

N°	Source	Information required	Deadline/ Remark	Previous Status ¹		Current Status		Observations	CoC Remarks
				Timeliness	Content	Timeliness	Content		
1. Implementation obligations									
1.1.	Art. X Agreement	Report of Implementation	Session - 60 ds (07.03.2013)	L	C	L	C		
1.2.	Res. 10/09	Compliance Questionnaire	20.02.2013	C	C	C	C		
2. Management Standards									
2.1.	Res. 01/02	Documents listed in this resolution on board ²	07.03.2013	N/C	N/C	C	P/C	To be implemented as licence condition in 2013.	
		Marking of vessels ²		N/C	N/C	N/C	N/C	No information provided.	
		Marking of gears ²		N/C	N/C	N/C	N/C		
		Marking of FADs ²		N/A	N/A	N/A	N/A	No purse seine fleet.	
		Logbook on board ²		N/C	N/C	C	C		
2.2.	Res. 12/12	Ban on large-scale driftnets ²	07.03.2013	N/C	N/C	N/C	N/C	Has reported it is not applicable.	
2.3.	Res. 12/13	Legal and administrative measures to implement the area Closure	For LL 18.12.2012	C	C	L	C		
2.4.			For PS 17.09.2012	C	C	N/A	N/A	No purse seine fleet.	
3. Reporting on Vessels									
3.1.	Res. 10/08	List of Active vessels	15.02	N/C	N/C	C	P/C	Some information not to IOTC standard: GRT instead of GT.	
3.2.	Res. 12/11	Fleet Development Plan (FDP)	By 31.12.2010 (10 years)	P/C	P/C	P/C	P/C	Some mandatory information missing: origin and capacity. No update provided.	
3.3.	Res. 12/11	List of vessels ³ for Tropical Tuna during 2006	31.12.2009	C	C	C	C		
		List of vessels ³ for SWO and ALB during 2007		N/A	N/A	N/A	N/A	No vessels targeting SWO and ALB.	
3.4.	Res. 07/02	List of Authorized vessels 24 metres in length overall or more	Since 01.07.2003	C	P/C	C	P/C	Some information not to IOTC standard: GRT instead of GT.	

¹ C = Compliant; N/C= Non-compliant; N/A = Not Applicable; P/C = Partially Comply; L = Late

² Information is to be provided in the Report of Implementation.

³ 24 meters overall length and over, and under 24 meters if they fished outside their EEZ

N°	Source	Information required	Deadline/ Remark	Previous Status ¹		Current Status		Observations	CoC Remarks	
				Timeliness	Content	Timeliness	Content			
3.5.		List of Authorized vessels (less than 24m, operating in waters outside EEZ of the flag state)	Since 01.07.2006	C	P/C	C	P/C			
3.6.	Res. 12/07	List of foreign vessels licensed in EEZ	15.02	N/C	N/C	N/A	N/A	Foreign vessels are not licensed.		
3.7.		List of foreign vessels denied a licence	15.02	N/C	N/C					
3.8.		Access Agreement information	07.03.2013			N/A	N/A			
4. Vessel Monitoring System										
4.1.	Res. 06/03	Adoption VMS for all vessels greater than 15 metres in length overall	Since 01.07.2007	C	C	C	C			
4.2.		VMS report on the progress and implementation	30.06 Vessels > 15 m	N/C	N/C	N/C	N/C	No information reported.		
4.3.	Res. 12/13	Summary of VMS record ²	07.03.2013	N/C	N/C	C	C			
5. Mandatory statistical requirement										
5.1.	Res. 10/02	Nominal Catch								
		• Coastal fisheries		30.06	C	P/C	C	P/C	Catch not fully by species.	
		• Surface fisheries		30.06	N/A	N/A	N/A	N/A	No purse seine fleet.	
		• LL	Provisional	30.06	C	P/C	C	P/C	Data not provided for Malaysia flagged LL based in other countries.	
			Final	30.12	C	P/C	C	P/C		
5.2.		Catch & Effort								
		• Coastal fisheries		30.06	C	P/C	C	P/C	Catch not fully by species.	
		• Surface fisheries		30.06	N/A	N/A	N/A	N/A	No purse seine fleet.	
		• LL	Provisional	30.06	C	P/C	C	P/C	Data not provided for Malaysia flagged LL based in other countries; data not by IOTC grid.	
			Final	30.12	C	P/C	C	P/C		
5.3.		Size Frequency								
		• Coastal fisheries		30.06	N/C	N/C	N/C	N/C	No information provided	
		• Surface fisheries		30.06	N/A	N/A	N/A	N/A	No purse seine fleet.	
		• LL	Provisional	30.06	C	P/C	C	P/C	Data not provided for Malaysia flagged LL based in other countries; data not by IOTC grid.	
			Final	30.12	C	P/C	C	P/C		
5.4.		Fish Aggregating Devices (FAD)								
		Supply vessels		30.06	N/A	N/A	N/A	N/A	No supply vessels	
		Days at sea by supply vessels		30.06	N/A	N/A	N/A	N/A		
		FADs set by type		30.06	N/A	N/A	N/A	N/A		

