

N°	Source	Information required	Deadline/ Remark	Previous Status <sup>1</sup>		Current Status		Observations	CoC Remarks
				Timeliness	Content	Timeliness	Content		
<b>1. Implementation obligations</b>									
1.1.	Art. X Agreement	Report of Implementation	Session - 60 ds (02.04.2014)	L	C	C	C	Received 31.03.14	
1.2.	Res. 10/09	Compliance Questionnaire	17.03.2014	C	C	C	C	Received 17.03.14	
1.3.	SC04	National Report	17.11.2013			C	C	Received 18.10.13	
1.4.	S17	Feedback letter	02.04.2014			C	C	Received 05.07.13	
<b>2. Management Standards</b>									
2.1.	Res. 13/02	Documents listed in this resolution on board <sup>2</sup>	02.04.2014	C	P/C	N/C	N/C	No information provided. Has reported to have notified verbally & in writing vessel owner to strictly follow the resolution.	
		Marking of vessels <sup>2</sup>		N/C	N/C	N/C	N/C		
		Marking of gears <sup>2</sup>		N/C	N/C	N/C	N/C		
		Marking of FADs <sup>2</sup>		N/A	N/A	N/A	N/A		
		Logbook on board <sup>2</sup>	C	C	C	C			
		Official authorisation to fish outside National Jurisdictions	15.02.2014			N/C	N/C	No information provided.	
2.2.	Res. 13/03	Official fishing logbooks	15.02.2014			L	C	Received 26.02.14	
2.3.	Res. 12/12	Ban on large-scale driftnets <sup>2</sup>	02.04.2014	N/C	N/C	N/C	N/C	No information provided.	
2.4.	Res13/08	FADs management plan	31.12.2013			N/A	N/A	No purse seine fleet.	
2.5.	Res. 12/13	Legal and administrative measures to implement the area Closure	For LL 18.12.2013	L	C	L	C	Has provided email sent to operator (on 26.02.14.	
2.6.			For PS 17.09.2013	N/A	N/A	N/A	N/A	No purse seine fleet.	
<b>3. Reporting on Vessels</b>									
3.1.	Res. 10/08	List of Active vessels	15.02	C	P/C	N/C	N/C	Mandatory report not provided.	
3.2.	Res. 12/11	Fleet Development Plan (FDP)	By 31.12.2010 (10 years)	P/C	P/C	P/C	P/C	Mandatory information missing: GT and origin of vessels. Submission 12.04.12 (3 <sup>rd</sup> update)	
3.3.	Res. 12/11	Reference Capacity							
		List of vessels <sup>3</sup> for Tropical Tuna during 2006	31.12.2009	C	C	C	C		
List of vessels <sup>3</sup> for SWO and ALB during 2007	N/A	N/A		N/A	N/A	No vessels targeting SWO and ALB.			
3.4.	Res.13/02	List of Authorized vessels 24	Since	C	P/C	C	P/C	Mandatory information not to IOTC	

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

<sup>2</sup> Information is to be provided in the Report of Implementation.

<sup>3</sup> 24 meters overall length and over, and under 24 meters if they fished outside their EEZ

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		metres in length overall or more	01.07.2003					standard: provides GRT instead of GT.	
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	N/A	N/A	No vessels <24 M authorised in the IOTC Area. Source – IOTC Vessel Record	
3.6.	Res. 13/07	List of foreign vessels licensed in EEZ	15.02	N/A	N/A	N/A	N/A	Foreign vessels are not licensed.	
3.7.		List of foreign vessels denied a licence	15.02			N/A	N/A		
3.8.		Access Agreement information	07.03.2013	N/A	N/A	N/A	N/A		
3.9.		Official coastal State fishing License	14.01.2014			N/A	N/A		
<b>4. Vessel Monitoring System</b>									
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	Has reported Malaysian vessels (> 70GRT) are required to install/activate VMS since 2006 (IR).	
4.2.		VMS report on the progress and implementation	30.06 Vessels > 15 m	N/C	N/C	N/C	N/C	Mandatory report not provided.	
4.3.	Res. 12/13	Summary of VMS record <sup>2</sup>	02.04.2014	C	C	C	C	Received 25.03.14	
<b>5. Mandatory statistical requirement – Flag State CPCs</b>									
5.1.		Nominal Catch							
		• Coastal fisheries	30.06	C	P/C	C	C		
		• Surface fisheries	30.06	N/A	N/A	N/A	N/A	No purse seine fleet.	
		• LL	Provisional	30.06	C	P/C	C	C	
			Final	30.12	C	P/C	C	C	
5.2.	Res. 10/02	Catch & Effort							
		• Coastal fisheries	30.06	C	P/C	C	C		
		• Surface fisheries	30.06	N/A	N/A	N/A	N/A	No purse seine fleet.	
		• LL	Provisional	30.06	C	P/C	C	C	
			Final	30.12	C	P/C	C	C	
5.3.		Size Frequency							
		• Coastal fisheries	30.06	N/C	N/C	N/C	N/C	Mandatory report not submitted.	
		• Surface fisheries	30.06	N/A	N/A	N/A	N/A	No purse seine fleet.	
		• LL	Provisional	30.06	C	P/C	N/C	N/C	Mandatory report not submitted.
			Final	30.12	C	P/C	N/C	N/C	Mandatory report not submitted.
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		
<b>6. Mandatory statistical requirement – Coastal State CPC</b>									
6.1.	Res. 10/02	Catch & Effort							

