Regional Plan of Action (RPOA)

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



Summary Report

The 9th RPOA-IUU Coordination Committee Meetting

Bangkok-Thailand, 22- 24 November 2016

Opening Speech Host

"Regional cooperation will help enhance effectiveness and stringency of conservation and management measures including promotion of responsible fishing to combat IUU Fishing, which resulting in the sustainability of fisheries resources utilization."



Dr. Chumnarn Pongsri
Director of the Fisheries Foreign Affairs Division, Department of Fisheries, Thailand

Opening Session

The 9th Regional Plan of Action to Promote Responsible Fishing Practices including Combating IUU Fishing in the Southeast Asia Region (RPOA-IUU) Coordination Committee Meeting was attended by 8 (eight) RPOA-IUU participating countries (namely Australia, Cambodia, Indonesia, Malaysia, Papua New Guinea, Singapore, Thailand, and Viet Nam). Brunei Darussalam, Philippines and Timor Leste were unable to attend the meeting. The Southeast Asian Fisheries Development Centre (SEAFDEC) also attended the meeting as an Advisory Body to the RPOA-IUU. The lists of RPOA-IUU Coordination Committee are shown at Annex 1, and the list of participants who attended the meeting is in Annex 2.

Dr. Chumnarn Pongsri, Director of the Fisheries Foreign Affairs Division, Department of Fisheries, Thailand, delivered opening remarks on behalf of the Goverment of Thailand. He stated it was an honor for Thailand to host the 9th RPOA-IUU Coordination Committee Meeting, and conveyed a very warm welcome to RPOA-IUU Representatives and all Delegates to the Meeting. He reminded delegates of the aim's of RPOA-IUU, namely strengthening regional cooperation on conservation and management of fisheries resources to ensure the sustainable utilization of fisheries resources in particular of which in the area of South China Sea, Sulu - Sulawesi Seas and Sub-Regional Arafura - Timor Seas. He emphasized that the RPOA-IUU was established through mutual consent and emphasized that illegal fishing and overexploitation contributes to the severe depletion of fish stocks and fisheries resources must be sustainably managed as well as responsible fishing practices must be seriously encouraged. Dr. Pongsri stated that Thailand had new paradigm on fisheries, and in line with the international laws and regulations, Thailand has developed the National Plan of Action to Prevent, Deter and Eliminate IUU Fishing 2015-2019 (NPOA-IUU), as guideline on practice in combating IUU Fishing, including to improve tracebility and monitoring, control and surveillance system. Moreover, he stated that Port in and Port out Control Centers were established along with the development of a Vessel Monitoring System (VMS) for monitoring and controlling the Thai fishing vessels both in the Thai waters and overseas.

Dr Pongsri reminded participants that regional cooperation will help enhance effectiveness and stringency of conservation and management measures including promotion of responsible fishing to combat IUU Fishing, which resulting in the sustainability of fisheries resources utilization.
Dr. Pongsri declared the meeting was opened, he wish all participants had fruitful Meeting and hope that will have a pleasant stay in Thailand.

The full text of Mr. Chumnarn Pongsri's speech is in **Annex 3**.
The meeting was co-chaired by Mr. Kieran Macdonell, Director, Governance and High Seas Fisheries, Department of Agriculture and Water Resources, Australia, and Dr. Suseno Sukoyono, Ministry Expert Staff of Society and Relation Partnership, Ministry of Marine Affairs and Fisheries, Republic of Indonesia.

Introduction

Background of The Meeting

Mr. Ahmad Fidaus, on behalf of the RPOA-IUU Secretariat, extended sincere gratitude to the Government of Thailand for their hospitality in hosting the 9th RPOA-IUU Coordination Commite Meeting. He also extend warmest welcome to all delegates of RPOA-IUU participating countries. He thanked delegates and advisory bodies for the communication and cooperation and reaffirmed the Secretariat's commitment to continue support the work of the RPOA-IUU.
Mr. Topan Renyaan, RPOA-IUU Secretariat Member, highlighted and delivered a brief introduction and outlined the purpose of the 9th RPOA-IUU Coordination Committee Meeting. The background of the meeting presentation are in **Annex 4**.

Adoption of Agenda

The draft agenda was adopted.