N°	Source	Information required	Deadline/ Remark	Previous Status ¹		Current Status		Observations	CoC Remarks
				Timeliness	Content	Timeliness	Content		
6. Implementation of mitigation measures and bycatch of non-IOTC species									
6.1.	Res. 05/05	Submission of data regarding Sharks	30.06	C	P/C	C	P/C	Data not provided for Malaysia flagged LL based in other countries; data not by IOTC grid; catches not by species; size data not available.	
6.2.	Res. 12/09	Prohibition on thresher sharks of all the species of the family <i>Alopiidae</i>	Since 07.07.2010	C	C	C	P/C	Instruction given to fishing operators to record incidental catch of thresher Sharks.	
6.3.	Res. 12/04	Sea turtles report ²	07.03.2013	C	C	C	P/C	Interaction not reported.	
6.4.		Carry line cutters and de-hookers on board (Longliners)	Since 06.08.2009	C	C	C	N/C	No information provided.	
6.5.		Carry dip nets (Purse seiners)	Since 06.08.2009	N/A	N/A	N/A	N/A	No purse seine fleet	
6.6.	Res. 10/06	Seabirds report ²	07.03.2013	C	C	C	P/C	Instruction given to fishing operators to record incidental catch of seabirds.	
6.7.		Implementation of mitigation measures south of 25°S	Since 01.11.2010	N/C	N/C	C	N/C	Mitigation measures of seabird will be enforced by 2014.	
7. Illegal, Unreported and Unregulated (IUU) Vessels									
7.1.	Res. 11/03	IUU listing	Session - 70 ds (8.02.2012)	N/A	N/A	N/A	N/A	No vessel or national identified in IUU fishing activities.	
7.2.	Res. 07/01	Compliance by nationals	07.03.2013	N/A	N/A	N/A	N/A		
8. Transshipments									
8.1.	Res. 12/05	At sea transshipments – CPC report	Before15.09	N/C	N/C	N/C	N/C	One vessel transhipped on 29/05/2011 (Deployment 131/11).	
8.2.		Transshipments in port report ²	07.03.2013	N/C	N/C	N/C	N/C	Mandatory report not provided.	
8.3.		List of Authorised carrier vessels	Since 01.07.2008	N/A	N/A	C	P/C	Some mandatory information not to IOTC standard: GRT instead of GT.	
8.4.		Report on results of investigations on possible infractions	01.02.2013			N/A	N/A	No at sea transhipment during the period.	
9. Observers									
9.1.	Res. 11/04	Regional Observer Scheme ² (No. of vessels monitored and coverage by gear type)	07.03.2013	N/C	N/C	N/C	N/C	Not yet implemented due to human and financial constraints.	
9.2.		• 5% Mandatory, at sea (> 24m) ²	Since 01.07.2010	N/C	N/C	N/C	N/C		
9.3.		• 5% Phasing in, at sea (< 24m)	2013	N/C	N/C	N/C	N/C		
9.4.		• 5 % Phasing in Artisanal landings ²	07.03.2013	N/C	N/C	N/C	N/C		
9.5.		Observer reports	150 days after trip	N/C	N/C	N/C	N/C		
10. Statistical document programme									