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		• Surface fisheries	30.06			N/A	N/A	Foreign vessels are not licensed.	
		• LL	30.06			N/A	N/A		
		Provisional	30.12			N/A	N/A		
		Final							
<b>7. Implementation of mitigation measures and bycatch of non-IOTC species</b>									
7.1.	Res. 05/05	Submission of data regarding Sharks	30.06	C	P/C	C	P/C	Data for sharks incomplete (only one species).	
7.2.	Res. 12/09	Prohibition on thresher sharks of all the species of the family <i>Alopiidae</i>	Since 07.07.2010	C	P/C	C	P/C	Instruction given to fishing operators to record incidental catch of thresher Sharks.	
7.3.	Res. 13/06	Prohibition on oceanic whitetip sharks ( <i>Carcharhinus longimanus</i> )	Since 14.08.2013			C	P/C	Has reported sharks are released back to sea.	
7.4.	Res. 12/04	Sea turtles report <sup>2</sup>	02.04.2014	C	P/C	C	P/C	Protected under Section 27 of Malaysia Fisheries Act 1985. Has reported very few interaction recorded between fishermen and turtles (SC16-NR16)	
7.5.		Carry line cutters and de-hookers on board (Longliners)	Since 06.08.2009	C	N/C	C	N/C	No information provided.	
7.6.		Carry dip nets (Purse seiners)	Since 06.08.2009	N/A	N/A	N/A	N/A	No purse seine fleet	
7.7.	Res. 10/06	Seabirds report <sup>2</sup>	02.04.2014	C	P/C	C	P/C	Instruction given to fishing operators to record incidental catch of seabirds. Interaction reported is NIL (SC16-NR16).	
7.8.		Implementation of mitigation measures south of 25°S	Since 01.11.2010	C	N/C	N/C	N/C	Has reported will inform IOTC the type of mitigation used by MYS LL before 1st July 2014	
7.9.	Res. 13/04	Instances of Cetaceans encircled <sup>2</sup>	For PS 02.04.2014			N/A	N/A	No purse seine fleet	
7.10.	Res. 13/05	Instances Whale Sharks encircled <sup>2</sup>	For PS 02.04.2014			N/A	N/A		
<b>8. Illegal, Unreported and Unregulated (IUU) Vessels</b>									
8.1.	Res. 11/03	IUU listing	Session - 70 ds (23.03.2014)	C	C	C	C	No vessel or national identified in IUU fishing activities. Previously assessed as N/A.	
8.2.	Res. 07/01	Compliance by nationals	02.04.2014	C	C	C	C		
<b>9. Transshipments</b>									
9.1.	Res. 12/05	At sea transshipments – CPC report	Before 15.09	N/C	N/C	N/C	N/C	Mandatory report not provided.	
9.2.		Transshipments in port report <sup>2</sup>	02.04.2014	N/C	N/C	N/C	N/C	Has reported LL tranship in Mauritius. Mandatory report not provided.	
9.3.		List of Authorised carrier vessels	Since 01.07.2008	C	P/C	C	C	Last update: 15.11.13	