Regional Outlook and Priorities

Mr. David Brown, FAO Regional Fisheries Adviser (interm), FAO Regional Office Asia and Pacific, delivered a presentation on international developments in fisheries management and combating IUU fishing. He highlighted that 10-12 % of the world's population depend on fisheries and aquaculture for their food and employment. He emphasized some of the main threats to fisheries i.e.: (i) Overexploitation of the marine environment and overfishing (overcapacity, etc), (ii) Environmental degradation of aquatic and coastal habitats, (iii) Pollution and water quality, (iv) Climate variability and change, and (iv) Illegal, Unreported and Unregulated (IUU) fishing.

Dr. Brown highlighted the existing international intruments in addressing IUU fishing, such as:

- UNCLOS (1982)
- UN Fish Stocks Agreement (1995)
- FAO Code of Conduct for Responsible Fisheries (1995)
- FAO Compliance Agreement (1993)
- FAO International Plan of Action - IUU fishing (2001)
- FAO Port State Measures Agreement (2009)
- FAO Voluntary Guidelines for Flag State Performance (2014)

FAO noted that they are working with UNODC in relation to fisheries crime.
Mr. David Brown's presentation is in **Annex 5**.

Dr. Sukoyono delivered a presentation on regional priorities. He reminded delegates of the objectives of RPOA-IUU and the action which cover:

- Conservation of fisheries resources and their environment;
- Managing fishing capacity;
- Combating IUU fishing in the areas of 3 Sub-Regionals: SESCS SSS, Gulf of Thailand, and Arafura-Timor Seas.

Dr. Sukoyono highlighted the depletion of marine resources and emphasized that to combat IUU fishing, not only is Monitoring, Control and Surveillance required, but Enforcement is also required. He highlighted that successful implementation of RPOA-IUU Workplan needs strong steps i.e. (i) goal measures, (ii) financial commitment, (iii) colaborative approach, and (iv) capacity building.

Dr. Suseno Sukoyono's presentation is in **Annex 6.**
Based on these discussions, delegates noted:

- The FAO is proposing an umbrella funding program to support implementation of the Port State Measures Agreement and complementary instruments, including the Voluntary guidelines for Flag State Performance, to combat IUU fishing.
- Maintaining a collaborative approach in this region is very important.
- MCS activities need to be supported by effective enforcement measures.
- The RPOA-IUU should work closely with relevant regional and advisory bodies to minimise duplication of efforts and ensure a consistent approach to combating IUU fishing.

The Global fishing record is an important tool for ensuring effective port State control. There are potential overlaps between the ASEAN Regional Record and the broader FAO Global Record of Vessels, and it will be important to ensure the systems are compatible. Key Outcome: The RPOA Secretariat was encouraged to work with the FAO and other relevant agencies to help coordinate Port State Measures capacity building activities in the region.

Presentation of Report

RPOA-IUU Secretariat

Mr. Topan Renyaan from the RPOA-IUU Secretariat presented the RPOA-IUU Secretariat report. He reminded participants of the core essence of the RPOA-IUU endorsed in 4 May 2007 at Bali. He highlighted (i) the implementation progress of RPOA-IUU in 2007-2015, and (ii) role and strategic position of RPOA-IUU. The RPOA-IUU Secretariat proposed several initiatives and activites for consideration by the RPOA-IUU Coordination Committee, the proposed activities will be presented at next day of meeting agenda.
The RPOA-IUU Secretariat presentations are in **Annex 7**.

RPOA-IUU Participation Countries

Each RPOA-IUU participating country provided a brief presentation on their progress implementing the RPOA-IUU work plan 2015-16. Overall, the key activities included:

- Continued development of the legal, administrative and policy frameworks consistent with international instruments;
- Development and implementation of National Plans of Action-IUU Fishing;
- The commitment and collaboration among RPOA-IUU participating countries in combating IUU Fishing;
- Continued engagement and strengthening of regional/international cooperation;

Furthermore, the meeting noted recommendation proposed by countries as follow:

- To engage with possible foreign donors/ institutions/ organizations to secure funding in view to implement capacity building vital for the RPOA-IUU;
- To consider increasing membership of the RPOA-IUU so as to broaden networking;
- More consultation needs for collaborative efforts.

The countries presentations and reports are in **Annex 8**.
Key Outcomes:
"All countries are to submit their written progress report for 2015-2016 to the Secretariat by mid December 2016."

RPOA-IUU MCS Sub-Regional Groups

The three sub-regional MCS groups reported on their activities and key issues.

