take the actions on restriction of entry into port, use of port, access to port services, in addition the inspection and other enforcement activities to FOREIGN-VESSEL are also mentioned in the Agreement.



(D)

KEY CONSTRAINS

- ✓ Existing measures, regulation and legal framework
- ✓ Qualified port inspectors
- ✓ Information exchange to support the PSM
- ✓ MCS Network
- ✓ Cooperation and Coordination among Inter-agencies and AMS (ASEAN Member State)

REF: THE FAO/APFIC-SEAFDEC 2010

(D)

Implementation of PSMA by AMS

Key Concerns for Implementation of PSMA

① Annex A Information to be provided in advance by Vessels when requesting for Port Entry.

↓

How can Port State check this Information if Vessels are AMS and Non-AMS ?

1. Intended port of call										
2. Port State										
3. Estimated date and time of arrival										
4. Purpose(s)										
5. Port and date of last port call										
6. Name of the vessel										
7. Flag State										
8. Type of vessel										
9. International Radio Call Sign										
10. Vessel contact information										
11. Vessel owner(s)										
12. Certificate of registry ID										
13. IMO ship ID, if available										
14. E-stow ID, if available										
15. IMO ID, if applicable										
16. VMS	No	Yes	Yes	Type:						
		National	RFMO(s)							
17. Vessel dimensions		Length	Beam	Depth						
18. Vessel master name and nationality		Identifier	Issued by	Validity						
19. Relevant fishing authorizations		Identifier	Issued by	Validity						
20. Relevant transshipment authorizations		Identifier	Issued by	Validity						
21. Transshipment information concerning donor vessel		Date	Location	Name	Flag	IMO number	Species	Product form	Catch area	Quantity
22. Total catch onboard		Species	Product form	Catch area	Quantity	23. Catch to be offloaded		Quantity		

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Implementation of PSMA by AMS

Key Concerns for Implementation of PSMA

② Annex B Port State Inspector Procedures

↓

- ✦ verify, the vessel identification documentation and information relating to the owner of the vessel is true,
- ✦ verify that the vessel's flag and markings
- ✦ verify, that the authorizations for fishing and fishing related activities are true
- ✦ examine, to the extent possible, all relevant fishing gear onboard,.....
- ✦ Etc.

How can Port State verify those Information if Vessels are AMS and Non-AMS ?

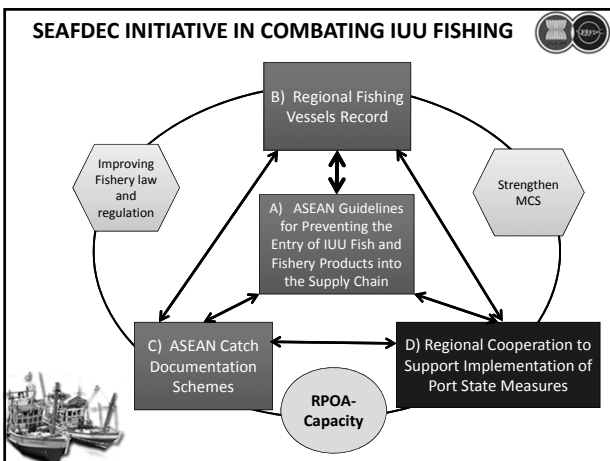
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Ways of Thought for ASEAN

- 1) Vessels from Non-AMS,
 - > Apply full operation of PSMA
- 2) Vessels from AMS
 - > Harmonization on the restriction levels
 - ✓ entry into port,
 - ✓ use of port,
 - ✓ access to port services
 - ✓ inspection and
 - ✓ other enforcement activities

Regional cooperation

(D)



THANK YOU FOR ATTENTION

(D)

Implementation of PSMA by AMS


Regional Cooperation Among the AMS could help

- Apply the ASEAN Catch Documentation for PSMA;
- Apply the RFVR-24m for verification of AMS vessels; and
- If necessary, to apply the PSMA for ASEAN to avoid IUU fish entry into the States through port.

Concerns/Issues	Implementation of PSMA		
	non-AMS Vessels	RFMO Vessels	AMS Vessels
Annex A	Origin Country	RFMOs list	ACDS, RFVR24m
Annex B	Time consume	Need confirm by RFMO	Need Harmonization
Annex C	Based on A + B	Based on A + B	Based on A + B



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Implementing the 2009 Agreement on Port State Measures

SEAFDEC-JTF-Sweden Expert meeting on regional cooperation to support the implementation of Port State Measures in Southeast Asia Region.
2-4 February 2016, Bangkok Thailand.

David Brown and Simon Funge-Smith
FAO Regional Office for Asia and the Pacific
Based on a presentation by David J. Doulman, FAO, Rome

BACKGROUND

- Port State measures in support of fisheries management started with UNCLOS
 - 1982 UN Convention on the Law of the Sea (UNCLOS)
- A strong global interest for more responsible stewardship of natural resources
 - after UNCED in 1992
 - encouraging new approaches to resource management and utilization
 - overriding goal of long-term sustainability and improved oceans governance

Organized IUU fishing is increasing

Recent interest to strengthening Port State Measures in support of fisheries management because:

- Rise of IUU fishing and its impact on fisheries and their management
- Lack of effective Flag State control by some States
 - flags of non compliance (formerly known as flags of convenience)
- Growth of ports of non-compliance
 - (formerly known as ports of convenience)



Rise of IUU fishing

- IUU fishing is not new
 - Become more visible
 - More valuable in the past 20 years
 - It is observed in all capture fisheries
- IUU fishing involves a wide range of activities
 - Unauthorized fishing in EEZs and in RFMO convention areas
 - Taking juvenile and protected species
 - Using prohibited gear
 - Failing to report catches, etc
- IUU fishing is motivated by economic gain
 - in industrial fisheries often associated with organized crime
- IUU fishing exploits weak management & governance
 - takes advantage of developing countries

Impact of IUU fishing

- Undermines national and regional efforts to manage fisheries
 - Inhibits stock rebuilding efforts
 - Speeds up the decline of many fisheries
- Increases costs for fishery administrations
 - lost fishing revenue
 - funds spent combating it, MCS
- It is unfair
 - Disadvantages honest "authorized" fishers
 - Potentially affects food and livelihood security for poor coastal communities in developing countries
- IUU is now considered a trans-boundary environmental crime
 - Combatting IUU requires strong "political will" and concerted and consistent action
 - often at a regional level

Lack of effective flag state control

- Some States do not exercise effective Flag State control over their fishing vessels operating beyond areas of national jurisdiction
 - in EEZs of other countries and on the high seas
 - unable (lack of capacity)
 - unwilling (flags of non compliance)
- Flags of non-compliance vessels
 - do not observe responsible standards of behaviour and international fisheries management norms
 - e.g. conservation and management measures put in place by RFMOs
 - Regulations of access agreements
- Development of International criteria for the assessment of Flag State performance

Increase in ports of non-compliance

- What is a port of non-compliance?
- A port which:
 - Does not monitor fishing vessels using their ports
 - Does not exercise control over the handling of catches, including catches taken by IUU fishing vessels
 - Hosts companies that own or manage IUU fishing vessels or support their operations
- Often located in developing countries
 - Weak law or controls
 - Financial considerations (e.g. the sale of goods and services to fishing vessels)
- Ports of non-compliance undermine fight against IUU
 - Do not assist Flag States meet their obligations under international law
 - Do not prevent IUU caught-fish entering international trade:
 - Facilitate landing, transshipment, processing and laundering of IUU-caught product

Instruments & initiatives

- States that have accepted or ratified binding-international instruments have an obligation to implement them
- Many States already have obligations to implement Port States Measures through international instruments
 - 1995 UN Fish Stocks Agreement and RFMO conventions
- Port State Measures increasingly referred to in international agreements (addressed directly, or indirectly)
 - 1982 UN Convention on the Law of the Sea (binding, in force)
 - 1992 Agenda 21 adopted by UNCED (non binding)
 - 1993 FAO Compliance Agreement (binding, in force)
 - 1995 UN Fish Stocks Agreement (binding, in force)
 - 2006 Review Conference on Fish Stocks Agreement (non binding)
 - 2009 Agreement on Port State Measures (binding, not in force)
- Voluntary or non-binding instruments should be implemented as a demonstration of political commitment to international fisheries initiatives but there is no obligation to do so

UNGA Fisheries Resolutions and FAO COFI decisions

- UNGA fisheries resolutions have called for tighter and better port State controls
- Resolution 61/105 (in 2006) and subsequent resolutions
 - encouraged States to start a process to develop a legally-binding instrument on minimum standards for port State measures and welcomed the conclusions of negotiations
- 2007 COFI
 - agreed to proceed with a process to develop a binding instrument on port State measures based on the IPOA-IUU and the Model Scheme
 - work endorsed by subsequent COFI sessions



2009 FAO Agreement on Port States Measures

- September 2007: Expert Consultation
 - draft agreement elaborated by a group of international experts
- June 2008-August 2009 (4 sessions)
 - Technical Consultation negotiation of binding agreement
- November 2009
 - Agreement approved by FAO Conference
 - Opened for signature
 - remained open for 1-year, 23 countries signed
 - currently has 5 ratifications approvals and accessions
- Agreement will enter into force 30 days after the deposit of the 25th instrument with the depositary – FAO Director-General

What is in the 2009 Port State Measure agreement?

- Objective of port control is to
 - prevent, deter, and eliminate IUU fishing through the implementation of effective port State measures.
 - And therefore to ensure the long-term conservation and sustainable use of living marine resources and marine ecosystems.
- The benefits include
 - harmonised minimum standards at global and regional levels
 - which enhance cooperation among flag States, coastal States and RFMOs on enforcement and deterrence.
 - They also promote cost-effectiveness and integration with other port State controls over the same vessels.

What is the scope?

