

REPORT



THE REGIONAL CORE EXPERT MEETING ON PREVENTING
EXPORT OF IUU FISHING PRODUCTS IN SOUTHEAST ASIA

20 - 22 November 2012



**SOUTHEAST ASIAN FISHERIES DEVELOPMENT CENTER
MARINE FISHERY RESOURCES DEVELOPMENT AND
MANAGEMENT DEPARTMENT**

REPORT

THE REGIONAL CORE EXPERT MEETING ON PREVENTING
EXPORT OF IUU FISHING PRODUCTS IN SOUTHEAST ASIA

20 - 22 November 2012, Sepang, Selangor, Malaysia

Prepared by
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MARINE FISHERY RESOURCES DEVELOPMENT AND
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Report of the regional core expert meeting on preventing expert of IUU fishing products in Southeast Asia : 20 - 22 November 2012

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REPORT OF THE REGIONAL CORE EXPERT MEETING ON "PREVENTING EXPORT OF IUU FISHING PRODUCTS IN SOUTHEAST ASIA"

Sepang, Selangor, Malaysia
20 - 22 November 2012

I. INTRODUCTION

1. The Regional Core Expert Meeting on Preventing Export of IUU Fishing Products in Southeast Asia was organized by SEAFDEC/MFRDMD in Sepang, Selangor Malaysia from 20 to 22 November 2012. The meeting was attended by the representatives from Brunei Darussalam, Cambodia, Lao PDR, Malaysia, Myanmar, Thailand and Vietnam as well as the Deputy Secretary General of SEAFDEC, the representatives from SEAFDEC/Sec and SEAFDEC/TD, the invited Resource Person from Japan and the Chief, Deputy Chief and officers from SEAFDEC/MFRDMD. The meeting was also attended by observers from the Department of Fisheries Malaysia, Fisheries Development Authorities Malaysia (LKIM) and Malaysian Quarantine and Inspection Services (MAQIS). The list of participants, resource person, observers and SEAFDEC officers appears as **Annex 1**.

II. OPENING OF THE MEETING

2. The Project Coordinator, Mr. Abdul Razak Latun of SEAFDEC/MFRDMD welcomed the participants and thanked them for attending the meeting. He informed the meeting that due to unforeseen circumstances, Indonesia, Japan, the Philippines and Singapore were not able to send representatives to this meeting.

3. The meeting was officially opened by the Deputy Secretary General of SEAFDEC, Mr. Kenji Matsumoto. He highlighted that IUU fishing is a big problem worldwide, addressing such concern is a great challenge for the Southeast Asian countries and SEAFDEC. He also recognized that many countries in the region had been exerting much effort to adopt the various measures initiated by many organizations in combating IUU fishing. Since 2011, the project which is funded by the Japanese Trust Fund has stressed the need to prevent IUU fishing and its products from being exported. The task ahead is gigantic, but can be accomplished through a step-by-step process, in order to eventually come up with the desired guidelines for preventing IUU fish and fishery products of the region from being exported. The Deputy Secretary General's Opening Address appears as **Annex 2**.

III. OVERVIEW OF THE PROGRAM AND PLAN OF ACTIVITY

4. The Chairperson, Ms. Mahyam Mohd. Isa (Chief of MFRDMD) introduced the Provisional Agenda as proposed by the meeting secretariat. The proposed agenda was adopted after some clarification on certain items of the agenda.

5. Mr. Abdul Razak Latun, the Project Coordinator presented an overview of the JTF II Project entitled Preventing Export of IUU Fishing Products. He highlighted the activities conducted under the project. In 2011, information on the export of fish and fishery products by SEAFDEC member countries were gathered and a regional core expert meeting was co-organized in Bangkok with SEAFDEC/TD. While in 2012, information gathering on issues, processes and procedures for exporting fish and fishery products were undertaken through country visits and feedback from questionnaires sent to SEAFDEC member countries. The meeting viewed that some of the export values presented were most likely underestimated. The overview appears as Annex 3.

IV. PRESENTATION ON REGIONAL ANALYSIS OF FEEDBACK FROM QUESTIONNAIRES

6. Mr. Abu Talib Ahmad, the Special Departmental Coordinator for SEAFDEC/MFRDMD presented to the meeting the regional analysis of the existing laws and regulations for combating IUU fishing and status of NPOA-IUU fishing in SEAFDEC member countries. The analysis on the existing laws and regulations was divided into seven categories, based on international and regional instruments/agreements that are relevant for responsible fisheries management. The present status of NPOA-IUU Fishing in SEAFDEC member countries was also presented. The meeting commented that the analysis on the existing laws and regulations do not reflect the latest status in some countries such as Brunei Darussalam, Myanmar and Vietnam. Therefore there is a need to update the information once it is available. The presentation appears as Annex 4.

7. The Pre-requirements for Export of Fish and Fishery Products was presented by Mr. Abdul Razak Latun. The pre-requirements for export of fish and fishery products to EU which require country to have approved export establishments were highlighted in the presentation. The pre-requirements addressed the legality, hygiene and food safety issues. The representative from the Fisheries Development Authority of Malaysia provided further explanation on the validation process along the supply chain of the fishery products. The presentation appears as Annex 5.

8. The Requirements and SOPs for Export of Fish and Fishery Products was presented by Ms. Mazalina Ali, the Research Officer of SEAFDEC/MFRDMD. The requirements of the four export categories range from catch certificate, hygiene on board certification, HACCP, Country of Origin (CoO) and Health certificate were highlighted in the presentation. The four export categories are Direct Export, Indirect Export, Import and Re-export, and Import, Process and Re-export. An analysis on the current status of

requirements for export and re-export of fish and fishery products for each category was presented. The Standard Operating Procedures (SOPs) for each category by country were also elaborated. Responding to the meeting requests, further explanation on the SOPs for Export of Fish and Fishery Products was provided. The presentation appears as **Annex 6**.

9. The IUU Fishing Awareness and Identification of IUU Fishing Products in SEAFDEC member countries was presented by Ms. Noorul Azliana Jamaludin, the Research Officer of SEAFDEC/MFRDMD. The presentation was divided into two sub-sections which are awareness on IUU fishing and the four requirements that can be used to identify IUU fishing products. The four requirements are fishing vessel license/registration, fishing gear license/registration, designated fishing area or catch area and systematic data collection. From the analysis, all member countries are aware of preventing IUU fish and fisheries products as a means of combating IUU fishing but the compliance levels vary. The four requirements can be used to identify IUU fishing products for commercial/large scale fishery but perhaps not for small scale fishery. The meeting questioned on the consistency of the five levels of awareness provided in the questionnaires where legal status was only mentioned in one of them. Further explanations on the meaning of fully, partly and did not comply are needed. The presentation appears as **Annex 7**.

10. Brunei Darussalam requested their feedbacks to the questionnaires to be included in the final report of the project. In Cambodia, not 100% of the medium and large sizes fishing vessels comply with the Fisheries Law for combating IUU fishing in the Exclusive Economic Zone (EEZ). Therefore there is the need to distribute Fisheries Law booklets to promote awareness for better compliance. Fish and fishery products of Lao PDR were not exported. Representative from Lao PDR also reported that since 2009, fisheries statistic, community based management and activities in combating IUU in the country have improved. Malaysia has already implemented the EC Catch Certification and revision on the existing legal instruments is at the final stage. The representative from Thailand concerned about the small scale fisheries and stressed the need to use information technology to assist in the reporting requirement. He also suggested for a better price of fish as an incentive to encourage landing declaration using logbook system. Vietnam mentioned the need to have effective MCS system and sufficient number of landing inspectors to combat IUU fishing.

V. IUU FISHING IN SOUTHEAST ASIA AND OTHER REGIONS

11. The presentation entitled "Promotion of Fishing License, Boats Registration and Port State Measures Project" was presented by Mr. Bundit Chokesanguan, Head of Information and Training Division of SEAFDEC/TD. The presentation highlighted the activities conducted from 2011 to 2012 and also the upcoming project activities from 2013 to 2017 entitled "Promotion of Counter Measures to Reduce IUU Fishing". The presentation appears as **Annex 8**.

12. Dr. Somboon Siriraksophon, Policy and Program Coordinator of SEAFDEC/Secretariat presented outcome from the Assessment on Impacts of IUU Fishing and EC-Regulation 1005/2008 on Small Scale Fisheries (SSF) in the Southeast Region

Workshop held in October 2012 at Nha Trang, Vietnam. The presentation highlighted the impact of the regulation on the aspects of economy, social and environment to the small scale fisheries. In term of economic impacts, the regulation could lead to competition in fish trade among the Southeast Asian countries. Socially the regulation could affect the provision of facilities or services particularly on developed administrations as well as the levels of skills and education. Regarding the environmental impacts, the regulation will lead to changes in the financial costs, environmental and health impacts of waste management and the appearance of the landscape or townscape. He also highlighted the seven issues that ASEAN member countries need to consider and improved when implementing the EC-Regulation 1005/2008. The issues are Policy, Legal and Management Frameworks; Monitoring Control and Surveillance; Port State Controls; Flag State Controls; Market State Controls; Catch Certification Scheme (CCS); and Artisanal Sector. He stated that the three key issues covered under the Strategic Plan of Action (SPA) for Small Scale Fisheries are simplify and harmonize CCS; cooperation among agencies and between country; and capacity building. His presentation appears as Annex 9.

13. The resource person, Dr. Nobuyuki Yagi from the University of Tokyo, Japan, presented "Japan's Exports in Fisheries Products to EU Countries and Challenges on New Catch Certification Requirement on IUU Fishing". The presentation highlighted relatively less importance of EU as export market for Japan's fishery products. Japan exported pearl and scallop directly to EU whilst skipjack tuna, mackerel, salmon, Alaska pollock and squid were exported to EU via Thailand, Vietnam and China. Actual fisheries management measures in Japan include limited entry system, technical control (vessel size, engine power, gears, areas, seasons) and Total Allowable Catch (TAC). However TAC only applies to seven species that represent 35% of the total landing volume. For the TAC species, quota allocation for the industry group exists but without Individual Quota (IQ) or Individual Transferable Quota (ITQ). Non-TAC species were subjected to self-imposed co-management, with catch quota implemented in some cases. From 2010, Japanese rule for "non-IUU" catch certificate for products exported to EU includes among other company validation and trans-shipment at sea or port. However, these two information categories are not required for small scale vessels (less than 20 (or 12) gross tons or 12 (or 8) meters) under special treatment. He also highlighted some challenges faced by Japan regarding HACCP include Ministry of Health, Labor and Welfare (MHLW) set high priority for national food safety and is not mandated for export promotion. Local officials are not familiar with fishery operations, unsympathetic towards fishers or processors and lack of expertise. As a whole Japanese officials are risk adverse (successful activities are not properly compensated but failures are severely punished) and the endless procedures implied no sense of 'time value for money'. His presentation details appear as Annex 10.

14. Dr. Masaya Katoh, the Deputy Chief of SEAFDEC/MFRDMD presented Future Project Activities entitled "Combating IUU Fishing in the Southeast Asia Region through Application of Catch Certification of International Trade in Fish and Fishery Products". The presentation highlighted three main project activities and the expected final goals of the project. The final goals include suggestion of possible catch certification system for large and small scale fisheries to ensure only non-IUU or legal fish and fishery products are traded in the

region and improve cooperation among member countries to combat IUU fishing. The presentation appears as **Annex 11**.

VI. FORMAT OF DRAFT REGIONAL GUIDELINE

15. The proposed outline of the draft regional guideline for Preventing Export of IUU Fishing Products was presented by the Project Coordinator, Mr Abdul Razak Latun. The proposed draft outline was discussed and revised in the plenary session and the outcome was further discussed during the group discussion. The format appears as **Annex 12**.

VII. GROUP DISCUSSION ON FORMULATION OF DRAFT REGIONAL GUIDELINE AND OUTPUT PRESENTATION

16. The participants were divided into two groups and the outcome from the group discussions were presented in the plenary session. The combined draft of regional guideline from the two groups' discussions entitled "Draft of Regional Guidelines for Preventing Landing, Export and Import of IUU Fish and Fishery Products" appears as **Annex 13**.

VIII. CONCLUSION AND FOLLOW-UP ACTIONS

17. The meeting also finalised the follow-up actions to be undertaken to come out with the Regional Guideline. The existing mechanism under SEAFDEC (RTC, FCG/ASSP, RAC, and Council Meeting) and ASEAN (ASWGF_i) will be utilised. The list of mechanisms and follow-up actions are tabulated as below:

No.	Existing mechanisms	Timeframe
1.	Regional Technical Consultation (RTC)	2013
2.	Stakeholders consultation (respective country)	2013
3.	RTC on international related issues	2013
4.	Fisheries Consultative Group / ASEAN-SEAFDEC Strategic Partnership (FCG/ASSP)	2014
5.	Establish consultation through Regional Advisory Council (RAC)	2014
6.	Council Director meeting	2015
7.	ASEAN Strategic Working Group on Fisheries (ASWGF _i)	2015
Follow-up Actions		
1.	To review the CDS developed by RFMOs	
2.	Intend to develop regional CDS to be used in the region	
3.	Develop database for the region listing of positive and blacklist vessel	
4.	Sharing of information on vessel records	

IX. ADOPTION OF REPORT

18. The report of the Core Expert Meeting on 'Preventing Export of IUU Fishing Products' in Southeast Asia was adopted on 22 November 2012.

X. CLOSING SESSION

19. Ms. Mahyam Mohd Isa, the Chief of SEAFDEC/MFRDMD, expressed her sincere appreciation to everyone for their cooperation and active participation during the meeting. She then thanked all the members of the secretariat for making this meeting a success. Lastly, Chief wished everyone a safe journey home. She then declared the meeting closed.



**THE CORE EXPERT MEETING
ON "PREVENTING EXPORT OF IUU FISHING PRODUCTS
IN SOUTHEAST ASIA" (JAPANESE TRUST FUND II)**

Date: 20 – 22 November 2012

Venue: Concorde Inn KLIA, Sepang, Selangor, Malaysia

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OPENING ADDRESS

Mr. Kenji Matsumoto

SEAFDEC Deputy Secretary General & Deputy Chief of the Training Department

Regional Core Experts Meeting on

Preventing Export of IUU Fish and Fishery Products in Southeast Asia

20 - 22 November 2012, Sepang, Selangor, Malaysia

Ms. Mahyam, Chief, MFRDMD

Dr. Katoh, Deputy Chief, MFRDMD

Dr. Yagi from Tokyo University

Distinguished representatives and experts from the SEAFDEC Member Countries;

My colleagues from SEAFDEC;

Ladies and Gentlemen, Good morning!

