



**A Conference for Fisheries Knowledge and New Law Provision
to Small-Scale Fishers in the Upper South and Southern of the Gulf of Thailand**

**“Strategies for trawl fisheries bycatch management” Project
REBYC-II CTI; GCP/RAS/269/GFF**

One Hundred Islands Hotel Resort and Spa
Surat Thani Province
29-31 August 2016

*Reported by
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Summary

A consultative meeting was held to disseminate information on small-scale fisheries and the results of the REBYC-II CTI Project with regard to trawl mesh size modification and fish larvae surveys. The meeting served to inform fishers and other stakeholders also on the various definitions and relevant sections of the new Royal Fisheries Ordinance B.E. 2558, with regard to its emphasis on combating illegal, unreported and unregulated fishing, stakeholder participation through formation of committees, and recommendations on area closures and mesh size modification to reduce bycatch. A brainstorming session resulted in the drafting of recommendations regarding fishing boat number and effort regulation, licensing and enforcement.

I. Background

The Food and Agriculture Organization of the United Nations (FAO) and the Department of Fisheries (DOF), Thailand have signed the Letter of Agreement (LOA) for the execution of the GEF supported project “Strategies for trawl fisheries bycatch management” (REBYC-II CTI; GCP/RAS/269/GFF). The Department of Fisheries, Marine Fisheries Research and Development Division implements the project at two sites. Prachuab Kiri Khan and Chumphon are the first sites where the enlarged mesh size codend for trawl fisheries is being implemented. The Central Gulf Marine Fisheries Research and Development Center (CMDEC) located in Chumphon takes the lead in research on trawl fisheries and enlarged codend mesh size experiments. The second site is in Trat Province, where the management measures for closed area and closed season are being established to protect fish larvae and spawners. The Eastern Marine Fisheries Research and Development Center (EMDEC) located in Rayong Province takes the lead for research works.

The activities in the two project sites have been completed e.g. the CMDEC has finished their experiments on the enlarged mesh size codend of 4.0 cm for otter board and pair trawlers, and proposed to use 4.0 cm

mesh for codend of otter board and pair trawlers. The Eastern Marine Fisheries Research and Development Center is responsible for the area and season closure in Ao Trat, Trat Province. Both project sites have held several local consultation meetings to consult with local fishers and private sectors to conduct experiments and surveys for fish larvae. Primary stakeholders and private sector had agreed for the project to be done. Results of the research and surveys were also shown to the local stakeholders, private sector and also have been presented to the High Senior Officials in the Advisory Committee Meeting and Conservation Committee Meeting several times.

The final output was the announcement of Command Center for Combating Illegal Fishing of the Government to use 5.0 cm of codend mesh for otter board trawlers and pair trawlers. Afterwards, the Command Center for Combating Illegal Fishing has changed the mesh size measure to be 4.0 cm. The Area and Season Closure has been proposed through the Advisory Committee and Conservation Committee of the project. Furthermore, the DOF has sent back area and season closure management to the Provincial Committee to issue the measure. The Provincial Committee agreed to have resource management measures and then earmark 5 nm area from shore to prohibit use of all kind of fishing gears, which is the project site in Ao Trat. The closed area and season management measure will be approved by the Minister of Agriculture and Cooperatives soon.

In this connection, the Marine Fisheries Research and Development Division under the DOF wanted to share and promote the results of the project (REBYC-II CTI; GCP/RAS/269/GFF) in both project sites, and raise public knowledge about present fisheries situation, New Fisheries Acts and practical implementation corresponding to global situation. The DOF wanted to address the local small-scale fishers in the Gulf of Thailand which consist of seven provinces (Prachuap Kiri Khan, Chumphon, Surat Thani, Nakorn Sri Thammarat, Songkha, Pattani and Naratiwas) on the above. The conference was organized 29-31 August 2016 for small-scale fishers of Surat Thani province.

Specific Objectives of the Conference

1. Provide knowledge for small-scale fishers about the results of the project (REBYC-II CTI; GCP/RAS/269/GFF). Mesh size enlargement for trawlers and Permanent Area Closure outputs,
2. Raise public knowledge about the present small-scale fisheries status,
3. Provide knowledge to small-scale fishers about Royal Fisheries Ordinance 2558 (2015) and its implications to small-scale fishers.

II. Expected Outputs:

1. Small-scale fishers in the Gulf of Thailand know about the results of the project (REBYC-II CTI; GCP/RAS/269/GFF),
2. Small-scale fishers in Gulf of Thailand know about the present small-scale fisheries status,
3. Small-scale fishers in the Gulf of Thailand know the details of Fisheries Ordinance 2559 (2015) related to small-scale fisheries and fishers.