- The Port State Measures are
 - Global in scope
 - Apply to foreign vessels
 - Are related to fishing conducted in marine areas
 - Apply to all ports
- They apply to any vessel, ship of another type used for, equipped to be used for, or intended to be used for:
 - fishing and fishing related activities (landing, packaging, processing, trans-shipping)
 - transporting of fish that have not been previously landed at a port
 - the provisioning of personnel, fuel, gear and other supplies at sea
- Vessels excepted are
 - Those of a neighbouring State engaged in artisanal fishing for subsistence
 - Container vessels not carrying fish
 - Container vessels carrying only fish that have been previously landed

Advance request for port entry

- Information to be provided:
 - Vessel identification
 - Purpose of visit
 - Fishing authorizations
 - Trans-shipment information
 - Catch onboard

DETERMINATION

Regulation on the use of ports

- A vessel can be denied the use of a port if:
 - No valid or applicable authorisation in respect of the flag State and/or a coastal State
 - There is clear evidence of contravening requirements of a coastal State
 - No confirmation from the flag State, if requested
 - Reasonable grounds to believe IUU fishing, unless rebutted by the vessel
- The port State shall not deny the use of its port if:
 - Essential to safety and health
 - Scrapping of the vessel

Actions following an inspection

- If there are clear grounds to believe the vessel has involvement in IUU fishing:
 - Notify flag State
 - Notify coastal State
 - Notify native country of the master
 - Notify RFMO
- Deny use of ports
 - however do not deny services essential to safety of crew and vessel
- Take other actions with the consent or at request of the flag State

Linking information & action to combat IUU

Legislation checklist – need to have legal basis covering:

<ul style="list-style-type: none"> Use of terms Application Integration and coordination at the national level Designation of ports Advance request for entry Port entry authorisation or denial Force majeure or distress 	<ul style="list-style-type: none"> Use of ports Levels and priorities for inspection Conduct of inspections Results of inspections Transmittal of inspection results Actions following inspections Role as flag State
---	--

Institutional arrangements

- Infrastructure and resources in place.
- Development of a national strategy for enhanced coordination and cooperation.
- Establishing clear mandates that cover all port activities including:
 - clear lines of authority and decision-making
 - between the agency responsible for fisheries and those responsible for broader port controls and general enforcement matters.
- Enhancing port facilities, in cooperation with the broader port authority

Information systems

- Need easy and rapid access to information to make decisions
 - Requirements of flag States and coastal States authorisations
 - RFMO vessel lists
 - RFMO conservation and management measures
 - VMS information
 - Observer programme information
 - List of contacts/network of focal points of other States, RFMOs etc.
 - Activities involving transshipments at sea
 - Historical information on vessels
 - Vessel information required by broader port control authorities

FAO actions

- PSM awareness raising workshops ongoing (global and regional, including with SEAFDEC/APFIC)
- Workshops on implementation planning (regional and global)
- Interest in country level capacity building projects and technical support
- FAO – Port Lex : database of countries regulations that support PSM
- Flag state performance criteria development
- Global Record (global record of fishing vessels)
- Support to Regional cooperation

CONCLUSION



- 2009 Agreement contains minimum standards for port States
 - States can adopt tougher measures
 - e.g. Norway and Pacific Island countries said they will do so
- Port State measures are only one means of combatting IUU fishing
 - other means should not be neglected
 - they are also needed to support effective action by ports
- Port State measures must be underpinned by strong political commitment
- needs well-targeted programmes for capacity building and institutional strengthening to be successful

Thank you!

More information

Asia Pacific Fisheries Commission:
www.apfrc.org

FAO
www.fao.org/fishery

FAO : Port State Measures
<http://www.fao.org/fishery/psm/en>



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

RPOA-IUU Secretariat
www.rpoaiuu.org

Regional Initiatives	Objective and framework
<ul style="list-style-type: none"> To improve and strengthen total management of fishery in the regions; To support responsible fishing practices. 	<ul style="list-style-type: none"> To maintain fishery resources and marine environment; To optimize benefit in adopting responsible fishing practices.
Action: <ul style="list-style-type: none"> Managing fishing capacity Eradication of IUU Fishing Conservation of Fishery Resource and it's Habitat 	

Regional Initiatives

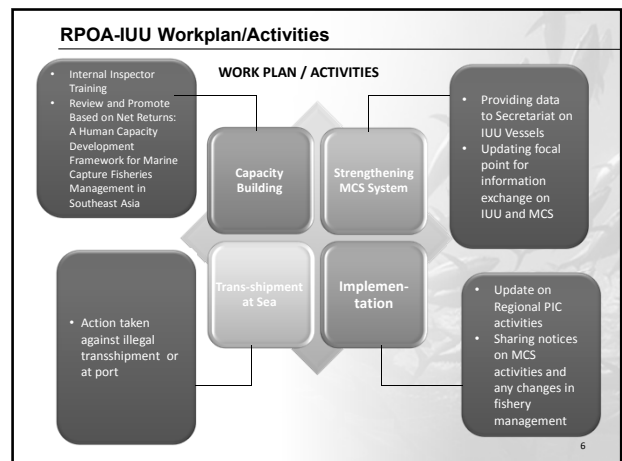
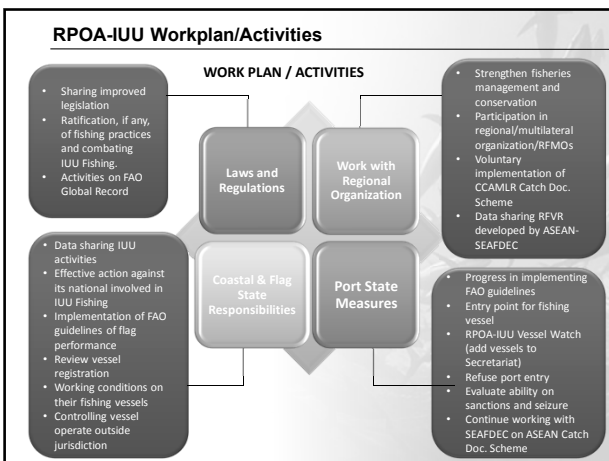
- Refer to International Principle of fishery document (e.g. IPOA IUU Fishing);
- Cooperative approach to improve and strengthen all level of fishery management in South China Sea, Sulu-Sulawesi and Arafura-Timor Sea;
- Focus on responsible of all Countries, flag states, coastal state, port states in handling IUU Fishing.

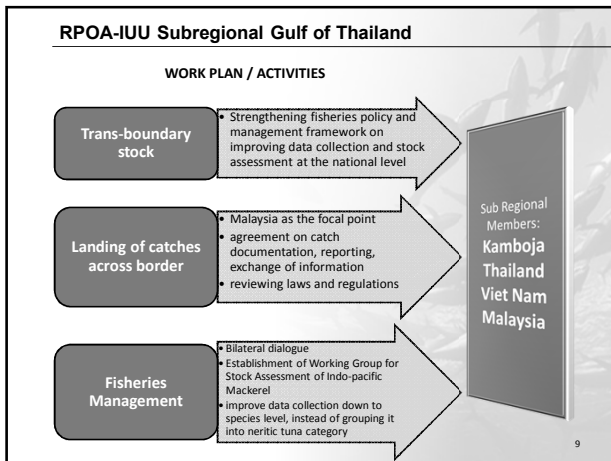
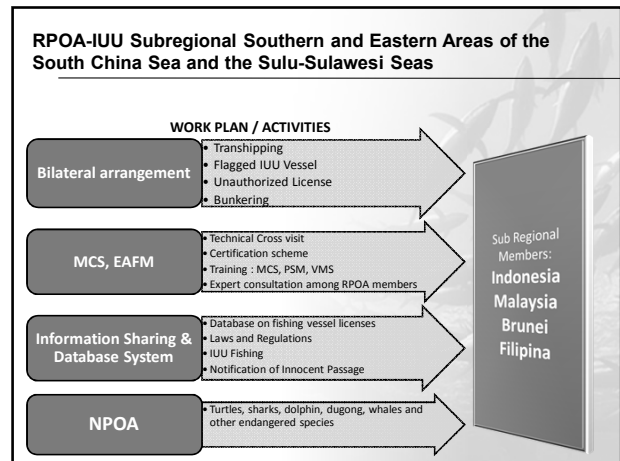
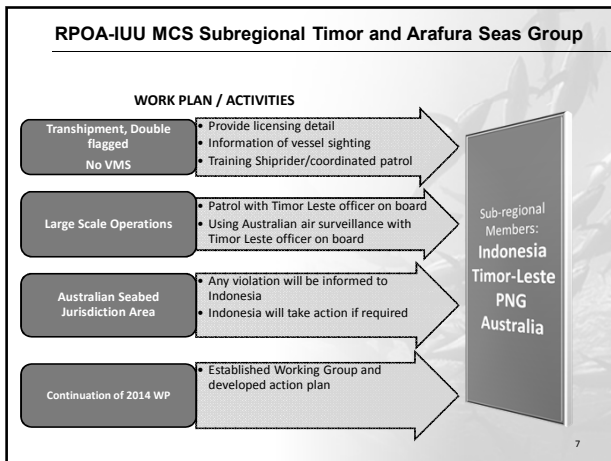
Supporting the implementation of IPOA-IUU through NPOA-IUU

RPOA: Specific Measure

Agreed by 11 Ministers who responsible in Fisheries Affairs (Bali, May 2007)

- understanding the current resource and management situation in the region
- implementation of international and regional instruments
- implementing Coastal State measures
- enforcing Flag State responsibilities
- developing Port State measures
- considering regional market measures
- developing regional capacity building
- strengthening monitoring, control and surveillance (MCS)
- controlling transshipment at sea.





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

IMPLEMENTATION UPTO 2015

Strengthening Legal, Administrative, and Policy Frameworks

- Countries model fisheries legislation study has been completed by 2010 and reviewed by each members – available at RPOA-IUU's web;
- Laws and Regulations review by members to satisfy indicator relevant with regulation
- Each states member is providing annual report during RPOA CCM concerning development or improvement of fishery management regulations

Capacity Building

- Net Returns: A Human Capacity Development Framework for Marine Capture Fisheries Management in Southeast Asia* has been completed in 2011 – priority framework improving capacity in the regions;
- RPOA MCS Curriculum and Training Program has been adopted in 2009 - as reference in the implementation of MCS training program;
- Fisheries Inspector training workshop as the implementation of PSMA

Strengthening Regional/International Cooperation

- Information exchange in the implementation of PIC;
- Structuring Strategic Plan as further step in implementing PIC;
- RPOA MCS Network.

RPOA MCS Network

RPOA-IUU Countries	RPOA-IUU Secretariat
Deny access port by IUU Vessel lists including to undertake the investigation	Drafting RPOA Vessel Watch List
Adopt RPOA Vessel Watch List	Facilitate information exchange on IUU Vessel updated status including its movement, and share the report to RPOA Countries.
	Regularly updating IUU Vessel on RPOA website

Success story against IUU Vessels, such as :

- Investigation on FV. Wuhan no.4 in Benoa – Bali;
- Investigation on FV. Thunder in Penang Port Malaysia;
- Procedure of Listing and De-listing IUU Vessel Watch list in RPOA Members territory waters.

IUU Vessels Listed at RPOA-IUU web on 2015

New Name (Original Name)	Flag State (Original Flag State)	Date of Notification
FV Viking	Nigeria	10 Okt 2015
FV Kunlun (FV Taishan)	Unknown	9 Sept 2015
FV Viking (FV Octopus I)	Nigeria	17 Mei 2015
FV Perlon	Tidak diketahui	27 Apr 2015
FV Thunder	Nigeria	10 Apr 2015
FV Kunlun	Equatorial Guinea	27 Feb 2015
FV Yongding (FV Jianfeng)	Equatorial Guinea	19 Feb 2015
FV Kunlun (FV Taishan)	Equatorial Guinea	19 Feb 2015
FV Songhua (FV Yunnan)	Equatorial Guinea	19 Feb 2015
FV Thunder	Nigeria	13 Feb 2015

Case of FV.Wuhan 04 (20 April 2013) :

1. Initial notification from RPOA Secretariat about the movement of FV. Wuhan 04 – was approaching Indonesia water heading to Benoa, Bali;
2. Indonesian Port authority contacted local port to anticipate the departure of such vessel at Benoa Port;
3. Notification from local Port authority that FV. Wuhan 04 has arrive;
4. Working Unit from Directorate General of Surveillance for Marine and Fishery Resources was conducting investigation together with Customs and Benoa Port Authority, assisted by Australian Fisheries Management Authority. Investigation covers:
 - Vessel documentation including its Crews;
 - Catch volume, etc.
5. The outcome of investigation indicated that gill net has been burned prior to entering Benoa Port and the document is under the name of FV. Thunder;
6. FV. Thunder is registered as IUU vessel at CCAMLR;
7. The vessel was denied entry to unload their catch and ordered to leave Benoa Port;
8. The vessel was leaving Benoa Port on April 22, 2013.