On behalf of SEAFDEC and the MFRDMD, it is indeed a great privilege for me to welcome you all to this Regional Core Experts Meeting on Preventing the Export of IUU Fish and Fishery Products in Southeast Asia. We are all aware that IUU fishing is a big problem worldwide therefore addressing such concern is a great challenge for the Southeast Asian countries and SEAFDEC. We also recognize that many countries in the region have been exerting much effort to adopt the various measures initiated by many organizations in combating IUU fishing.

Specifically for SEAFDEC, we have implemented starting in 2011 the project on the Promotion of Sustainable Fisheries and IUU Fishing Related Countermeasures in Southeast Asia which generally aims to assist the Member Countries in the application and implementation of IUU fishing-related countermeasures. Among others, the specific objectives of the project which is funded by the Japanese Trust Fund include the need to "prevent IUU fishing and its products from being exported" which is being addressed by SEAFDEC/MFRDMD. We must recall that the Regional Core Experts Meeting convened by SEAFDEC/TD and SEAFDEC/MFRDMD in Bangkok, Thailand in October 2011 initially discussed the ways and means of preventing the export of IUU fish and fishery products, considering that substantial volume of fish and fishery products exported from the SEAFDEC Member Countries could contain portions coming from IUU fishing activities. In this regard, the October 2011 Meeting also agreed that fisheries agencies should collaborate with customs departments to improve data collection and that formal agreements could be forged among relevant transboundary countries to make sure that the relevant data are properly recorded without possibilities of double counting. Moreover, the Meeting also suggested that the capability of concerned agencies should be upgraded especially in the areas of licensing and registration which could be a source of reliable data and information.

The task ahead of us is therefore gigantic, but we can accomplish this through a step-by-step process, in order to eventually come up with the desired guidelines for preventing IUU fish and fishery products of the region from being exported. Through this Meeting which is the next step in the process of developing the guidelines, we expect to be able to exchange experiences related to the procedures as well as the concerns in exporting fishery products from our region. Our outputs could be the harmonized information which would go into the draft guidelines. In order to achieve this objective, we are therefore seeking for your cooperation and active participation during the deliberations, and make this crucial meeting successful. With that note Ladies and Gentlemen, I now take the pleasure of declaring this important meeting open. Thank you once again and good day!

OVERVIEW OF THE PROJECT

Japanese Trust Fund II Project

Southeast Asian Fisheries Development Center (SEAFDEC)

Component Title: **Promotion of Sustainable Fisheries and IUU Fishing Related Countermeasures in the Southeast Asia**

Program Title: **PROMOTION OF FISHING LICENSE, BOATS REGISTRATION SYSTEM AND PORT STATE MEASURES**

Activity 3 : **PREVENTING EXPORT OF IUU FISHING PRODUCTS**

Responsible Department: **MFRDMD**

Countries Involved: **SEAFDEC MEMBER COUNTRIES**

Total Project Duration **2011 - 2012**

INTRODUCTION

- In line with EU initiatives, this project will seek possible way to combat IUU fishing by preventing the export of IUU fishing products by ASEAN Member Countries.
- This project address trade or market measures for combating IUU fishing

Objectives of activity 3 : Preventing export of IUU Fishing Products

- To collect information regarding export of fisheries products
- To develop draft regional guidelines to prevent IUU fish and fishery products from being exported;

2011 ACTIVITIES

- Gathering information regarding export of fisheries products
- A workshop for information gathering regarding export of fisheries products and recommendation on information required for development of regional guideline

SUMMARY OF MEASURES AND REGULATIONS FOR EXPORTING FISH & FISHERY PRODUCTS IMPLEMENTED IN SEAFDEC MEMBER COUNTRIES

	Bru	Cam	Ind	Jap	Lao	Mal	Mya	Phi	Sin	Tha	Vie
Catch certificate	-	-	Y	Y	-	Y	Y	Y	-	Y	Y
Vessel information	Y	Y	-	Y	-	Y	Y	Y	-	Y	Y
Product information	Y	Y	Y	Y	-	Y	Y	Y	-	Y	Y
Information for export declaration	Y	-	-	Y	-	Y	Y	Y	-	Y	Y
Re-export certificate	-	-	-	Y	-	Y	-	-	-	Y	Y
Transport detail	-	-	-	Y	-	Y	-	Y	-	Y	Y
Processed product information	Y	Y	Y	Y	-	Y	Y	Y	Y	Y	Y
Health certificate, HOB and SPS	-	-	Y	Y	-	Y	Y	Y	-	Y	Y

CONCLUSIONS FROM THE 2011 CORE EXPERT MEETING IN BANGKOK

- Value-adding to improve the price and marketability of the fishery products
- Health and quality regulations and standards should apply not only to marine products but also to inland and aquaculture products, in order that the products from the region could compete in the world market.
- The Meeting also suggested that the standards under the EU Regulation should be used as target (benchmark) for the countries to develop means of preventing the export of IUU fish and fishery products.

Some photos from 2011 Core Expert Meeting in Bangkok, Thailand



2012 ACTIVITIES

- Information gathering on process and procedure in trade of fish and fishery products and the regulation involved.
- Regional Core Expert Meeting in Malaysia from 20 – 22 November 2012.

Information Gathering Visit to Some SEAFDEC Member Countries



ENVISAGED OUTCOME OF THE PROGRAM FOR THE YEAR 2012

1. Information on issues, processes and procedures for exporting fish and fishery products.
2. A Draft regional guidelines to prevent IUU fishing and its products from being exported.

EXISTING LAW AND REGULATIONS ON COMBATING IUU FISHING & STATUS OF NPOA-IUU FISHING

Topics covered :

- Data collection, monitoring & research
- Vessel registration and marking
- Authorisation to fish and vessel licensing
- Coastal state authorisation to fish
- Monitoring, enforcement & surveillance
- Catch certification
- Reporting requirement
- NPOA-IUU fishing
- Coastal state authorisation to fish

1. DATA COLLECTION, MONITORING & RESEARCH

Measure	Bru	Cam	Ind	Jap	Lao	Mal	Mya	Phi	Sin	Tha	Vie
Collect data	Y	Y	Y	Y	-	Y	Y	Y	Y	Y	Y
By-catch	N	N	N	Y	-	N	N	N	Y	Y	N
Verify data	N	N	N	Y	-	Y/N	N	N	Y	Y	N
Exchange	N	Y	Y	Y	-	Y	N	N	Y	Y	N
Total Y	1	2	2	4	-	3	1	1	4	4	1

Summary:

- Japan, Philippines & Thailand has full strengths in terms of the existing Laws & regulations to collect data include by-catch, to validate & exchange with others.
 - Most MCs are lacking legislation on collecting data on By-catch & data validation.
 - Most MCs are not a member of any RFMOs or even FAO.
-
- Collect data in sufficient detail to facilitate effective stock assessment
 - Collect data on non-target species such as by-catch species and dependent species
 - Verify data through appropriate systems
 - Collect and exchange information on suspected IUU fishing in collaboration with FAO, RFMOs and other relevant arrangement, and actively participated in the International MCS network

2. VESSEL REGISTRATION AND MARKING

- Establish vessel registration systems which establish a genuine link between the State and the ship.
- Avoid flagging vessels with a history of non-compliance.
- Issue Certificates of Registry stating that the ship has the right to fly its flag.
- Develop specific requirements for new and imported vessels.
- Maintain records of fishing vessels entitled to fly their flags and authorised to be used for fishing beyond the EEZ.
- Comprehensive vessel registry, the history of compliance, in accordance with national laws, with conservation and management measures adopted at a national, regional or global level.
- Establish regulations on the marking of fishing vessels and fishing gear for identification.

Measure	Bru	Cam	Ind	Jap	Lao	Mal	Mya	Phi	Sin	Tha	Vie
Vessel registration	Y	Y	Y	Y	-	Y	Y	Y	Y	Y	Y
Avoid flagging	N	Y?	N	N	-	N	N	Y	N	Y	N
Issue certification	N	Y?	Y	Y	-	Y	Y	Y	N	Y	Y
Imported vessel	Y	N	Y	Y	-	Y	Y	Y	N	Y	Y
Maintain records	N	Y?	Y	Y	-	Y	N	Y	Y	Y	Y
Vessel compliance	N	Y	Y	Y	-	Y	Y	Y	Y	Y	Y
Marking vessels & gears	N	Y	Y	N	-	YY	Y	Y	Y	Y	Y
Total Y	2	6	6	5	-	6	5	7	4	7	6

Summary:

Vessel registration system are established in all SEAFDEC Member countries but weakened in most cases by the absence of a requirement such as the history of flagging and compliance (Brunei Darussalam).

3. AUTHORISATION TO FISH AND VESSEL LICENSING

- Establish a licensing system & associated regulations to prohibit fishing on the high seas, in the waters of another state / waters of an RFMO.
- Take into account the history of violations by fishing vessels & operators when considering applications for authorisation to fish.
- Authorise the use of vessels flying its flag for fishing in the high seas/ waters of another state / waters of an RFMO, only where it is able to exercise effectively its responsibilities
- Require vessels fishing on the high seas, in the waters of another state or waters of an RFMO to carry the license on board at all times
- Create powers to include appropriate terms and conditions on fishing licence (data, VMS, Observers)
- Investigate and take any action necessary when other States report that they have clear grounds to believe that proper jurisdiction and control with respect to a ship has not been exercised by a flag State.
- Effectively regulate transshipment in order to combat IUU fishing activities and to prevent laundering of illegal catches.

Measure	Bru	Cam	Ind	Jap	Lao	Mal	Mya	Phi	Sin	Tha	Vie
Prohibit fishing in HS, other RFMOs	Y	N	Y	Y	-	Y	N	Y	Y	Y	Y
History of violations	N	Y	N	Y	-	N	N	Y	N	Y	N
Authorise flying flag in high seas	N	N	Y	Y	-	Y	N	Y	N	Y	Y
Carry license on-board in high seas	Y	N	Y	Y	-	N	N	Y	N	Y	N
Include app. Terms and conditions of license	Y	Y	Y	Y	-	Y	Y	Y	N	Y	Y
Investigate & take necessary actions	N	Y	N	Y	-	Y	N	N	N	Y	N
Regulate transshipments to combat IUU Fishing	Y	N	Y	Y	-	Y	Y	Y	N	Y	N
Total Y	4	3	4	7	-	5	2	6	1	7	3

Summary:

- Only half of the MCs has laws requiring to take into account the history compliance when considering application for authorization to fish.
- Except Japan, Thailand and the Philippines, other MCs has no law requiring for its vessels: to comply with international agreement or law of other states to carry the license on board at all times to investigate and take action on vessel when other states report with respect to a ship has not been exercised by a flag state.

4. COASTAL STATE AUTHORISATION TO FISH

- Formulate laws and regulations pertaining to the licensing of foreign fishing vessels
- Ensure that a license is issued only if the vessel concerned is entered on a record of vessels.
- Avoid licensing a vessel to fish in its waters if that particular vessel has a history of IUU fishing.
- Condition licences with: species & quotas, season & area, Information, Observers program, VMS & landing of catch

Measure	Bru	Cam	Ind	Jap	Lao	Mal	Mya	Phi	Sin	Tha	Vie
To license foreign vessel	Y	Y	Y	Y	-	Y	Y	N	Y	Y	Y
Record of vessels	N	Y	N	Y	-	Y	Y	Y	N	N	N
Avoid license FV with IUU history	N	Y	N	Y	-	Y	Y	Y	N	Y	Y
Condition of licenses	Y	Y	Y	Y	-	Y	Y	Y	N	Y	Y
Total Y	2	4	2	4	-	4	4	3	1	2	2

Summary:

- All MCs have laws & regulations at least a basic form of general licensing conditions and licensing of foreign fishing vessel.
- Law related to track of illegal fishing is in place in Cambodia, Japan, Malaysia, Myanmar & Philippines not in other MCs.

5. MONITORING, ENFORCEMENT AND SURVEILLANCE

- Establish national fisheries MCS measures.
- Develop and implement a VMS in accordance with regional, sub-regional and global programmes
- Adopt and implement a program of observers on board vessels.
- Encourage harmonisation of national MCS frame-works among neighbouring countries
- Formulate and apply fair, consistent and transparent sanctions with sufficient severity to effectively prevent IUU fishing
- Withdraw, suspend, or cancel an authorisation to fish if the vessel has undermined international conservation and management measures.
- Ensure vessel involved in a serious violation of conservation and management measures for straddling and highly migratory fish stocks does not engage in fishing operations on the high seas
- Fulfils requirements as a coastal state, an inspecting state, a flag state & a port state

Measure	Bru	Cam	Ind	Jap	Lao	Mal	Mya	Phi	Sin	Tha	Vie
MCS measures	N	Y	Y	Y	-	Y	Y	Y	N	Y	N
Implement VMS	N	Y	N	Y	-	Y	Y	N	N	N	N
Program observers	N	Y	N	Y	-	Y	Y	N	N	N	N
MCS framework	Y	Y	Y	Y	-	N	N	N	N	N	N
Prevent IUU fishing	Y	Y	Y	Y		Y	Y	Y	Y	N	Y
Withdraw an authorisation	N	N	Y	Y	-	Y	Y	Y	N	N	N
Violations of measures for fish stocks	N	N	Y	Y	-	Y	N	Y	N	N	N
State requirement	Y	Y	Y	Y	-	Y	Y	Y	Y	N	Y
Total Y	2	6	6	8	-	7	6	6	2	2	2

Summary:

- Most MCs have laws to undertake MCS and to implement a VMS
- Only Cambodia, Japan, Malaysia & Myanmar have laws to implement observer program
- Most MCs have no power to encourage harmonization of national MCS framework among neighbouring countries.
- Except Thailand, all other MCs have power to excise requirement as a coastal state, an inspecting state, a flag state and a port state

6. CATCH CERTIFICATION

- Develop and implement a system of catch certification.
- Ensure that the certificate contains (1) Basic information, (2) Information on the product, (3) Information and declaration on export and import.
- Provide a process and the power for a relevant competent authority to validate each catch certificate
- Provide assistance in terms of verification of details of a catch certificate
- Develop and implement a system of verifiable certification for seafood products

Measure	Bru	Cam	Ind	Jap	Lao	Mal	Mya	Phi	Sin	Tha	Vie
Certification contains	N	Y	N	Y	-	Y	Y	Y	N	Y	N
Validation of catch cert.	N	Y	N	Y	-	Y	Y	y	N	N	N
Verification of catch certificate	N	Y	N	Y	-	Y	Y	y	N	y	N
System of verifiable certification	N	Y	N	Y	-	Y	N	Y	N	N	N
Total Y	0	5	0	5	-	5	4	5	0	3	0

Summary:

Several MCs have introduced law based on requirement for catch certification (especially EU Regulation 1005/2008) including Cambodia, Malaysia, Myanmar, Philippines & Thailand. The power already in place in Japan.

