

IOTC Agreement – Article X

Report of Implementation for the year 2015

DEADLINE FOR SUBMISSION OF THE REPORT 16 MARCH 2016

Reporting CPC: Malaysia

Date of submission: 16/03/2016

Please NOTE: this document is composed of 3 sections to report on the implementation of IOTC Resolutions

Part A. *Describe the actions taken, under national legislation, in the previous year to implement conservation and management measures adopted by the Commission at its Nineteenth Session.*

- Resolution 15/11 On the implementation of a limitation of fishing capacity of Contracting Parties and Cooperating Non-Contracting Parties.^a

A new FPD will be send to the Secretariat in April 2016

- Resolution 15/10 On target and limit reference points and a decision framework.
Malaysia takes note on this resolution.
- Resolution 15/09 On a fish aggregating devices (FADs) working group.
Malaysia takes note on this resolution. To date, all Malaysian AFV operating in the IOTC area of competence are longline vessels.
- Resolution 15/08 Procedures on fish aggregating devices (FADs) management plan, including a limitation on the number of FADs, more detailed specifications of catch reporting from FAD sets, and the development of improved FAD designs to reduce the incidence of entanglement of non-target species.^a
Malaysia takes note on this resolution.
- Resolution 15/07 On the use of artificial lights to attract fish to drifting fish aggregating devices.
Malaysia takes note on this resolution.
- Resolution 15/06 On a ban on discards of bigeye tuna, skipjack tuna, yellowfin tuna, and a recommendation for non-targeted species caught by purse seine vessels in the IOTC area of competence.

Malaysia takes note on this resolution.

- Resolution 15/05 On conservation measures for striped marlin, black marlin and blue marlin.

Malaysia takes note on this resolution.

- Resolution 15/04 Concerning the IOTC record of vessels authorised to operate in the IOTC Area of Competence.^a

Malaysia has updated the IOTC record of Authorised Vessels to operate in the IOTC area of competence submitted on 12/02/2015. Malaysia has sent the template of Authorisation to Fish (ATF) to the IOTC on 16/02/2015.

Reporting on IMO number:

To allow the necessary time for CPCs to obtain an IMO number for eligible vessels that do not already have one, paragraph 2.b on IMO number is effective as of 1 January 2016. As of this date, CPCs shall ensure that all their fishing vessels that are registered on the IOTC Record of fishing vessels have IMO numbers issued to them. Paragraph 2.b on IMO number does not apply to vessels which are not eligible to receive IMO numbers.

In assessing compliance with the paragraph above, the Commission shall take into account exceptional circumstances in which a vessel owner is not able to obtain an IMO number despite following the appropriate procedures. **Flag CPCs shall report any such exceptional situations** to the IOTC Secretariat.

The report on exceptional situations has already been provided to the IOTC Secretariat:

Yes **Date of reporting (DD/MM/YYYY):** 01/02/2016

No ; **if no report exceptional situations below:**

[Click here to enter text](#)

- Resolution 15/03 On the vessel monitoring system (VMS) Programme.^a

All Malaysian deep sea fishing vessels (> 70GRT) are required to install and activate the Mobile Transceiver Unit (MTU) to be monitored by VMS. Report of Annual VMS report have submitted on 07/07/2015

- Resolution 15/02 On mandatory statistical reporting requirements for IOTC Contracting Parties and Cooperating Non-Contracting Parties (CPCs).

The Final Catch and effort data for the year 2014 have been submitted on 31/12/2015

- Resolution 15/01 On the recording of catch and effort data by fishing vessels in the IOTC Area of Competence.

There is no updated template of National logbook for 2015. Report to IOTC have been submitted on 13/02/2015. Malaysia will update the new logbook once finalise.

Note: ^a indicate that a template report exists for some of the requirements and can be downloaded at <http://www.iotc.org/compliance/reporting-templates>

Part B. *Describe the actions taken, under national legislation, to implement conservation and management measures adopted by the Commission in previous Sessions, and which have not been reported previously.*

Conservation and management measures adopted by IOTC are mostly covered under Malaysia Fisheries Act 1985.

Port State Measures Training for Port Inspector have been conducted in compliance of Resolution 10/11.

Part C. Data and information reporting requirements for CPCs to be included in this report (please refer to the section “Implementation Report due by 16 March 2016” of the *Guide on data and information reporting requirements for Members and Cooperating Non-contracting Parties*, available for download at <http://www.iotc.org/compliance/reporting-templates>).

- Resolution 01/06 Concerning the IOTC bigeye tuna statistical document programme

CPCs which export bigeye tuna shall examine export data upon receiving the import data from the Secretary, and report the results to the Commission annually [A template report exists].