Upcoming Events

1. 5th Global Fisheries Enforcement Training Workshop (5th GFETW), organized by New Zealand’s Ministry for Primary Industries (MPI) in partnership with the International MCS Network, Auckland, New Zealand from 7–11 March 2016;
2. The 9th RPOA-IUU Coordination Committee Meeting;
3. The 7th RPOA-IUU Subregional SESCS SSS;
4. The 6th RPOA-IUU Subregional Arafura – Timor Seas;
5. The 6th RPOA-IUU Subregional Gulf of Thailand.



Thank You

RPOA IUU Secretariat

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Telp.: +62 21 3514728, 3519070 ext 4647; Fax.: +62 21 3520346
Email: rpoa_operator@yahoo.com; website: www.rpoaiuu.org



Expert Meeting on Regional Cooperation to Support the Implementation of Port State Measure in Southeast Asian Region
2-4 February 2016, Bangkok, Thailand

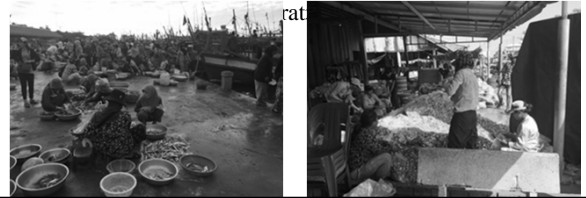
Issues and Challenges on Port State Measures Implementation in Cambodia

By CHHUON Kimchhea

Fisheries Administration, Ministry of Forestry and Fishery, Cambodia

Outline

1. Background
2. Current situation of port state measure implementation
3. Human capacity/resource to carry out port inspection
4. Constraints
5. NPOA- IUU Fishing



Background

Cambodia has 435 Km coastlines in the Gulf of Thailand, in which is stretched between Vietnamese borders in the south to Thai border in the west. There are four provinces located along this coastline namely,

Koh Kong (237 Km),

Preah Sihanouk (105 Km),

Kampot (67 Km) and Kep (26 Km)

Furthermore, the Kingdom of Cambodia

has her own Exclusive Economic Zone

(EEZ), the area extended from the shoreline

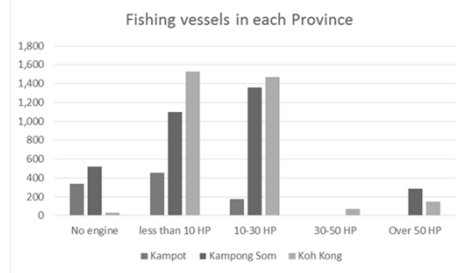
to 200 nautical miles, which covers 55,600 Km²

Fishing Zone 1> From shore line to 20 m depth

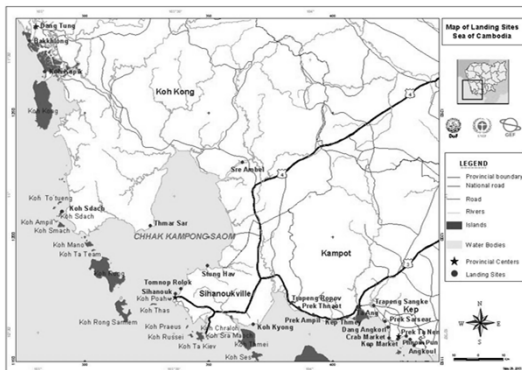
Fishing Zone 2> From 20 m depth to EEZ limit



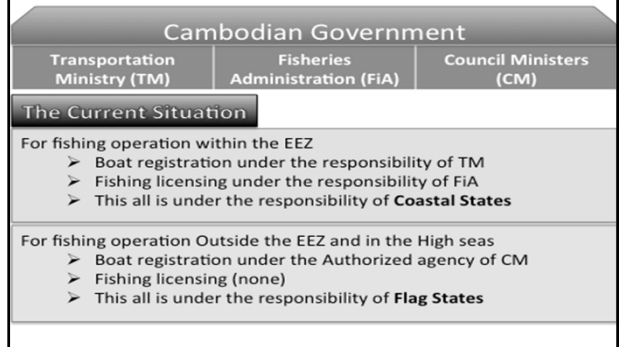
Data on marine fishing boat



Landing sits



Structure responsible agency



Current status of port state measures implementation in Cambodia

- There is no foreign or joint venture vessels come into Cambodia port/landing site for unload fish
- There is no designated ports at the moment
- Information not collected as no foreign vessels come into Cambodia ports/landing sites
- No port state measures are being applied at the moment
- May be needed in the future



Human capacity/resource to carry out port inspection

Not applicable at the moment

There are 102 fisheries officers in the coastal area:

- Marine FiA inspectorate: 28 Pers
- Kampong Som FiA cantonment: 35 pers
- Kampot FiA cantonment : 18 pers
- Kep FiA cantonment: 5 pers
- Kok Kong FiA cantonment: 16 pers



NPOA-IUU in Cambodia

Cambodia is developing NPOA-IUU that will contain text on Port State responsibilities for Cambodia

- **Activities leading up to the present work on the NPOA-IUU:**
 - 20 March 2014, Consultation was held to seek support and cooperation of the process of developing a NPOA-IUU for Cambodia.
 - Attended by Ministry of Public Works and Transport; the Ministry of Commerce; the Ministry of Foreign Affairs; and the Council of Ministers.
 - On 21 March, 2014, Meeting with SEAFDEC and FAO RAP/APFIC who recommended:
 - Develop a comprehensive NPOA-IUU based on the guidelines provided by the FAO's International Plan of Action – IUU (IPOA-IUU) and the Regional Plan of Action RPOA to Promote Responsible Fishing Practices including Combating illegal, unreported, and unregulated fishing (RPOA).
 - The meeting emphasized that management of fishing capacity will facilitate the effective implementation of the NPOA-IUU fishing.

NPOA-IUU in Cambodia (Cont)

- In March 2015, "ad hoc session" of the TWG Fisheries on IUU Fishing recommended:
 - appoint a task force of FiA staff with the mandate to develop, implement and manage the NPOA - Capacity and the NPOA-IUU.
- June 6 2015, the Task Force for Combating IUU Fishing (FiA-IUU Fishing Task Force).
- The RGC also established an inter-agency committee to address Cambodia's flag state issues comprised of representatives of the Council of Ministers; Ministry of Agriculture, Forestry and Fisheries; Ministry of Commerce; Ministry of Public Works and Transport; and Ministry of Foreign Affairs; Ministry of Justice.

NPOA-IUU in Cambodia (Cont)

- Fisheries Sub-sector Component of the EU supported programme "Promotion of inclusive and sustainable growth in the Agricultural Sector: Fisheries and Livestock" provided support for an assessment of marine fishing capacity and development of a NPOA-IUU
 - A Senior Expert was hired to assist in the assessment of fishing capacity and IUU issues in the Cambodian EEZ and the high seas.
 - A one week field trip to conduct an assessment of Cambodia's marine fishing capacity and IUU issues has just been completed.
 - Expert Consultation on Cambodia Marine Fishing Capacity and Illegal, Unreported and Unregulated (IUU) Fishing was conducted in Sihanouk province, Cambodia.



Major Constraints/Problems in Port State Measure Implementation in Cambodia

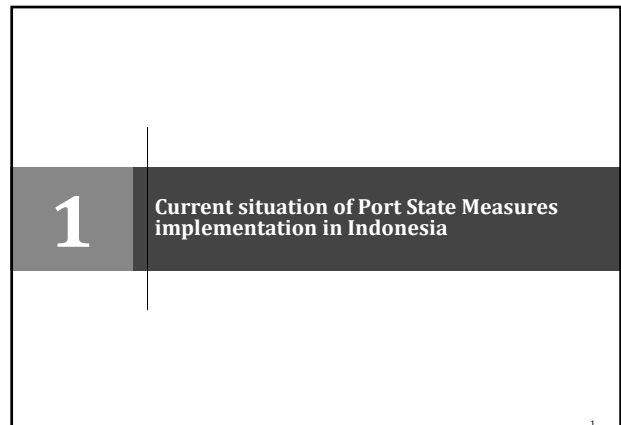
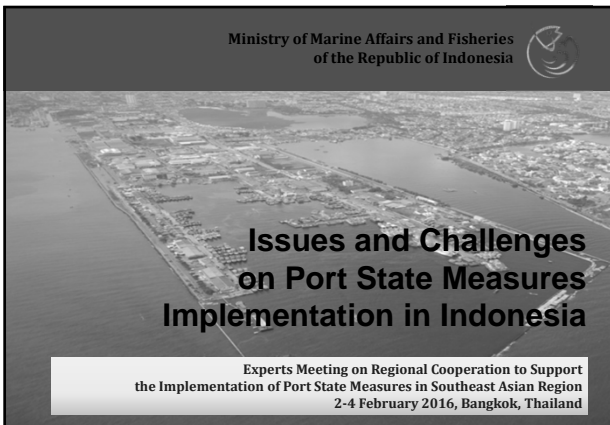
- Open access fishery, capacity still increasing
- Foreign boats allowed to fish in Cambodia EEZ, without regulation and overall assessment of impact
- No information on fish and in Thailand
- Most of Cambodian fishing boat have not been registered and no license to fish
- Encroachment of trawlers into waters shallower than 20m
- Use mesh size less than minimum legal limit.
- Data management system is not sufficient
- Boat registration and fishing license management system is not well manage
- Capacity of implementing agencies and officers are limited
- Insufficient infrastructure

Proposed Areas for Regional Cooperation to Support Implementation of Port State Measures among ASEAN Member States (AMS)

1. Strengthening bilateral/multilateral arrangement with Thailand and Viet Nam on all IUU activities and this could include PSM.
2. Sharing of information on catch, fishing vessel, gears and port inspection result/report and sharing of experiences in the implementation of port state measures among ASEAN Member States.
3. Capacity building to fisheries officers on PSM in the future.


THANK YOU





FAO Port State Measures Agreement 2009


- The FAO-PSM Agreement was adopted by the FAO Conference in 2009. The agreement was open for signature until 21st November 2010 and will enter into force 30 days after 25 nations have ratified it. 19 countries have ratified the Agreement (June 2015).
- Indonesia has signed the PSM Agreement 2009 on December, 29th 2009 (23 PSMA Signatories).
- Indonesia is currently conducting an internal process to ratify the PSM Agreement



2

Port State Measures in IOTC

- IOTC adopted a resolution on Port State measures to prevent, deter and eliminate IUU fishing (IOTC Resolution 10/11).
- The resolution, which entered into force on 1 March 2011, is inspired by the 2009 FAO Agreement on Port State Measures but placed in the context of the IOTC mandate.
- The fisheries administration of the Coastal CPCs of the IOTC, where foreign fishing vessels offload tuna and tuna like species, are responsible for the implementation of the resolution.
- As one of the IOTC member countries, Indonesia is seeking to implement this resolution. Indonesia has informed to IOTC 5 (five) fishing ports of Indonesia which was designated for PSM activities.