7. REPORTING REQUIREMENT

- Make readily available information to relevant regional fisheries management organisations and the FAO.
- Submit, for inclusion in the High Seas Vessel Authorisation Record, data on vessels entitled to fly its flag.
- Report to the FAO and relevant RFMO any modifications etc. in the record of fishing vessels; any exemption granted to fishing vessels of less than 24 metres
- Provide annually statistical, biological and information in accordance with Annex I UN Fish Stocks Agreement, and as required by an RFMO
- Provide information concerning its fishing activities in the RFMO areas
- Provide information on boarding and inspections carried out by its authorised inspection
- Immediately report fishing vessels which have been engaged in IUU fishing
- Remit collected information from port inspection to the flag State
- Promptly notify the flag State when a Party has denied the use of its port.

Measures	Bru	Cam	Ind	Jap	Lao	Mal	Mya	Phi	Sin	Tha	Vie
Information to relevant org.	N	Y	Y	Y	-	N	N	Y	N	Y	Y
Submit data by flag state	N	Y	N	N	-	Y	NR	y	N	Y	N
Report any modification	N	Y	Y	Y	-	NR	NR	y	N	y	N
Provide data as Annex 1 UNFSA	N	N	Y	Y	-	Y	N	Y	N	Y	N
Info. Fishing activity	N	Y	Y	Y	-	Y	NR	Y	N	Y	N
Info. Board & Inspection	N	Y	Y	Y	-	Y	Y	Y	N	N	N
IUU fishing	N	Y	Y	Y	-	Y	N	Y	N	Y	N
Port inspection	N	Y	Y	N	-	N	N	Y	N	N	N
Deny use of port	N	Y	Y	N	-	N	N	Y	N	N	N
Total Y	0	8	8	6	-	5	1	9	0	5	1

Summary:

The reporting requirement is not clearly stated most MCs legislation except in Cambodian, Indonesian and the Philippines legislation.

8. STATUS OF NPOA-IUU FISHING

Country	NPOA-IUU Fishing
Brunei Darussalam	Published (2011)
Cambodia	None
Indonesia	Draft
Japan	Published (2005)
Lao PDR	-
Malaysia	Draft
Myanmar	Draft
Philippines	Draft
Singapore	-
Thailand	Draft
Vietnam	Draft

PRE-REQUIREMENTS FOR EXPORT OF FISH AND FISHERY PRODUCTS ESTABLISHED IN SEAFDEC MEMBER COUNTRIES

- The EU lays down harmonized requirements governing hygiene in the capture, processing, transportation and storage of fish and fishery products (Globefish, 2000).
- The EU legislation lays down detailed requirements regarding the landing of fish, structure of wholesale and auction markets and processing facilities (for example construction of walls and floors, lighting, refrigeration, ventilation, staff hygiene etc.), processing operations, transportation, storage, packaging, checks on finished products (including visual, organoleptic, chemical and microbiological parameters), laboratories⁴ and water quality.
- EU requires that fish processing facilities undertake 'own checks'. More specifically, 'own checks' refers to all actions aimed at ensuring and demonstrating compliance with standards laid down by EU legislation in accordance with the general principles of Hazard Analysis and Critical Control Point (HACCP).

The information regarding pre-requirements collected indicates how member countries complied with EU requirements for exporting fish and fishery products to EU. Under the pre-requirements countries need to have approved export establishment as follows:-

- Approved fishing vessel
- Approved landing sites
- Approved transport vehicles
- Approved independent refrigerated store
- Approved source of semi-processed raw materials
- Approved source of ice
- Approved source of raw materials

Approved fishing vessel

Most member countries have approved fishing vessels for export to EU (excluding Cambodia, Japan and Singapore).

Approved landing sites

Most member countries have approved landing sites for export to EU (excluding Cambodia and Singapore).

Approved transport vehicles

Most member countries have approved transport vehicles for export to EU (excluding Vietnam and Singapore but Indonesia indicate not relevant, Cambodia indicated yes and no depending on importing countries).

Approved independent refrigerated store

All member countries indicated having approved independent refrigerated store. Indonesia stated that their independent refrigerated store were not for export to EU but for export to other

Approved source of semi-processed raw materials

Most member countries authenticate source of semi-processed raw materials through verification of catch certificate.

Approved source of ice

Most member countries have approved ice making facilities.

Approved source of raw materials

Most member countries authenticate source of raw materials through verification of catch certificate.

- Establishment for Fish and fishery products shall have certified with HACCP Certification for hygiene.
- Transport vehicles, raw materials, semi-processed raw materials, source of imported raw materials, independent refrigerated stores and ice for use in EU supply chain must come from sources approved by appropriate competent authorities such as the Ministry of Health (in Malaysia), the Department of Fisheries (approval of fishing vessels) and the Fisheries Development Authority of Malaysia (approval of landing sites).

CONCLUSION:

- Most SEAFDEC member countries have already comply with pre-requirement under the EU Regulation. Countries which haven't yet will do so in future if they decide to export fishery products to EU.
- All pre-requirements addressed the hygiene and food safety issues

REQUIREMENT AND S.O.P. FOR EXPORT / RE-EXPORT OF FISHING PRODUCTS

Categories of export:					
<ul style="list-style-type: none"> •Direct export (DE) •Indirect export (IE) •Import and re-export (I&RE) •Import, processed and re-export (I,P&RE) 					
No.	Requirements	DE	IE	I & RE	I, P & RE
1.	Export Health certificate (include hygiene on board and HACCP Certification) for designated countries				
	<ul style="list-style-type: none"> a. ASEAN b. East Asia (include Japan, China etc.) c. South Asia d. South Asia e. North America f. Oceania (include Australia and New Zealand) g. EU h. West Asia (Iraq, Iran, Kuwait) i. African Continent j. Other countries (Please specify) 				
2.	Specific certification				
	<ul style="list-style-type: none"> a. EU catch certification b. Aquatic Fish Health Certificate (China) c. Live Aquatic Animal Health Certificate d. Other certificate (Please specify) 				
3.	Catch Document For Re-export of Fishery Products				
	<ul style="list-style-type: none"> a. Processing statement (Product movement Document, PMD for EU, other countries) b. Verification on source of raw materials 				

1. EXPORT HEALTH CERTIFICATES (INCLUDE HYGIENE ON BOARD AND HACCP CERTIFICATION) FOR DESIGNATED COUNTRY

For Direct Export				
Yes for all countries	Yes for selected countries	Don't have	Don't Export	Don't issue
Indonesia	Cambodia Japan Myanmar Vietnam	Malaysia Philippines	Singapore	Thailand

For Indirect Export				
Yes for all countries	Yes for selected countries	Don't have	Don't Export	Don't issue
Indonesia	Cambodia Japan Myanmar Vietnam	Malaysia Philippines	Singapore	Thailand
For Import and Re-export				
Yes for selected countries	Don't import and re-export	Don't issue	Depend on importing country	
Cambodia Japan Malaysia Philippines Vietnam	Indonesia Myanmar Singapore	Thailand	Malaysia	
For Import, Processed and Re-export				
Yes for selected countries	Yes to all	Don't import, process and re-export	Depend on importing country	
Cambodia Japan Malaysia Philippines Singapore Thailand Vietnam	Indonesia	Thailand	Malaysia Thailand	

2. SPECIFIC CERTIFICATION (EU CATCH CERTIFICATION, AQUATIC FISH HEALTH CERTIFICATE)

For Direct Export				
Yes for all countries	Yes for selected countries	Don't have	Don't Export	Don't issue
Cambodia Indonesia Malaysia	Japan Vietnam	Myanmar Philippines	Singapore	Thailand
For Indirect Export				
Yes for all countries	Yes for selected countries	Yes for EU		Don't Export
Cambodia Malaysia	Indonesia Japan Myanmar Philippines Vietnam	Thailand		Singapore

For Import and Re-export					
Yes for all countries	Yes for selected countries	Yes for EU	Don't import and re-export	Depend on importing countries	
Cambodia Malaysia	Japan Vietnam	Philippines	Indonesia Myanmar Singapore	Thailand	
For Import, Processed and Re-export					
Yes for all countries	Yes for selected countries	Yes for EU	Don't import, and re-export	Issue Annex IV	Verification
Cambodia Vietnam	Japan	Philippines	Myanmar	Thailand	Singapore

3. Catch Document for Re-export of Fishery Products (Annex IV, Verification)

For Import and Re-export					
Yes for all countries	Yes for selected countries	Yes for EU	Don't import, and re-export	Issue Annex IV	Verification
Cambodia Vietnam	Japan	Philippines	Myanmar	Thailand	Singapore
For Import, Processed and Re-export					
Yes for all countries	Yes for selected countries	Yes for EU	Don't import, Processed and re-export		
Cambodia Indonesia Malaysia Singapore Thailand Vietnam	Japan	Philippines	Myanmar		

B. STANDARD OPERATING PROCEDURES (S.O.P) FOR EXPORT OF FISHERY PRODUCTS

QUESTION:

1. Please explain and provide the Standard Operating Procedure (S.O.P) for Direct Export of Fish and Fishery Products for each agency involved.
2. Please explain and provide the Standard Operating Procedure (S.O.P) for Indirect Export of Fish and Fishery Products for each agency involved.
3. Please explain and provide the Standard Operating Procedure (S.O.P) for Import and Re-Export of Fish and Fishery Products for each agency involved.
4. Please explain and provide the Standard Operating Procedure (S.O.P) for Import, Process and Re-Export of Fish and Fishery Products.

B. Standard Operating Procedures (S.O.P.) for Export of Fishery Products: Cambodia

Direct Export	Indirect Export	Import and Re-export	Import, Processed and Re-export
Cambodia have small amount direct export	<ul style="list-style-type: none"> • FiA/MAFF as National CA; • Custom clearance 	<ul style="list-style-type: none"> • FiA/MAFF import and re-export permit; • Custom check and declaration; • CAMCONTROL/MoC (food safety controlling at check points) 	<ul style="list-style-type: none"> • FiA/MAFF import and re-export permit; • Custom check and declaration; • CAMCONTROL/MoC (food safety controlling at check points)

B. Standard Operating Procedures (S.O.P.) for Export of Fishery Products : Indonesia

Direct Export	Indirect Export	Import and Re-export	Import, processed and re-export
<ul style="list-style-type: none"> • License of Capture Fisheries Business; • License of fish's carriage vessel to export fish. • Health certificate of live fish • Export Declaration issued by DG Customs • Certificate of Origin • Catch Certificate issued 	<ul style="list-style-type: none"> • Health Certificate; • Export Declaration; • Certificate of Origin; • Letter of application, • The documents such as Export Declaration (PEB), copy Bill of Landing (B/L), copy Air Way Bill (AWB), Cargo Receipt, Invoice, packing list are attached in the COO application; • Catch Certificate: 	<ul style="list-style-type: none"> • API-P or API-U • SKP and/or HACCP; • Letter of Recommendation; • Demand plan for 1 year, • Quarantine installation • Health certificate • Certificate of Origin, • Result from accredited laboratory, • Information of label, • GAP certificate for aquaculture products. • Importers have registered, licensed • Carrier have a Health Certificate, • The carrier must be entered / landed in to the specified places/ ports, • Reported to the quarantine officer for examination. 	The procedure of import, process and re-export of fish and fishery products similar to the indirect export.

B. Standard Operating Procedures (S.O.P.) for Export of Fishery Products : Japan

Direct Export	Indirect Export	Import and Re-export	Import, Processed and Re-export
<ul style="list-style-type: none"> • Fisheries Agency: Catch Certificate and Statistical Certificate. • Governmental organizations, public health center or approved laboratories: Health Certificate and Animal Sanitary Certificate. • Customs: Export Clearance 		<ul style="list-style-type: none"> • Fisheries Agency and Ministry of Economy, Trade and Industry: Verification of Import. • Customs: Import Clearance. • Fisheries Agency: Re-export Certificate. • Governmental organizations, public health center or approved laboratories: Health Certificate and Animal Sanitary Certificate. • Customs: Export Clearance. 	

B. Standard Operating Procedures (S.O.P.) for Export of Fishery Products : Malaysia

Direct Export	Indirect Export	Import and Re-export	Import, Processed and Re-export
<ul style="list-style-type: none"> • DOF (Licensing and Biosecurity): – refer to DOF SOP, pg. 11. - CC. • LKIM: <ul style="list-style-type: none"> -Moving document. -Declaration by boxes. • MAQIS: Checking export license, invoice. • Custom: Checking for SKPI and custom form (K1 & K2). 	<ul style="list-style-type: none"> • DOF (Licensing and Biosecurity) – refer to DOF SOP, pg. 12 - CC. • LKIM: <ul style="list-style-type: none"> - Moving document, - Declaration by boxes. • MoH: <ul style="list-style-type: none"> - HC • Checking: premise and sample 	<ul style="list-style-type: none"> • DOFM doesn't have the SOP. • Custom: Declaration according to the tariff code. • MOH 	<ul style="list-style-type: none"> • Custom: Declaration according to the tariff code (K2). • MOH • DOF (Licensing and Biosecurity): Annex IV. • MAQIS: Verify the CC from COO, SPKI, Regular checking

B. Standard Operating Procedures (S.O.P.) for Export of Fishery Products : Myanmar

Direct Export	Indirect Export	Import and Re-export	Import, Processed and Re-export
Catch Certificate - DOF; Health Certificate – DOF, Pre-shipment Inspection - DOF		NR	NR

B. Standard Operating Procedures (S.O.P.) for Export of Fishery Products : Philippines

Direct Export	Indirect Export	Import and Re-export	Import, Processed and Re-export
No direct export	Catch certificates. SPS clearances SSOP and HACCP system Sanitary/health certificate; Physical characteristics. Packaging - hygienic and sanitary conditions; Storage - stored and maintained at the temperature required Prohibition Pre-shipment inspection		

B. Standard Operating Procedures (S.O.P.) for Export of Fishery Products : Singapore

Direct Export	Indirect Export	Import and Re-export	Import, Processed and Re-export
Singapore don't export their catch		NR Application for Re-export Certificate together with the original ICCAT Statistical Document (SD), to Singapore Customs (SC)	Application for export certification, indicating destination country, Processing into products CA Singapore issues export health certificate

B. Standard Operating Procedures (S.O.P.) for Export of Fishery Products : Thailand

Direct Export	Indirect Export	Import and Re-export	Import, Processed and Re-export
No direct export	Meet the OMP and HACCP; DOF issue Health certificate Legal Thai fishing vessel submit fishing logbook to DOF; Using Movement document (Marine Catch Purchasing Document: MCPD) for traceability; DOF issue Catch certificate. Custom: custom procedure.	DOF doesn't issue health certificate for import and re-export products. Depends on the requirement of the importing countries, DOF: Movement document and prove catch certificate. Custom: custom procedure	Product declared at custom; Meet the GMP and HACCP; DOF issue Health certificate for approved processing plant. Depends on the requirement of the importing countries, DOF: Movement document, prove catch certificate and certify of Hygiene, Custom: custom procedure

