


Annex: Compliance issues from CoC19.

CPC: Malaysia	Responses/clarifications									
<ul style="list-style-type: none"> Has not reported size frequency to IOTC Standard for the coastal fisheries, less than 1 fish per MT for some species and not reported for all fisheries, as required by Resolution 15/02. 	<ul style="list-style-type: none"> For the coastal fisheries statistical data in 2021, Malaysia has reported the size frequency for 2 species (KAW) and LOT with the size interval of 1 cm, as required by the Resolution 15/02 as below: <table border="1" data-bbox="826 533 1465 654"> <thead> <tr> <th>Species</th> <th>No of Fish</th> <th>Total catch (mt)</th> </tr> </thead> <tbody> <tr> <td>KAW</td> <td>5572</td> <td>5849 mt</td> </tr> <tr> <td>LOT</td> <td>1480</td> <td>3057 mt</td> </tr> </tbody> </table> The sampling program covers the landing sites and fishing ports along the west coast of Peninsular Malaysia, only on vessels operating in the Malaysian Fisheries waters. The sampling was taken by researchers and enumerators. The port sampling data at landing site covers 70% of landing and taken by Fisheries officer of DOF Malaysia. 	Species	No of Fish	Total catch (mt)	KAW	5572	5849 mt	LOT	1480	3057 mt
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KAW	5572	5849 mt								
LOT	1480	3057 mt								
<ul style="list-style-type: none"> Has not provided the data on interactions with marine turtles (all gears), as required by Resolution 12/04. 	<ul style="list-style-type: none"> Fisheries Act 1985 section 27 provides legal instrument to protect marine turtle, and Fisheries (Control of Endangered Species Of Fish) Regulations 1999 for whale shark and marine mammals on prohibition from any type of fishing. 									
<ul style="list-style-type: none"> Has not provided the data on interactions with sea birds, as required by Resolution 12/06. 	<ul style="list-style-type: none"> So far very few interactions were recorded and reported by the traditional and commercial fishermen in the Malaysia EEZ waters. 									
<ul style="list-style-type: none"> Has not provided the data on interactions with cetaceans (all gears), as required by Resolution 13/04. 	<ul style="list-style-type: none"> From the logbook report and observer transshipment report for vessels operating in the IOTC area of competence (High Seas), there is no interaction and released/discarded of seabirds, marine turtles, cetacean and whale shark recorded by the Malaysia AFV in 2021 & 2022. 									
<ul style="list-style-type: none"> Has not provided the data on interactions with whale sharks (all gears), as required by Resolution 13/05. 										

<ul style="list-style-type: none"> • Has not implemented fully the obligation on gears marking, as required by Resolution 19/04. 	<ul style="list-style-type: none"> • Malaysian AFV marks the passive gears and buoys for Longliners. • Department of Fisheries Malaysia currently conducted pilot project on gear and FAD marking for all commercial gears starting 2023.
<ul style="list-style-type: none"> • Has not implemented fully the ban on large-scale driftnets in IOTC Area, ban only applicable for High Sea, EEZ not covered by the ban, as required by Resolution 17/07. 	<ul style="list-style-type: none"> • Malaysia do not have large-scale driftnet operating in the High Seas. Therefore, in the Terms and Condition of ATF – No.4 All Malaysia tuna fishing vessels are not allowed to use fishing gears other than the licensed gears. Large-scale driftnets shall be prohibited. • For coastal fisheries, driftnet only use by the traditional fisherman and not allowed to be use by the commercial vessels operating in the EEZ waters.
<ul style="list-style-type: none"> • Has not provided the BET annual report for the full year 2020, as required by Resolution 01/06. 	<ul style="list-style-type: none"> • BET annual report for Jan-June 2020 were attached. • Malaysia did not submit the report as there is no import data for Jan-June 2020 data from importing country.