Nil report, specify the reason: No large scale longline vessels on the IOTC RAV
 Do not export frozen big eye tuna

The report has already been provided to the IOTC Secretariat:

Yes **Date of reporting (DD/MM/YYYY):** Click here to enter text.
 No

The report is attached to the implementation report:

Yes No

Additional information:
 NA

- Recommendation 05/07 Concerning a management standard for the tuna fishing vessels

The CPC flag States which issues licenses to their AFVs should report annually to the Commission all measures taken to meet the minimum management standards when they issue fishing licenses to their “authorised fishing vessels”.

a. Management in the fishing grounds (of flag vessels).

	<i>Scientific Observer boarding</i>	<i>Satellite-based vessel monitoring system</i>	<i>Daily or required periodic catch report</i>	<i>Entry/Exit report</i>
Yes, No?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Note	% 0	% or number of vessels 7 vessels	Method Logbook on Vessels	Method Click here to enter text.

b. Management of transshipment (from the fishing grounds to the landing ports; of flag vessels)

	<i>Transshipment report</i>	<i>Port inspection</i>	<i>Statistical document program</i>
Yes, No?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Note	Method	Method	

	Transhipment report by email	Click here to enter text.	
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c. Management at landing ports (of flag vessels).

	Landing inspection	Landing reporting	Cooperation with other Parties
Yes, No?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Note	Method Domestic vessels at landing site	Method Landing by species and by gears	Click here to enter text.

Additional information:

[Click here to enter text.](#)

- Resolution 10/10 Concerning market related measures

For CPCs that import tuna and tuna-like fish products, or in whose ports those products are landed or transhipped, should report a range of information (e.g. information on vessels / owners, product data (species, weight), point of export) annually. *[A template report exists].*

Nil report, specify the reason(s): No landing from foreign vessels in national ports
 No transhipment by foreign vessels in national ports
 Do not import tuna and tuna-like fish products

The report on import, landing or transhipment of tuna and tuna-like fish products landed or transhipped in port in 2015 have already been provided to the IOTC Secretariat:

Yes **Date of reporting (DD/MM/YYYY):** [Click here to enter text.](#)
 No

The report on import, landing or transhipment of tuna and tuna-like fish products landed or transhipped in port in 2015 is attached to the implementation report:

Yes No

Additional information:

Not Applicable. No landing or transhipment done from foreign vessels in National Port.

- Resolution 11/02 Prohibition of fishing on data buoys

CPCs are to notify the IOTC Secretariat of all reports of observations of damaged data buoys.

Nil Report

The report has already been provided to the IOTC Secretariat:

Yes **Date of reporting (DD/MM/YYYY):** [Click here to enter text.](#)
 No

The report is attached to the implementation report:

Yes

No

Additional information:

No Purse-Seiners

- Resolution 11/04 On a Regional observer scheme

CPCs shall provide to the Executive Secretary and the Scientific Committee annually a report of the number of vessels monitored and the coverage achieved by gear type in accordance with the provisions of this Resolution.

Type of gear	No of vessels monitored in 2014	Coverage in 2014 (%)
Purse seine	NA	NA
Longline	0	0
Gillnet	NA	NA
Bait Boat	NA	NA
Hand line	NA	NA
Insert other gear type Click here to enter text.	Click here to enter text.	Click here to enter text.
Insert other gear type Click here to enter text.	Click here to enter text.	Click here to enter text.
Insert other gear type Click here to enter text.	Click here to enter text.	Click here to enter text.
Insert other gear type Click here to enter text.	Click here to enter text.	Click here to enter text.

Additional information:

Lack of fund allocation and human resource

- Resolution 12/04 On marine turtles

CPCs shall report to the Commission, in accordance with Article X of the IOTC Agreement, their progress of implementation of the FAO Guidelines and this Resolution.

Malaysia is fully committed in conservation and management of marine turtles. Under Section 27 of Malaysia Fisheries Act 1985, (1) No person shall fish for, disturb, harass, catch or take any aquatic mammal or turtle which is found beyond the jurisdiction of any state in Malaysia.

- Resolution 12 /06 On Reducing the Incidental Bycatch of Seabirds in Longline Fisheries

CPCs shall provide to the Commission, as part of their annual reports, information on how they are implementing this measure and all available information on interactions with seabirds, including bycatch by fishing vessels carrying their flag or authorised to fish by them. This is to include details of species where available to enable the Scientific Committee to annually estimate seabird mortality in all fisheries within the IOTC Area of Competence.

Malaysia has submitted annual report on any interaction with seabirds to the IOTC. Vessel operators have been informed to comply and take action within the purview of this resolution. AFV now installed weighted line and tori lines of seabird mitigation measures

- Resolution 12/12 To Prohibit the use of large-scale driftnets on the high seas in the IOTC Area

CPCs shall include in their Annual Report a summary of monitoring, control, and surveillance actions related to large-scale driftnet fishing on the high seas in the IOTC area of competence.