Gulf of Thailand

(Thailand, Vietnam, Cambodia and Malaysia)

Mr. Kamonpan Awaiwanont, Senior Fisheries Biologist, Marine Fisheries Research and Development Division, Department of Fisheries, Thailand, presented the progress of the Gulf of Thailand sub-region. He emphasized the continued effort to combat illegal fishing, MCS network building, port monitoring, management of fishing capacity as well as on the importance to monitoring trans-boundary stocks and to protect important habitats. Progress has been made during 2014, 2015 and 2016 with the involvement of Gulf of Thailand countries, both in terms of (i) bilateral dialogue meetings, (ii) priority species of Anchovies, Mackerels and Blue Swimming Crabs, (iii) RPOA-Neritic Tuna, (iv) MCS Network, (v) comparative studies on national laws and regulations, and (vi) RPOA-Fishing Capacity.
The 6th meeting of the Subregional Gulf of Thailand will be held in January/February 2017 in Thailand.

Southern and Eastern Area of the South China Sea and Sulu-Sulawesi Seas

(Indonesia, Brunei Darussalam, Malaysia, and the Philippines)

Mr. Rahman, Head of International Section, Department of Fisheries Malaysia, reported that the sub group did not convene a meeting in 2016. As the outcome of the 6th sub-regional meeting on Southern and Eastern Area of the South China Sea and Sulu-Sulawesi Seas which was held in Yogyakarta-Indonesia, 22-23 April 2015, it was agreed Philippines will be host the meeting. Malaysia, as sub group secretariat will communicate to the Phillipines concerning the next meeting arrangement. Mr. Rahman informed that sub group has developed draft Term of Referrence (TOR) which will be disscussed at the next meeting.

Summary

"The 7th meeting of the Subregional Arafura-Timor Seas will be held in the first quarter of 2017 in Papua New Guinea."



Arafura Timor Seas

(Australia, Indonesia, Papua New Guinea and Timor Leste)

Mr. Andrew Browne, Acting Manager of International Compliance Operations, Australian Fisheries Management Authority, presented the progress of the Sub Group including the MCS Workplan 2016/2017. The 2016 work plan involved participating countries pursuing flag state responsibility consisting of (i) representations to be made to flag states on identified IUU activity (where the coastal state is unable to take action), (ii) continue sharing information (sightings/license status) and (iii) collate evidence packs where IUU fishing is identified. Cooperative Operations have also been a focus of the 2015 work plan. The sub regional group shared data and information gathered by aerial surveillance, such as the significant use of Fish Aggregation Devices.
Indonesia is proposing joint patrol with all four members of Sub Group.
The 7th meeting of the Subregional Arafura-Timor Seas will be held in the first quarter of 2017 in Papua New Guinea.
In relation to the priorities of MCS Sub groups, Members noted the importance of ascertaining the nationality of vessels before formally reporting an increase in IUU fishing by any particular country.
The MCS sub group presentations are at **Annex 9**.

RPOA-IUU Advisory Bodies/Partners:

- SEAFDEC

Mr. Somboon Siriraksophon, Policy and Program Coordinator, SEAFDEC, emphasized the key issue on the implementation of RPOA-IUU which covers Current resource and management situation, Implementation of International and Regional instruments, Port State Measures, Regional Market Measures, Regional Capacity Building and Strengthening MCS System. Several initiatives to support those key/core elements has been implemented by SEAFDEC such as supporting AMS in Developing the NPOA-IUU, NPOA-Capacity, encouraging AMS in sharing of fishing vessels information via the establishment of the Regional Fishing Vessels Record (RFVR), developing the ASEAN Catch Documentation Scheme (ACDS) to enhance the traceability of capture fisheries as well as support the Implementation of PSM. These initiatives will continue to be implemented around the region.
SEAFDEC's presentation is in **Annex 10.**

- FAO-APFIC

Mr. David Brown, FAO Regional Fisheires Adviser (interim), FAO Regional Office Asia and Pasific, emphasized FAO action at global level, as follow:

- FAO encourages states to become parties to the agreement
  - Model agreements
  - Analysis of governance frameworks/policy law
- Ongoing actions include
  - Capacity development
  - Support to review governance frameworks
  - Partnership development

Mr. Brown conveyed that FAO also providing support to regional cooperation (such as: UNODC, SEAFDEC, and RFMOs) in providing technical guidelines, technical advice, and capacity development.
FAO-APFIC's presentation is in **Annex 11.**

Observers

National Oceanic and Atmospheric Administration (NOAA)

Mr. Todd Dubois, Assistant Director for Enforcement Operations, NOAA-Office of Law Enforcement, presented the implementation of Port State Measures (PSM) Agreement from an operational law enforcement perspective. He highlighted key obligation of the PSM Agreement implementation, as follow:

- Designation of ports and Advance Notice of Arrival (ANOA)
  Inspections
- Denial of entry into port & access to port services
- Flag State control
- Information sharing
- Capacity building



Key Outcome

The RPOA Secretariat was encouraged to work with the FAO and other relevant agencies to help coordinate Port State Measures capacity building activities in the region.