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9.4.		Report on results of investigations on possible infractions	25.02.2014	N/A	N/A	N/C	N/C	Possible infractions: 74 Responses received: 0	
9.5.		ROP fee	15.08.2013	N/A	N/A	L	C	Received 31.10.13	
<b>10. Observers</b>									
10.1.	Res. 11/04	Regional Observer Scheme <sup>2</sup> (No. of vessels monitored and coverage by gear type)	02.04.2014	N/C	N/C	N/C	N/C	Has indicated there is no need to initiate the regional observer scheme (IR).	
10.2.		• 5% Mandatory, at sea (> 24m) <sup>2</sup>	Since 01.07.2010	N/C	N/C	N/C	N/C		
10.3.		• 5% Phasing in, at sea (< 24m)	2013	N/C	N/C	N/C	N/C	Malaysia informed that they sample catch for part of its artisanal fishery (information provided during a mission of the IOTC-OFCF Project)	
10.4.		• 5 % Phasing in Artisanal landings <sup>2</sup>	02.04.2014	L	P/C	L	P/C		
10.5.		Observer reports	150 days after trip	N/C	N/C	N/C	N/C		
<b>11. Statistical document programme</b>									
11.1.	Res. 01/06	1 <sup>st</sup> Semester report	01.10	N/A	N/A	N/A	N/A	Does not import Bigeye tuna.	
11.2.		2 <sup>nd</sup> Semester report	01.04	N/A	N/A	N/A	N/A		
11.3.		Annual report <sup>2</sup>	02.04.2014	N/C	N/C	N/C	N/C	Mandatory report not provided.	
11.4.		Information on authorised institutions and personnel	01.07.2002	N/C	N/C	N/C	N/C	No information provided.	
<b>12. Port inspection</b>									
12.1.	Res. 05/03	Port inspection programme	01.07	N/C	N/C	N/C	N/C	No information provided.	
12.2.		List of designated ports	By 31.12.10	C	C	C	C	Information updated on 24.03.14.	
12.3.		Designated competent Authority		P/C	P/C	C	C		
12.4.		Prior notification periods		N/C	N/C	C	C		
12.5.	Res. 10/11	Inspection report	3 days after inspection	N/C	N/C	N/C	N/C	No information provided.	
12.6.		At least 5% inspection of LAN or TRX	Since 01/03/2011			N/C	N/C	No information provided.	
12.7.		Denial of entry in port		N/C	N/C	N/C	N/C	No information provided.	
<b>13. Market</b>									
13.1.	Res. 10/10	Report on import, landing, transhipment of tuna and tuna-like fish products in ports <sup>2</sup>	02.04.2014			N/C	N/C	Mandatory report not provided.	

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**Feedback to Malaysia on the level of implementation of IOTC Conservation and Management Measures identified by the CoC10 in 2013.**

**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 10 May 2013.

<ul style="list-style-type: none"><li>• 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 has partially reported data for coastal fisheries and longline fisheries with regards to nominal catch and catch &amp; effort. The CoC <b>ENCOURAGED</b> Malaysia to make further improvements in data collection and reporting in the coming year.</li></ul>
<ul style="list-style-type: none"><li>• Resolution 07/02 (Record of authorised vessels): Noting that Malaysia 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 the EEZ of Malaysia, as required by this resolution with some mandatory information not reported to IOTC Standard: report GRT instead of GT. The CoC <b>ENCOURAGED</b> Malaysia to make further improvements in data collection and reporting in the coming year.</li></ul>
<ul style="list-style-type: none"><li>• Resolution 11/04 (Regional Observer Scheme): The CoC <b>ENCOURAGED</b> Malaysia to implement its national observer scheme as soon as possible.</li></ul>
<ul style="list-style-type: none"><li>• Resolution 12/05 (Regional transshipment programme): Noting that Malaysia 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 this resolution. The CoC <b>ENCOURAGED</b> Malaysia to provide the mandatory report on transshipments carried out at sea and the mandatory report on transshipments in port.</li></ul>

**Response:** The response to the letter of the Chair of the Commission was provided by Malaysia on 05 July 2013.

**Current issues on the level of implementation by Malaysia of IOTC Conservation and Management Measures identified for discussion in the CoC11 in 2014.**

Having reviewed the 2014 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"><li>• Has not provided all the mandatory information on the fleet development plan, missing: origin and capacity, as required by Resolution 12/11.</li></ul>
<ul style="list-style-type: none"><li>• Has not provided the list of active vessels, as required by Resolution 10/08.</li></ul>
<ul style="list-style-type: none"><li>• Has not implemented an observer programme as required by Re. 11/04.</li></ul>
<ul style="list-style-type: none"><li>• Has not implemented the ban on large-scale driftnet as required by Re. 12/12.</li></ul>
<ul style="list-style-type: none"><li>• Has not provided the mandatory reports on transshipments carried out at sea, the mandatory report on transshipments in port and the mandatory report on results of investigations on possible infractions, as required by Res. 12/05.</li></ul>
<ul style="list-style-type: none"><li>• Has not reported size frequency data for coastal fisheries and longline fisheries as required by Res 10/02.</li></ul>
<ul style="list-style-type: none"><li>• Has not provided information on documents listed in this resolution on board, marking of gears, marking of vessels, and the template of the official authorisation to fish outside National Jurisdictions, as required by Res. 13/02.</li></ul>
<ul style="list-style-type: none"><li>• Has not provided the mandatory inspection reports and information on denial of entry in port, as required by Res. 10/11.</li></ul>
<ul style="list-style-type: none"><li>• Has not provided the mandatory report on import, landing, transshipment of tuna and tuna-like fish products in ports, as required by Res. 10/10.</li></ul>
<ul style="list-style-type: none"><li>• Has not implemented the mandatory requirement for longliners to carry line cutters and de-hookers on board, as required by Res. 12/04.</li></ul>
<ul style="list-style-type: none"><li>• Has not implemented the mitigation measures on seabirds south of 25°S, as required by Res. 10/06.</li></ul>