B. Standard Operating Procedures (S.O.P.) for Export of Fishery Products : Vietnam

Direct Export	Indirect Export	Import and Re-export	Import, Processed and Re-export
Department of Capture Fisheries and Resources Protection (Central and Province) (DECAFIREP); National Fisheries Quality Assurance Department (NAFIQAD)		Animal Health Department; Department of Capture Fisheries and Resources Protection (Central and Province) (DECAFIREP)	

LEVELS OF AWARENESS ON IUU FISH AND FISHERY PRODUCTS

Level of Awareness

- Not aware
- Aware but did not comply
- Aware and partly comply
- Aware and fully comply
- Aware but non- existence of legal instruments

I. IUU Fishing Definition

- Aware but non-existence of legal instruments (5) – Japan and Malaysia
- Aware and fully comply (4) – Indonesia, Myanmar, The Philippines and Vietnam
- Aware and partly comply (3) – Cambodia and Thailand

II. EU Council Regulation (EC) No. 1005/2008

- Aware but non-existence of legal instruments (5) – Cambodia and The Philippines
- Aware and fully comply (4) – Indonesia, Japan, Malaysia, Myanmar, Thailand and Vietnam

III. The Importance of Combating IUU Fishing for Sustainable Fishery

- Aware and fully comply (4) – Indonesia,
Japan,
Malaysia,
Myanmar,
The Philippines and
Vietnam
- Aware and partly comply (3) – Cambodia and
Thailand

IV. Preventing Export of IUU Fishing Products as a Means of Combating IUU Fishing

1. Aware but non-existence of legal instruments-Malaysia
2. Aware and fully comply (4) – Indonesia,
Japan,
Myanmar,
The Philippines and
Vietnam
3. Aware and partly comply (3) – Cambodia and
Thailand

Cambodia – IUU fishing is the issues that appeared in some fishing areas, if the competence authorities is not full fill take place to monitoring fishing activities. But to be eliminated these illegal fishing, we suppose more time on extension programme with fishermen both small-scale and large scale fishing.

Malaysia – There is still no existing Malaysian law and regulation to combat IUU fishing

Philippines – Laws on IUU present and implemented but encounter man-power shortage

Vietnam – Do not know details about IUU fishing

Requirements Used for Identification of IUU Fish and Fishery Products for Commercial/Large and Small Scale Fisheries

- Fishing vessel license
- Fishing vessel registration
- Fishing gear licensing
- Designating fishing area/catch area
- Systematic data collection (e.g. LOV, logbook etc.)

Fishing Vessel Licensing

Commercial/large scale fishery		Small scale fishery	
YES	NO	YES	NO
- Cambodia - Indonesia - Japan - Malaysia - Myanmar - Singapore - Thailand - Philippines - Vietnam		- Japan - Malaysia - Myanmar - Singapore - Philippines - Vietnam	- Cambodia - Indonesia - Thailand

Fishing Vessel Registrations

Commercial/large scale fishery		Small scale fishery	
YES	NO	YES	NO
- Cambodia - Indonesia - Japan - Malaysia - Myanmar - Singapore - Thailand - Philippines - Vietnam	None	- Cambodia - Japan - Malaysia - Myanmar - Singapore - Philippines - Vietnam	- Indonesia - Thailand

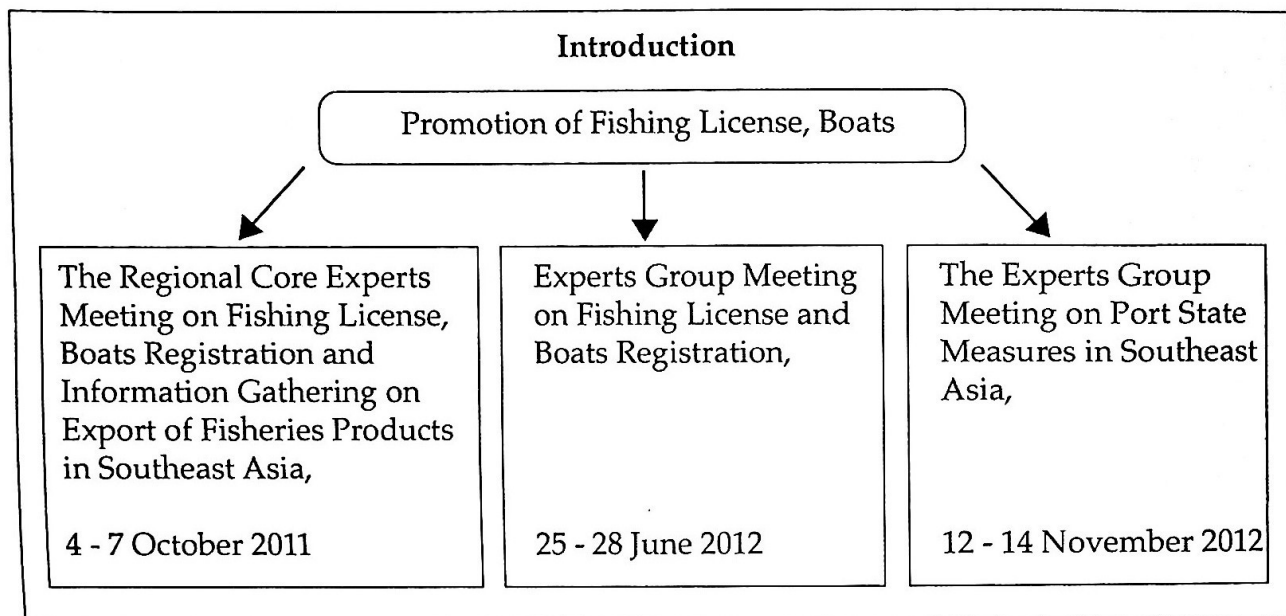
Designating Fishing/Catch Area			
Commercial/large scale fishery		Small scale fishery	
YES	NO	YES	NO
<ul style="list-style-type: none"> - Cambodia - Indonesia - Japan - Malaysia - Myanmar - Singapore - Thailand - Philippines - Vietnam 	<ul style="list-style-type: none"> - None 	<ul style="list-style-type: none"> - Cambodia - Japan - Malaysia - Myanmar - Singapore - Philippines - Indonesia - Vietnam 	<ul style="list-style-type: none"> - Thailand - Indonesia
<p>Remark:</p> <p>For Thailand : >3000 - 5400 km, Cambodia : >20 m deep sea, >33HP for large scale <= 20 m, <= 33HP for small scale</p>			

Systematic data collection			
Commercial/large scale fishery		Small scale fishery	
YES	NO	YES	NO
<ul style="list-style-type: none"> - Cambodia - Indonesia - Japan - Malaysia - Myanmar - Singapore - Philippines - Thailand - Vietnam 	<ul style="list-style-type: none"> - Cambodia - Japan - Myanmar - Singapore - Thailand - Vietnam 	<ul style="list-style-type: none"> - Cambodia - Japan - Myanmar - Singapore - Vietnam 	<ul style="list-style-type: none"> - Indonesia - Malaysia - Philippines
<p>Remarks :</p> <p>For Thailand : fishing log book Myanmar : small scale data not systematic Vietnam : >20h.p need logbook, <20h.p just report to the port (small scale)</p>			

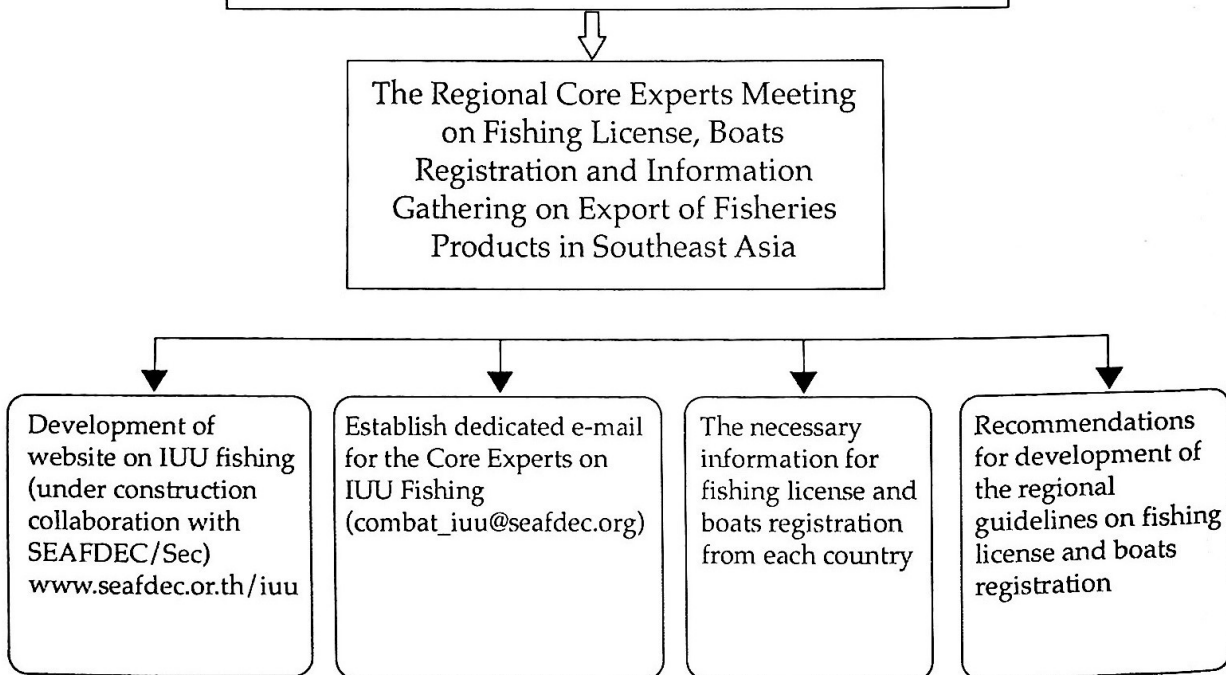
Conclusions

- Most of SEAFDEC Member countries have legal framework in place to regulate fishery in their respective countries but the term "IUU Fishing" was not stated in their fishery law. SEAFDEC member countries need to strengthened legal framework to increase capacity in combating IUU fishing.
- Pre-requirements in the form of approved export establishment indicate how SEAFDEC member countries complied with EU requirements for exporting fish and fishery products to EU. These pre-requirements guarantee the hygiene and food safety aspect of exported fishery products to EU.
- Most of the participated country agreed that the requirements for export of fishery products can be used to identify IUU fishing products.
- Most of the participating member countries are aware of the need to combat IUU fishing but they can comply partially due to absence of legal framework or do not have the capacity for registration and enforcement.
- Trade measures can be effective to combat IUU fishing but it needs support from other measures.

PROMOTION OF FISHING LICENSE, BOATS REGISTRATION AND PORT STATE MEASURES PROJECT



Promotion of Fishing License, Boats Registration and Port State Measures Project (2011)



Combating IUU Fishing in the Southeast Asian Region Website

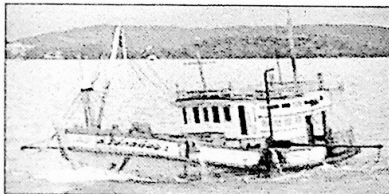

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Combating Illegal, Unreported and Unregulated (IUU) Fishing in the Southeast Asian Region



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Introduction



Illegal, Unreported and Unregulated (IUU) fishing and related fishing activities continue to be a major problem, *inter alia*, jeopardizing responsible and sustainable fisheries and frustrating attempts to protect the marine environment. All regions of the world and most fisheries are confronting the difficulties and adverse effects associated with and aggravated by IUU fishing. Many of the underlying conditions that enable and promote IUU fishing are fuelled by lack of transparency and

financial incentives which allow illegal activities to go undetected. The situation is further worsened by factors such as inadequate national fishing capacity controls, insufficient resources dedicated to combating IUU fishing, underdeveloped regional cooperation, and widespread corruption, resulting in poor fisheries governance and unacceptable outcomes such as serious damage to biological, human, social, and environmental frameworks. These conditions must be addressed if governance is to be enhanced, outcomes improved and inroads made in order to prevent, deter and eliminate IUU fishing.

Attempts have been becoming more severe all over the world including the ASEAN region, in seeking ways to improve fisheries management with the objective of reducing IUU and destructive fishing. A number of important international instruments, binding or voluntary had been developed and agreed upon globally *e.g.* 1982 UN Law of the Sea Convention (UNCLOS 1982), the United Nations Fish Stocks Agreement (UNFSA), 1993 FAO Compliance Agreement, 1995 FAO Code of Conduct for Responsible Fisheries, and the 2009 FAO Agreement on Port State Measures. In the ASEAN region, Senior Officials and other decision makers from the ASEAN-SEAFDEC Member Countries have increasingly strengthened their commitments to improve the management of fishing capacity and intensify their efforts to combat IUU fishing. This is also among priority actions for the ASEAN countries especially in the development of the ASEAN Economic Community and the establishment of the ASCAN Community by 2015.

[Read more: Introduction](#)

Events Calendar

Date	Event	Organization
17-19 October 2012	Workshop on assessment of the impacts of IUU fishing and EC regulation 1005/2008 on small scale fisheries in the Southeast Asian region, Michelia Hotel, Nha Trang city, Vietnam Download Prospectus >>>	
12-14 November 2012	The Experts Group Meeting on Port State Measures in Southeast Asia, Bangkok, Thailand Download Prospectus >>>	
20-22 November 2012	The Core Expert Meeting on Preventing Export of IUU Fishing Products, Kuala Lumpur, Malaysia Download Prospectus >>>	

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Report on The Experts Group Meeting on Fishing License and Boats Registration in Southeast Asia

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URL : <http://www.seafdec.or.th/iuu>

Promotion of Fishing License, Boats Registration and Port State Measures Project (2011)

Experts Group Meeting on Fishing License and Boats Registration

25-28 June 2012

Requirements for Regional Vessel Record 24 meters in length and above in the Southeast Asian Region

Number of fishing vessels in the Southeast Asian region

National data compilation systems for recording vessels 24 meters in length and over

Regional Record Database for Fishing Vessel (Developing Stage)

Regional Record Database for Fishing Vessel Length 24m and Above in the Southeast Asian Region



GENERAL INFORMATION

Vessel Registration No.

