

IOTC-2025-S29-pCR14 (Provisional)-Malaysia [E]

2025 **Provisional** Compliance Report for: Malaysia

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Notes:

Requirements that do not apply to the CPC (by exclusion) are not included in the PDF version of this report.

Acronyms and definitions can be consulted [on the last page](#) of the Compliance Report.

Req. n°	Source (para n°) (year)	Information required	Deadline	Current status	Observations	CPC remarks	CPC Follow-up and/or Remedial actions/CoC-COM Rec(s)
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1. Implementation obligations

2. Management Standards

2.8	Res. 17/07 (2) (6) (2024)	Ban on large-scale driftnets IOTC Area & MCS actions large-scale driftnets IOTC Area	12/2/2025	N/C2	LEG: NO – Provided - Banned by T&C of the ATF in the IOTC area of competence, but exclusively for vessels authorise to carry out fishing activity outside the Malaysian EEZ. Malaysia asserts that the prohibition is effective and enforced also through Malaysia Fisheries Act 1985, which prohibits individuals from operating, possessing or setting any fishing appliance without a valid licence. Furthermore, Malaysia indicates through Fisheries Regulation 1980 prohibits all drift nets with a mesh size greater than 25.4 cm. The Secretariat considers that the foregoing measures only partially implement the ban, as they transpose it solely for vessels authorise to operate in the high seas	Malaysia do not have Large-scale driftnet as driftnet only use by the traditional vessels operating from 1nm - 8nm in the Malaysia EEZ. Malaysia control on prohibition of driftnet mesh size not more than 25.4 cm (10 inch) operated in the Malaysian fisheries water.	- Malaysia ongoing national research program on drift-net specification were conducted for vessel operating the EEZ. Way forward, is to amend the Fisheries Regulation 1980 (currently prohibition of driftnet mesh size greater than 25.4 cm) to prohibition on large scale driftnet in the Malaysia EEZ.
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					and not explicitly extend it to all Malaysian fishing vessels operating within the entire IOTC area of competence, irrespective of the mesh size. STD: YES - MCS actions provided in e-MARIS, in the agreed format. SP: YES – Provided/described for a), b) and c).		
2.14	Res. 16/08 (1) (2024)	Prohibition aircrafts & unmanned aerial vehicles	23/1/2025	P/C	LEG: NO – Provided - Banned by T&C of the ATF for vessels authorise to carry out fishing activity outside the Malaysian EEZ. Provides Civil Aviation Regulation 2016 that bans only flying unmanned surveillance aircraft within 50 meters of any vessel that is not under the control of the person responsible for the airship. STD: N/A. SP: YES – Provided/described for a), b) and c).	The use of Aircraft & UAV in Malaysia is cover under the Civil Aviation Regulation 2016 (CAR 2016) (Regulation 140-144)	- Malaysia will need to have further discussion with the Civil Aviation Authority to include the prohibition of aircraft & UAV for fisheries activities in Malaysia EEZ.
2.23	Res. 11/02 (2) (2024)	Prohibition intentionally fishing within 1 nautical mile/interacting data buoy	23/1/2025	P/C	LEG: NO - Submitted "Terms and Conditions of the Authorisation to Fish Outside the Malaysian EEZ". Does not cover the EEZ of Malaysia. STD: N/A. SP: YES – Provided/described for a), b) and c).	-	- Malaysia will have further discussion with the responsible Authority to include prohibition on interactions with data buoy in the national regulation in Malaysia EEZ.
2.24	Res. 11/02 (3) (2024)	Prohibition taking on board data buoy	23/1/2025	P/C	LEG: Submitted - "Terms and Conditions of the Authorisation to Fish Outside the Malaysian EEZ". Does not cover the EEZ of Malaysia. <u>STD:</u> N/A. <u>SP:</u> YES – Provided/described for a), b) and c).	-	- Malaysia will have further discussion with the responsible Authority to include prohibition on interactions with data buoy in the national regulation in Malaysia EEZ.