No Malaysian fishing vessels using large-scale driftnet fishing on the high seas in the area IOTC area of competence

- Resolution 13/04 On the conservation of cetaceans

CPCs shall report, in accordance with Article X of the IOTC Agreement, any instances in which cetaceans have been encircled by the purse seine nets of their flagged vessels.

Not applicable (No PS vessels on the IOTC RAV in 2015);

No encirclement reported by flag vessels in 2015,

Encirclement reported by flag vessels in 2015 (Complete the table below):

Name of the species	Number of instances of encirclement
Click here to enter text.	Click here to enter text.
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Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.

Additional information:

Click here to enter text.

- Resolution 13/05 On the conservation of whale sharks (*Rhincodon typus*)

CPCs shall report, in accordance with Article X of the IOTC Agreement, any instances in which whale sharks have been encircled by the purse seine nets of their flagged vessels.

Not applicable (No PS vessels on the IOTC RAV in 2015);

No encirclement reported by flag vessels in 2015,

Encirclement reported by flag vessels in 2015 (Complete the table below):

Name of the species	Number of instances of encirclement
Whale sharks (<i>Rhincodon typus</i>)	Click here to enter text.

Additional information:

Click here to enter text.

- Resolution 14/05 Concerning A Record Of Licensed Foreign Vessels Fishing For IOTC Species In The IOTC Area Of Competence And Access Agreement Information

For Government to Government access agreement in existence prior to the entry into force of this resolution, where coastal CPCs allow foreign-flagged vessels to fish in waters in their EEZ in the IOTC Area for species managed by IOTC through a CPC-to-CPC agreement, CPCs involved in the referred agreement:

- Shall submit copy of the access agreement,
- Shall submit information concerning these agreements (paragraphs 3a, b, c, d, e, f, g),

A report template exists and can be requested at secretariat@iotc.org

Additional information:

Not Applicable

- Resolution 14/06 On establishing a programme for transshipment by large-scale fishing vessels
(Report of flag vessels transshipping in foreign ports)

Each flag CPC of the LSTV shall include in its annual report each year to IOTC the details on the transshipments in ports by its vessels (Name of LSTV, IOTC Number, name of carrier vessel, species and quantity transhipped, date and location of transshipment). *[A template report exists].*

Nil report, specify the reason(s): **No LSTVs on the RAV**
 Flag LSTVs do not tranship in foreign ports

The details on transshipment in ports for 2015 have already been provided to the IOTC Secretariat:

Yes **Date of reporting (DD/MM/YYYY):** Click here to enter text.

No

The details on transshipment in ports for 2015 are attached to the implementation report:

Yes

No

Additional information:

Report will be send on September 2016 for Transhipment activities in 2015

- Resolution 15/04 Concerning the IOTC record of vessels authorised to operate in the IOTC Area of Competence.

CPCs shall review their own internal actions and measures taken pursuant to paragraph 7, including punitive actions and sanctions and, in a manner consistent with domestic law as regards disclosure, report the results of the review to the Commission annually. In consideration of the results of such review, the Commission shall, if appropriate, request the flag CPCs of AFVs on the IOTC Record to take further action to enhance compliance by those vessels with IOTC Conservation and Management Measures.

The flag CPCs of the vessels on the record shall:

- take measures to ensure that their AFVs comply with all the relevant IOTC Conservation and Management Measures;
Describe the measures:
Internal meeting and reminder to the vessels owner on the:
Authorisation To Fish
National Logbook
Vessels Inspection
Marking on Vessels
Register IMO Number
IRCS number
- take measures to ensure that their AFVs on the IOTC Record keep on board valid certificates of vessel registration and valid authorisation to fish and/or tranship;
Describe the measures:
All Malaysian Flag Vessels have ATF on board their vessels to operate in the IOTC areas of competence
- ensure that their AFVs on the IOTC Record have no history of IUU fishing activities or that, if those vessels have such a history, the new owners have provided sufficient evidence demonstrating that the previous owners and operators have no legal, beneficial or financial interest in, or control over those vessels; the parties of the IUU incident have officially resolved the matter and sanctions have been completed; or that having taken into account all relevant facts, their AFVs are not engaged in or associated with IUU fishing;
Describe the measures:
No IUU Vessels are licensed under Malaysian Flag
- ensure, to the extent possible under domestic law, that the owners and operators of their AFVs on the IOTC Record are not engaged in or associated with tuna fishing activities conducted by vessels not entered into the IOTC Record in the IOTC area of competence;
Describe the measures:



Internal meetings and reminder to vessel owner on not engaged with not listed AFV in IOTC Area.

- take measures to ensure, to the extent possible under domestic law, that the owners of the AFVs on the IOTC Record are citizens or legal entities within the flag CPCs so that any control or punitive actions can be effectively taken against them;

Describe the measures:

Vessels owner must at least have 51% of local company shares & 49% of Joint Ventures for foreign company shares for Tuna Fishing License