Name of Owner

Name of Fishing Vessel

Type of Fishing Method/Gear Bottom Longline Bottom Trawl
 Gill Net Pot/Longline
 Pole and Line Purse Seine
 Ring Net Other

Port of Registry

Date of Registration (yyyy-mm-dd) Year Month Day

International Radio Call Sign

Area (Country) of Fishing Operation *** Select area *** [if select "Other" (please specify)]

Nationality of Vessel (Flag) *** Select Flag/Country *** [if select "Other" (please specify)]

Previous Name (if any)

Previous Flag (if any) *** Select Previous Flag *** [if select "Other" (please specify)]

Name of Captain / Master

Nationality of Captain / Master *** Select Flag/Country *** [if select "Other" (please specify)]

Number of Crew

Nationality of Crew Bruneian Myanmar Filipino
 Cambodian Indonesian Singaporean
 Laotian Thai Malaysian Vietnamese
 Other

FISHING VESSEL DIMENSIONS AND TONNAGES

Gross Tonnage GT Overall Length

Breadth Meters Depth

PARTICULARS OF PROPULSION SYSTEM

Date of Launching Year Month Day Shipyard

Engine Power Engine 1: Engine Brand Engine 2:

Serial Number of Engine Engine 1: Engine 2:

Aut. Material *** Select *** [if select "Other" (please specify)]

[Save] [Reset]

Part 1 : General Information

Part 2 : Fishing Vessel Dimensions and Tonnages

Part 3 : Particulars of Propulsion System

**Promotion of Fishing License, Boats Registration
and Port State Measures Project (2011)**



The Experts Group Meeting on Port
State Measures in Southeast Asia
12-14 November 2012



Regional common issues / constraints and recommendations

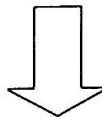


- Implementing the PSM Agreement
- Existing legislations and legal framework to implement PSM
- Ratification and accession to the PSM Agreement
- Working model for ports using PSM
- Multiple jurisdictions by multiple agencies involved in PSM

- MCS system
- IT infrastructures and facilities to implement PSM
- Communications and restricted information sharing on PSM
- Catch Documentation Scheme (CDS) &
- Catch Certification to support PSM

Way Forward

Promotion on Fishing License, Boats Registration and Port State Measures
(2011-2012)



Promotion of Counter Measures to reduce IUU Fishing
(2013-2017)

Project Activities

Promotion of counter-measures to reduce IUU (2013 – 2017)

1. Promotion and development of regional fishing vessels list

2. Strengthening of Port State Measures activities and other surveillance measures in the region

3. Production of information materials

Development & Management of Database for Regional Vessels Record

On-site training on strengthen of PSMs and other surveillance measures to reduce IUU fishing in the region

IMPACT OF IUU FISHING AND EC REGULATION TO SSF

Background-1

- IUU fishing: refers to IPOA-IUU (2001)
- RPOA to promote Res. Fish. & combat IUU fishing established in 2007
- EC-Regulation 1005/2008: Trade-related measures
- Port State Measures (Legal Binding) in 2009

Background-2

- WS on Impact of IUU fishing and EC-Regulation held on 17-19 Oct.12, VN.
- WS Objectives are:
 - to identify the key impacts of IUU fishing,
 - to evaluate the impact of the EC Regulation No. 1005/2008 on small-scale fisheries
 - to develop the SPA for small-scale fisheries to implement the EC Regulation 1005/2008
 - All ASEAN MCs (excepted for Malaysia and Brunei Darussalam) and Australia joined WS

Impacts of IUU Fishing (1)

AREA	VOLUME	VALUE
World	11-26 million MT	9-24 million USD / year
Asia-Pacific (including SA)	n.a.	5.8 billion USD/year
Raja Ampat (Indonesia)	20% of Reef Fishes (including <i>groupers</i> & <i>Napolean wrasse</i>)	40 million USD/year
Philippines	80,000 MT	1.6 million USD
Cambodia	80% of commercial species is directly sold to Thailand	n.a.
Australia (APEC, 06-7)	260kg of trepang, 200 kg of trochus snail, 33.5 MT of fishes, 1.6 MT of shark fins	n.a.
Papua New Guinea	6000 MT of tuna, 400 MT of shrimps, 200 kg of trochus,.	26.55 million USD

Impacts of IUU fishing: economic (1)

Parameters	Direct economic impacts
Contribution of fishing to GDP/GNP	Decreases the contribution from EEZ fisheries to the national economy
Employment	Reduces potential employment opportunities that local and locally-based fleets usually create
Export revenues	Decreases local landings and potential export earnings
Service revenues and taxes	Depletes the resources which in turn reduce other revenues accumulating from legitimate companies e.g. taxes
Expenditures on MCS	Existence of IUU fishing puts budget pressures on MCS/fisheries management

Impacts of IUU fishing: economic (2)

Parameters	Indirect economic impacts
Loss of income and employment in other industries in the upstream and downstream supply chain	Reduces the demand for fishing gear, boats, equipment and other inputs as well as the fish processing, packaging, marketing etc.

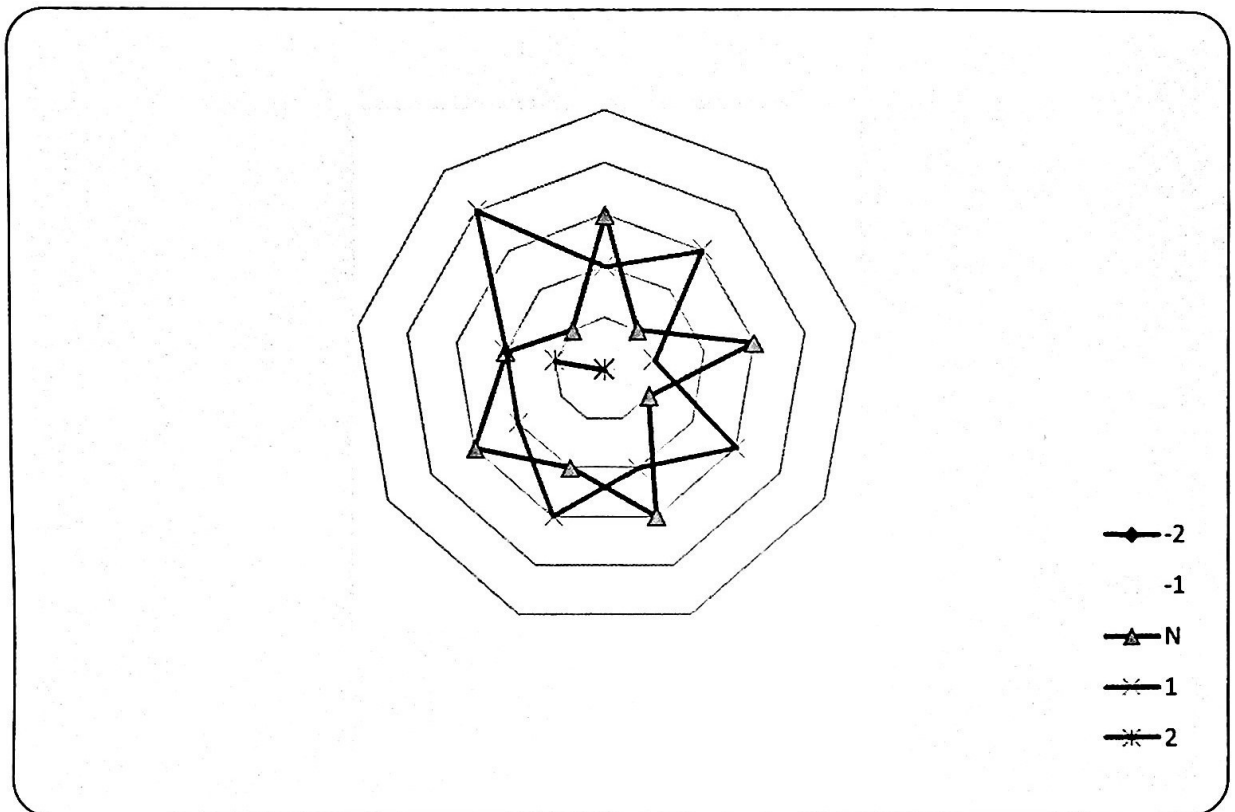
Impacts of IUU fishing: social (3)

Parameters	Social impacts
Conflicts with local artisanal fleets <u>Availability of fish</u> for local consumption	Increases the health and safety risks Depletes fish availability in local markets and threatens national food security
<u>Employment</u> rate in fishing communities	Lowers employment opportunities from the depletion of stocks and less opportunities for new generation fishers
Employment of women in fishing and fish marketing	Reduces the role of women in coastal fisheries
Gross and net <u>household incomes</u>	Reduces household incomes and therefore exacerbate poverty

Impacts of IUU fishing: Envi. (3)

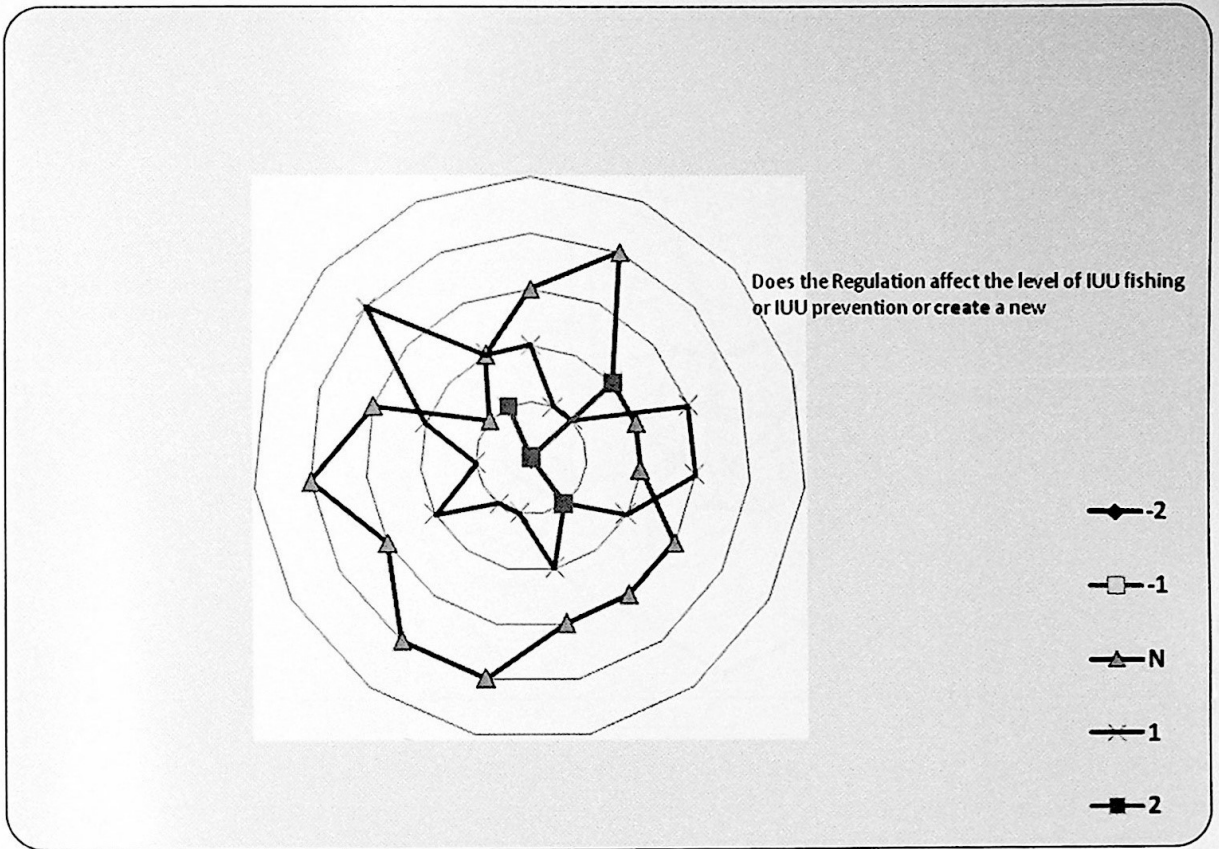
Nature of IUU fishing	Environmental impacts
<p>Habitats</p> <ul style="list-style-type: none"> - Fishing ground destruction - Uncontrolled dumping of trash and fishing gears 	<ul style="list-style-type: none"> - Removes the structural complexity of the original habitats and obstruct recovery of its function - Reduces opportunities for non-fishing purposes
<p><u>Target species</u></p> <ul style="list-style-type: none"> - IUU fishing outside quota in EEZ waters - IUU fishing in high seas waters - Under-reporting of catch, especially by DWF Nations/or joint venture in EEZ fisheries agreements 	<ul style="list-style-type: none"> - Reduces species richness and its diversity - Modifies the community structures - Risk of local extinction - Limits the accuracy of stock assessment models
<p>By-Catch</p> <ul style="list-style-type: none"> - Un-recording the mortalities of by-catch species - Thinning or eliminating prey populations, e.g. juveniles, unmarketable sized fish - Extreme reduction of predators - Failure to adopt by-catch mitigation measures - Discarding or losing of fishing gear 	<ul style="list-style-type: none"> - Changes the size composition or the life history character of the resources - Increases the unknown levels of fishing pressures on stocks of by-catch species in general and endangered species in particular - Compromises the normal ecosystem functioning - Encourages possible ghost fishing (by discarding gear)