3. Reporting on Vessels

4. Vessel Monitoring System

5. Mandatory statistical requirement – Flag State CPCs

5.6	Res 15/02 (1, 5) (2023)	Size Frequencies Geo-referenced – Coastal/surface/longline fisheries	30/6/2024	N/C2	STD: NO - Data NOT provided by IOTC standards, in two or more consecutive years. Less than 1 fish per metric tonne for some species.	-	- Malaysia will try to improve the sampling coverage on size frequency and one of our researcher will join the upcoming Data workshop in Jakarta this May as part of capacity building to help improve the size frequency reporting.
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6. Implementation of mitigation measures and bycatch of non-IOTC species

6.2	Res. 12/09 (2) (2024)	Prohibition on thresher sharks - all species of family Alopiidae	23/1/2025 (Since 2010)	P/C	LEG: YES - Banned by T&C of the ATF in the High Seas only. SP: YES - Provided & described for i) ii) iii).	-	- For Prohibition on Thresher sharks in Malaysia EEZ, Malaysia will need further action on listing the thresher sharks in the Fisheries (Control of Endangered Species of Fish) Regulations 1999.
6.10	Res 18/05 (5) (2024)	Prohibition to retain on board, tranship, land, any Striped Marlin, Black Marlin, Blue Marlin, Indo-pacific Sailfish smaller than 60 cm Lower Jaw Fork Length	23/1/2025 (Since 2018)	P/C	LEG: YES – Submitted - "Terms and Conditions of the Authorisation to Fish Outside the Malaysian EEZ". Does not cover the EEZ of Malaysia. STD: N/A. SP: YES – Provided/described for a), b) and c).	-	- on Prohibition to retain on board, tranship, land, Striped Marlin, Blue Marlin, Black Marlin & Indo-Pacific Sailfish smaller than 60 cm, in Malaysian EEZ these species usually are bycatch and very low landing reported by the fisherman. Malaysia will run data check on these species.
6.11	Res 24/06 (1) (2024)	Retention of target tuna species (YFT/SKJ/ BET) on board vessel	12/2/2025 (Since 2024)	P/C	LEG: YES - Submitted Authorisation to Fish Outside the Malaysian EEZ. Implemented by T&C of the ATF with force of law for vessels authorised to carry fishing activities in the high seas. The scope should cover all vessels in the e-RAV authorised to fish within the IOTC area of competence. STD: N/A. SP : YES - Provided & described for a) b) c).	-	- On the retention of targeted tuna species on board vessel will be extended to the IOTC area of competence and to be include in the licensing condition.
6.12	Res 24/06 (3) (2024)	Retention of non target species on board vessel	12/2/2025 (Since 2024)	P/C	LEG: YES - Submitted Authorisation to Fish Outside the Malaysian EEZ. Implemented by T&C of the ATF with force of law for vessels authorised to carry fishing activities in the high seas. The scope should cover all vessels in the e-RAV authorised to fish within the IOTC area of competence. STD: N/A. SP : YES - Provided & described for a) b) c).	-	- On the retention of non-targeted tuna species on board vessel will be extended to the IOTC area of competence and to be include in the licensing condition.

7. Illegal, Unreported and Unregulated (IUU) Vessels

8. Transshipments

9. Observers

9.2	Res. 22/04 (3) (2023)	5% Observer coverage mandatory at sea (all vessels)	17/11/2024	P/C	LEG: YES - ATF STD: NO - Data NOT provided, in two or more consecutive years. SP: YES - Provided & described for i) ii) iii).	-	- Malaysia will improve and provide observer data to the Secretariat. Malaysia needs to have capacity building on observer coverage to improve and follow the IOTC standard on observer report.
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9.4	Res. 22/04 (18) (2023)	At sea observer re-ports	17/11/2024	N/C2	STD: NO - Mandatory observer reports NOT provided, in two or more consecutive years. Report submitted is not in an IOTC language.	-	- Malaysia will improve and provide observer data to the Secretariat. Malaysia needs to have capacity building on observer coverage to improve and follow the IOTC standard on observer report. (Last submission in Bahasa Malaysia
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10. Statistical document programme