III. Presentations and Discussion

Dr. Chumphol Sanguansin, Secretary of the Agriculture and Cooperatives Committee welcomed and presided over the conference. The conference was divided into three major parts: Presentation on new laws, background and results of the REBYC-II CTI; GCP/RAS/269/GFF and brainstorming with small-scale fishers.

1. **Royal Fisheries Ordinance B.E. 2558** and related issues concerned the fishers

Mr. Bancha Sookkiew, the Choburi Province Fisheries Official, presented the Royal Fisheries Ordinance B.E. 2558 and related issues concerning to fishers. This is summarized as follows:

The announcement of the EU on the measure Number 1005/2008 dated 29 September 2008 (2008) concerned work on combating IUU fishing (Illegal, Unreported and Unregulated) which was intended to inspect whether the fishery products have a Catch Certificate to indicate that the product was not harvested by IUU fishing. This measure was effective from 1 January 2010 onward. The Department of Fisheries of Thailand was aware of this issue and started to formulate a system for certification and traceability for fishery products.

On 21 April 2015, EU announced Thailand has not cooperated effectively to prevent IUU fishing and hence EU gave a yellow card to the country. The announcement led to reforming the Fisheries Acts B.E. 2558 (2015) which became effective on 28 June 2015 and was further replaced by the Royal Fisheries Ordinance B.E. 2558 (2015). This ordinance is effective from 14 November 2015 having 11 parts with 176 sections.

The Sections concerning the small-scale fisheries include:

Section 5

Define fisheries resources (fish, amphibian, fish in flooded areas, seaweed, carcass, sea grass etc.),

: Processed products (raw materials),

: Processing product (how to process for consumption),

: Fisheries (fisheries, aquaculture, conservation and fisheries promotion),

: Fishing operation (to catch, lure, keeping etc.),

Other definitions cover fishing area, marine fishing, inside of Thai water, internal sea, coastal sea, shoreline, EEZ area, coastal state, fishing gear, fishing boat, freshwater fishing, small-scale fisheries, commercial fisheries, fishing landing and handling, reference point for sustainable fisheries, IUU fishing etc.

Section 25

Promote more stakeholder participation in policy making, co-management in resource conservation, rehabilitation, usage for sustainable resources, at local level. DOF will help in setting up the Committees and in policy planning, to register the groups, consult on conservation, local activity, publicize knowledge to fishers regularly.

Section 26

Establishment of Province Fisheries Committee, the president is the Governor of the province, and the committee consists of representatives; not more than 13 members from Ministry of Natural Resources and Environment, Harbor Division, Attorney, Commerce, local Amphoe, President of Ao Bo Cho, President of Province Agriculture Council, and Province Fisheries Official is a secretary. If two provinces share the same coastal boundary, in this case the representative from Navy will be an additional member.

Section 28

The Responsibility of the Provincial Fisheries Committee is to:

1) Collect comments and ideas to promote fishing career, manage, conserve, rehabilitate, fish utilization, policy making under Section 19 (1);

2) Consider and propose to develop regarding dissolving conflicts, manage, conserve, rehabilitate, fish utilization, in the area; and to report to Minister, Committee, or Director General of Department of Fisheries.

3) Issuance the Section 56, 71 and 77 in the Government Gazette.

In the emergency case, the Committee can temporarily use the Section 56 and 71 within 60 days. The Ministry has to approve within 60 days if not the said measures can be effective until there is a cancellation from the Minister. In provinces where no Province Fisheries Committee is established, the Provincial Fisheries Official or someone who is assigned by the DG may take action.

Section 32

Small-scale fishing boats and fishing gear as defined by DOF have to be permitted by DOF or assigned person or someone who is assigned from DG except some gear that is banned in the DOF's document.

At present no new licenses are issued to small-scale fisheries. In case of disaster, the small-scale fishers can request DOF to compensate for loss by preparing documents as follows:

Boat license,

License to use boat,

Fishing gear license, now no issuing the license for small-scale fisheries and DOF can help by using Section 32, to compensate for their loss.

Section 33 (not yet practiced)

The small-scale fisheries have to follow DOF instruction for fishing, in case of necessary investigation, the small-scale fishers have to provide details of capture, type of fishing, quantity, fishing area, and the fishers shall keep the record and give to the government official when landing.

Section 34

The small-scale fisheries are prohibited to fish in offshore zone due to Section 32 (they have not yet defined this Section).

Section 44

Ownership of the fishing license could not be transferred to any person except parent, spouse or descendents.

Section 67

Should not possess fishing gear to fish using the following methods:

Bamboo stake trap, small local trap, shrimp trap and other related method of fishing, Collapsible trap with right and left sides simultaneously used at mouth opening to trap fish, Codend mesh size lesser than the DG announcement, push net with engine except for Sergestid shrimp catching.