Impacts of EC Regulations (1a & 1b)
PART 1: ECONOMIC IMPACTS



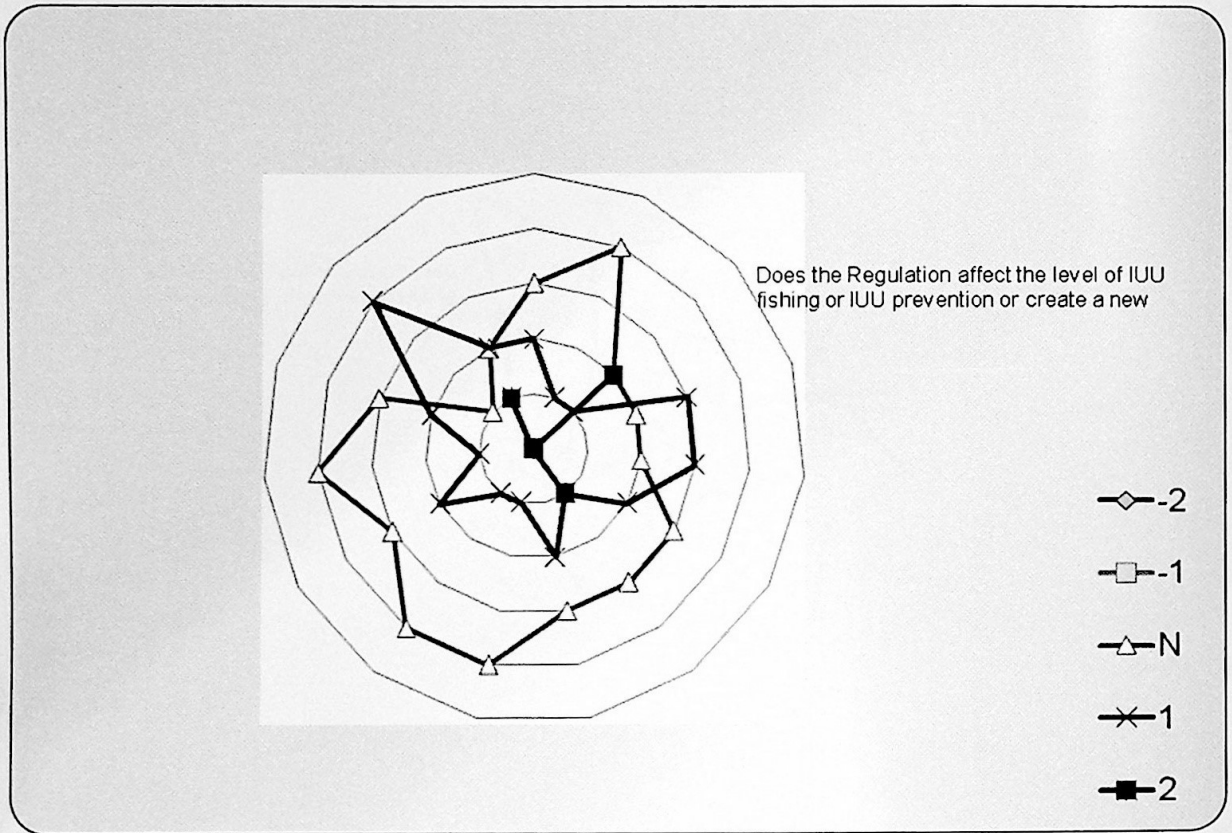
- 1a: In term of economic impacts, 80% of the respondents consider that the Regulation could lead to competitions in fish trade among the Southeast Asian countries with above average score. In which it does impact on small-scale fisheries/business, the Regulation bring about increased receipts or saving to Government, as well as the Regulation impact on the public sector, the third sector and consumer.
- 1b: 60% of the respondents reflect with a fair conduction that the Regulation does facilitate the competition among fishers. It also shows believed that the Regulation will introduce new criminal sanctions or civil penalties, and impact on cost, quality or availability of fish and fisheries products and services as well as the Regulation will result in development of new technologies.

Impacts of EC Regulations (2a)
PART 2 : SOCIAL IMPACTS



For the social impacts, the 80% of the respondents consider that the Regulation could affect the provision of facilities or services particularly on developed administrations. As well as affect the levels of skills and education, too.

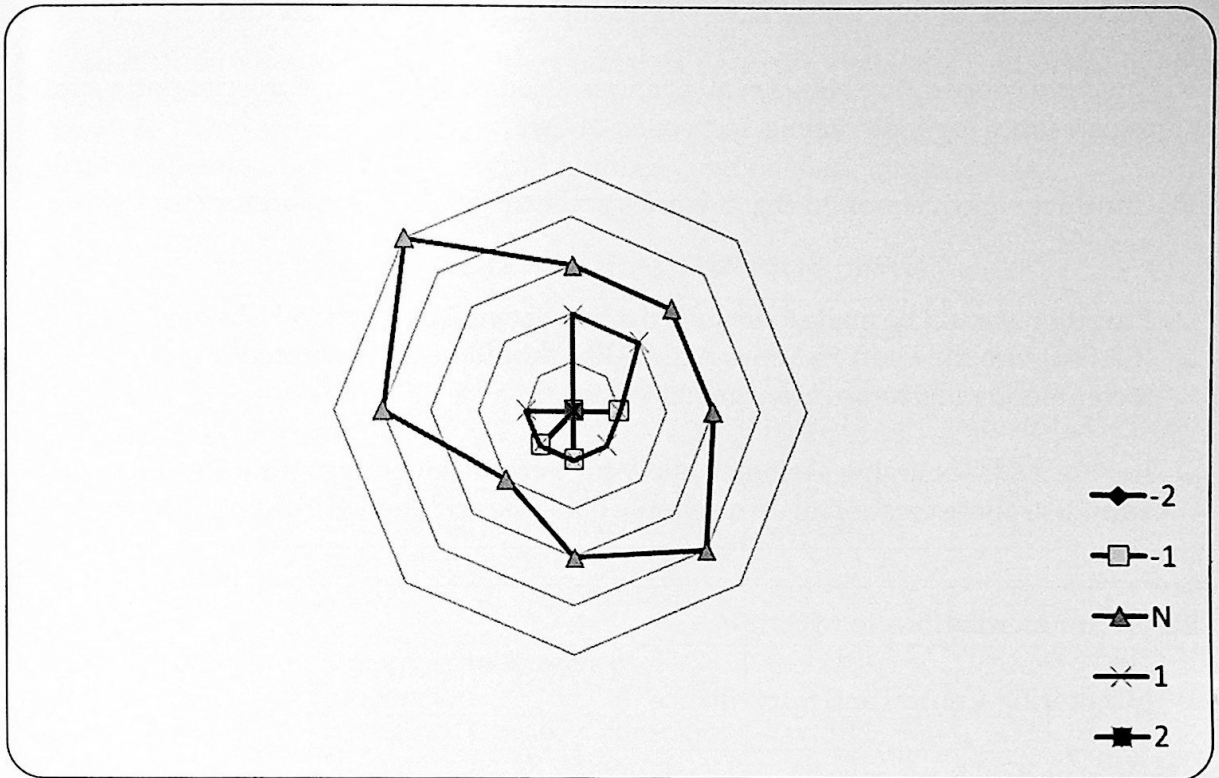
Impacts of EC Regulations (2a)
PART 2 : SOCIAL IMPACTS



80% of the respondents also consider that the Regulation does fare influence the safety at workers or affect the likelihoods of fishers in the fishing communities. It also shows the Regulation could fare affect the provision of facilities or services such as, gender equality, disability equality, and older people.

Impacts of EC-Regulation (3)

PART 3: ENVIRONMENTAL IMPACTS



Regarding the environmental impacts, all respondents give fair score that the Regulation could affect the number of people exposed to noise or the levels of exposure. It shows high relation with the Regulation does not disturb or enhance habitat and wildlife the Regulation will significantly on air quality, the Regulation will lead to change in the emission of the greenhouse gases, the regulation is also not valuable to the predicted effects of climate change, the Regulation will lead to change in the financial costs or environmental and health impacts of waste management as well as the Regulation does involve any material change to the appearance of the landscape or townscape.

EU-Recommendations to MCs (1)

7 issues that ASEAN Member States needed to be considered and improved when implementing the EC-Regulation 1005/2008 as follows:

- Policy, Legal and Management Framework
- Monitoring Control and Surveillance
- Port State Controls
- Flag State Controls
- Market State Controls
- Catch Certification Scheme
- Artisanal Sector

EU-Recommendations to MCs (2)

1) Policy, Legal and Management Framework

- ✓ Widen scope of the Fishery Laws to encompass all fisheries activities
- ✓ Effective cooperation between all agencies, used of law, MCS, enforcement, vessel registration, logbook regime, inspection of fish.
- ✓ Conduct effective monitoring of entries and exits of domestic and foreign fishing vessels.
- ✓ Provision should be made to include the Ecosystem Approach to Fisheries Management (EAFM) into the Draft Fisheries Act. EAFM should be incorporated into the recommended Fisheries Management Plans...
- ✓ Initiate a CCS charging system to allow for a cost recovery program to support the administration, creation of an electronic database and the verification procedures.

EU-Recommendations to MCs (3)

2) Monitoring Control and Surveillance

- Fishery and relevant agencies need joint SOP to further coordination, strengthening of existing deployment strategies.
- Installation of VMS on higher risk category industrial vessels fishing outside 24 nm.
- The Fishery and relevant agencies should prepare and maintain a suite of MCS performance indicators on both inspection activities and infringements, and on action taken in relation to all infringements recorded.

EU-Recommendations to MCs (4)

3) Port State Control

- ✓ Develop and implement a formal port entry scheme as well as designed fishing port officially and appropriately for domestic and foreign vessels.
- ✓ The spot penalty system should be reviewed by fishery and relevant agencies to ensure that the fines represent a sufficient deterrent for higher risk offenses. Penalties should be scaled lower level from administrative fines (not having a logbook/license) on board to higher level penalties such as fishing without a valid fishing license and non-compliance with technical conservation offenses (e.g. illegal mesh sizes, fishing in closed areas or non designated demarcation areas).

EU-Recommendations to MCs (5)

4) Flag State Controls

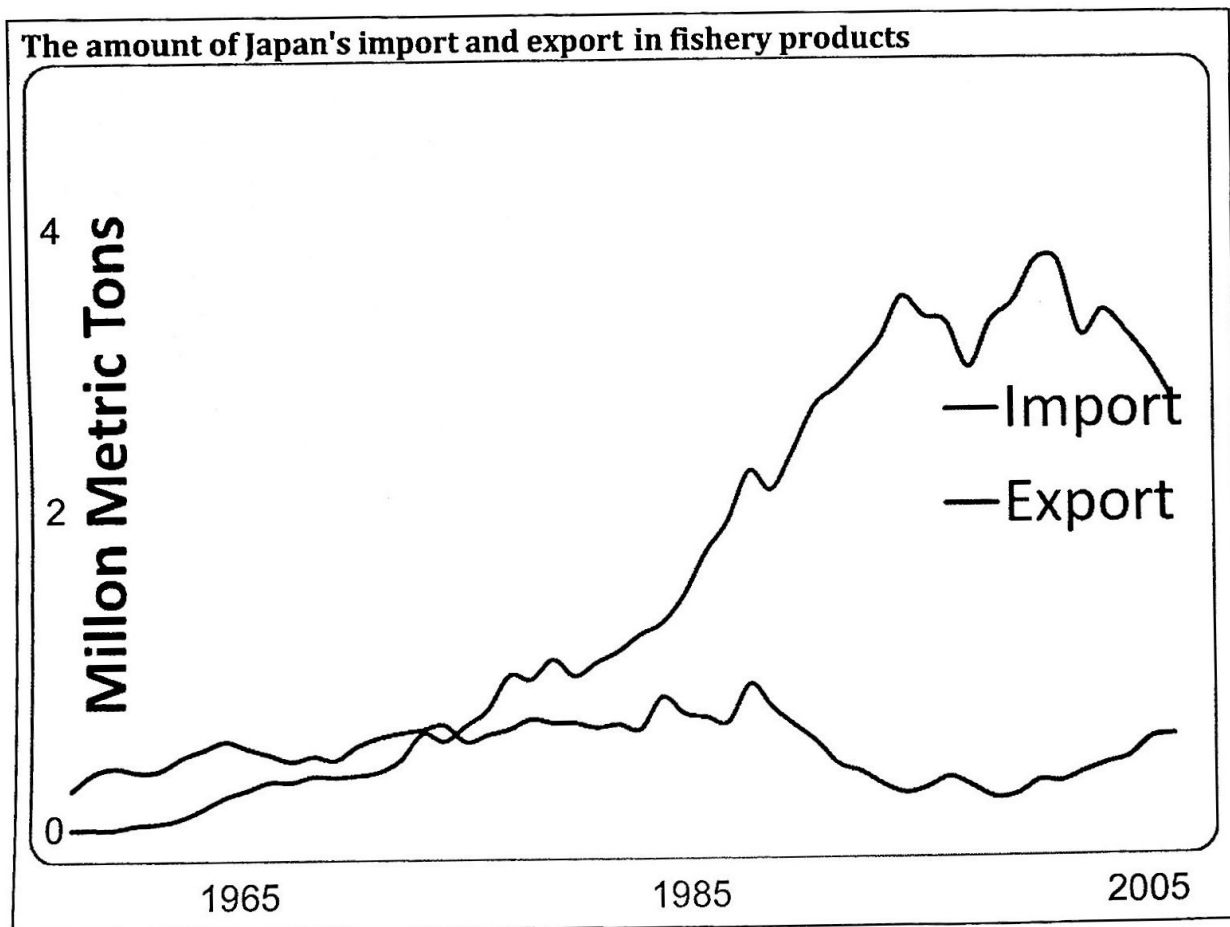
- ✓ The VMS regulation should be developed to be the underlying legal foundation for enforcement and that all commercial domestic operators should be requested to activate on the VMS system of each fisheries and relevant agencies.
- ✓ Each country should ensure that they maintain an active vessel list containing license details and expiry dates, and remind fishers, as and when licenses are required for renewal. This information should be transmitted to the countries allowing for improvements in knowledge of fleet numbers, and relevant target species.