3



Port calls by Foreign Fishing Vessel

- During 2012, there was only 1 (one) foreign vessels which was entered to Indonesia fishing port, namely FV. ORYONG-353, Korean Flagged Vessel. According to the PSM procedure, this vessels has fulfilled annex A Agreement of PSM. The result of port inspection by Indonesia officer stipulated based on Annex C Agreement of PSM.
- Indonesia Current Policy → No foreign or joint venture fishing vessels operating in Indonesia waters.



6

Requirement of foreign fishing vessels information prior to entering into port

DG of Capture Fisheries-MMAF Decree No.51/2012 has set the directives of implementation fishing vessels information prior to entering into port:

- ❖ Foreign fishing vessels are required to submit notification to the harbourmaster regarding the arrival plan of vessel → **no later than 48 hours** before the vessel enters port (one time).

7

Relevant activities /& other measures

Indonesia implement :

- ✓ Catch certification scheme since 1 January 2010 (EC Regulation 1005/2008) → EU Market
- ✓ Catch Documentation Scheme (CDS) for Southern Bluefin Tuna → CCSBT
- ✓ IOTC bigeye tuna statistical document programme



8

Law and Regulation to support PSM implementation

- Act No. 5 Year 1983 on Indonesia EEZ;
- Act No. 6 Year 1996 on Indonesia Waters;
- Act No. 31 Year 2004 on Fisheries, as ammended Act No. 45 Year 2009;
- Ministerial Regulation MMAF No. 3 Year 2012 on Harbour Mastership in Fishing Port;
- DG of Capture Fisheries Decree No.51/2012 on Guideline Arrangement for fishing vessels in fishing port

9

2

Mayor Constraints or Problems in implementing the Port State Measures and how to overcome the constraints or problems.

Mayor Constraints or Problems

- The lack of awareness about PSM among the stakeholders
- The lack of capacity related to the limited number and capacity of the personnel, limited facilities and network, and also budget
- The inadequate law and regulation including the lack of standard operating procedure in implementing PSM
- The lack of regional network

11

Efforts to overcome the constraints or problems

- To create the minimum standard operating procedure for the port state measures that should be fulfilled by all Indonesia fishing ports
- To conduct public information campaign for the port state measures
- To renew and reorganize the Indonesian fishing port's operational procedures, which includes:
 - ✓ To monitor the fishing license issuance process to deter and avoid forgery
 - ✓ To improve the management capability of the fishing port authority personnel by conducting short term training in port authority
 - ✓ To improve and widens the MMAF's Fishing Port Information's Center (PIPP) Network
 - ✓ To deny port service to the fishing vessels that has been conducted IUU fishing practices and has been identified
 - ✓ To build a temporary place for fishery courts to preside in the related fishing ports and detention center.

12

3

Challenges and expecting activities to solve or improve problems and issues

13

Challenges and expecting activities to solve or improve problems and issues

- ♦ There are information that some foreign fishing vessel landed to public port in Indonesia which this port under Ministry of Transportation authority → **PORT STATE CONTROL**
- ♦ **MMAF** in progress coordination with **MoT** to discuss the implementation of PSM and it synergy with PSC implementation.

14

4

How would you describe your country's human capacity/resources to carry out port inspections? Adequate or Inadequate.

15

Human capacity activities to PSM Implementation

- Seminar, socialization and dissemination on PSM with national relevant agencies/institutions.
- In cooperation with NOAA-USA, Indonesia conducted Training of Trainer for PSM officers in the field.
- In cooperation with IOTC, Indonesia conducted PSM training courses related to the administrative and operational aspects of the implementation of the Resolution 10/11. A training package has been developed, which includes a manual, a species identification guide, a translation guide, a notebook, a training programme and as well an inspectors kit and a PSM library. The PSMR training is composed of a theory and a practical component where port inspections are conducted.
- Indonesia human capacity/resources still in-adequate and need to be improved.



16


5

Please indicate whether your country is developing, or has adopted a national plan of action to combat IUU fishing (NPOA-IUU). If your country has adopted the NPOA-IUU, do it be linked to the implementation of PSM? (If no, please provide a reason).

17

NPOA-IUU Fishing

- Indonesia adopted Ministerial Decree No.50 Year 2012 on NPOA to Prevent, Deter and Eliminate IUU Fishing 2012-2016.
- NPOA linked to the implementation of PSM.
- NPOA is currently under review.



18

6


Are you aware of the proposed Regional Cooperation among the ASEAN Member States to support the Implementation of Port State Measures, if you were aware on this, please identify what issues need to be raised for regional cooperation?

19

Regional Cooperation on PSM

- PSMA → legally binding instrument. PSM → adopted by RFMOs.
- Regional cooperation among AMS to support the Implementation of Port State Measures is needed.
- Some constraints to implement PSM in the region especially in strengthening of national laws and regulation and the implementing capacity.
- Regional cooperation should be conducted to help AMS to develop national capacity and promote regional coordination so that countries will be better placed to strengthen and harmonize port state measures.

20



Regional Plan of Action (RPOA)

to Promote Responsible Fishing Practices including Combating IUU Fishing in the Southeast Asia Region

Endorsed by 11 Ministers Responsible for Fisheries (Bali, May 2007)

Enhance and Strengthen the overall level of fisheries management in the region
Promote responsible fishing practices

- to sustain fisheries resources and marine environment
- to optimise the benefit of adopting responsible fishing practices

Action:

- Managing Fishing Capacity
- Combating IUU Fishing
- Conservation of Fisheries Resources and Their Environment

RPOA: Specific Measures

- understanding the current resource and management situation in the region
- implementation of international and regional instruments
- implementing Coastal State measures
- enforcing Flag State responsibilities
- developing Port State measures**
- considering regional market measures
- developing regional capacity building
- strengthening monitoring, control and surveillance (MCS) systems
- controlling transshipment at sea.

Thank You



Issues and Challenges on Port State Measures Implementation

By Department of Fisheries Malaysia, 2016



1

Port designation

- Has only designated port in Penang under IOTC requirement for foreign fishing vessel to enter
- No other port has been designated
- Entry taken place in several ports in peninsula

2

Ports frequently called at...



Penang
Kuantan
Klang
Johor
Average 5 entry /year

3

IOTC

- Resolution 10/11
- e-PSM
- Participated in regional training
- To conduct national training
- Serves as good basis for future country-wide application as :
 - to ease notification
 - efficient data recording

4

Legal basis

- i. Fisheries Act 1985;
- ii. Malaysian Maritime Enforcement Agency (MMEA) Act 2004;
- iii. Malaysian Quarantine And Inspection Services (MAQIS) Act 2011;
- iv. Fisheries Development Authority Act 1971;
- v. Customs Act 1967;
- vi. Merchant Shipping Ordinance 1952.

5

Fisheries Act 1985

- Prescribe prior notification
- Section 15(2)
No foreign fishing vessel shall load or unload any fish, fuel or supplies or tranship any fish in Malaysian fisheries waters without the written approval of the Director General."

6

Fisheries Act 1985

- Offence for violated Section 15 (2) Fisheries Act 1985 can be prosecuted in court and if convicted to be punishable under Section 25 of the same Act.

OFFENCES

25. Any person who contravenes or fails to comply with any provision of this Act shall be guilty of an offence and where no special penalty is provided in relation thereto, such person shall be liable—
- (a) where the vessel concerned is a foreign fishing vessel or the person concerned is a foreign national, to a fine not exceeding one million ringgit each in the case of the owner or master, and one hundred thousand ringgit in the case of every member of the crew;
 - (b) in all other cases, to a fine not exceeding twenty thousand ringgit or a term of imprisonment not exceeding two years or both.

7

Fisheries Act 1985

Passage of foreign fishing vessel through Malaysian fisheries waters

- Section 16.(1)
Subject to subsections (2) and (3) a foreign fishing vessel may enter Malaysian fisheries waters, for the purpose of passage through such waters in the course of a voyage to a destination outside such waters.
- (2) Such passage, which shall be exercised in accordance with rules of international law of the sea relating to the relevant maritime regime applicable to such Malaysian fisheries waters, includes stopping and anchoring only—
 - (a) if the vessel is in distress;
 - (b) for the purpose of obtaining emergency medical assistance for a member of its crew; or
 - (c) to render assistance to persons, ships or aircraft in danger or distress.

8

Fisheries Act 1985

- The Minister may make regulations specifically or generally for the proper conservation, development and management of maritime and estuarine fishing and fisheries in Malaysian fisheries waters and in respect of related industries, for the proper conservation, development, management and regulation of turtles beyond the jurisdiction of any State in Malaysia, and for the implementation of the provisions of this Act, including but not restricted to regulations for all or any of the following purposes:..
- to regulate the landing of fish, to provide for the management and control of fishing ports and fish-landing areas, and to appoint such agencies as may be required to effect such management and control;....*

9

Malaysian Quarantine & Inspection Services Act 2011

Part V

PERMIT, LICENCE AND CERTIFICATE

Requirement for permit, licence and certificate

11. (1) No person shall import any plant, animal, carcass, fish, agricultural produce, soil or microorganism without a permit, licence or certificate issued under this Act.

10

Fish Marketing Regulations 2010

5. Control of exportation and importation of fish

- (1) No person shall import or export any fish without licence.
- (2) Any fish to be exported or imported shall pass through a **legal entry or exit**.
- (3) The Lembaga may specify the quality, quantity and type of fish to be exported or imported.
- (4) Any person who exports or imports any fish shall comply with the **importing country requirements**.
- (5) Any person who exports or imports any fish without a licence or in breach of any terms and conditions in the licence issued by the Lembaga shall be guilty of an offence under the Act.

11

current practice

- Through agent, apply and complete an application form issued by DOF in accordance with Section 15 (2) Fisheries Act 1985.
- 2 weeks prior to entry
- Check against IUU fishing vessel based on IUU list of CCAMLR, IOTC and RPOA IUU Fishing website and additional information by RPOA parties.
- The DG DOF shall reject or disapprove the application for landing in the event the information indicates that the foreign fishing vessels involved in IUU fishing activities. The decision will be informed to the flag state accordingly.

12

challenges

- control of ports fall under different port authorities.
- Other agencies also have vested interest on maritime enforcement e.g. MMEA, MAQIS, LKIM, Marine Department
- Inconsistent law interpretation (non-binding nature of IPOA-IUU and legal implication to implement RFMOs' measures which Malaysia is not a party
- Difficulty to get contact with flag state
- Not up-to-date IUU vessel list
- IUU vessels are typically amazingly huge – boarding & inspection are challenging
- Documentations are often tricky – language etc

13

competence building 2014 & 2015

Two (2) Fisheries Officer from DOFM were participated in "Training Workshop on Vessel Inspection and Enforcement Measures Against IUU Fishing Activities". On 5-9 Jan 2015, Singapore. (Organised by AVA Singapore/ AFMA/ RPOA Sec IUU)

Five (5) Fisheries Officer from DOFM were participated in "Training for Investigators of Fisheries Crime" on 26-30 Jan 2015 at MMEA Academy, Kuantan, Malaysia. (Organised by INTERPOL & MMEA)

14

15 Fisheries Officer participate in internal courses "Train for Trainers" – Handling of IUU fishing vessels in Malaysia Ports at Lumut, Perak on 18-22 May 2015.