Section 69

No purse seine using mesh less than 2.5 cm fishing in night time.

Section 70

No fishing in the closed areas and closed seasons, or in other areas to preserve spawners and fish larvae.

Section 71

The Minister of the Agriculture and Cooperatives Ministry or the Province Fisheries Committee has authority to issue as follows:

Fishing ban for type of fishing gear, method of fishing, fishing area, size of boat and other condition, the fishing area map should be attached; definition for incidental catch, fishing area prohibited to use pole, tie, stretch, brace and clutter or else to make the gear stationary.

This is except for research experiment to conserve the fisheries resources for which a request should be made to obtain permission from DG.

Section 110

This section is how to implement the Royal Fisheries Ordinance effectively and to reduce illegal fishing and to fine the IUU fishing corresponding to global agreement.

Section 114

The serious cases of IUU fishing banned include:

Fishing boat with no flag state, Section 10,

No licenses for using boat and fishing gear, Sections 31, 32, 35, 36 and 48,

Not following to Section 81,

Record of fake document,

Over capacity fishing or out of fishing condition as said in Section 36, fishing in the prohibited area (56) or prohibited period (70),

Fishing gear adaptation or using prohibited gear (67, 68, 69 or 71 (1)),

Fishing illegally by breaking condition in coastal area or international requirement (49),

Catching small sized fish and landing on board (57),

Catching some prohibited fish species as described in DOF document and landing on board (66),

Illegal transfer of captured fish and fishery product (87, 88 and 89),

Counterfeit, hiding, or change of marking or change of boat registration,

Hindering officers or observers, obscure, hidden or destroy evidence investigation,

Participate and support necessary equipment for IUU fishing,

Illegal actions under the Sections 1 to 13 for three times within one year whether the same issue or not.

Section 116

Announcement and cancellation of illegal fishing boats and no one can use these illegal boats at least for 2 years after cancellation. Fishing piers would not accept landing from those illegal fishing boats.

Section 176

DOF should provide for Local Community Organization to register within 30 days after the Royal Fisheries Ordinance became effective.

2. Background of the project and output

Mr. Suchart Sangchan, National Project Coordinator, presented the objectives of the project (REBYC-II CTI; GCP/RAS/269/GFF) on strategies for trawl fisheries and bycatch management as follows:

Reduce capture of juveniles of economic fish, reduce capture of other rare species e.g. marine turtles and mammals,

Use fishing gear to reduce bycatch, fisheries corresponding to international arrangement.

The Outputs achieved:

a) Area closure to reduce juvenile fish and reduce bycatch, prohibit trawlers and other destructive fishing gear,

b) Using 4.0 cm for codend mesh size for trawlers which can reduce juvenile fish and bycatch.

3. Brainstorming with fishers about Royal Fisheries Ordinance B.E 2558; the following is summation of recommendation from fishers by section.

Section	Description detail	Problem	Recommendation	Control/Enforce
5	<p>"Small scale fisheries" means fishing in the coastal area using with boat or gear or without boat or gear, and not defined as commercial fishing boat.</p> <p>"Coastal area" means area within 3 nm except for some reasons for management, the coastal area can be extended to more than 3 nm but not exceed 12 nm and not less than 1.5 nm.</p> <p>Map of area should be attached.</p>	<p>Number of fishing boats, size of boat and fishing area</p> <p>Distance from shoreline</p>	<ul style="list-style-type: none"> -Number of crew <2, < 7;<6, -Household crew, -Boat capacity <8 GT; <10 GT; -Boat length 10 m, -Fishing gear types <4 types for seasonal change, -Fishing boat owner and crew should be of Thai nationality, -Crab trap with bottom net >2.5 in, <300 number -Crab gillnet mesh >9 cm, net length <1,500 m, -Shrimp gillnet mesh>3,8 cm, net length <1,000 m, -Sergestid shrimp trap, net length <15 m, net width <10 m and number of net <10/boat, -<i>Rastrelliger</i> gillnet, mesh >4.3 cm, net length<1,500 m, -Hook and line. Mesh <300 mesh/line, number of line <3 number. line <3 number, -Octopus trap<2,000 number/person, -Distance from shoreline 3-5 nm and around the island distance of 1.8 nm 	<p>Establishment of control center</p> <p>Small-scale fishers participation in control and enforcement</p>

