

# Regulating Illegal, Unreported and Unregulated Fishing

The Malaysian Experience

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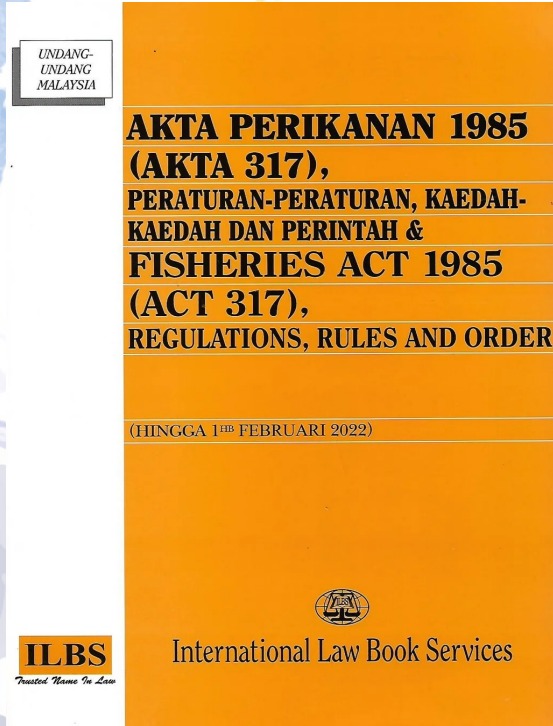
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01

# Regulatory Framework and Legislations

In Malaysia

# Regulatory Framework & Legislations



## Fisheries Act 1985 & Its Regulations

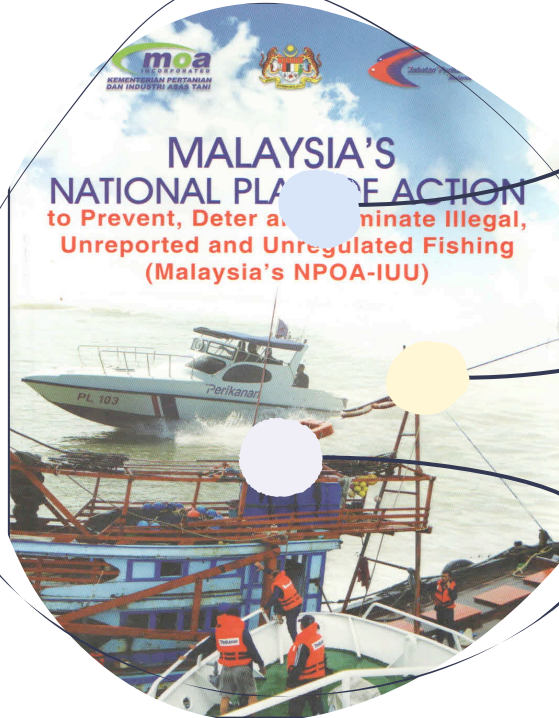
legislative framework for the conservation, management and development of the maritime and estuarine fishing and fisheries in Malaysia.

02

# NPOA-IUU

Review Process

# NPOA-IUU



Launched in 2013

Strengthen Malaysia's commitment at international level in effort to combat IUU Fishing

Several enforcement agencies in Malaysia have teamed up to handle case of IUU fishing vessels (13 agencies)