25 participants from various enforcement agencies (DOFM, MMEA, Royal Custom, Marine Police, Port Authorities participated in "Port Inspector & Port Monitoring Courses" (joined organised by AFMA & DOFM) at Johor Bahru, Johor on 8-12 Jun 2015.

25 participated in Training Course on the Implementation of the IOTC Resolution 10/11 on Port State Measures", 22 - 26 September 2014

15

new drivers

16

T
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A

Commitment to combat IUU fishing

deter trade in products from species harvested from those practices

Identify needs & capacity building

Support MCS

Implement PSM

17

MALAYSIA NPOA-IUU



18

One of key they features

19

Valuable lesson learned & experience of inter agency cooperation.....

20

2015		
NO	VESSEL	NOTES
6	FV Perlon – 6 May 2015	Information from RPOA Sec./ AFMA and Australian Government Border Protection Command Intelligence Centre. FV Perlon was detained by MMEA on 10 May 2015 at Southern of Johore Malaysia. Charged under Fisheries Act 1985 and Merchant Shipping Ordinance 1952.

21

2015		
NO	VESSEL	NOTES
6	FV Perlon – 6 May 2015	

26-Apr-16

22

requesting assistance from RPOA IUU

23

regional cooperation with impact

- Demo port for implementation PSM in the region
- develop/adapt / adopt module for implementation of PSM for the region
- Sharing of national laws
- Establish focal point to promote communication

24

Experts Meeting on Regional Cooperation to Support the Implementation of Port State Measures in Southeast Asian Region
2-4 February 2016
Bangkok, Thailand

IMPLEMENTATION OF PORT STATE MEASURES IN MYANMAR

Department of Fisheries, Myanmar

Port State Measure

Related Department

- Myanmar Port Authority
- Department of Fisheries
- Department of Marine Administration

Duty and Function

- Myanmar Port Authority
 - registration of Jetty and landing site
 - inspection and port due and light due collection including the fishing vessel in public and private jetty or landing site
 - Pilotage for vessels (including fishing vessel calling to Yangon Port)

Department of Fisheries

- Registration of fish landing sites permitted by Myanmar Port Authority
- Inspection at landing site and check points for all fishing and fish carrier vessels
- permission of fishing vessel entering Myanmar EEZ

Department of Marine Administration

- Registration of all local vessel
- Tonnage Certificate for Foreign Fishing Vessel
- Inspection of Vessel Registration and Life Saving Appliance

Legislation

- For Foreign Fishing Vessel-
The Law relating to the Fishing Rights of the Foreign Fishing Vessel(1989)
- For local vessel and Joint venture vessel
Myanma Marine Fisheries Law (1989)

Law relating to the Fishing Rights of the Foreign Fishing Vessel(1989)

CHAPTER VI
Section
Duties of the Master

23. Master of the foreign fishing vessel:--

- (a) shall abide by the terms and conditions attached to the licence ;
- (b) shall hang the licence and registration certificate prominently at the wheel house of the vessel ;
- (c) shall maintain ship log-book and fishing data book as prescribed by the Department ;
- (d) shall report to the Department within the given time, all the particulars relating to the vessel, the route by which the vessel will be entering, arrival day and time, goods and commodities on board the vessel, fishing gear, list of persons on board the vessel of any foreign fishing vessel which has received the permit or the licence enters the Myanmar fisheries waters ;
- (e) shall directly proceed to the port or place as specified for inspection of the vessel if any foreign fishing vessel enters the Myanmar fisheries waters ;

12

Law relating to the Fishing Rights of the Foreign Fishing Vessel(1989)

Duties of the Master (Contd.)

- (f) shall hoist the flag of the Union of Myanmar and the flag of the country, in which the foreign fishing vessel is registered, when it is in the Myanmar fisheries waters;
- (g) shall proceed to the port or place as specified, to be inspected whenever the foreign fishing vessel leaves the Myanmar fisheries waters. After completion of the inspection, shall leave the Myanmar fisheries waters, without fishing, as directed by the Department.

Law relating to the Fishing Rights of the Foreign Fishing Vessel(1989)

9. The rights of an entrepreneur are as follows:--

- (a) the right to appoint agent who is capable of taking charge of the fishery;
- (b) in exceptional circumstances, the right to apply for special permission of the Director-General if desirous of operating a fishery in other Myanmar fisheries waters;
- (c) the right to apply for permission of the Director-General if desirous of purchasing within the country articles and equipments relating to the fishery;
- (e) the right to repair a foreign fishing vessel at any internal port;

7

Implementation

- Local and foreign fishing vessel has to be inspected in check points before entering landing site.
- Myanmar has designated 5 landing sites for foreign fishing vessel.
- Patheingyi, Yangon, Myeik, Kauthung, Thandwe
- For local fishing vessel, there are 14 check points along the coastal area and all local fishing vessels shall be inspected at any check points in their route.

Implementation

- > To enter the Myanmar EEZ, foreign fishing vessel shall inform to DOF at least one week in prior.
- > All vessel has to inform their entrance of port or landing site in prior to 2 hrs to the check point or office of DoF.
- > In check point or landing site, one stop service team which included members namely, DoF, Custom Department, Department of Marine Administration, Department of General Administration, Myanmar Port Authority, Department of Immigration and National Registration, Myanmar Police Force inspects the fishing vessel when they go to fishing ground and come in landing site.

Agreement on Port State Measure

- Myanmar signed the FAO Agreement on Port State Measure for accession on 22-11- 2010.

Issue and Constraints

- 13
- National
- Market access (price and distance)
 - lack of information of illegal fishing vessel (for landing or entering EEZ)
 - Lack of MCS including PSM for illegal vessels
 - information sharing among the related agency /departments especially about rules and regulations and procedures
 - Assessment of current implementation

Recommendation

- 14
- creation of market facilities
 - enhancing the MCS in collaboration with related departments
 - Installing the VMS system in all local fishing vessel
 - Incentives for sighting reports of fishing vessels
 - information sharing between related departments for assessment
 - Development of rules and regulations for PSM
 - Strengthening law enforcement
 - Capacity building for related departments

Issue and Constraints

- 15
- Regional
- Information sharing among the countries
 - Implementation of PSM
- Recommendation
- RFVR, black list of IUU vessel
 - denial of illegal landing in country

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Thank you for your attention

Issues and Challenges in the Implementation of Port State Measures in the PHILIPPINES

PETER ERICK M. CADAPAN
Bureau of Fisheries and Aquatic Resources - Central Office
Diliman, Quezon City, Philippines

Experts Meeting on Regional Cooperation to Support the Implementation of Port State Measures in Southeast Asian Region
2-4 February 2016
Bangkok, Thailand

Objectives:

1. Present the issues and challenges in the implementation of port state measures in the Philippines in accordance with the outline provided by SEAFDEC;
2. Inform the audience about the updates in Philippines' accession to the 2009 FAO Agreement on Port State Measures; and
3. Provide practical suggestions for Regional Cooperation to support implementation of port state measures in the ASEAN Region.

1/30/2016 2

Current State of Port State Measures (PSM) Implementation in the Philippines

There are eight (8) government-controlled fishports in the Philippines:

1. Sual Fish Port Complex
2. Navotas Fish Port Complex
3. Lucena Fish Port Complex
4. Camaligan Fish Port Complex
5. Iloilo Fish Port Complex
6. Zamboanga Fish Port Complex
7. Davao Fish Port Complex
8. General Santos Fish Port Complex

Only Davao and General Santos have confirmed landings from foreign-flagged fishing vessels.

1/30/2016 3

Current State of Port State Measures (PSM) Implementation in the Philippines

Davao Fish Port Complex is the only fish port officially-designated for foreign-flagged fishing vessels landing sashimi-grade tuna.

Davao Fish Port Complex,
Toril, Davao City, Philippines
Tel. No. +63 082 291-14-07; 291-07-32

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Current State of Port State Measures (PSM) Implementation in the Philippines

General Santos Fish Port Complex also accepts landings of canning-grade tuna from foreign FVs but its not yet officially-designated.

General Santos Fish Port Complex,
Tambier, General Santos City, Philippines
Tel. No. +63 083 304-94-74 / 302-00-35

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Current State of Port State Measures (PSM) Implementation in the Philippines

Actual Number of **Port Calls** of Foreign Fishing Vessels in **Davao** and **General Santos Fish Port Complex** from **2011-2015**

YEAR	NUMBER OF PORT CALLS		TOTAL
	Davao	General Santos	
2011	316	39	355
2012	327	53	380
2013	297	48	345
2014	305	28	333
2015	291	46	337
TOTAL	1,536	214	1,750

✓ Foreign-flagged FVs in Davao include: TAIWAN & JAPAN.
✓ Foreign-flagged FVs in General Santos include: KOREA, PANAMA, etc.

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Current State of Port State Measures (PSM) Implementation in the Philippines

Davao Fish Port Complex require **prior notification of only 24 hours before ETA** while General Santos require **72 hours before ETA**. This is usually done by Agents upon advise from the vessel captain. Prior notification are submitted to the One-Stop Action Center (OSAC) with the following required information:

1. Vessel name;
2. Registration number;
3. Estimated date and time of arrival;
4. Flag;
5. Length overall/Draft;
6. Name and nationality of the captain;
7. Number, names and nationality of crew on board;
8. Volume of catch per species and fishing areas;
9. Nature of sickness/injury of crew (if any)

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7

Regulations Governing the Implementation of Port State Measures in the Philippines

As of this date, the implementation of port state measure in the Philippines (especially in Davao City) is governed by **Fisheries Administrative Order No. 199, series of 2000** or the *"Guidelines on Fish Transshipment"*.

However, FAO 199 will soon be amended in accordance with the newly-signed law **Republic Act No. 10654** entitled *"An Act to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing, Amending Republic Act No. 8550, otherwise known as "The Philippine Fisheries Code of 1998", and for Other Purposes"* and its **Implementing Rules and Regulations** which took effect on **October 10, 2015**.

1/30/2016

8

Catch Documentation in Support to Port State Measures in the Philippines

- ✓ Foreign and Philippine-flagged fishing vessels are required to submit catch documentation during landing. These include **logsheet, transshipment authorization** (if applicable), **transfer certificate** (if applicable), and others.
- ✓ Reefer carriers landing frozen tuna oftentimes have no copies of logsheet and transshipment documents on board. Only the agent carry the documents. This remains a big challenge because these reefer carriers are flagged to **NON-AMS** and controlled by a private trading company stationed outside the ASEAN Region.

1/30/2016

9

NPOA-IUUF and Accession to PSMA

- ✓ Philippines have already developed the **"National Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing"** which was adopted under Presidential **Executive Order No. 154** signed on **December 6, 2013**.
- ✓ Philippines' accession to the 2009 FAO Agreement on Port State Measures is stated in the NPOA-IUUF.



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NPOA-IUUF and Accession to PSMA

- ✓ On **January 20, 2016**, President **Benigno Simeon C. Aquino III** finally signed the Philippines' **Instrument of Accession** to the **2009 FAO Agreement on Port State Measures**.
- ✓ The document was delivered to and received by the **Senate of the Philippines** on **January 25, 2016** for concurrence or ratification.
- ✓ After Senate ratification, it will be deposited at the Director-General of Food and Agriculture Organization of the United Nations.