32	<p>Small-scale fisheries as described by DOF has to request for their licenses</p> <p>Licensing for each small-scale fishing boat should indicate type and number of gear</p>	<p>Type of fishing gear to be used in coastal area.</p> <p>Type of fishing gear to be registered.</p> <p>Licensing</p> <p>Tax</p> <p>Period of fishing</p>	<p>1. Small-scale fisheries:</p> <ul style="list-style-type: none"> -Gillnet MS 2.5 cm -Using light luring light<10 lamps -Indo-Pacific mackerel gill net, net mesh <300 -Crab trap bottom net mesh <2.5 in and number of trap <200 -Number of big fin reef squid trap <150 Light luring squid cast net, dynamo <5 KW Number of crab trap<300 Number of net for shrimp gill net <60 Net length of Crab gillnet and <i>Rastrelliger net</i> <3000 m Octopus trap <2000 number <p>2. All push net including Sergestid shrimp PN are prohibited except for manual fishing.</p> <p>No need to specify type of gear All types of gear have to register</p> <p>Tax should be considered at a fair rate</p> <p>Can fish whole year</p>	<p>Establishment of control center</p> <p>Small-scale fishers participated in control and enforcement</p>
33	<p>Small-scale fishers have to record quantity of catch by fishing area and keeping the record for official to inspect.</p>	<p>Record of catch data</p>	<p>Fisher record in detail about quantity, species group, fishing ground, sailing etc.</p> <p>Fisher is not familiar to record catch and so on. Fisheries is to diversify and low quantity for each</p>	

71	<p>Minister or Province Fisheries Committee can issue Notification to prohibit:</p> <ul style="list-style-type: none"> -Fishing gear, fishing area, boat size, and other condition for fishing, -Define for accidental fish, -Area for existing Small-Scale Fisheries 	<ul style="list-style-type: none"> -Define for Conservation and coastal zone, -Promote local participation on policy making. <p>Push net fishing is still found</p> <p>Falling survey of fishing boat</p> <p>Could not transfer license</p> <p>No price guarantee for small scale fisheries</p>	<p>1.Establish community conservation area under law and legal condition,</p> <ul style="list-style-type: none"> - Define community conservation zone Under law and legal condition, -Promote local community to participate in the Province Fisheries Committee, -Define local volunteer and alternatives, -Promote local community reserved area by making habitat -Promote local community in resource enhancement by establishing crab bank, squid bank and shell bank, -Fisheries Conservation course for training local young students. -Low confidence to use data for management (weak data) <p>Effective enforcement</p> <p>Find the way to make register legally</p> <p>Request to transferring license</p> <p>Considering for fair fish price for small-scale fisheries</p>	<ul style="list-style-type: none"> -Establishment for spawning area -Limit fishing gear to protect spawning ground -Limiting fishing area for resource enhancement e.g. crab bank, fish enhancing area
Other issues	<p>Officials</p> <p>Trawl Fisheries</p> <p>Small size fish capture</p>	<p>Practical work of officials</p> <p>Area for trawl fisheries</p> <p>Capture of small sized crab</p>	<ul style="list-style-type: none"> -Effectively enforce illegal fishing, -Official has strong law and enforcement knowledge, -Evaluate the official works. <p>Limit trawl fishing to</p>	

	Fishing gear	Using light to lure fish	outside 7 nm Control to no catch of small size crab Consider the effect to small sized fish catch using light to lure fish	
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Agenda

A Conference for Fisheries Knowledge and Fisheries Acts 2015 Provision to Local Small-Scale Fishers in Southern Gulf Provinces

(REBYC-II CTI; GCP /RAS/269/GFF)

Roi Koh Resort and Spa Hotel in Surat Thani

29-31 August 2016

29 August 2016

16.00-18.30 hr Registration at hotel

30 August 2016

08:00-09:00 hr Registration

09:00-09:15 hr Open the meeting (Dr. Chumphol Sanguansin, Secretary of the Agriculture and Cooperatives Committee) welcome and presided over the conference

09:15-10.15 hr Mr. Bancha Sookkiew, the Choburi Province Fisheries Official presented the Royal Fisheries Ordinance B.E. 2558 and matters related to small scale fisheries

10.15-10.30 hr Refreshment

10.30-11.30 hr Mr. Bancha Sookkiew, the Choburi Province Fisheries Official presented the Royal Fisheries Ordinance B.E. 2558 and related to small scale fisheries (continued)

11.30-12.30 hr Mr. Suchart Sangchan, National Project Coordinator
The objectives of the project (REBYC-II CTI; GCP/RAS/269/GFF) "Strategies for trawl fisheries and bycatch management".

12.30-13.30 hr Lunch

13.30-15.15 hr Open Discussion: Brainstorming from fishers (4 groups)

15.15 – 15.30 hr Refreshment

15.30-16.30 hr Group presentation and conclusion

16.45 hr Closure of the conference (Dr. Chumphol Sanguansin)

31 August 2016

Travel back home