11. Port inspection

11.3	Res. 16/11 (13.1,15.1) (2024)	Inspection report & Report vessels engaged IUU fishing following port inspection	23/1/2025 (Since 2010)	P/C	LEG: N/A. STD: NO - Has NOT provided any of the two PIRs within 3 working days. Number of port calls: 3. Number of PIRs: 2. SP : N/A.	1 vessel FV Mercury decided to change landing port to Singapore.	- Malaysia will try to improve to submit the PIR within 3 working days. Malaysia have also participated in the Fifth Edition of The FAO International Course on PSMA Training in Busan, South Korea on 21 October - 8 November 2024 for capacity building.
11.5	Res 16/11 (7.3) (2024)	Denial entry in port foreign fishing vessel	23/1/2025 (Since 2010)	P/C	LEG: NO - Submitted: Malaysia Fisheries Act 1985. The Act does not include any specific provision on the obligation. STD: NIL report - Foreign vessels were NOT denied entry into ports. SP : YES - Provided & described for a) b) c).	-	- Malaysia need to discuss further with the legal office for the amendment on Fisheries act 1985 to include specific provision on the obligation of denial entry into port
11.6	Res. 16/11 (9.3, 9.5) (2024)	Report denial use port / withdrawal denial use port	23/1/2025 (Since 2010)	P/C	LEG: NO - Submitted: Malaysia Fisheries Act 1985. The Act does not include any specific provision on the obligation. STD: NIL report - Foreign vessels were NOT denied entry into ports. SP : YES - Provided & described for a) b) c).	-	- Malaysia need to discuss further with the legal office for the amendment on Fisheries act 1985 to include specific provision on the obligation of denial use of port.

Pursuant to Annex A of Appendix V, of the Rules of Procedure (2023), for all requirements assessed as N/C2, the concerned CPCs “*shall submit, within 3 months from the end of the Commission annual session, a detailed plan and timeline on how it intends to address the non-compliance of category 2 identified*”. The deadline for submission was the 17 August 2024.

The non-compliance of category 2 identified (N/C2) at the previous session of the Compliance Committee (CoC21), were for Malaysia :

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The Compliance Action Plan was :

Not received

If the submission of the Compliance Action Plan was required/applicable, the date of reception was :

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Summary of Malaysia 2025 compliance assessment (CoC22)

Compliant (C)	Partially Compliant (PC)	Non-compliant category 1 (NC1)	Non-compliant category 2 (NC2)	Not Applicable (NA)	Capacity building in progress (CB)	Compliance Rate (%)
41	11	0	3	31	0	74.5

Current issues on the level of implementation by Malaysia of IOTC Conservation and Management Measures identified for discussion in the CoC22 in 2025

Having reviewed the 2025 Summary Compliance Report for Malaysia, the Compliance Committee has identified the following significant repeated non-compliance issues for discussion.

Repeated non-compliance issues

Requirement	Information required	Observations	Previous status (2024)	Current status (2025)
2.8	Ban on large-scale driftnets IOTC Area & MCS actions large-scale drift-nets IOTC Area	LEG: NO – Provided - Banned by T&C of the ATF in the IOTC area of competence, but exclusively for vessels authorise to carry out fishing activity outside the Malaysian EEZ. Malaysia asserts that the prohibition is effective and enforced also through Malaysia Fisheries Act 1985, which prohibits individuals from operating, possessing or setting any fishing appliance without a valid licence. Furthermore, Malaysia indicates through Fisheries Regulation 1980 prohibits all drift nets with a mesh size greater than 25.4 cm. The Secretariat considers that the foregoing measures only partially implement the ban, as they transpose it solely for vessels authorise to operate in the high seas and not explicitly extend it to all Malaysian fishing vessels operating within the entire IOTC area of competence, irrespective of the mesh size. STD: YES - MCS actions provided in e-MARIS, in the agreed format. SP: YES – Provided/described for a), b) and c).	N/C2	N/C2
2.14	Prohibition air-crafts & unmanned aerial vehicles	LEG: NO – Provided - Banned by T&C of the ATF for vessels authorise to carry out fishing activity outside the Malaysian EEZ. Provides Civil Aviation Regulation 2016 that bans only flying unmanned surveillance aircraft within 50 meters of any vessel that is not under the control of the person responsible for the airship. STD: N/A. SP: YES – Provided/described for a), b) and c).	P/C	P/C
2.23	Prohibition intentionally fishing within 1 nautical mile/interacting data buoy	LEG: NO - Submitted "Terms and Conditions of the Authorisation to Fish Outside the Malaysian EEZ". Does not cover the EEZ of Malaysia. STD: N/A. SP: YES – Provided/described for a), b) and c).	N/C2	P/C
2.24	Prohibition taking on board data buoy	LEG: Submitted - "Terms and Conditions of the Authorisation to Fish Outside the Malaysian EEZ". Does not cover the EEZ of Malaysia. STD: N/A. SP: YES – Provided/described for a), b) and c).	N/C2	P/C
5.6	Size Frequencies Geo-referenced – Coastal/surface/longline fisheries	STD: NO - Data NOT provided by IOTC standards, in two or more consecutive years. Less than 1 fish per metric tonne for some species.	N/C2	N/C2
6.2	Prohibition on thresher sharks - all species of family Alopiidae	LEG: YES - Banned by T&C of the ATF in the High Seas only. SP: YES - Provided & described for i) ii) iii).	P/C	P/C
6.10		LEG: YES – Submitted - "Terms and Conditions of the Authorisation to Fish Outside the Malaysian EEZ". Does not cover the EEZ of Malaysia.	P/C	P/C