1/30/2016

11

Human Capacity/Resources

- ✓ Philippines have already trained **33 Fisheries Officers** to conduct port inspections. These Officers have also undergone training from the Food and Agriculture Organization in 2015.
- ✓ **Two (2) Regulatory Officers** in BFAR Central Office have also undergone training on port state measures in Singapore organized and sponsored by the Agri-Food and Veterinary Authority (AVA) of the Government of Singapore in January 2015.

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Major Constraints/Problems in Port State Measure Implementation in the Philippines

Constraints/Problems	Recommendations (ASEAN Level)
1. Lack of linkages for multilateral cooperation on information-sharing.	<ul style="list-style-type: none"> ▪ Create Regional Network on systematic multilateral cooperation in sharing information. ▪ Develop a web-based application for IUU vessel list, port inspection results/reports, list of designated ports, contact details of AMS port managers and inspectors, etc.

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Major Constraints/Problems in Port State Measure Implementation in the Philippines

Constraints/Problems	Recommendations (ASEAN Level)
2. Lack of harmonized standard operating procedures (SOP) on port inspection.	<ul style="list-style-type: none"> ▪ Request FAO to provide training on PSMA for AMS port managers and inspectors and assist AMS in the development of their SOPs; or ▪ Create Experts Group that will develop a harmonized SOP on vessel inspection at port for guidance of all AMS.

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Challenges in Port State Measure Implementation in the Philippines

Challenges	Solution
1. Non-cooperation of “traders” between the flag State and port State	▪ Encourage “traders” to cooperate with AMS.
2. Treatment of “Non-States” in the implementation of PSMA.	▪ Seek legal advise from FAO on the treatment of “Non-States”.

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Proposed Areas for Regional Cooperation to Support Implementation of Port State Measures among ASEAN Member States (AMS)

1. Sharing of information on port inspection result/report, contact details of AMS port managers and inspectors and sharing of experiences in the implementation of port state measures among ASEAN Member States.
2. Development of web-based application that contain consolidated list of IUU vessels, port inspection results/reports, list of designated ports, and contact details of authorized port inspectors that will guide AMS port authorities.

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**Thank you
for your attention.**

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Issues & Challenges of Port State Measures Implementation in Singapore

Experts Meeting on Regional Cooperation to Support the Implementation of Port State Measures in Southeast Asian Region
Bangkok, Thailand, 2-4 Feb 2016
Dr. Cheryl Goh (Singapore)

Content

- Background
- Measure in Singapore
- Issues & Challenges

Agri-Food & Veterinary Authority of Singapore (AVA)

- Ensure a resilient supply of safe food
- Ensure the health and safeguard the welfare of animals
- Safeguard the health of plants
- Facilitate agri-trade

In Singapore

Ports for the import, export and transshipment of fish:

1. Jurong Fishery Port (JFP):
 - Main port for foreign fishing vessels
2. Jurong Port:
 - General Bulk and Cargo
3. Senoko Fishery Port (SFP):
 - For our local fishing fleet


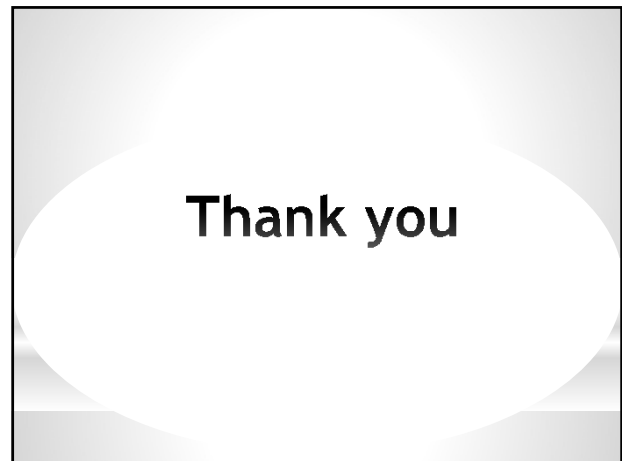
Advanced Notification of Arrival

- Advanced notification of arrival (NOA) at least 12 hours before arrival.
- Vessels involved in IUU fishing activities denied entry.
- Port arrival approval at JFP or SFP within 24 hours

Other measures


- Collaboration with CCAMLR
 - Compliance with CCAMLR's Catch Documentation System
- Collaboration with ICCAT
 - Issuance of re-export certificates for Big-eye Tuna and Swordfish

Issues & Challenges	What would be useful
Inspection & Enforcement	<ul style="list-style-type: none"> • Capability building and info-sharing, e.g. <ul style="list-style-type: none"> – Risk-based assessments – Practical, hands-on workshops – Policy considerations and legislations – Drafting of NPOA-IUU
Traceability of imports	<ul style="list-style-type: none"> • Regional development of Catch Documentation Systems


Thailand Country Report

Implementation on Port State Measures



Presentation Outline

- Current situation of PSM implementation in Thailand
- Constraints & Overcoming
- Challenges & Solutions
- Strengthen human capacity / resources
- NPOA-IUU addressing PSM implementation
- Proposed issues of AMSs cooperation to support PSM implementation



Current situation of PSM implementation in Thailand



Designated ports for the foreign vessels

- First official launch on 1st Sep 2015
- 9 FIOs responsible for 46 designated ports at present (revising to 29 ports)
 - Plus "Ladkrabang Inland Container Depot"
- Pilot project has been set up in Phuket



Current situation of PSM implementation in Thailand


Designated ports for the foreign vessels (cont.)

Current situation of PSM implementation in Thailand

Significant Enforcement Activities


No.	Overall Performance	Unit	Performance 1 Sep – 31 Dec 2015
1	Number of Foreign-flagged FVs	vessel	533
2	Inspection prior granting to entry	Port call	1,670
3	On-board inspection (40% by permission of entry)	Time	794
4	Monitoring offloading and transshipments in port (10% by quantity contained)	Custom import declaration	2,938
6	Surveillance port nearby	Time	2,410



Current situation of PSM implementation in Thailand

Requirement prior to port entry

- Advance Request of Entry into Port (AREP) must be submitted to FIOs in advance 48 hours prior to entry by agents or master of the vessel
 - To verify a vessel's background prior to it entering port
 - Foreigner bulk carrier and fishing vessel of 30 ton gross and over



Current situation of PSM implementation in Thailand

Relevant activities to Port State Measures

- Traceability system
- Monitoring Control and Surveillance of fishing program (MCS)



Current situation of PSM implementation in Thailand

Supported law and regulation

- Royal Ordinance on Fisheries 2015
- Notifications of Command Center for Combating Illegal Fishing or CCCIF
- Notifications of National Council for Peace and Order
- NPOA – IUU / FMP / NPCI
- IOTC Resolution 10/11



Current situation of PSM implementation in Thailand

Supported law and regulation (cont.)

- MoA between Department of Fisheries and Department of Customs
 - Concerning the Control and Examination of Imported, Exported and Transited Aquatic Animals to Tackle Illegal, Unreported and Unregulated Fishing (IUU Fishing)
 - Mobile Application (Anti IUU)
 - Collaborative manual among Depts.



Constrains & Overcoming

Constrains	Overcoming
1. No guideline / inspection standard for inspecting the small-scale vessels from neighboring countries	- Create expert group according to multilateral collaboration to setting up the harmonized SOP for the vessel type
2. Too few and poorly trained PSM inspectors who did not have any training in port State measures procedures on the particular areas of vessel types	- Experts from FAO / RFMOs / Region / Coastal state / Flag state involved in training courses by sharing skills / knowledge - Enhancing manpower
3. Lack of regional harmonization on the area of list of required documents/evidence for inspection (including delay in submitting requested documents)	- Develop agreement on the ASEAN Harmonization Regulatory Scheme - Harmonizing the criteria for granting permission
4. A lack of financial / facility resources	- Continued political will and support to maintain high political focus on solving the problems of IUU fisheries

Challenges & Solutions

Challenges	Solutions
New Measures introduced in place that need to be urgently solved in order to strengthen some existing mechanisms at national level	Regular review of relevant areas of mechanisms and law to ensure that it is adequate to support National Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing

Strengthen human capacity / resources

- Aug – Oct 2015 : adding 45 temporary staffs
- Nov 2015 – Apr 2016 : adding 25 temporary staffs
- Manpower program : enhancing 135 government officers were address in plan as PSM regulatory inspectors
 - Based on increasing up to 25 percent of inspection by frequently of vessels entering ports



Strengthen human capacity / resources (Cont.)

Training Course

- 25 relevant authorized officers were trained on March 2015
- FAO experts involved as lecturers
- Rehearsal meetings
- Next training courses will be organized during February – April 2016
- Based on revised DOF manual

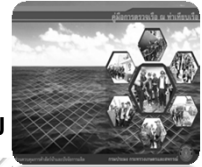


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Strengthen human capacity / resources (Cont.)

Updated Inspection Manual

- Revised PSM inspection manual based on information provided by MoU and NPCI

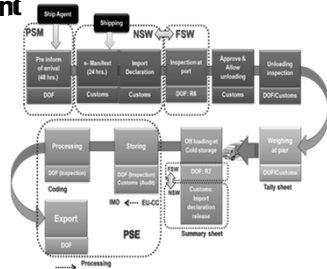


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Strengthen human capacity / resources (Cont.)

Software Development

- Developing "Processing Statement and PSM Linked System" or "PPS"



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NPOA-IUU addressing PSM implementation

- The Council of Ministers approved two other important documents on 3 November 2015: the Marine Fisheries Management Plan (FMP) and the National Plan of Action to Prevent, Deter and Eliminate IUU Fishing (NPOA-IUU).
- Thailand is setting up a Working Group to consider becoming a party to the 2009 FAO Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (PSM).

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NPOA-IUU addressing PSM implementation

- Thailand will improve the effectiveness of controlling imported fish and fishery products from foreign fishing vessels in the compliance with law and international standards. Fish inspection offices at ports of entry will be enhanced and the efficiency of their operations strengthened through Fish Inspection Offices, procedures for the inspection of fish and fishery products and enforcement.



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Proposed issues of AMSs cooperation to support PSM implementation

- Cooperation in the area of exchange/validation/verifying/sharing/facilitating of information on traceability systems, fishing activities, rapid alert system, experiences and capacity building among AMSs as Coastal states, Flag States, Port state and major exporting countries of fish and fishery products
- to the extent possible, those in electronic format and vessel monitoring system (VMS) data from the flag State or relevant regional fisheries management organizations (RFMOs)

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Proposed issues of AMSs cooperation to support PSM implementation

- Development scheme/system of the regional relevant documentation and records held onboard into consideration the format, standard and information requirements of importing countries
- To simplified in order to enhance its applicability by small-scale fisheries in the region.