Mr. Dubois conveyed that NOAA- Office of Law Enforcement has developed a "module based" training curriculum and delivered "pilot" training in (i) American Samoa, (ii) Guam, and (iii) Indonesia, with the key area of PSM Agreement training focus on:

- PSM Agreement Overview
- Analysis of Advance Notice of Arrival (ANOA)
- Thorough Inspections including "mock boardings"
- RFMO Requirements
- Comparing Sources of Information and Records
- Evidence collection and documentation
- Denial of entry into port and access to port services
- Information sharing

Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR)

Mr. Jim Neely, Manager, Foreign Compliance Policy, AFMA, on behalf of CCAMLR expressed appreciation for the invitation to attend as observer at the 9th RPOA-IUU Coordination Committee Meeting. Mr Adriam Lim, Singapore also noted Singapore's experience in participating in the Scheme.
The CCAMLR Catch Documentation Scheme for Toothfish was established in accordance with Conservation Measure 10-05 and implemented in May 2000. Electronic CDS (e-CDS) started in 2003 and became mandatory in 2010 includes toothfish caught outside the Convention Area. Moreover, Mr. Neely emphasized the Catch Documentation Scheme which covers:

- Identify the origins of Dissostichus spp. entering the markets of Contracting Parties and cooperating non-Contracting Parties;
- Track the harvest, transhipment, landings, export and re-export of Dissostichus spp;
- Determine whether Dissostichus spp. harvested in the Convention Area was caught in a manner consistent with CCAMLR conservation measures;
- To address concerns of IUU fishing relating to the threat of serious depletion of Dissostichus spp. populations, by-catch of Antarctic species and the undermining of CCAMLR Cms;
- To promote the cooperation between CCAMLR and NCPs in respect of the voluntary implementation of the CDS.

Mr. Neely and Mr Lim requested, with support from the Secretariat of CCAMLR and RPOA-IUU, countries (particularly: Brunei Darussalam, Cambodia, Indonesia, Malaysia, Philippines, Thailand, and Vietnam) to (i) consider cooperating with CCAMLR through the voluntary implementation of the CCAMLR Catch Documentation Scheme, (ii) provide contact details for officials for the exchange of information with CCAMLR, and (iii) Nominate 2 (two) participants (or an agency to communicate with) to attend a proposed CCAMLR CDS Workshop in 2017. These actions were added to the 2017 Workplan.
The Observers' presentations are in **Annex 12**.



RPOA-IUU Issues for Consideration / Endorsement

"Secretariat to circulate the amended Joint Statement to Members; Members to seek approval of the Joint Statement by their governments; Members to agree out of session on the process for endorsing/signing the Joint Statement."

RPOA-IUU Issues: for Consideration/Endorsement

Re-Calling commitment of RPOA-IUU Participating Countries

The RPOA-IUU Secretariat provided an introduction to this item and noted a draft Joint Statement was circulated prior to the meeting. The meeting provided comments and input as follows:

- Members indicated their appreciation for the Secretariat's proposal on a renewed Joint Statement of commitment to the RPOA and highlighted the benefits of the proposal which include reaffirming commitment to collaborate to combat IUU fishing and raising the profile of the RPOA-IUU within Members' respective governments.
- All members present at the meeting indicated in-principle support for the draft Joint Statement, but noted some minor amendments were necessary before the draft could be circulated more broadly within members' respective government agencies for further scrutiny in accordance with domestic processes and procedures.
- Key amendments were made during the meeting, and the Secretariat agreed to circulate the amended draft to all Members to seek approval within their governments.

Key Outcome: Secretariat to circulate the amended Joint Statement to Members; Members to seek approval of the Joint Statement by their governments; Members to agree out of session on the process for endorsing/signing the Joint Statement.