# Review Process

*Revision to  
Fisheries Act 1985*

*Commitment under  
international  
instrument*

*Evaluation and  
review of the 1<sup>st</sup>  
NPOA-IUU*



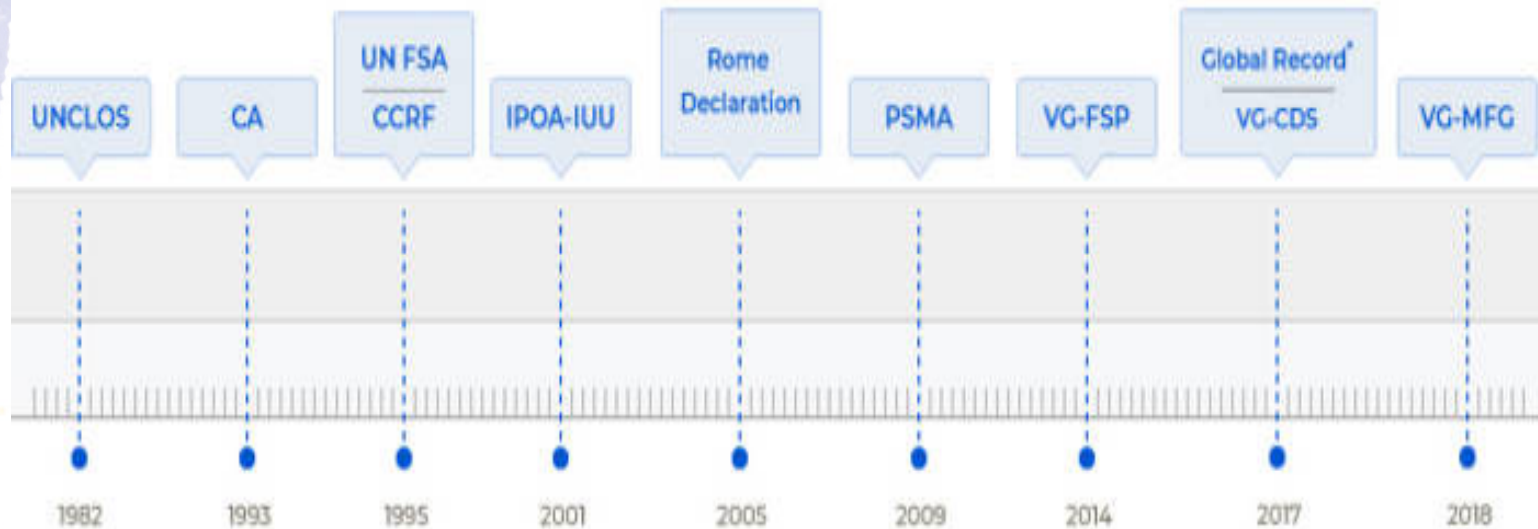
03

# Malaysian Commitment

International Instrument



# FAO



# Other Commitment

## CBD

- Kunming-Montreal GBF

## RFMO

- IOTC

## WTO

- FSA

## ASEAN

- Joint ASEAN-SEAFDEC Declaration on Regional Cooperation for Combating Illegal Unreported and Unregulated (IUU) Fishing
- ASEAN Roadmap on Combating Illegal, Unreported and Unregulated Fishing
- ASEAN Guidelines for Preventing the Entry of Fish and Fishery Products from IUU Fishing Activities into the Supply Chain
  - AN-IUU

## FTA

- New requirement

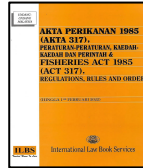
## Other

- RPOA-IUU
  - IORA

# Flag State Responsibilities



Ensure all vessels are operating with permission, not engage in or support IUU fishing, in own waters or high seas



Maintain an updated Record of Fishing Vessels-MFVR

- Flag, unique registered name
- Avoid flagging vessel with a history of non-compliance
- Prevent “flag hopping”

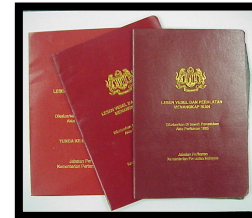


Ensure that Malaysia can exercise its responsibility before registers any fishing vessel

- Take all basic steps before register any fishing vessel





Authorization to fish



# Coastal State Responsibilities

- Effective MCS of fishing activities

-   Vessel Monitoring System (VMS)

-   Zoning System

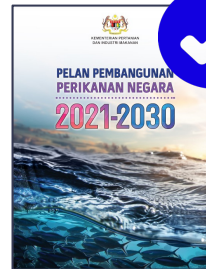
-   Marking of fishing vessel

-   Surveillance at sea

- Cooperation and exchange information with other States

-  ASEAN
- SEAFDEC
- RPOA-IUU
- IOTC
- IORA
- APEC

- Exploring, Exploiting, Conserving and Managing the living marine resources under our jurisdiction



-  Capture fisheries Development Plan
- Data collection & Stock Survey
- Marine Protected Area
- Fisheries Management Plan

# *Port State Responsibilities*

- Control of Port admission for foreign fishing vessel in order to prevent, deter and eliminate IUU fishing.
- Port access for reasons of *force majeure* or distress
- Require foreign fishing vessel to seek permission to enter port
- Do not granted access to the port for a vessel that has engaged in IUU fishing activity- clear evidence
- Share information with flag State
- Cooperate accordingly



04

# Conclusion

Gap and Challenges



# Challenges

## **Resource limitations**

Assets limitations to cover the entire waters

## **Multi-agency Coordination**

Requires political will and also close cooperation with all related agencies and authority

## **Legislation**

Amendment of the Act to maintain relevancy

# Conclusion

- ❑ Malaysia has a very strong domestic laws to combat IUU fishing committed either by local fishing vessel or foreign fishing vessels.
- ❑ Malaysia views that international cooperation is key to combat IUU fishing.



# Thank You



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