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Thailand PSM



Thank You
for
Your attention



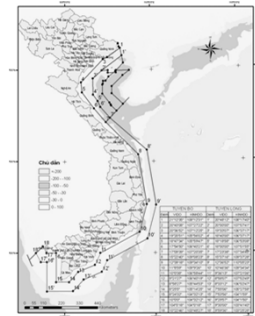
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EXPERT MEETING ON REGIONAL COOPERATION TO SUPPORT THE IMPLEMENTATION OF THE PORT STATES MEASURES IN SOUTHEAST ASIAN REGION
2-4 Feb 2016, Bangkok, Thailand

Pham Hung
Department of Capture Fisheries
Directorate of Fisheries - Vietnam

Current situation of Port State Measures implementation in Viet Nam

- ❖ 83 fishing ports
- ❖ no designated ports for foreign fishing vessels



Providing information prior to entering into ports

- Enter the fishing ports identified in the fishing license
- Provide related information including fishing vessel name, signal, registration number, length overall, services requirement and others to Port management unit before entering 24 hours
- Follow the regulation of fishing ports and provide relevant information:
 - + Pass port of fishers/seaman books
 - + Fishing license
 - + Logbook/document

Providing information prior to entering into port

- Follow regulations of Vietnam on immigration, custom regulation, disease control and others
- Provide the departure time for the port manager before leaving 24 hours.
- In emergency cases, inform the port manager on the status of the fishing vessel and numbers of crew on the board and provide relevant evidences.

Law and regulation to support PSM implementation in Viet Nam

- Decree No 80/2012/ND-CP dated 08 Oct 2012 regarding to management of fishing port and landing areas for fishing vessels.
- Decision No 930/QD-BNN-TCTS dated 05 May 2014 regarding to National Plan of Action to Combat IUU fishing

Major Constraints/Problems in implementing the PSM

- Not have any official designated ports for foreign fishing vessels
- Lack human resources/skills



Human capacity/resources to carry out port inspections

- 120 inspectors in 28 coastal provinces
- Inadequate to carry out port inspections
- Shortage of port inspection skills and facilities



National plan of action to combat IUU fishing (NPOA-IUU)

- Ministry of Agriculture and Rural Development of Viet Nam has approved the Decision No 930/QĐ-BNN-TCTS dated 05 May 2014 regarding to National Plan of Action to Combat IUU fishing. According to this decision, PSM was regulated as follows:
 - Do not permit IUU fishing vessels landed or transported and other relative activities within Vietnamese water.
 - Provide the detail information of fishing vessels that want to land in Viet Nam fishing ports and take procedures as regulation of Viet Nam,

National plan of action to combat IUU fishing (NPOA-IUU)

- Cooperate with relative organizations to deny IUU fishing vessels landing at Viet Nam fishing ports.
- Collaborate with regional and international organizations to combat and update IUU fishing vessels.

Proposed Regional Cooperation among the ASEAN Member States

Developing the regional Network to share experiences on Implementation of Port State Measures.

THANK YOU!

Identification of Training Module for PSM Capacity Building

1) **Target:** General audience

Training module: (National on-site training)

Lecture

- Fisheries situation and management scheme
 - Fisheries region and global situation
 - Form of IUU fishing in Southeast Asian Region
 - Initiative activities to combat IUU fishing
 - Management scheme such as RPOA, NPOA, RFMO
- Applicable international law and national laws and regulation measures
- Introduction of Port State Measures Agreement
- Importance of implement on PSM
- Advanced request to enter port

Remark: General audience is covered to

- 1) Fishing vessel owner and vessel agency,
- 2) Captain and master fisherman,
- 3) Buyer (middle man or "Taokae") and Buyer Company
- 4) Processing factory,
- 5) Fishing port owner,
- 6) Fishery association, related group
- 7) Public sector
- 8) Relevant organizations

2) **Target:** Inspector

Training module: (Regional and/or National training course)

Lecture

- Fisheries situation and management scheme
 - Fisheries region and global situation
 - Form of IUU fishing in Southeast Asian Region
 - Initiative activities to combat IUU fishing
 - Management scheme such as RPOA, NPOA, RFMO
- Applicable international law and national laws and regulation measures
- Introduction of Port State Measures Agreement and especially focus on;
 - Overview inspection and Follow action (Article 12-19)
 - Vessel inspection (Article 13 and Annex A and B)

- Ethics of PSM inspector
- Health Safety & Security of PSM inspector
- Authority & Powers (Fisheries enforcement) of PSM inspector including the owned domestic laws and regulation (if applicable)
- Standard Operating Procedure (SOP)/ decision criteria
- Advanced request to enter port
- Prioritizing inspection based on the risk assessment
- Inspection of vessel (intensive)
 - Prior boarding inspection
 - Boarding and inspection procedures
 - Identification the VMS devices and VMS record (should take much time)
 - Freezer and cold store inspections guidelines
 - Bridge observations and equipment
 - Calculating product weight by hold measurements
 - Calculating gross fish hold volume
- Commercial fishing gear, equipment and techniques
- Fish and product identification
- Monitoring offloading and transshipment operation
- Follow-up procedures information sharing including requesting for additional information from flag state and deny port entry and IUU list
- Legal process, rule of evidence and interviews

Practice

- Field practical training

3) **Target:** Fishery manager

Training module: (Regional and/or National training course)

Lecture

- Fisheries situation and management scheme
 - Fisheries region and global situation
 - Form of IUU fishing in Southeast Asian Region
 - Initiative activities to combat IUU fishing
 - Management scheme such as RPOA, NPOA, RFMO
- Applicable international law and national laws and regulation measures
- Introduction of Port State Measures Agreement

- Ethics, Health Safety & Security, Authority & Powers (Fisheries enforcement) of PSM inspector
- Advanced request to enter port
- Prioritizing inspection based on the risk assessment
- Inspection of vessel
 - Prior boarding inspection
 - Boarding and inspection procedures
 - Identification the VMS devices and VMS record
 - Freezer and cold store inspections guidelines
 - Bridge observations and equipment
 - Calculating product weight by hold measurements
 - Calculating gross fish hold volume
- Commercial fishing gear, equipment and techniques
- Fish and product identification
- Monitoring offloading and transshipment operation
- Follow-up procedures information sharing including requesting for additional information from flag state and deny port entry and IUU list
- Legal process, rule of evidence and interviews
- Capacity needs assessments towards implementation of Port State Measures

On-site study

- Observation on fishing port and inspection activities

4) **Target:** Policy marker

Training module: (Regional training course)

Lecture

- Fisheries situation and management scheme
 - Fisheries region and global situation
 - Form of IUU fishing in Southeast Asian Region
 - Initiative activities to combat IUU fishing
 - Management scheme such as RPOA, NPOA, RFMO
- Applicable international law and national laws and regulation measures (Intensive)
- Understanding on Port State Measures Agreement for apply in the region
- Advanced request to enter port
- Prioritizing inspection based on the risk assessment
- Inspection of vessel (in general)



-
- Monitoring offloading and transshipment operation
 - Follow-up procedures information sharing including requesting for additional information from flag state and deny port entry and IUU list
 - Legal process, rule of evidence and interviews
 - Capacity needs assessments towards implementation of Port State Measures

On-site study

- Observation on fishing port and inspection activities



<FIRST DRAFT>
Concept Proposal on
Regional Cooperation for Supporting the
Implementation of Port State Measures in ASEAN Region

SEAFDEC

I. INTRODUCTION AND RATIONAL

Refers to the FAO Committee on Fisheries (COFI) adopted the International Plan of Action to prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (IPOA-IUU) in 2001, in which the requirement for Port State Measure (PSM) are included. FAO has worked on the PSM to combat Illegal, Unreported and Unregulated Fishing including identified the need for human resources development to implement port State measures while developed as minimum standards - a “FAO Voluntary Model Scheme on Port State Measures” to combat Illegal, Unreported and Unregulated Fishing in 2004. Later, the FAO Conference adopted resolution 12/2009 approving the FAO Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing, as a legally binding instrument in 2009. The Objective of the PSM is to “prevent illegally caught fish from entering international markets through ports”. Port State needs to take the actions on restriction of entry into port, use of port, access to port services, in addition the inspection and other enforcement activities are also mentioned in the PSM.

Taking into account the important of seafood products from Southeast Asian to around the world market, trade in and out are ones of the important activities. To avoid any impact on trade either international or intra-regional trade, the implementation of port State measures are therefore needed together with other regional management measures developed under the ASEAN-SEAFDEC Collaborative Framework such as ASEAN Catch Documentations, RFVR-24m, ASEAN Guidelines to prevent the entry of IUU products into the supply chain, etc.

Implementation of port State measures requires not only appropriate country laws and regulations in consistent with international law, but the qualified inspectors for examining all relevant areas of the vessel, the fish on board, the nets and any other gear, equipment, and any document or record on board. In addition, it also requires the inter-agencies as well as regional and international cooperation on exchange of information of fishing vessels. However, due to inadequate of the human resources to work on port State control, many trade-in and out among the AMSs and from the high-sea or RFMOs areas including trade from other countries outside the ASEAN region. Nevertheless, the PSMA implementation, in principle includes the port State to inspect all foreign fishing vessels from outside the region and even though from within the ASEAN Region. SEAFDEC therefore proposes to establish the Regional Cooperation to support the implementation the port State measures in effective manners. The said approaches required full operation of the port state measures for all foreign-flagged vessels from the high seas or countries outside the region. In addition, another approaches for all foreign-flagged vessels of the AMSs in which the port state measures needed to be harmonized and agreed by all AMS but aligned with the international and regional agreement/measures, as well as link to the existing management tools such as ACDS, the Guideline on Preventing IUU products, and the Regional Fishing Vessels Record

of 24m in length and over. This concept proposal will be addressed to the forth coming 48th Meeting of the SEAFDEC Council held in 4-8 April 2016 for their consideration and support/endorsement. To support the drafting of the concept proposal, the Experts Meeting on Regional Cooperation to Support the Implementation of Port State Measures in Southeast Asian Region was conducted from 2-4 February 2016. The results of the meeting are accommodated in this paper including the agreed Recommendations for Regional Cooperation to support the implementation of PSM in the ASEAN region.

II. OBJECTIVES

The overall objectives of this paper are to address the important requirements for ASEAN Member States to implement the port State Measures through the regional cooperation towards combating IUU fishing within the ASEAN region.