The draft Joint Statement is in **Annex 13.**

NPOA-IUU review

Noting the importance of the adoption and implementation of NPOA-IUU, the Secretariat proposed a workshop to discuss the progress of Members in developing and implementing an NPOA-IUU.

Members agreed that in conjunction with a possible meeting to finalize the Joint Statement, the Secretariat may conduct a workshop to review the adoption and implementation of NPOA-IUU by RPOA-IUU participating countries in 2017.

NPOA-IUU presentation is in **Annex 14**.

TOR Workshop and Inspector Training for Implementation of the Port State Measures Agreement

RPOA-IUU Secretariat to present the collaboration between RPOA-IUU Secretariat and NOAA-OLE in facilitated and sponsoring Inspector Training for the Implementation of the Port State Measures. The RPOA-IUU Secretariat is providing opportunity for RPOA-IUU Participating Countries in conducting Port State Measures Training with the support from NOAA Office of Law Enforcement.

Members acknowledged the work done between Indonesia and NOAA in the development of curriculum for Inspectors to implement Port State Measures.

Members also acknowledged NOAA's ongoing commitment to continue to provide support in this area.

TOR Workshop and Inspector Training are in **Annex 15.**



Key Outcome

The RPOA secretariat will write to the governments of Papua New Guinea and Timor-Leste to enquire about their capacity to host the 2017 and 2018 RPOA meetings respectively.

Stateless vessels resolution

Australia introduced this item and noted that: the draft resolution aims to address the impact of vessels without nationality operating in the RPOA region; the draft resolution encourages Members to take effective action against stateless vessels in accordance with international law; the draft resolution is consistent with similar resolutions already adopted in RFMOs and the United Nations General Assembly; the draft resolution is non-binding.

Australia thanked those members who had already provided comments on the draft resolution (namely Singapore, Thailand and Viet Nam).

Members provided in principle support for the draft resolution, but noted some amendments were required to: reference the Port State Measures Agreement; clarify whether the resolution applies to support vessels; and remove references to "Southeast Asia". . Members also highlighted the need to allow sufficient time to circulate the resolution to their respective legal teams before the text could be finalised.

Key Outcome: Australia agreed to update the draft stateless vessels resolution and circulate to members to finalise out of session in 2017.

The stateless vessel resolution is in **Annex 16.**

2015-2016 RPOA-IUU Work Plan-Progress and further priorities

The meeting reviewed progress of the implementation of the 2015-16 RPOA-IUU workplan. The outcome of this discussion is in **Annex 17**.

Indonesia and Thailand informed on the Meeting that they have banned Transhipment at sea in their territorial waters and EEZ.

Development of the 2016-2017 RPOA-IUU Work Plan

Building on (i) the progress of the 2015-2016 RPOA-IUU Workplan, (ii) presentation from RPOA-IUU Advisory Bodies and Observer's, and (iii) regional outlook and priorities, the meeting identified and consider the priorities for 2017. Members endorsed the 2017 RPOA-IUU Workplan as appears in **Annex 18**.

Key Outcome: all countries are to submit their 2017 written progress report to the Secretariat at least four weeks prior to the 2017 Coordination Committee meeting.

Other Business

Members further discussed the proposed Joint Statement of commitment to the RPOA. Outcomes of this discussion are recorded under agenda item 5.1

Next Meeting

Hosts for the next two meetings will be considered out of session.

Key outcome: The RPOA secretariat will write to the governments of Papua New Guinea and Timor-Leste to enquire about their capacity to host the 2017 and 2018 RPOA meetings respectively.

Closing Session

Dr. Pongsri, on behalf of the Department of Fisheries, Thailand, expressed sincere appreciation to RPOA-IUU Secretariat and officials from the Department of Fisheries, Thailand for their kind cooperation and hard working in order to make the meeting happen.

He wished to proclaim that combating IUU Fishing and addressing related matters are among the top priority and need full cooperation to deal with the issues. He recognized that implementation of measures toward combating IUU Fishing is not an easy task, and would continue to exert large extent of efforts and inputs, especially in terms of legal frameworks, supportive systems throughout the whole supply chain.

He also rrecognized that fisheries is the sector that largely contribute to food security, livelihood and economic development of region. It is therefore our obligation to make sure that fishing activities are conducted in ways that lead to resource sustainability, food safety and fair treatment of people engaged in the activities. He truly believed that RPOA-IUU will help alleviatee even eliminate IUU Fishing in the region.

He wished all participants have a safe journey back to home city, and he declared the meeting was closed.