	Prohibition to retain on board, tranship, land, any Striped Marlin, Black Marlin, Blue Marlin, Indo-pacific Sailfish smaller than 60 cm Lower Jaw Fork Length	STD: N/A. SP: YES – Provided/described for a), b) and c).		
9.2	5% Observer coverage mandatory at sea (all vessels)	LEG: YES - ATF STD: NO - Data NOT provided, in two or more consecutive years. SP: YES - Provided & described for i) ii) iii).	P/C	P/C
9.4	At sea observer reports	STD: NO - Mandatory observer reports NOT provided, in two or more consecutive years. Report submitted is not in an IOTC language.	N/C1	N/C2
11.3	Inspection report & Report vessels engaged IUU fishing following port inspection	LEG: N/A. STD: NO - Has NOT provided any of the two PIRs within 3 working days. Number of port calls: 3. Number of PIRs: 2. SP : N/A.	N/C1	P/C
11.5	Denial entry in port foreign fishing vessel	LEG: NO - Submitted: Malaysia Fisheries Act 1985. The Act does not include any specific provision on the obligation. STD: NIL report - Foreign vessels were NOT denied entry into ports. SP : YES - Provided & described for a) b) c).	P/C	P/C

Note: if the table above is empty, it means there were no repeated compliance issues identified this year.

Comments by the Compliance Committee or Commission

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Reading instructions

(1) Information is to be provided in the Report of Implementation

(2) 24 meters overall length and over, and under 24 meters if they fished outside their EEZ

(Year) = year reporting on/year assessed.

LEG: Legislation - Transposition of Commission decisions, Legislation or administrative orders.

STD : Standard - Reporting format, IOTC standard

SP: System or procedures - Provision of information on system or procedures a) to monitor and ensure compliance of vessels and persons OR b) to prepare and submit information, data, report to the Commission.

i) ii) iii) = a) b) c)

Assessment

Compliance

- **C:** Compliant
- **C/B:** Capacity building
- **N/A:** Not applicable
- **N/C1:** Not compliant 1
- **N/C2:** Not compliant 2
- **P/C:** Partially compliant

CoC/Commission recommendations

- **Additional info or address the issue:** Provide additional information or address the compliance issue within a given period of time, and at the latest before the following annual meeting.
- **Actions proposed by the CPC:** Actions proposed by the CPC and endorsed by the Commission.
- **Investigation by the CPC:** Completion of an investigation by the CPC regarding a compliance issue and reporting back to the Compliance Committee, where required.
- **Enhanced monitoring of fleet:** Enhanced monitoring of the fleet.
- **Amendments to national rules:** Amendments to domestic procedures, legislation or policy including penalties, where required.
- **Detailed plan and timeline:** Submit, within 3 months from the end of the Commission annual session, a detailed plan and timeline on how it intends to address the non-compliance of category 2 identified.
- **Capacity building or assistance:** Provision of capacity building or technical assistance for a specified amount of time.
- **Other remedies:** Other remedies.

“Missing” values:

- **-/-**: no possible value (e.g.: no previous assessment possible because this is the first campaign in which the requirement is assessed);
- **None**: no value provided by the Secretariat (e.g. requirement assessed as Compliant, no text provided in “Observations”);
- **Not assessed**: for timeliness and compliance when no assessment has been made yet or the requirement is not assessable;
- **-**: no information provided by the CPC for this question (e.g. nothing entered in a text entry field, no boxes checked...);
- **Not Submitted**: the value will only be available after submission of the report (e.g. the “Report date”).