STRATEGIC PLAN OF ACTION FOR SSF(1)

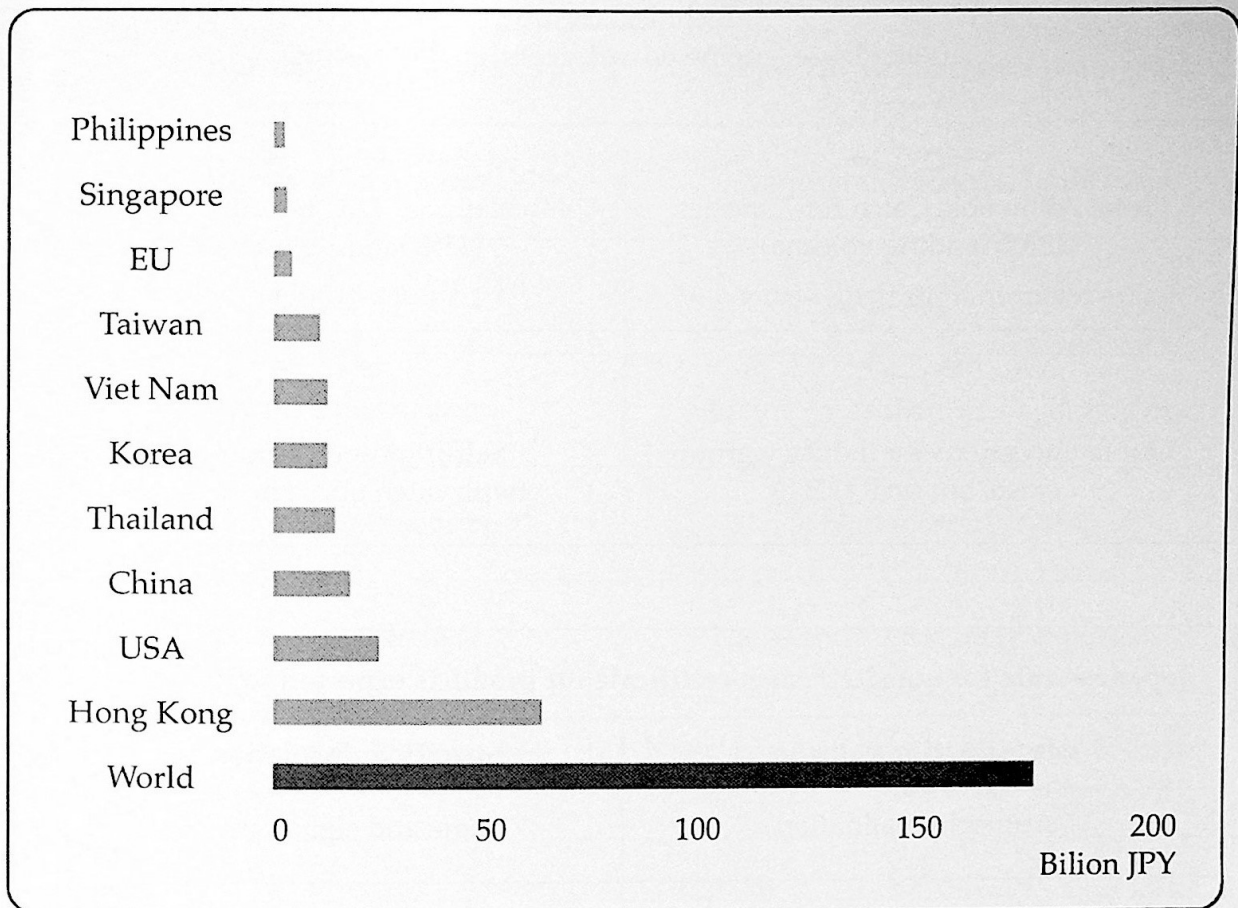
Key Issues	Plan of Action	Time frame	Agency
1) Simplify and harmonize CCS	o Developing idea how to simplify the CCS	Oct 2012 – Jan 2013	ASEAN Member States (AMS)/ SEAFDEC
	o Policy guidance from ASEAN	May 2013	ASEAN
	o Information sharing on bilateral dialogue with EC	Oct 2012	AMS
	o Dialogue with EU community	After May 2013	ASEAN
2) Cooperation among inter-agency and between country	o Strengthen inter-agency cooperation	Oct 2012	AMS/ SEAFDEC /RPOA
	o Strengthen Country Cooperation	Oct 2012	AMS
	o Strengthening MCS network	Nov 2012	ASEAN/RPOA
	o Awareness campaign	May 2013	AMS/RPOA
	o Annual assessment on the impact of the IUU fishing/EC regulation on small-scale fisheries <ul style="list-style-type: none"> • Submit comments on the survey questionnaire • Coordinate to harmonize/ consolidate the questionnaire • Regional instrument to conduct an assessment • Regional analysis of the instrument Nov 2013 	Nov 2013 Oct 2012 Nov 2012 After Nov 2012 Nov 2013	AMS AMS SEAFDEC RPOA/SEAFDEC RPOA/SEAFDEC
3) Capacity Building	o Training of Trainer(s) e.g. <ul style="list-style-type: none"> ➤ Fishing licensing system ➤ Applicable logbook, catch records ➤ Validation system ➤ Monitoring system ➤ Strengthening and implementing the legal framework ➤ Statistical/scientific analysis 	Oct 2012 (on-going)	SEAFDEC/ RPOA/ AMS
	o On-the-job training	Oct 2012 (on-going)	AMS
	o Awareness campaign <ul style="list-style-type: none"> ➤ Outreach, mass media ➤ Extension activities ➤ Enhancement and involvement of the stakeholders 	Oct 2012 (on-going)	AMS

JAPAN'S EXPORTS IN FISHERIES PRODUCTS TO EU COUNTRIES
AND CHALLENGES ON NEW CATCH
CERTIFICATION REQUIREMENT ON IUU FISHING

Nobuyuki Yagi, Ph.D.
The University of Tokyo
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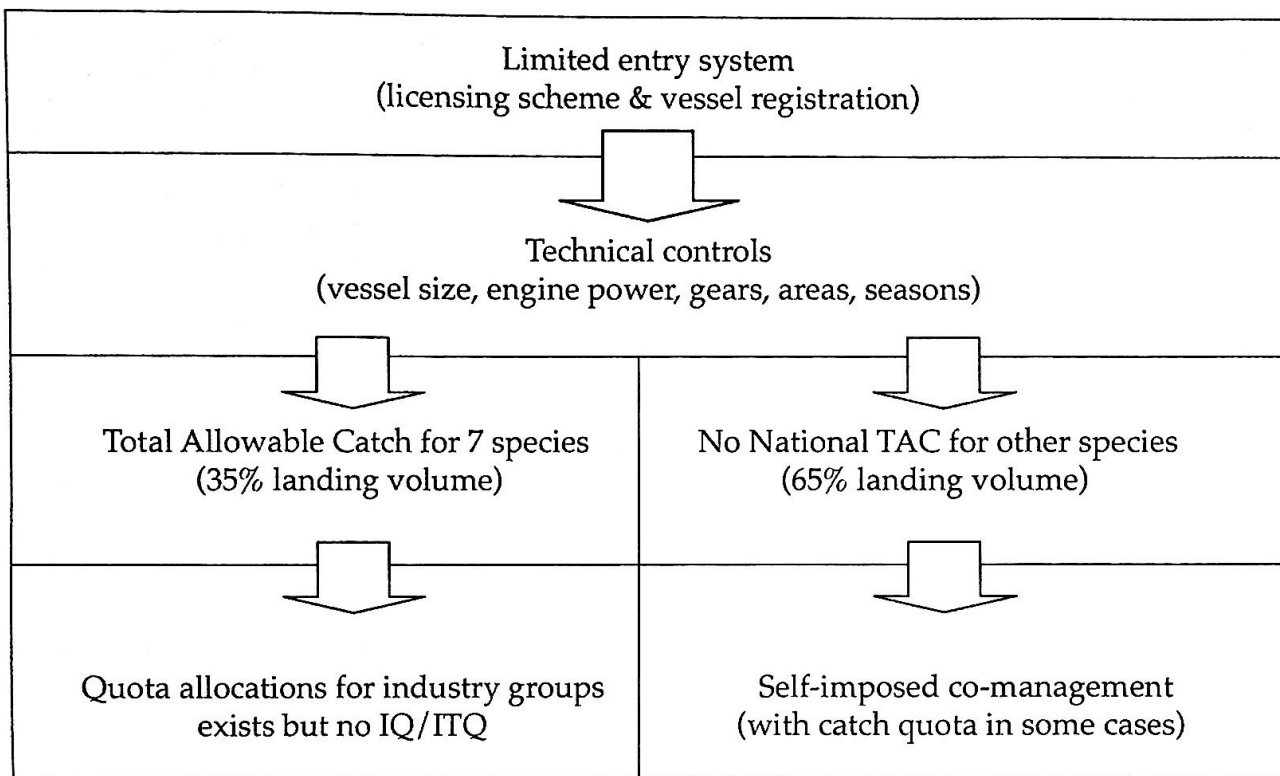
**Relative importance of EU (27 countries) as export market of Japan's fishery products
(2011 data from gov't statistics)**



Export items from Japan to EU

- Direct export from Japan to EU: Pearl and Scallop
- From Japan via Thailand to EU: Skipjack tuna
- From Japan via Viet Nam to EU: Mackerel and Salmon
- From Japan via China to EU: Salmon, Mackerel, Alaska pollack, Squid

No general exemption was granted for Japan from EU with respect to IUU regulation



Japanese rule for non-IUU catch certificate for products exported to EU (after 2010)	
Information category	Specific information required
Authority validation	Name and signature of officials
Vessel information	Name, registration number, email
Product information	Species, catch date, area, landing port
Management measure	Gear restriction, effort control for RFMO or domestic
Company validation	Name and signature of fishing master
Transshipment (sea or port)	Ship master's name
Exporter validation	Name and signature of exporter
Importer validation	Name and signature of importer & import control officials

Special treatment for small scale vessels (less than 20 (or 12) gross tons or 12 (or 8) meters)

Information category	Specific information required
Authority validation	Name and signature of officials
Vessel information	Name, registration number, email
Product information	Species, catch date, area, landing port
Transshipment (sea or port)	Ship master's name
Exporter validation	Name and signature of exporter
Importer validation	Name and signature of importer & import control officials

In addition

- Processing facilities also needs processing certificate on anti-IUU
- Moreover, vessels and processing facilities needs EU HACCP registration and certificate.
- Furthermore, fisheries products of Japanese origin needs carry certification on (i) radio active substance inspection certificate, if the origin is one of the below: Fukushima, Miyagi, Iwate, Gunma, Ibaragi, Tochigi, Saitama, Chiba, Kanagawa or Tokyo, or (ii) certificate indicating the origin is none of the above prefectures.

Number of EU HACCP certified facilities

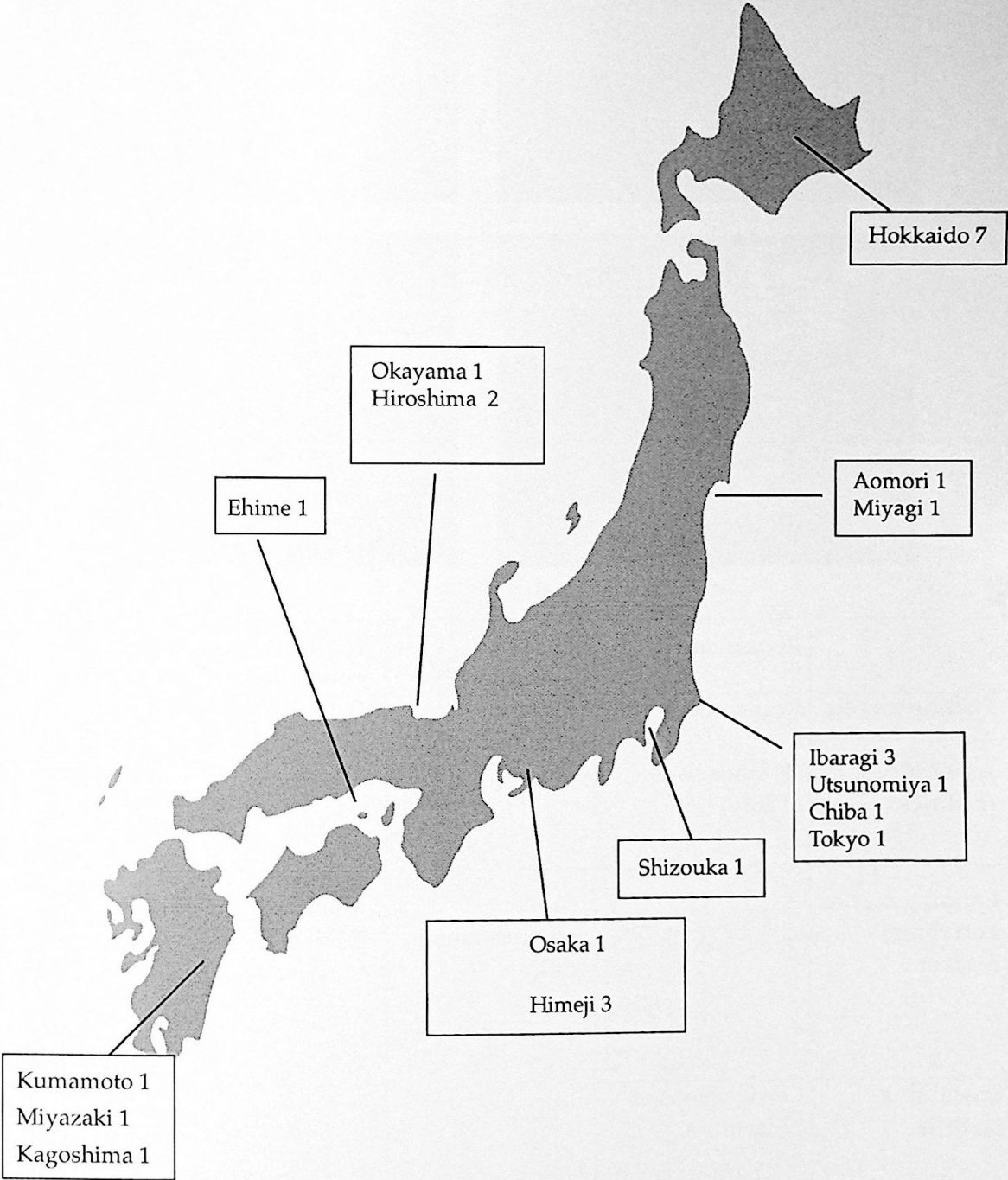
Japan	USA	Viet Nam	Korea
27	947	393	64

- Japanese procedures
 - Costly and time consuming to get certified
 - Local government officials needs to make the first movement of the process upon consultation from the private sector. (but officials have almost no experience on this process)

Some challenges on HACCP

- Ministry of Health, Labor and Welfare (MHLW)
Export promotion is outside of their mandate
Their priority is to secure food safety for Japanese consumers (not for EU consumers)
- Local officials
They are not familiar with the fishery operations
They have periodical turnover (change of positions inside of the government) and no specialist remains
They are not always sympathetic to fishers or processors
- As a whole
Japanese officials are risk averse (successful activities are not properly compensated. Failures are strictly punished)
- No sense of “time value of money”
- Endless procedures

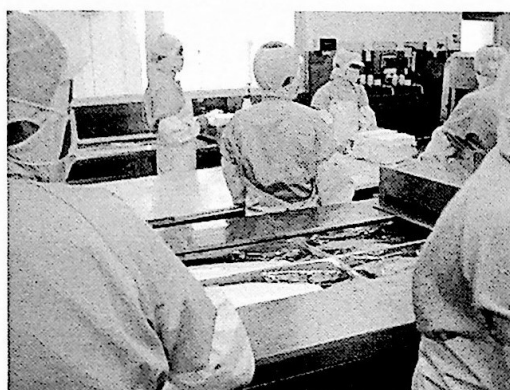
**Certified processing facilities for EU export fishery products (As of March 2012;
Data from gov't website) (Total only 27 facilities)**



HACCP facility in Kagoshima, Japan



1



2



3



4

	Requirement	Local government	National government	How it works?
Fishing vessels	Registration	Fishery administration office	Fisheries Agency (FA) and MAFF	Registration by governors of local prefectures and report it to FA and MAFF
Aquaculture facilities	(118 vessels as of 2010)			
Landing market and central market		Sanitary administration office	Ministry of Health (MHLW)	Registration by governors of local prefectures and report it to Ministry of Health (MHLW)
Processing facilities	Certifications of 27 facilities			Get certified by the governors after receiving prior consent from the branch of Ministry of Health (MHLW)
IUU (product bases)	Certification	NA	Fisheries Agency	Fisheries Agency directly accept the applications from exporters

Conclusions

- EU anti-IUU requirement is just an additional non-tariff barrier on top of the already burdensome HACCP requirement for small scale operators.
- For Japan, HACCP requirement, if compared to the anti-IUU conditionality, may be more challenging because of the involvement of multiple government ministries.
- Future directions on domestic and WTO policies are not explicitly provided by Fisheries Agency.