III. CURRENT STATUS ON FISHERIES MANAGEMENT IN AMS

a) CAMBODIA

- No foreign vessels unloading in the country
- No activities related PSM
- Not designated port for PSM

b) INDONESIA

- Ratified the FAO PSM Agreement 2009
- Following the IOTC resolution on PSM to prevent, deter and eliminate IUU fishing
- 5 Designated ports for PSM implementation
- At present, no foreign or joint venture fishing vessels operating in the EEZ
- Requirement of foreign fishing vessels information prior to entering into port
- Implement the EC-Catch Certification, the CCSBT CDS, and IOTC CDS.
- Decree laws and regulations to support PSM implementation
- NPOA linked to the implementation of PSM
- Conduct some capacity building on PSM and relevant activities for staff concern

c) MALAYSIA

- Only one designated of port in Penang under IOCT requirement
- Domestic law supports the implementation of PSM
- Foreign fishing vessel is required to get written approval prior to land fish
- Continuous capacity building on PSM for officials from relevant agencies

d) MYANAMAR

- Myanmar signed the FAO Agreement on PSM
- Decree for laws and regulations to support PSM implementation
- Local and foreign fishing vessel has to be inspected in check points before entering landing site



- Designate five port for foreign fishing vessel and joint venture vessels
- Implement check point as one stop service to inspects the fishing vessel when they go to fishing ground and come back to the port
- Implementation of catch certification scheme for EU regulation
- Preparing NPOA-IUU linked to the PSM Agreement

e) PHILIPPINES

- Two designated ports in Davao and General Santos for foreign fishing vessels
- Fishing vessel must submitted prior notification requirement information to the on-stop action center
- Decree law and regulation to support PSM implementation
- Foreign fishing vessel should submitted catch documentation in Support to PSM implementation
- Development of NPOA-IUUF and accession to the 2009 FAO Agreement on PSM
- Conduct the capacity building for PSM implementation to local staff concerns

f) SINGAPORE

- Advanced notification of arrival for foreign fishing vessel
- Compliance with CCAMLR's Catch Documentation
- Collaboration with ICCAT issuance of re-export certificates for Big-eye Tuna and Swordfish
- 3 ports for the import, export and transshipment of fish: Jurong Fisheries Port, Jurong Port and Senoko Fisheries Port
- Advanced notification of arrival required prior to entry

g) THAILAND

- 46 designed ports for PSM
- Implement pilot project on PSM at Phuket
- Significant enforcement activities
- Requirement prior to port entry
- Relevant activities to PSM (Traceability system, MCS)
- Decree law and regulation to support PSM implementation
- Development of NPOA-IUU with support PSM implementation
- Developing "Processing Statement and PSM Linked System" (PPS)
- Updated inspection manual base on information provided by MoU and NPCI

h) VIET NAM

- No designated port for foreign fishing vessels
- Requirement information prior to port entry
- Law decree and regulation to support PSM implementation
- Development of NPOA-IUU with support PSM implementation

IV. SUMMARY OF CONSTRAINS ON PSM IMPLEMENTATION

<i>Constraints/ Problems</i>	CAM	IDN	MY	MM	PH	SG	TH	VN
<u>Operational</u>								
• Lack of vessels registration and fishing license system management	X							
• Lack of standard operating procedure (SOP) in implementing PSM with any scale of vessel	X	X			X		X	X
<u>Legal</u>								
• Inconsistent law interpretation				X				
<u>Human resource</u>								
• Limit of capacity of implementing facilities and officer concern	X	X		X		X	X	X
<u>Infrastructure</u>								
• Insufficient infrastructure and lack of budget for infrastructure to support PSM	X	X		X			X	
<u>Information</u>								
• Lack of fish landing data system and management, such as the IUU vessel list from RFMOs is not Updated	X		X*	X				
• Lack of regional network, MCS and information sharing in concern agencies among country	X	X	X**	X	X		X	X
• Lack of awareness about PSM among the stakeholder	X	X						
• Traceability of imports						X		
• Control of ports fall under different port authorities			X					
<p>Note : * Malaysia's experience shows that RFMO's IUU vessel list may not be up-to-date ** Malaysia sees information sharing with regards to PSM implementation e.g. inspection report as a challenge rather than an issue for the region</p>								

V. CHALLENGES AND RECOMMENDATIONS FOR FUTURE CONSIDERATION

- ❖ Strengthening bilateral/ multilateral arrangement on all IUU activities through PSM implementation and MCS network
- ❖ Regional cooperation on PSM and related issues among AMS
- ❖ Renew and reorganize fishing port operational procedure to support PSM
- ❖ Development of harmonized SOP on vessel inspection at port for guidance of all AMS
- ❖ Promotion of information for PSM through encourage “traders“ to cooperate with AMS
- ❖ Sharing of information such as catch, fishing vessel, fishing gear through sharing of experience in PSM implement among AMS
- ❖ Identify needs and capacity building for staff concern on relevant PSM implementation
- ❖ Development of rules and regulation for PSM
- ❖ Seek legal advice from FAO on the treatment of “Non-States”
- ❖ Create “rapid alert system” for ASEAN (through Mobile Application if available)
- ❖ Vessel documentation, inspection and verification
- ❖ Inconsistent law interpretation
- ❖ Establishment of PSM demonstration port for the region

VI. RECOMMENDATIONS OF REGIONAL COOPERATION ON PSM

Refers to the PSMA		Recommendations of Regional Cooperation on PSM
PART	Article No.	
Entry Into Port	Article 7: Designated port	<ul style="list-style-type: none"> ❖ Encourage AMS to identify designated ports for foreign fishing vessel from other AMSs. ❖ The list of designated ports should include information of the name of the port, address of location, contact person. ❖ SEAFDEC shall publicize the information of designated ports of all AMS
	Article 8: Advance request for port entry	<ul style="list-style-type: none"> ❖ AMS shall require, as a minimum standard, the information requested in Annex A or relevant document to be adopted by AMS to be provided before granting entry to a vessel to its port. ❖ To support the implementation by port State, database module of the list of vessels shall be expansion developed based on the existing Regional Fishing Vessels Record (RFVR) for 24m in length and over.
	Article 9: Port entry, authorization or denial	<ul style="list-style-type: none"> ❖ Information exchange on the country laws and regulations shall be shared among the AMS taking into accounts that some AMSs (<i>e.g.</i> Malaysia and Indonesia) do not allow its fishing vessel excluding carriers to unload catch at other country ports.



Refers to the PSMA		Recommendations of Regional Cooperation on PSM
PART	Article No.	
		<ul style="list-style-type: none"> ❖ To encourage AMS to require foreign fishing vessels and carriers to submit pre-arrival information (such as approval to land catch, origin of catch or certificate of catch) so that port State can decide whether to authorize or deny the entry of this vessel into their port. Decision to deny shall be communicated to the flag state ❖ To provide the awareness building to relevant stakeholders (e.g. fishing boat owner, importer, port authority, etc.) at national level to enhance the better understanding the country laws and regulations, and other procedure on Inspections.
Use of Ports	Article 11: Use of Ports	<ul style="list-style-type: none"> ❖ Where an AMS has denied the use of its port in accordance with the Article 11 of the PSMA, it shall promptly notify the flag State and, as appropriate, relevant AMS through the framework or system adopted by the AMS.
Inspections and Follow-Up Action	Article 12: Levels and priorities for inspection	<ul style="list-style-type: none"> ❖ Adopt the Standard Operating Procedures (SOP) on the risk assessment and inspection of vessels through the harmonization/consultation workshop. ❖ AMS may consider minimum levels for inspection of vessels through, as appropriate, agreement among all AMSs. ❖ To support inspection of the vessels, the historical data/information of fishing vessel are required in the database module of fishing vessels.
	Article 15: Transmittal of inspection results	<ul style="list-style-type: none"> ❖ AMS shall transmit the results of each inspection to the flag State of the inspected vessel and, as appropriate, to SEAFDEC on the summary results of inspection (e.g. flag state, nation of master and crews)
	Article 16: Electronic exchange of information	<ul style="list-style-type: none"> ❖ To facilitate implementation of this Regional Cooperation, each AMS, where possible, establish a communication mechanism that allows for direct electronic exchange of information, with due regard to appropriate confidentiality requirements. In addition, AMS should cooperate to establish an information-sharing mechanism by SEAFDEC to facilitate the exchange of information with existing database for this cooperation.
	Article 17: Training of inspectors	<ul style="list-style-type: none"> ❖ Request FAO, RFMOs and relevant agencies on training of trainer for port inspections including legal and operational aspects with an emphasis on practical hands-on component ❖ Develop a network/team among AMSs on training of trainer for port inspections ❖ Consider an existing training module developed by RPOA-IUU in collaboration with the Australian Maritime on port inspections to support the TOT programs.



Refers to the PSMA		Recommendations of Regional Cooperation on PSM
PART	Article No.	
	Article 18: Port State actions following inspection	❖ publicize and awareness building on standard inspection procedure

VII. WORK PLAN

ACTIVITY	SCHEDULE	TARGETS
❖ Addressed the Importance of Regional Cooperation on PSM at the 18 th FCG/ASSP	26-27 NOV. 2015	Supported by the 18 th FCG/ASSP
❖ Expert Experts Meeting on Regional Cooperation to Support the Implementation of Port State Measures in Southeast Asian Region	2-4 FEB 2016	Final Draft Concept Proposal on Regional Cooperation on PSM
❖ Stakeholders Consultation Meeting: A preparatory process for the High-Levels Meeting in August 2016	1-2 MAR 2016	Comments on Regional Initiatives toward combating IUU fishing including Regional Cooperation on PSM
❖ Meeting of the Drafting Committee on ASEAN SEAFDEC Joint Declaration toward combating IUU Fishing	3-4 MAR 2016	Draft Joint Declaration toward combating IUU Fishing
❖ Address the Regional Cooperation on PSM together with Draft Joint Declaration to the 48 TH Meeting of the SEAFDEC Council	4-8 APR 2016	Endorsement and comments
❖ Address the Regional Cooperation on PSM together with agreed Draft Joint Declaration resulted from 48CM to the 23 rd ASWGFi	JUNE 2016	Endorsement and comments
❖ Address the Regional Cooperation on PSM together with agreed Draft Joint Declaration results from 48CM and 23 rd ASWGFi to the SOM Meeting	AUG 2016	Support from SOM
❖ Technical workshop for the SOP on vessel inspection at port and information sharing for database system	FEB. 2017	Support AMS
❖ Development of the database system	JAN – OCT 2017	Support AMS
❖ Testing the system through pilot site demo	AUG 2017 – FEB 2018	Support AMS
❖ Adoption of the system by 50 th CM	APR 2018	



VIII. ANNEXES (Refers to PSMA Annexes)

< Will be updated >

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CLOSING REMARKS

Mr. Hajime Kawamura
SEAFDEC Deputy Secretary-General
and Trust Fund Program Manager for SEAFDEC

“Experts Meeting on Regional Cooperation to Support the Implementation of
Port State Measures in Southeast Asian Region”

4 February 2016, Bangkok, Thailand

SEAFDEC Secretary-General, Distinguished delegates from the SEAFDEC Member Countries, SEAFDEC Senior Officials and Staff, Ladies and Gentlemen, Good Afternoon!

On behalf of SEAFDEC, please allow me to inform you that we are very happy of the results of this three-day meeting. Although our schedule has been very hectic, we were able to achieve the very objective of this Meeting which is to develop the Concept Proposal on Regional Cooperation to Support the Implementation of Port State Measures as well as the required capacity building to support the implementation of port State measures in this region. For the efforts that you have put together during this Meeting, we are indeed very grateful. Therefore, please allow me to thank all of you for your active participation and for your contributions to our almost three-day deliberations. To the Japanese Trust Fund and SEAFDEC-Sweden Project, we also extend our utmost gratitude.

Ladies and Gentlemen, while we are closing this three-day Meeting, we would strongly encourage the Member Countries and the SEAFDEC Departments to continue maintaining this collaborative environment to foster the regional cooperation to support the implementation of port State measures. SEAFDEC therefore wishes all of you the best and every success in whatever approach you would undertake towards addressing the challenges ahead of us, especially with respect to the implementation of port State measures in our region. At this juncture, I would also wish to thank the secretariat for this Meeting for their all out support that made this Meeting a success.

With that Ladies and Gentlemen, I now declare this Experts Meeting on Regional Cooperation to Support the Implementation of Port State Measures in Southeast Asian Region closed. Thank you once again for your cooperation and support. Good day!



TRAINING DEPARTMENT
Southeast Asian Fisheries Development Center
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