N°	Source	Information required	Deadline/ Remark	Previous Status ¹		Current Status		Observations	CoC Remarks
				Timeliness	Content	Timeliness	Content		
10.1.	Res. 01/06	1 st Semester report	01.04	N/A	N/A	N/A	N/A	Does not import bigeye tuna.	
10.2.		2 nd Semester report	01.10	N/A	N/A	N/A	N/A		
10.3.		Annual report ²	07.03.2013	N/C	N/C	N/C	N/C	Mandatory report not provided.	
10.4.		Information on authorised institutions and personnel	01.07.2002	N/C	N/C	N/C	N/C	No information provided.	
11. Port inspection									
11.1.	Res. 05/03	Port inspection programme	01.07	N/C	N/C	N/C	N/C	No information provided.	
11.2.	Res. 10/11	List of designated ports	By 31.12.10	C	C	C	C		
11.3.		Designated competent Authority		N/C	N/C	P/C	P/C	Name of CA provided; no contact details.	
11.4.		Prior notification periods		N/C	N/C	N/C	N/C	No information provided.	
11.5.		Inspection report	3 days after inspection	N/C	N/C	N/C	N/C		
11.6.		Denial of entry in port	Since 01/03/2011	N/A	N/A	N/A	N/A		

Feedback to Malaysia on the level of implementation of IOTC Conservation and Management Measures identified by the CoC09 in 2012.

Feedback: With regards to the level of compliance by Malaysia to the decisions of the Commission, the Compliance Committee noted certain issues that required attention. These concerns were communicated to Malaysia by the Chair of the Commission in a letter dated 26/04/2012.

The CoC ACKNOWLEDGED the important work that Malaysia had undertaken in addressing the concerns raised by CoC08 in 2011, as well as the difficulties that Malaysia continues to face in fully implementing a number of the CMMs adopted by the Commission, including the following:
<ul style="list-style-type: none">• Resolution 09/02 (Fleet development plan). Noting that Malaysia has not reported origin and capacity of vessels in its FDP, the CoC URGED Malaysia to complete its FDP by providing the requested information as soon as possible.
<ul style="list-style-type: none">• Resolution 10/02 (Minimum reporting requirements): Noting the progress that Malaysia has made over the past year in implementing and improving upon data collection and reporting systems, the CoC noted that Malaysia is partially compliant with the data reporting requirements, in particular catch and effort, and size frequency data for coastal and longline fisheries. The CoC ENCOURAGED Malaysia to make further improvements in data collection and reporting in the coming year.
<ul style="list-style-type: none">• Resolution 10/11 (On port state measures to prevent, deter and eliminate illegal, unreported and unregulated fishing): Noting that Malaysia has not provided the list of the designated ports, the name of the competent authority, the notification periods notice and the inspection reports, the CoC URGED Malaysia to report the information as early as possible.
<ul style="list-style-type: none">• Resolution 11/04 (Regional observer scheme): The CoC ENCOURAGED Malaysia to implement its national observer scheme as soon as possible.

Response: The response to the letter of the Chair of the Commission was provided by Malaysia on 13/04/2012.

Current issues on the level of implementation by Malaysia of IOTC Conservation and Management Measures identified for discussion in the CoC10 in 2013.

Having reviewed the 2013 Compliance Report for Malaysia, the Chair of the Compliance Committee has identified the following significant non-compliance issues for discussion.

<ul style="list-style-type: none">• Has partially reported data for coastal fisheries and longline fisheries with regards to nominal catch and catch & effort as required by Res 10/02.
<ul style="list-style-type: none">• Has not provided all the mandatory information on the fleet development plan as required by Resolution 12/11, some mandatory information missing: origin and capacity.
<ul style="list-style-type: none">• Has not provided all the mandatory information on the list of Authorized vessels 24 metres in length overall or more and the list of Authorized vessels less than 24m, operating in waters outside EEZ of the flag state, as required by Resolution 07/02, some mandatory information not to IOTC Standard: GRT instead of GT.
<ul style="list-style-type: none">• Has not implemented an observer programme as required by Re. 11/04.
<ul style="list-style-type: none">• Has not provided the mandatory report on transshipments carried out at sea and has not provided the mandatory report on transshipments in port, as required by Res. 12/05.
<ul style="list-style-type: none">• Has not provided all the mandatory information, as required by Res. 10/11.