The above views are solely from the author's own, and they are not necessarily in conformity with the views by the government of Japan.

COMBATING IUU FISHING IN THE SOUTHEAST ASIAN REGION THROUGH APPLICATION OF CATCH CERTIFICATION FOR INTERNATIONAL TRADE IN FISH AND FISHERY PRODUCTS

(New Japanese Trust Fund 6 Program)

Lead Department: MFRDMD

Lead Country: to be determined

Total Duration: 2013 - 2017

Proposed Budget: 33,000 USD in 2013

Five Program Thrusts of SEAFDEC

- I: Developing and Promoting Responsible Fisheries for Poverty Alleviation and Food Security
- II: Enhancing Capacity and Competitiveness to Facilitate International and Intra-regional Trade
- III: Improving Management Concepts and Approaches for Sustainable Fisheries
- IV: Providing Policy and Advisory Services for Planning and Executing Management of Fisheries

New JTF Projects from 2013

Thrust II: Enhancing Capacity & Competitiveness to Facilitate International and Intra-regional Trade

Combating IUU Fishing in the Southeast Asian Region through Application of Catch Certification for International Trade in Fish and Fishery Products (MFRDMD)

Thrust III: Improving Management Concepts and Approaches for Sustainable Fisheries

Promotion of Counter Measures to Reduce IUU fishing activities (TD)

Thrust V: Addressing International Fisheries Related Issues from a Regional Perspective

Strengthening SEAFDEC Network for Sustainable Fisheries (SEC)

Theme and Issues:

Application of Catch Certification for International Trade in Fish and Fishery Products in Southeast Asian Region.

Illegal, unreported and unregulated (IUU) fishing impacts on fishery resources and stocks in the region

Most countries in the Southeast Asian region have developed their respective regulations based on the FAO Legally-binding Instrument on Port State Measures (PSM) and EC Regulation 1005/2008. Therefore it is possible for the countries to support the efforts to use trade measures to combat IUU fishing within the region.

Countries should ensure the primary responsibility of flag state and counter measures to combat IUU fishing

Resolution & Plan of Action at the ASEAN-SEAFDEC Conference in 2011

Activities in this project correspond to :-

#8 of Resolution:

Foster cooperation among ASEAN Member Countries and with international and regional organizations in combating IUU fishing;

#67 of Plan of Action:

Strengthen cooperation among Member Countries to implement international standards with regards to trading on fish and fishery products within the ASEAN region.

Objectives of JTF 6: Combating IUU Fishing in the Southeast Asian Region through Application of Catch Certification for International Trade in Fish and Fishery Products (2013-2017)

To provide suggestions for Member Countries to strengthen cooperation in combating IUU fishing.

To study existing fishing and trading practices in small-scale fishery in the region.

To analyze associated problems in compliance with the EC Regulation No. 1005/2008 in the region.

To suggest a possible catch certification system for large - and small-scale fisheries to ensure only non-IUU/legal fish and fishery products traded in the region.

Schedule of activities for 5 years

	2013				2014				2015				2016				2017			
	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4
1. Meetings for Effective Program Implementation																				
1.1 Core Expert Meetings		√	√							√	√	√	√							
1.2 Terminal Core Expert Meeting																		√	√	
2. To study existing fishing and trading practices in small-scale fishery & Problems in compliance with the EC Regulation 1005/2008 in large-scale fishery																				
2.1 Identification of existing practices/mechanisms and associated problems	√	√	√	√																
2.2 Possible solutions to the problems					√	√	√	√	√	√	√	√								
3. Strengthened cooperation among Member Countries and suggest a possible catch certification system for large - and small-scale fisheries																				
3.1 Identify problems and strengthen cooperation among Member Countries in combating IUU fishing										√	√	√	√							
3.2 Suggest a possible catch certification system for large - and small-scale fisheries to ensure only non-IUU/legal fish and fishery products traded in the region.													√	√	√	√	√	√	√	

Proposed Activities for 2013 (33,000 USD)

Meetings for Effective Program Implementation:

- Core Expert Meetings

To study existing fishing and trading practices in small-scale fishery & problems in compliance with the EC Regulation 1005/2008 in large-scale fishery:

- Identification of existing practices/mechanisms and associated problems

1. Meetings for Effective Program Implementation

1.1 Core Expert Meetings

SEAFDEC/MFRDMD will invite experts on international trade in fish and fishery products from SEAFDEC member countries and SEAFDEC Secretariat, and resource persons to participate in the Core Expert Meeting in the second or third quarter of 2013. Summary of an interesting point.

2. To study existing fishing and trading practices in small-scale fishery & Problems in compliance with the EC Regulation 1005/2008 in large-scale fishery

2.1 Identification of existing practices/mechanisms and associated problems

Existing practices in small-scale fishery and problems associate with the EC Regulation 1005/2008 in the Southeast Asian region will be identified during the Core Expert Meeting and compiled by SEAFDEC/MFRDMD.

Expected Final Goals of the Project

- Suggestions to Member Countries a possible catch certification system for large - and small-scale fisheries to ensure only non-IUU/legal fish and fishery products traded in the region.
- Improved cooperation among Member Countries to combat IUU fishing

FORMAT OF THE REGIONAL GUIDELINES FOR PREVENTING EXPORT OF IUU FISHING PRODUCTS

1.0 Introduction

Irresponsible fishing activity directly undermines efforts to manage fisheries properly and impedes progress toward the goal of sustainable fisheries. The term “illegal, unreported and unregulated fishing” – or IUU fishing has emerged to describe a wide range of such activity. As discussed more fully herein, the FAO Committee on Fisheries decided in 1999 to elaborate an International Plan of Action to Prevent, Deter and Eliminate IUU fishing (IPOA-IUU). Over the course of the next two years, a significant effort unfolded, which culminated in the adoption of the IPOA-IUU in 2001.

IUU fishing should be clearly defined and identifiable. Any trade-related measure to be employed in curbing IUU fishing has to be equally treated, for import as well as like domestic products. Lack of effective fishery regulation in developing countries can impede the equal treatment.

1.1 Background and Rationale

With nearly 40% of the world’s fishery production traded internationally, it follows that trade measures may have impact on IUU fishing through the regulation of trade. Experience indicates that catch certification and landing surveillance for fishery trade can be an effective tool for fisheries management officials trying to prevent circumvention of agreed conservation goals.

The Regional guidelines on preventing trading of IUU fishing products is envisaged to be used as basis by government for formulating relevant policies and provide enabling environment to countries in the region to enable them to perceive clear direction and understanding of the promotion and implementation of catch certification and landing surveillance for fishery trade to prevent trade of IUU fishing products.

1.2 Preparation for Regional Guidelines to Preventing Trading for IUU Fish and Fishery Products

- Questionnaires on Export of Fishery Product (quantity & value) from Member countries
 - CEM 2011 in Bangkok
- Questionnaires on Issues, Processes & Procedures
 - Country visits to gather information
 - CEM 2012 in Kuala Lumpur
- Subject to Council Director’s approval for new project 2013-2017

(Combating IUU fishing in the SEA Region through Application of Catch Certification for International Trade in Fish and Fishery Products)

2.0 General Principle

2.1 Nature and Scope

The scoping for this guideline is for trading of fish and fishery products from capture fishery (freshwater & marine) for large and small-scale fisheries.

- Fish and Fishery Products from capture fishery (freshwater & marine)
- This guideline is for the region:
 - Trading within the country in the region
 - Trading among the countries in the region
 - International trade outside the region by Member Countries

2.2 Objective of the regional guidelines

- Prevent trading of IUU Fish and Fishery Products
- Introducing effective catch certification measures and landing, monitoring and surveillance

2.3 The regional guidelines show effective measures and procedures to prevent trade of IUU Fish and fishery products.

3.0 Definition of the terminology

- IUU fishing
- IUU fish and fishery products
- Domestic/National vessel
 - All registered/licensed fishing vessels
 - All registered/licensed carrier vessels
- Foreign vessel
 - All foreign registered/licensed fishing vessels (including factory vessel) operating in national water
 - All foreign registered/licensed fishing vessels fishing in high seas/ other national waters and landing at national landing sites
 - All foreign registered/licensed carrier vessels landing at national landing sites
 - All vessel flying foreign flags operating in other national waters/high seas and land at national landing sites

DRAFT REGIONAL GUIDELINES FOR PREVENTING LANDING, IMPORT AND EXPORT OF IUU FISH AND FISHERY PRODUCTS

1.0 Introduction

Irresponsible fishing activity directly undermines efforts to manage fisheries properly and impedes progress toward the goal of sustainable fisheries. The term “illegal, unreported and unregulated fishing” – or IUU fishing has emerged to describe a wide range of such activity. As discussed more fully herein, the FAO Committee on Fisheries decided in 1999 to elaborate an International Plan of Action to Prevent, Deter and Eliminate IUU fishing (IPOA-IUU). Over the course of the next two years, a significant effort unfolded, which culminated in the adoption of the IPOA-IUU in 2001.

IUU fishing should be clearly defined and identifiable. Any trade-related measure to be employed in curbing IUU fishing has to be equally treated, for import as well as like domestic products. Lack of effective fishery regulation in developing countries can impede the equal treatment.

To be added to the final guideline:

- Duty of the flag state
- Function of Competent Authority (CA); list of CA as an appendix
- Status of trading between Member countries to EU in reference to EC Regulations

1.1 Background and Rationale

With nearly 40% of the world’s fishery production traded internationally, it follows that trade measures may have impact on IUU fishing through the regulation of trade. Experience indicates that catch certification and landing surveillance for fishery trade can be an effective tool for fisheries management officials trying to prevent circumvention of agreed conservation goals.

The Regional guidelines on preventing trading of IUU fishing products is envisaged to be used as basis by government for formulating relevant policies and provide enabling environment to countries in the region to enable them to perceive clear direction and understanding of the promotion and implementation of catch certification and landing surveillance for fishery trade to prevent trade of IUU fishing products.

1.2 Preparation for Regional Guidelines to Preventing Trading for IUU Fish and Fishery Products

- Questionnaires on Export of Fishery Product (quantity & value) from Member Countries
 - CEM 2011 in Bangkok
 - Outcome from the CEM 2011

- Questionnaires on Issues, Processes & Procedures
 - Country visits to gather information
 - CEM 2012 in Kuala Lumpur
 - Activities conducted by Member countries to collect information e.g. Brunei Darussalam: Consult with related agencies (Marine Department) regarding information gathering for vessels registration
- Subject to Council Director's approval for new project 2013-2017 (Combating IUU fishing in the SEA Region through Application of Catch Certification for International Trade in Fish and Fishery Products)

2.0 General Principle

2.1 Nature and Scope

The scoping for this guideline is for trading of fish and fishery products from capture fishery (freshwater & marine) for large/commercial and small-scale fisheries.

- Fish and Fishery Products from capture fishery (freshwater & marine)
- This guideline is for the region:
 - Trading within the country in the region
 - Trading among the countries in the region
 - International trade outside the region by Member Countries
- Large/commercial and small - scale fisheries (refer to "Regional Guideline for Responsible Fisheries Management in Southeast Asia")

2.2 Objective of the regional guidelines

- Prevent trading of IUU Fish and Fishery Products
- introducing catch certification measures and landing verification and surveillance

2.3 The regional guidelines show effective measures and procedures to prevent trade of IUU Fish and fishery products.

3.0 Definition of the terminology

- IUU fishing
- IUU fish and fishery products
- Domestic/National vessel
 - All registered/licensed fishing vessels
 - All registered/licensed carrier vessels

- Foreign vessel
 - All foreign registered/licensed fishing vessels (including factory vessel) operating in national water
 - All foreign registered/licensed fishing vessels fishing in high seas/ other national waters and landing at national landing sites
 - All foreign registered/licensed carrier vessels landing at national landing sites
 - All vessel flying foreign flags operating in other national waters/high seas and land at national landing sites
- Landing verification and surveillance at landing sites
 - Information on landing amount and catch composition
 - Refer to the guideline for responsible fisheries in Southeast Asia: Fisheries Management
- Trading
- Large/commercial and small-scale fisheries
- Definition of Certification of Non-IUU Fish and Fishery Products
- Definition of Catch documentation scheme (CDS)
- Definition of Statistical document scheme (SDS)
- Definition of fish (refer to EC Regulations)
- Definition of fishery products (refer to EC Regulations)

4.0 Regional guidelines

4.1 Certification of Non-IUU Fish and Fishery Products

- Catch documentation scheme (CDS)
- Statistical document scheme (SDS) – refer to Port State Measures
- Product Movement Document (PMD) (Myanmar) – for domestic trading and export
- Trading license (Malaysia/Thailand)- for domestic trading

4.2 Landing verification and Surveillance at the landing sites

- Domestic/national vessels
- Foreign vessels
(based on International Common Understanding: fishing vessels should be 24 metre in length and over, for cargo and carrier vessels usually more than 500 gross tonnage)

4.3 Positive and black lists of vessels

- RFMO list (black list and positive list for tuna vessels)
- EU list (black list)
 - * Include for all vessels

4.4 Strengthening existing Law and Regulations in member countries for preventing trade of IUU fish and fishery products

- Implementation of CDS and SDS measures include for EC Regulation 1005/2008
 - domestic/ national vessels
 - foreign vessels
- Implement landing verification and surveillance at landing sites include FAO Port State Measures
 - domestic/ national vessels
 - foreign vessels
- implementation of NPOA-IUU Fishing

4.5 Collaboration among SEAFDEC member countries

- establish networking within & among the countries
- cooperation mechanism among the countries as well as relevant regional (RPOA, ASEAN) / international organizations (FAO, EU)
- developments of regional information, education & communication programs/ initiative to compile & disseminate information

5.0 Follow-up actions to promote the implementation of the regional guidelines

(refer to "Regional Guideline for Responsible Fisheries Management in Southeast Asia" pg 53)

- Role of member countries
- Role of regional bodies (SEAFDEC, ASEAN)

6.0 Review of the guideline

when there is a need to review

Next steps of actions after Core Expert Meeting 2012:

- Regional technical consultation
- Stakeholders consultation (respective country)
- RTC on international related issues
- FCG/ ASSP and Council Director meeting
- ASWGF

Participants of the Regional Core Expert Meeting on Preventing Export of IUU Fishing Products in Southeast Asia
20-22 November 2012, Sepang, Selangor, Malaysia

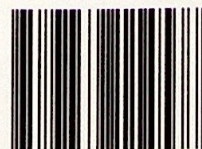


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